



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: **NYIRAMASUHUKE ET AL.**

Case No: ICTR-98-42-T

Trial Chamber: Two

Before / Devant: **Judge William H. Sekule (Presiding)**, Judge Arlette Ramarason, Judge Solomy Bossa.

Specificities / Spécificités: Joinder.

Prosecution / Poursuite: S. Arbia, A. Adeboyejo (absent), A. Whest, H. Makwaia, M. Adenuga, A. Alexis (absent), M. C. Tidiane (absent), A. Mbow, T. Olowoye (absent).

Accused / Accusés: P. Nyiramasuhuko, A. Ntahobali, S. Nsabimana, A. Nteziryayo, J. Kanyabashi, E. Ndayambaje.

Defence / La Défense: N. Bergevin, G. Poupart, C. Campbell (Asst.), D. Mwanyumba, N. Marquis (absent), M. Dimitri, (Asst.), J. Kadji (absent), C. Tchakoute, P. T. Weledji (Asst.), D. Arsin (Asst.), F. Pacere, R. Perras, C. Buteau (Asst), M. Marchand, S. Santerre (absent), J. Veillette (Asst.), I. Biruka (Asst.), P. Boulé (absent), Desrochers, F. Palardy (Asst.) (absent), C. Sindayigaya (Asst.) (absent).

Registry / Greffe: J. M. Kiyeyeu, E. Mwanja, A. Koshopa.

Date: Tuesday 15 March 2005

TRIAL DAY 237

1. Remarks / Remarques

- a. Defence Counsel (Mr. Poupart) informed the Chamber that the next Witness is Dr. Eugène Shimamungu. He examined Dr. Shimamungu to establish his qualification as an Expert Witness. He produced exhibits indicated at paragraph 4a-b. Defence Counsel informed the Chamber that they did not intend to cross-examine Dr. Eugène Shimamungu while Prosecution Counsel (Ms. Arbia) informed the Chamber that she intends to cross-examine Dr. Eugène Shimamungu. Prosecution Counsel (Ms. Arbia) cross-examined Dr. Eugène Shimamungu and prayed the Chamber not to admit Dr. Eugène Shimamungu to testify as an Expert Witness on the ground that Dr. Shimamungu appears to be a general practitioner more than an expert. See the Ruling of the Chamber at paragraph 2.
- b. Defence Counsel (Mr. Poupart) conducted the examination-in-chief of Witness Eugène Shimamungu (DW15). He produced exhibits indicated at paragraph 4c-d. Mr. Poupart informed the Chamber that he has given Ms. Arbia four audiotapes so that she could study them before they are produced in evidence as exhibits. He said that three audiotapes concern President Sindikubwabo' speech and one audiotape concerns Prime Minister Jean Kambanda' speech. The Chamber took note.
- c. The session was adjourned to Wednesday 16 March 2005 at 9:00 a.m. for the continuation of the Defence case when Defence Counsel (Mr. Poupart) will continue the examination-in-chief of Expert Witness Eugène Shimamungu (DW15).

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

The Chamber held that Dr. Eugène Shimamungu was qualified to testify as an expert witness and consequently allowed him to testify as an expert witness.

3. Witnesses heard / Témoins entendus

Defence Witness: Eugène Shimamungu (DW15).

4. Exhibits tendered / Pièces à conviction présentées

- a. D. 277a – C.V. of Eugène Shimamungu and a list of Publication, (Nyiramasuhuko) (French).
- b. D. 277b – C.V. of Eugène Shimamungu and a list of Publication, (Nyiramasuhuko) (English).
- c. D. 278a – Report of Eugène Shimamungu, (Nyiramasuhuko) (French).
- d. D. 278b – Report of Eugène Shimamungu, (Nyiramasuhuko) (English).

Opening <i>Ouverture</i>	Adjournment <i>Suspension</i>
9:00 a. m.	11:02 a. m.
11:25 a. m.	1:32 p. m.

Signature

Signature

Signed

Signed

For Judge W. H. Sekule
Presiding Judge

John M. Kiyeyeu

3:02 p. m.	4:15 p. m.
4:45 p. m.	5:42 p. m.

Alice Leroy,
Coordinator, Chambers

Courtroom Officer TCII

Date: 15 March 2005

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Total time in Court Durée des débats	6hrs 19 min
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