



27 February 2009

ICTY WEEKLY UPDATE – 527

PROCEDURAL DEVELOPMENTS

I. OVERVIEW OF COURT PROCEEDINGS

POPOVIĆ et al. Case

Trial Chamber II - Judges Agius (Presiding), Kwon, Prost and Støle (Reserve Judge)

Continuation of the Defence case (Vinko Pandurević)

From 23 until 27 February 2009, the following witness testified:

- *Vinko Pandurević (one of the accused)*

GOTOVINA et al. Case

Trial Chamber I – Judges Orić (Presiding), Kinis and Gwaunza

Continuation of the Prosecution case

On 23 February 2009, the following witness testified:

- *Marko Rajčić (Chief of Artillery of the Croatian Army during the relevant period)*

On 24 February 2009, the following witness testified (*closed session*):

- *Witness P-013*

On 26 and 27 February 2009, the following witness testified (*closed session*):

- *Witness P-082*

Vojislav ŠEŠELJ Case

Trial Chamber III – Judges Antonetti (Presiding), Harhoff and Lattanzi

Continuation of the Prosecution case

On 25 February 2009, the parties discussed procedural matters.

PRLIĆ et al. Case

Trial Chamber III – Judges Antonetti (Presiding), Prandler, Trechsel and Mindua (Reserve Judge)

Continuation of the Defence case (Bruno Stojić)

On 23 and 24 February 2009, the following witness testified:

- **Bruno Pinjuh** (*HVO Chief of Defence department in the city of Čitluk and then “Herceg-Bosna” official in the Ministry of Defence during the relevant period*)

On 25 February 2009, the following witness testified:

- **Ante Kvesić** (*doctor in Mostar during the relevant period*)

DORĐEVIĆ Case

Trial Chamber II – Judges Parker (Presiding), Flügge and Baird

Continuation of the Prosecution case

On 23 February 2009, the following witness testified:

- **Nike Peraj** (*Yugoslav Army officer in Kosovo during the relevant period*)

On 23 and 25 February 2009, the following witness testified:

- **Witness K-90** (*Yugoslav Army officer in Kosovo during the relevant period*)

On 26 February 2009, the following witness testified (*closed session*):

- **Witness K-73**

On 27 February 2009, the following witness testified:

- **Witness K-25** (*Serbian police officer in Kosovo during the relevant period*)

LUKIĆ&LUKIĆ Case

Trial Chamber III – Judges Robinson (Presiding), Van den Wyngaert and David

Continuation of the Defence case (Milan Lukić)

On 25 February 2009, the following witnesses testified:

- **Witness MLD-21** (*member of the Republika Srpska Army in the area of Višegrad during the relevant period*)
- **Witness MLD-19** (*testifying about the events in the area of Višegrad during the relevant period*)

On 25 and 26 February 2009, the following witness testified:

- **Witness MLD-22** (*member of the Republika Srpska Army in the area of Višegrad during the relevant period*)

On 26 February 2009, the following witness testified:

- **Miodrag Mitrasinović** (*member of the Republika Srpska Army in the area of Višegrad during the relevant period*)

MILUTINOVIĆ et al. Case

Trial Chamber III – Judges Bonomy (Presiding), Chowhan, Kamenova and Nosworthy (Reserve Judge)

Trial Chamber Judgement

On 26 February 2009, the Trial Chamber III rendered its judgement: Milan Milutinović was acquitted of all charges; Nikola Šainović, Nebojša Pavković and Sreten Lukić were sentenced to 22 years' whereas Dragoljub Ojdanić and Vladimir Lazarević were sentenced to 15 years of imprisonment – *See Press Release number 1306, dated 26 February 2009.*

TOLIMIR Case

Judge Prost

On 27 February 2009, the parties met before Judge Prost for a Status Conference with the accused present.

II. OVERVIEW OF SELECTED COURT DOCUMENTS

KRAJIŠNIK Case

Appeals Chamber – Judges Pocar (Presiding), Shahabuddeen, Güney, Vaz and Meron

SCHEDULING ORDER

On 26 February 2009, the Appeals Chamber ordered that the appeals judgement shall be delivered on 17 March 2009 at 12:30 in courtroom I.

KARADŽIĆ Case

Trial Chamber III – Judges Bonomy (Presiding), Flügge and Picard

DECISION ON PROSECUTION MOTION TO RECONSIDER THE TRIAL CHAMBER'S DECISION ON THE MOTION TO AMEND THE FIRST AMENDED INDICTMENT

On 26 February 2009, Trial Chamber III granted a motion by the Prosecution to include a killing incident in the indictment against Radovan Karadžić and ordered them to file a new, third amended, indictment by 27 February 2009 at noon. The further appearance of the accused is scheduled to take place on 3 March 2009 at 14:15.

Vojislav ŠEŠELJ Case (“Contempt”)

Trial Chamber II – Judges Agius (Presiding), Kwon and Parker

SCHEDULING ORDER FOR INITIAL APPEARANCE

On 27 February 2009, Trial Chamber II scheduled the initial appearance of Vojislav Šešelj, charged with one count of contempt of court, for 6 March 2009 at 14:30 in courtroom I.

COURTROOM SCHEDULE: 2 MARCH – 6 MARCH 2009*

MONDAY 2 MARCH

Courtroom I 09:00 – 13:45, **Gotovina et al.**, Trial
14:15 – 19:00, **Đorđević**, Trial
Courtroom II 14:15 – 19:00, **Perišić**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, Trial
14:15 – 19:00, **Prlić et al**, Trial

TUESDAY 3 MARCH

Courtroom I 09:00 – 13:45, **Gotovina et al.**, Trial
14:15 – 15:30, **Karadžić**, Further Appearance **end time and courtroom to be confirmed*
15:45 – 19:00, **Đorđević**, Trial
Courtroom II 08:50 – 13:45, **Lukić & Lukić**, Trial
14:15 – 19:00, **Perišić**, Trial
Courtroom III 09:00 – 13:45, **Prlić et al**, Trial
14:15 – 19:00, **Popović et al**, Trial

WEDNESDAY 4 MARCH

Courtroom I 09:00 – 13:45, **Gotovina et al.**, Trial
14:15 – 19:00, **Đorđević**, Trial
Courtroom II 08:50 – 13:45, **Lukić & Lukić**, Trial
14:15 – 19:00, **Perišić**, Trial
Courtroom III 09:00 – 13:45, **Prlić et al.**, Trial
14:15 – 19:00, **Popović et al.**, Trial

THURSDAY 5 MARCH

Courtroom I 09:00 – 13:45, **Gotovina et al.**, Trial
14:15 – 19:00, **Đorđević**, Trial
Courtroom II 08:50 – 13:45, **Lukić & Lukić**, Trial
14:15 – 19:00, **Perišić**, Trial
Courtroom III 09:00 – 13:45, **Prlić et al**, Trial
14:15 – 19:00, **Popović et al.**, Trial

FRIDAY 6 MARCH

Courtroom I 09:00 – 13:45, **Gotovina et al.**, Trial
14:30 – 15:30, **Šešelj (contempt)**, Initial Appearance **end time to be confirmed*
Courtroom II 09:00 – 13:45, **Đorđević**, Trial
14:15 – 19:10, **Lukić & Lukić**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, Trial

*The courtroom schedule is provisional and you are invited to check for last minute changes with the Media Office (+31-70-512-5343, - 5356, or - 8752)

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<http://www.icty.org> (in English)

<http://www.icty.org/bhs> (na bosanskom/hrvatskom/srpskom).

LATEST PRESS RELEASES

Date	Number	Title	E	F	B/C/S
26/02/2009	1306	FIVE SENIOR SERB OFFICIALS CONVICTED OF KOSOVO CRIMES, ONE ACQUITTED http://www.icty.org/sid/10066	E	F	B/C/S

LATEST FILED DOCUMENTS

Signature Date	Case Number	Case Description	Document Title
20-Feb-09	IT-95-5/18	Karadzic and Mladic	PROCÈS-VERBAL OF RECEPTION OF DOCUMENTS OF THE ICTY (D12679-D12672 & D10-1/12679 TER)
20-Feb-09	IT-04-74	Prlic and Others	SLOBODAN PRALJAK'S MOTION FOR RECONSIDERATION OF THE "ORDONNANCE PORTANT ADMISSION D'ÉLÉMENTS DE PREUVE RELATIFS AU TÉMOIN EXPERT MILAN CVIKL" ISSUED 18 FEBRUARY 2009 REGARDING THE ADMISSION OF EXHIBIT 3D02653
20-Feb-09	IT-04-74	Prlic and Others	BRUNO STOJIC'S MOTION TO ADD EXHIBIT 2D02018 TO THE RULE 65TER LIST WITH ANNEX A
20-Feb-09	IT-05-87/1	Dordevic Vlastimir	VLASTIMIR DORDEVIC'S RESPONSE TO PROSECUTION'S MOTION TO AMEND THE RULE 65 TER EXHIBIT LIST WITH ANNEXES A AND B
20-Feb-09	IT-98-32/1	Lukic et al	PROSECUTION NOTICE PURSUANT TO RULE 94BIS(B) PERTAINING TO DR. WARNER ANDERSON
23-Feb-09	IT-06-90	Gotovina et Al.	DEFENDANT ANTE GOTOVINA'S RESPONSE TO PROSECUTION'S SUBMISSION OF RULE 92 TER STATEMENT FOR WITNESS 47
23-Feb-09	IT-06-90	Gotovina et Al.	ANNEX A TO JOINT SUBMISSION BY THE PROSECUTION AND THE MARKAC DEFENCE CONCERNING THE TRANSLATION OF EXHIBITS P1150, P1151, AND P1152
23-Feb-09	IT-95-5/18	Karadzic and Mladic	REGISTRAR'S SUBMISSION PURSUANT TO RULE 33 (B) ON ACCESS BY THE ACCUSED'S DEFENCE TEAM TO CONFIDENTIAL INFORMATION
23-Feb-09	IT-03-67	Seselj	ORDER ASSIGNING JUDGES TO A CASE BEFORE THE APPEALS CHAMBER

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23-Feb-09	IT-95-5/18	Karadzic and Mladic	PODNEŠAK SEKRETARA NA OSNOVU PRAVILA 33(B) U VEZI S PRISTUPOM TIMA ODBRANE OPTUŽENOG POVJERLJIVIM INFORMACIJAMA
23-Feb-09	IT-04-74	Prlic and Others	PROSECUTION RESPONSE TO JADRANKO PRLIC'S REQUEST FOR CERTIFICATION TO APPEAL UNDER RULE 73(B) AGAINST THE DÉCISION RELATIVE AU SUPPLÉMENT A LA DÉCLARATION DE L'ACCUSÉ PRLIC EN VERTU DE L'ARTICLE 84 BIS DU RÈGLEMENT 12 FEBRUARY 2009
23-Feb-09	IT-08-91	Stanisic & Zupljanin	PROSECUTION REQUEST AND NOTICE REGARDING APPLICATION OF ADJUDICATED FACTS TO STOJAN ZUPLJANIN, WITH ANNEX
23-Feb-09	IT-06-90	Gotovina et Al.	DEFENDANT MLADEN MARKAC'S REQUEST FOR RECONSIDERATION OR, IN THE ALTERNATIVE, CERTIFICATION TO APPEAL THE TRIAL CHAMBER'S ORAL DECISION NOT TO ALLOW DEFENCE COUNSEL TO EXAMINE WITNES 82 IN PERSON
23-Feb-09	IT-06-90	Gotovina et Al.	PROSECUTION'S MOTION TO ADMIT EXTRACTS OF PRESIDENTIAL TRANSCRIPTS INTO EVIDENCE
23-Feb-09	IT-95-5/18	Karadzic and Mladic	PROCÈS-VERBAL OF RECEPTION OF DOCUMENTS OF THE ICTY (D12722-D12718 & D5-1/12722 TER)
23-Feb-09	IT-04-74	Prlic and Others	SLOBODAN PRALJAK'S MOTION FOR THE ADMISSION OF EXHIBIT 3D00785
23-Feb-09	IT-05-87/1	Dordevic Vlastimir	PROSECUTION NOTIFICATION OF ORDER OF WITNESSES FOR WEEK COMMENCING ON 9 MARCH 2009
23-Feb-09	IT-06-90	Gotovina et Al.	PROSECUTION'S MOTION TO ADD 2 DOCUMENTS SUMMARISING INVESTIGATIVE STEPS TAKEN BY CIVILIAN AUTHORITIES TO THE PROSECUTION'S EXHIBIT LIST AND TO ADMIT THESE DOCUMENTS INTO EVIDENCE
23-Feb-09	IT-05-88	Popovic et al	ABSENCE FROM COURT DUE TO ILLNESS - MR. MILETIC
23-Feb-09	IT-04-74	Prlic and Others	NOTICE BY THE ACCUSED MR. CORIC (ABSENCE FROM COURT)
24-Feb-09	IT-95-5/18-AR73.1	Karadzic (Interlocutory)	PROCÈS-VERBAL OF RECEPTION OF DOCUMENTS OF THE ICTY (A78-A70)
24-Feb-09	IT-95-5/18	Karadzic and Mladic	MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO PROSECUTION MOTION FOR RECONSIDERATION

24-Feb-09	IT-04-74	Prlic and Others	PROSECUTION RESPONSE TO MOTION OF MILIVOJ PETKOVIC REQUESTING GUIDELINES IN RELATION TO EVIDENCE POTENTIALLY CONTRARY TO HIS INTERESTS GIVEN BY WITNESSES FOR OTHER ACCUSED (1) UNDER EXAMINATION BY COUNSEL; (2) IN RESPONSE TO JUDGES' QUESTIONS
24-Feb-09	IT-95-5/18-AR73.1	Karadzic (Interlocutory)	REPLY BRIEF: APPEAL OF DECISION CONCERNING HOLBROOKE AGREEMENT DISCLOSURE
24-Feb-09	IT-05-87/1	Dordevic Vlastimir	VLASTIMIR DORDEVIC'S RESPONSE TO PROSECUTION'S MOTION TO ADMIT EXHIBITS FROM THE BAR TABLE
24-Feb-09	IT-05-88	Popovic et al	PROSECUTION RESPONSE TO GENERAL MILETIC'S MOTION FOR THE ADMISSION OF DOCUMENTS THROUGH A WRITTEN MOTION WITH A CONFIDENTIAL ANNEX
24-Feb-09	IT-06-90	Gotovina et Al.	PROSECUTION'S MOTION TO ADMIT ELEVEN KILLINGS-RELATED DOCUMENTS INTO EVIDENCE AND TO ADD THREE DOCUMENTS TO THE PROSECUTION'S EXHIBIT LIST
24-Feb-09	IT-04-74	Prlic and Others	NOTICE BY THE ACCUSED MR. CORIC (ABSENCE FROM COURT)
24-Feb-09	IT-05-88/2	Zdravko Tolimir	NOTICE OF CHANGE OF FILING STATUS CONCERNING THE PROSECUTION'S MOTION FOR JUDICIAL NOTICE OF ADJUDICATED FACTS PURSUANT TO RULE 94(B), WITH ATTACHED APPENDIX A
24-Feb-09	IT-06-90	Gotovina et Al.	IVAN CERMAK'S RESPONSE TO PROSECUTION'S MOTION TO ADMIT 28 DOCUMENTS AND A VIDEO TAPE INTO EVIDENCE AND TO ADD SEVEN DOCUMENTS AND VIDEO TAPE TO THE PROSECUTION'S 65 TER EXHIBIT LIST
24-Feb-09	IT-06-90	Gotovina et Al.	DEFENDANT MLADEN MARKAC'S RESPONSE TO PROSECUTION'S MOTION TO ADMIT 28 DOCUMENTS AND A VIDEO TAPE INTO EVIDENCE AND TO ADD SEVEN DOCUMENTS AND VIDEO TAPE TO THE PROSECUTION'S 65 TER EXHIBIT LIST
24-Feb-09	IT-05-88/2	Zdravko Tolimir	PROSECUTION'S RESPONSE TO MOTION OF THE ACCUSED FOR THE PRE-TRIAL CHAMBER AND REGISTRAR OF THE TRIBUNAL TO CREATE MINIMUM CONDITIONS FOR THE PREPARATION OF HIS DEFENCE

24-Feb-09	IT-05-88/2	Zdravko Tolimir	ODGOVOR TUZILASTVA NA ZAHTJEV OPTUZENOG DA PRETPRETRESNO VIJECE I SEKRETAR SUDA OBEZBIJEDE MINIMALNE USLOVE ZA PRIPREMU NJEGOVE ODBRANE
25-Feb-09	IT-00-39-A	Krajcinski (Appeal)	ORDER REGARDING RULE 75 MOTION BY STOJAN ZUPLJANIN
25-Feb-09	IT-08-91	Stanisic & Zupljanin	ORDER REGARDING RULE 75 MOTION BY STOJAN ZUPLJANIN
25-Feb-09	IT-04-74	Prlic and Others	ORDONNANCE PORTANT ADMISSION D'ÉLÉMENTS DE PREUVE RELATIFS AU TÉMOIN DAVOR MARIJAN
25-Feb-09	IT-04-74	Prlic and Others	NOTICE BY THE ACCUSED MR. CORIC (ABSENCE FROM COURT)
25-Feb-09	IT-05-88	Popovic et al	VUJADIN POPOVIC'S REQUEST FOR CERTIFICATION TO APPEAL THE TRIAL CHAMBER'S DECISION ON MOTION FOR THE PRODUCTION OF DOCUMENTS PURSUANT TO RULE 54
25-Feb-09	IT-05-87/1	Dordevic Vlastimir	ORDER TO REDACT THE PUBLIC TRANSCRIPT AND THE PUBLIC BROADCAST OF A HEARING
25-Feb-09	IT-03-67	Seselj	DÉCISION RELATIVE À L'ADMISSION DES ÉLÉMENTS DE PREUVE PRÉSENTÉS LORS DU TÉMOIGNAGE D'EWA TABEAU
25-Feb-09	IT-04-74	Prlic and Others	JOINT DEFENCE RESPONSE TO "PROSECUTION MOTION SEEKING TO EXCLUDE IRRELEVANT EVIDENCE TO BE OFFERED BY BRUNO STOJIC WITNESS DRAGAN PINJUH" DATED 19 FEBRUARY 2009
25-Feb-09	IT-04-74	Prlic and Others	VALENTIN CORIC'S RESPONSE TO "APPLICATION OF MILOVOJ PETKOVIC REQUESTING TRIAL CHAMBER GUIDELINES TO ACHIEVE EFFECTIVE IMPLEMENTATION OF RIGHTS OF THE PETKOVIC DEFENCE IN RELATION TO EVIDENCE POTENTIALLY CONTRARY TO HIS INTERESTS GIVEN BY WITNESSES FOR OT
25-Feb-09	IT-04-74	Prlic and Others	BRUNO STOJIC'S RESPONSE TO "MOTION OF MILIVOJ PETKOVIC REQUESTING TRIAL CHAMBER GUIDELINES TO ACHIEVE EFFECTIVE IMPLEMENTATION OF RIGHTS OF THE PETKOVIC DEFENCE IN RELATION TO EVIDENCE POTENTIALLY CONTRARY TO HIS INTERESTS GIVEN BY WITNESSES FOR OTHER ACC

25-Feb-09	IT-04-74	Prlic and Others	PROSECUTION RESPONSE TO THE BRUNO STOJIC REQUEST FOR ADMISSION OF EXHIBIT TENDERED THROUGH WITNESS VESO VEGAR
25-Feb-09	IT-95-5/18	Karadzic and Mladic	PROCÈS-VERBAL OF RECEPTION OF DOCUMENTS OF THE ICTY (D12951-D12939)
25-Feb-09	IT-95-5/18	Karadzic and Mladic	DECISION ON ACCUSED MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO PROSECUTION MOTION FOR RECONSIDERATION
25-Feb-09	IT-95-5/18	Karadzic and Mladic	ODLUKA PO ZAHTJEVU OPTUZENOG DA MU SE PRODUZI ROK ZA PODNOSENJE ODGOVORA NA ZAHTJEV TUZILASTVA ZA PREISPITIVANJE ODLUKE PRETRESNOG VIJECA
25-Feb-09	IT-05-88/2-AR72.1	Tolimir (Interlocutory)	DECISION ON TOLIMIR'S "INTERLOCUTORY APPEAL AGAINST THE DECISION OF THE TRIAL CHAMBER ON THE PART OF THE SECOND PRELIMINARY MOTION CONCERNING THE JURISDICTION OF THE TRIBUNAL"
25-Feb-09	IT-04-74	Prlic and Others	PROSECUTION RESPONSE TO THE SLOBODAN PRALJAK REQUEST FOR ADMISSION OF EXHIBIT TENDERED THROUGH WITNESS VESO VEGAR
26-Feb-09	IT-95-5/18	Karadzic and Mladic	PROCÈS-VERBAL OF RECEPTION OF DOCUMENTS OF THE ICTY (D12955-D12953&D3-1/12955 TER)
26-Feb-09	IT-03-67	Seselj	PROSECUTION'S MOTION FOR ADMISSION OF EVIDENCE
26-Feb-09	IT-05-87	Milutinovic et al.	JUDGEMENT - VOLUME 4 OF 4
26-Feb-09	IT-04-74-AR73.14	Prlic and Others (Interlocutory)	DECISION ON THE INTERLOCUTORY APPEAL AGAINST THE TRIAL CHAMBER'S DECISION ON PRESENTATION OF DOCUMENTS BY THE PROSECUTION IN CROSS-EXAMINATION OF DEFENCE WITNESSES
26-Feb-09	IT-06-90	Gotovina et Al.	REASONS FOR DECISION ON PROSECUTION'S RENEWED MOTION FOR EVIDENCE OF WITNESS 82 TO BE PRESENTED VIA VIDEO-CONFERENCE LINK FROM ZAGREB AND REASONS FOR DECISION ON THE REQUEST OF THE MARKAC DEFENCE TO CONDUCT CROSS-EXAMINATION IN ZAGREB
26-Feb-09	IT-06-90	Gotovina et Al.	PROSECUTION'S MOTION TO ADD 66 MILITARY POLICE DOCUMENTS TO THE 65 TER LIST AND TO ADMIT 70 MILITARY POLICE DOCUMENTS INTO

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			EVIDENCE
26-Feb-09	IT-95-5/18	Karadzic and Mladic	DECISION ON PROSECUTION MOTION TO RECONSIDER THE TRIAL CHAMBER'S DECISION ON THE MOTION TO AMEND THE FIRST AMENDED INDICTMENT
26-Feb-09	IT-06-90	Gotovina et Al.	PROSECUTION'S REQUEST FOR LEAVE TO REPLY TO IVAN CERMAK AND MLADEN MARKAC'S RESPONSES TO THE PROSECUTION'S MOTION TO ADMIT 28 DOCUMENTS AND A VIDEO TAPE INTO EVIDENCE AND TO ADD SEVEN DOCUMENTS AND VIDEO TAPE TO THE PROSECUTION'S 65 TER EXHIBIT LIST
26-Feb-09	IT-05-87	Milutinovic et al.	PAVKOVIC STATEMENT OF CONSENT
26-Feb-09	IT-00-39-A	Krajisnik (Appeal)	SCHEDULING ORDER
26-Feb-09	IT-02-54-R77.5	Hartmann (Contempt)	PROSECUTION RESPONSE TO DEFENCE MOTION SEEKING CERTIFICATION OF TRIAL CHAMBER'S "REASONS FOR DECISION ON URGENT DEFENCE MOTION FOR THE ISSUANCE OF SUBPOENA TO AMICUS CURIAE PROSECUTOR"
26-Feb-09	IT-06-90	Gotovina et Al.	IVAN CERMAK'S RESPONSE TO PROSECUTION'S MOTION FOR THE ADMISSION INTO EVIDENCE OF THE STATEMENTS OF THE ACCUSED IVAN CERMAK AND MLADEN MARKAC AND FURTHER SUBMISSIONS BY THE PROSECUTOR THEREON
27-Feb-09	IT-03-67-R77.1	Petkovic (Contempt)	DECISION ON "PROSECUTION MOTION FOR CERTIFICATION TO APPEAL THE TRIAL CHAMBER'S DECISION DENYING ACCESS TO THE FULL RECORD OF IT-03-67-R77.1"
27-Feb-09	IT-03-67-R77.2	Seselj (Contempt)	SCHEDULING ORDER FOR INITIAL APPEARANCE
27-Feb-09	IT-03-67	Seselj	DECISION ON PROSECUTION MOTION FOR CERTIFICATION TO APPEAL THE TRIAL CHAMBER'S DECISION DENYING ACCESS TO THE FULL RECORD OF IT-03-67-R77.1

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