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APPEALS CHAMBER

CHAMBRE D'APPEL

The Hague, 10 January 2002

JL/P.I.S./653-e

**BENCH OF APPEALS CHAMBER GRANTS PROSECUTION LEAVE TO
APPEAL JOINDER DECISION IN MILOŠEVIĆ CASE**

On 9 January 2002, a bench of the Appeals Chamber consisting of Judges Claude Jorda (Presiding), David Hunt and Fausto Pocar, issued its decision granting the Prosecution's Application for Leave to File an Interlocutory Appeal in the Milošević case, filed on 20 December 2001.

The Prosecution's Application followed the Decision on the Prosecution's Motion for Joinder rendered on 13 December 2001 by Trial Chamber III, which stated "*that the Kosovo Indictment will be tried separately first...and that the Croatia and Bosnia Indictment will be tried immediately after the Kosovo Indictment*".

In reaching its decision, the bench of the Appeals Chamber found that the "*the correct interpretation of Rule 49 of the Rules (of Procedure and Evidence) dealing with the joinder of crimes in one indictment has not been determined by the Appeals Chamber and that clarification of that rule may be important to proceedings before this Tribunal so that the issue may be said to be one of general importance to proceedings before the Tribunal pursuant to Rule 73(D)(ii)*".

The bench of the Appeals Chamber emphasised that "*this grant of leave to appeal should not be understood as preventing the Trial Chamber, if it so decides, commencing the trial of the Kosovo Indictment on the date it has already fixed*". The date for the start of the trial for the Kosovo indictment is set for 12 February 2002.

The full text of the bench of the Appeal Chamber's Decision is available upon request from the ICTY Press Office and will also be released on the ICTY Internet site in due course.

Internet address: <http://www.un.org/icty>

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