Before / Devant: Judge Erik Møse, Presiding; Judge Sergei Alekseevich Egorov, Judge Dennis Charles Michael Byron.

Specificities / Spécificités: Single

Prosecution / Poursuite: Richard Karegyesa, Ignacio Tredici.

Accused / Accusés: Aloys Simba.

Defence / La Défense: Sadikou Ayo Alao, Beth Lyons.

Registry / Greffe: Marianne Ben Salimo, Edward Edwin Matemanga, Emmanuel Mwanja.

Date: Monday 8 November 2004

1. Remarks / Remarques
   a. Prosecution Witness Karugaba (PW 16) entered the court and made his solemn declaration. The Prosecution (Mr. Karegyesa) examined Witness Karugaba (PW 16) from 08:59 a.m. to 12:23 p.m. with an adjournment from 11:23 to 12:02 p.m.
   b. The Defence (Mr. Alao) objected to the admissibility of a letter written to the Accused (K 028473) because only an English translation was provided and not the original. The Prosecution (Mr. Karegyesa) stated that the original of document K 028473 was seized from the Accused when he was arrested and then later returned to him. The Defence contested that the document was returned. The Presiding Judge noted that document K 028473 would be marked at this stage for identification only.
   c. The Defence (Mr. Alao) requested the Chamber to give him additional time to prepare for the cross-examination of Witness Karugaba because he had just received some of the documents used by the Prosecution in his examination. The Prosecution stated that all the documents had been previously disclosed. The Chamber granted the Defence’s request to adjourn the proceedings until the next day’s trial session so that it could have additional time to prepare.
   d. The Prosecution (Mr. Karegyesa) asked if Witness KDD should be made available to complete his cross-examination after the conclusion of the investigator’s testimony. The Defence (Mr. Alao) stated that he planned to take a full day to cross-examine the investigator so the conclusion of KDD’s evidence could not begin until Wednesday 10 November 2004. He also stated that one document concerning the appeal decision was missing but that he would be ready to cross-examine Witness KDD.
   e. The Presiding Judge informed the parties that after the completion of the testimony of Witness KDD, the Chamber would hold a Status Conference and reminded the Defence to give to the Chamber and the Prosecution the list of the documents to be tendered as Defence exhibits.
   f. The proceedings were adjourned until Tuesday 9 November 2004 at 8:45 a.m.

2. Decisions & Orders rendered orally / Décisions & Ordonnances rendues oralement
   • Portions of the transcripts to be put under seal and to be erased from the video system..

3. Witnesses heard / Témoins entendus.
   • Prosecution Witness Herbert R. Karugaba (PW 16)

4. Exhibits tendered / Pièces à conviction présentées
   • P.18: Map of Rwanda.
   • P.19: Map of Gikongoro.
   • P 20: Map of Butare.
   • P 25B: English version of the letter on 21 April 1994. K 0284552
   • P 26A: Military Telegram, French version. K A 017143
- P 26B: Military Telegram, English version. K 0284546
- P 27A: List of persons who received firearms in Nyarusange Sector. 5/06/1994. In Kinyarwanda original
- P 27B: Document. K 0285026. English version of P 27A
- P 29B: Document K 0284755. French version of P 29A.
- P 29C: Document K 02884759. English version of P 29A.
- P 30B: English version of P 30A.
- P 31B: English version of P 31A. Document K A 290985
- P 34A: Letter written in Kinyarwanda to Simba on 8 August 1997. KA 018849.
- P 34C: English version of the letter on 08/08/1997.
- P 36B: English version of the letter on 28/04/2000.
- P 37B: English version of the letter written by Simba on 28 April 2000.
- P 38C: Document K 0285017. English version of the document P38 A

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<th>Opening</th>
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<tr>
<td>8:58 a.m.</td>
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Total time in Court: 3hrs 12mns

For Judge Erik Møse
Presiding Judge
Matthew Carlson
Associate Legal Officer
Date: 8 November 2004

Marianne Ben Salimo
Courtroom Officer
Date: 8 November 2004

Signature: SIGNED
Signature: SIGNED

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