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International
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for the former
Yugoslavia

Tribunal Pénal
International pour
l'ex-Yougoslavie

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APPEALS CHAMBER
CHAMBRE D'APPEL

The Hague, 25 January 2002
CC/P.I.S./655-e

“THE PROSECUTOR AGAINST SLOBODAN MILOŠEVIĆ”:

**THE APPEALS CHAMBER HAS SCHEDULED A HEARING
ON THE ISSUE OF THE JOINDER OF THE INDICTMENTS**

On Friday, 25 January 2002, the Appeals Chamber of the International Criminal Tribunal for the former Yugoslavia has ordered that a hearing be held on the Prosecution's request that *“the Croatia and Bosnia indictment be tried together with the Kosovo indictment”*.

This hearing has been scheduled to take place on **Wednesday 30 January 2002 at 9:30 a.m.**, in Courtroom I. The Appeals Chamber will be consisting of Judge Claude Jorda (presiding), Judge David Hunt, Judge Mehmet Güney, Judge Fausto Pocar and Judge Theodor Meron.

The accused will be present, as well as the *amici curiae*.

PROCEDURAL BACKGROUND

On 13 December 2001, the Trial Chamber partially granted the Prosecution's Motion on the Joinder of Indictments, ordering that the Croatia and Bosnia indictments be joined together and that the Kosovo indictment be tried separately first.

On 20 December 2001, the Prosecution filed an application to be granted leave to appeal against the above decision. This leave was granted on 9 January 2002 by a Bench of the Appeals Chamber.

On 15 January 2002, the Prosecution filed its Interlocutory Appeal based on four grounds:

- 1) *the Trial Chamber erroneously found that the Croatia/Bosnia indictments and Kosovo indictment could not be joined because they did not form “the same transaction”;*
- 2) *the Trial Chamber erred in the exercise of its discretion by failing to take into account the true prejudice to prosecution by requiring certain witnesses to testify in separate trials;*
- 3) *the Trial Chamber erred in the exercise of its discretion in finding that a joint trial would prejudice the accused, contrary to all representations on record;*
- 4) *the Trial Chamber erred in the exercise of its discretion by considering (...) that a joint trial would be unmanageable for the Trial Chamber...”.*

PRACTICAL INFORMATION

The Appeals Chamber's hearing will be public. Media representatives wishing to attend should register through the application form available on the Internet site of the ICTY at the following address: www.un.org/icty/milosevic.

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

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