



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

Case Name: **NYIRAMASUHUHO ET AL.**

Case No: ICTR-98-42-T

Trial Chamber: Two

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

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

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

Date: Thursday 14 April 2005

**TRIAL DAY 255**

**1. Remarks / Remarques**

- a. Defence Counsel (Mr. Marquis) informed the Chamber that he inquired with Ms. Becky (WVSS) about Mr. Babin's payments. Mr. Marquis said that Ms. Becky informed him that she had consulted Mr. Munlo, Deputy Registrar on that issue and that Mr. Munlo confirmed that no payment will be made to Mr. Babin who has not been qualified as an Expert Witness. Mr. Marquis informed the Chamber that they have appealed that decision before the President of the Tribunal and he prayed for an adjournment of the proceedings until Monday pending the Decision on appeal from the President. Defence Counsel (Ms. Bergevin) informed the Chamber that the Decision of the Registrar not to honour the agreements made between him and Defence Witnesses has an impact on the Defence. She stated that the Registry does not have any respect for the Defence and for Defence Witnesses. She supported the request for adjournment as she needed to consult her client on this matter. Defence Counsel Mr. Perras, Mr. Boulé and Mr. Marchand also showed concern about the unilateral annulment of the contract with the Expert Witness by the Registry. Prosecution Counsel (Ms. Arbia) informed the Chamber that the disqualification of Mr. Babin should not bring the proceedings to a halt. She said that the Defence should be ready with other witnesses. The Registry informed the Chamber about its position with regard to witnesses who have not been qualified to testify as Expert Witnesses. See the Ruling of the Chamber at paragraph 2a-c.
- b. The session was adjourned to Monday 18 April 2005 at 9:00 a.m. for the continuation of the Defence case. Defence Counsel (Mr. Marquis) will conduct the examination-in-chief of Witness Edmond Babin.

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

- a. The Chamber granted the request by the Defence and adjourned the session to Monday 18.4.2005. The Chamber stated that it has taken note that the matter is on appeal before the President of the Tribunal.
- b. The Chamber directed that all efforts should be made to have Mr. Babin testify on Monday.
- c. The Chamber further directed that contingent plans should be made to ensure that witnesses are available to cover situations such as the one at hand in order to ensure the smooth running of the proceedings.

**3. Witnesses heard / Témoins entendus**

None.

**4. Exhibits tendered / Pièces à conviction présentées**

None.

Opening Ouverture	Adjournment Suspension
9:20 a. m.	9:55 a. m.
xx	xx

Signature

Signature

**Signed**

**Signed**

For Judge W. H. Sekule  
Presiding Judge

John M. Kiyeyeu

xx	xx
xx	xx

Alice Leroy,  
Coordinator, Chambers

Courtroom Officer TCII

**Date:** 14 April 2005

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Total time in Court Durée des débats	0hrs 35 min
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