



**MINUTES OF PROCEEDINGS
PROCES-VERBAL D'AUDIENCE**

Rule 35 of the Rules of Procedure and Evidence / Art. 44 of the Directive for the Registry on Court Management
Art. 35 Règlement de Procédure et de Preuve / Art. 44 Directive au Greffe sur l'Administration des Chambres

Case Name: **BAGOSORA ET /**
Case No: ICTR-98-41-T
Trial Chamber: One

Before / Devant: Judge Erik Møse, presiding; Judge Sergei Alekseevich Egorov.
 Specificities / Spécificités: Joinder
 Prosecution / Poursuite: Barbara Mulvaney, Drew White, Christine Graham, Rashid Rashid.
 Accused / Accusés: Théoneste Bagosora, Gratien Kabiligi, Aloys Ntabakuze, Anatole Nsengiyumva.
 Defence / La Défense: Raphael Constant, René Saint-Léger, Peter Erlinder; André Tremblay, Kennedy Ogetto, Gershom Otachi Bw'omanwa.
 Others.....Hamuli Rety (ADAD).
 Registry / Greffe: Lovemore Green Munlo, Aminatta N'gum, Sankara Menon, Dunstain Mwaungulu, Joseph Essombè-Edimo, Marianne Ben Salimo, Mussa Sheha.
 Date Monday 20 December 2004.

Hearing

1. Remarks / Remarques

- a. The Chamber sat in the absence of Judge Reddy, pursuant to Rule 15*bis* of the Rules of Procedure and Evidence.
- b. The Presiding Judge announced that, at the request of the Defence, the Chamber would today hear oral argument on the joint Defence motion for the reinstatement of Mr. Degli as Lead Counsel for Kabiligi, and a similar motion signed by the Accused Kabiligi himself, filed 20 December 2004. A status conference would be held tomorrow, 21 December 2004. Mr. Rety, the President of ADAD, had been invited to be present in the courtroom during oral argument, although no decision had yet been taken on ADAD's application to be granted amicus curiae status in relation to the motion.
- c. The Parties, including the Accused Kabiligi on his own behalf, presented arguments in relation to the motions. The Registry (Mr. Munlo) also made remarks.
- d. The Chamber asked questions to the parties. At 1.05 p.m., the Chamber adjourned, indicating that it would render an oral decision in open session at 5.00 p.m., with written reasons to follow.
- e. The Chamber reconvened at 5.05 p.m. and denied the motions, with written reasons to follow. It adjourned until a Status Conference to be held on 21 December 2004 at 9.00 a.m.

2. Decisions & Orders rendered orally / Décisions & Ordonnances rendues oralement

- The Chamber denied the joint Defence motion, filed on 18 November 2004, and the motion filed by Kabiligi, filed 20 December 2004, both for the reinstatement of Lead Counsel of Kabiligi.

3. Witnesses heard / Témoins entendus.

- None.

4. Exhibits tendered / Pièces à conviction présentées.

- None.

Opening <i>Ouverture</i>	Adjournment <i>Suspension</i>	
10.20 a.m.	1.05 p.m.	
5.05 p.m.	5.08 p.m.	
Xxx	Xxx	
Xxx	Xxx	
Total time in Court <i>Durée des débats</i>		2h 48 mns

Signature	Signature
SIGNED	SIGNED
For Judge Erik Møse Presiding Judge	Marianne Ben Salimo Court Room Officer
Christopher Gosnell Associate Legal Officer	
Date: 20 December 2004	Date: 20 December 2004