



10 October 2003

## ICTY WEEKLY UPDATE – 285

### PROCEDURAL DEVELOPMENTS:

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#### I. OVERVIEW OF COURT PROCEEDINGS:

##### **MILOŠEVIĆ Case (“Croatia and Bosnia and Herzegovina”)**

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*Trial Chamber III – Judges May (Presiding), Robinson and Kwon*

42<sup>nd</sup> week of the Prosecution case.

From 7 until 9 October 2003, the following witnesses were examined by the Prosecution and subsequently cross-examined by the Accused and one of the *amici curiae*:

- Expert Witness Ewa Tabeau
- Witness Milan Milanović (has not yet been cross-examined)
- Witness General Sir Rupert Smith

##### **BLAGOJEVIĆ and JOKIĆ Case (“Srebrenica”)**

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*Trial Chamber I, Section A – Judges Liu (Presiding), Vassilenko and Argibay*

9<sup>th</sup> week of the Prosecution case.

From 6 until 10 October 2003, the Prosecution continued the examination of Dragan Obrenović and the Defence subsequently cross-examined him.

##### **ČEŠIĆ Case (“Brčko”)**

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*Trial Chamber I - Judges Orić (Presiding), Liu and El Mahdi*

On 8 October 2003, the parties appeared before the Trial Chamber for a hearing on the Joint Motion for Consideration of the Plea Agreement between Ranko Češić and the Prosecutor. The Prosecution suggested a sentence of 13 to 18 years' imprisonment. The Accused pleaded guilty to all 12 counts of the Indictment. The Trial Chamber accepted the guilty plea of the Accused and found him guilty on each count of the Indictment. A date for the sentencing hearing will be scheduled in due course (see *Press Release No. 787*).

##### **BRĐANIN Case (“Krajina”)**

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*Trial Chamber II Section A – Judges Agius (Presiding), Janů and Taya*

On 9 October 2003, the parties appeared before the Trial Chamber for a Pre-Defence Hearing pursuant to Rule 73 *ter* of the Rules of Procedure and Evidence. Before the Pre-Defence Hearing started, the Trial Chamber gave an oral Ruling on the Defence Motion for Judgement of Acquittal pursuant to Rule 98 *bis* filed confidentially on 22 August 2003. The Trial Chamber granted the Defence Motion in part and ruled that there was no case to answer regarding certain elements and incidents in the Indictment. The written Decision will be filed at a subsequent date.

## II. OVERVIEW OF SELECTED COURT DOCUMENTS:

### **DERONJIĆ Case (“Glogova”)**

*Trial Chamber II - Judges Schomburg (Presiding), Mumba and Agius*

#### **SCHEDULING ORDER**

On 3 October 2003, the Trial Chamber ordered *inter alia* that the Registrar appoint an expert to submit a report on the Accused’s socialisation and that the sentencing hearing be held from 27 to 30 January 2004.

### **BRĐANIN Case (“Krajina”)**

*Trial Chamber II - Judges Agius (Presiding), Janů and Taya*

#### **DECISION ON THE DEFENCE “OBJECTION TO INTERCEPT EVIDENCE”**

On 3 October 2003, the Trial Chamber rejected the Objection and Supplemental Objection filed by the Defence on 3 July and 18 July 2003 respectively, objecting to the admission of evidence obtained through the allegedly illegal interception of telephone conversations.

### **MILOŠEVIĆ Case (“Croatia and Bosnia and Herzegovina”)**

*Trial Chamber III – Judges May (Presiding), Robinson and Kwon*

#### **ORDER OF FURTHER INSTRUCTION TO THE *AMICI CURIAE***

On 6 October 2003, the Trial Chamber extended the role of the *amici curiae* having regard to the recurring medical condition of the Accused since 18 March 2002 and to the desirability of the *amici curiae* giving greater assistance to the Accused. It authorized them to receive such communications as the Accused may make to them and to act in any way to protect and further the interests of his Defence.

#### **ORDER TO THE RIGHT HONORABLE THE LORD OWEN TO TESTIFY AND TO PROVIDE WRITTEN STATEMENT PRIOR TO TESTIFYING**

On 4 September 2003, the Trial Chamber ordered Lord David Owen to testify on 3 and 4 November 2003 and invited him to submit a concise written statement covering matters set out in the Order which include *inter alia* his appointment and mandate in the former Yugoslavia, his meetings with the Accused and the leaders of the Federal republic of Yugoslavia and the Croatian and Bosnian Serbs, and his observations of the relations between the Accused and those leaders. The Order was filed confidentially and made public this week.

### **Momir NIKOLIĆ Case (“Srebrenica”)**

*Trial Chamber I, Section A – Judges Liu (Presiding), Vassylenko and Argibay*

#### **SCHEDULING ORDER**

On 6 October 2003, the Trial Chamber ordered that the sentencing hearing in the case *Prosecutor v. Momir Nikolić* be held on 27 and 28 October 2003.

## **COURTROOM SCHEDULE: 13 OCTOBER – 17 OCTOBER 2003\***

### **MONDAY 13 OCTOBER**

Courtroom III 09:00 – 13:45, **Brđanin**, Trial  
15:00 - 17:30, **Kvočka et al.**, Status Conference

### **TUESDAY 14 OCTOBER**

Courtroom I 09:00 - 13:45, **Milošević**, Trial  
Courtroom III 09:00 - 13:45, **Brđanin**, Start of Defence case

### **WEDNESDAY 15 OCTOBER**

Courtroom I 09:00 - 13:45, **Milošević**, Trial  
14:30 - 16:00, **Kordić and Čerkez**, Status Conference  
Courtroom III 09:00 - 13:45, **Brđanin**, Trial

**THURSDAY 16 OCTOBER**

Courtroom I 09:00 - 13:45, **Milošević**, Trial  
Courtroom III 09:00 - 13:45, **Brđanin**, Trial

**FRIDAY 17 OCTOBER**

Courtroom I 10:00 - 11:30, **Simić et al.**, Judgement  
Courtroom III 09:00 - 13:45, **Brđanin**, Trial

\*The courtroom schedule is provisional and you are invited to check for last minute changes with the Public Information Services.

Public proceedings are also broadcast with a 30 minute delay on the ICTY's web site:

<http://www.un.org/icty/latest/>(in English) (Please click on Hearing Schedule);

<http://www.un.org/icty/bhs/week-b.htm> (na bosanskom/hrvatskom/srpskom).

**PRESS RELEASES ISSUED SINCE 23 SEPTEMBER 2003**

DATE	NUMBER	TITLE	E	F	B/C/S
08/10/2003	786	STATEMENT OF JUDGE THEODOR MERON, PRESIDENT OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA, BEFORE THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE ("U.S. HELSINKI COMMISSION")	E		B/C/S
08/10/2003	787	RANKO ČEŠIĆ PLEADS GUILTY TO ALL COUNTS OF HIS INDICTMENT	E		B/C/S
09/10/2003	788	STATEMENT OF JUDGE THEODOR MERON, PRESIDENT OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA, TO THE UNITED NATIONS SECURITY COUNCIL	E		
10/10/2003	789	ADDRESS OF JUDGE THEODOR MERON, PRESIDENT OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA, TO THE UNITED NATIONS GENERAL ASSEMBLY	E		
10/10/2003	790	ADDRESS OF JUDGE THEODOR MERON, PRESIDENT OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA, TO THE UNITED NATIONS SECURITY COUNCIL	E		
10/10/2003	791	ADDRESS BY MS. CARLA DEL PONTE, CHIEF PROSECUTOR OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA, TO THE UNITED NATIONS SECURITY COUNCIL	E		

For the latest list of all court filings, please visit the [ICTY Court Records](#)

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