



11 April 2003

ICTY WEEKLY UPDATE – 262

PROCEDURAL DEVELOPMENTS:

I. OVERVIEW OF COURT PROCEEDINGS:

MILOŠEVIĆ Case (“Croatia and Bosnia and Herzegovina”)

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

23rd week of the Prosecution case.

From 7 until 11 April 2003, the following witnesses were examined by the Prosecution and subsequently cross-examined by the Defence and one of the *amici curiae*:

- Protected Witness B-1003
- Protected Witness B-1486
- Protected Witness B-104
- Protected Witness B-1493
- Expert Witness Morten Torkildsen

SIMIĆ *et al.* Case (“Bosanski Šamac”)

Trial Chamber II Section B – Judges Mumba (Presiding), Williams and Lindholm

18th week of the Defence case.

On 7, 10 and 11 April 2003, the following witnesses were examined by the Defence and subsequently cross-examined by the Prosecution:

- Witness Mustafa Omeranović
- Witness Pasaga Tihic
- Witness Mihajlo Topolovac
- Witness Fadil Topcagic
- Witness Petar Karlovic

MUČIĆ *et al.* Case (“Čelebići”)

Appeals Chamber – Judges Meron (Presiding), Shahabuddeen, Hunt, Pocar and Gunawardana

On 8 April 2003, the Appeals Chamber rendered its Appeals Judgement on the sentences. The Appeals Chamber dismissed the appeals against the sentences and confirmed the sentences imposed by the Trial Chamber. The application by Hazim Delic to have his appeal against conviction reconsidered was rejected (see *Press Release No. 743*). Judges Meron and Pocar appended a Separate Opinion to the Judgement. Judge Shahabuddeen also appended a Separate Opinion.

MEAKIĆ *et al.* Case (“Omarska and Keraterm Camps”)

Pre-Trial Judge Robinson

On 8 April 2003, the parties appeared before the Pre-Trial Judge for a Status Conference pursuant to Rule 65*bis* of the Rules of Procedure and Evidence.

STAKIĆ Case (“Prijedor”)

Trial Chamber II Section III – Judges Schomburg (Presiding), Vassilenko and Argibay

On 11 April 2003, the Prosecution commenced its closing arguments.

II. OVERVIEW OF SELECTED COURT DOCUMENTS:

MILOŠEVIĆ Case (“Croatia and Bosnia and Herzegovina”)

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

REASONS FOR DECISION ON THE PROSECUTION MOTION CONCERNING ASSIGNMENT OF COUNSEL

On 4 April 2003, the Trial Chamber set out the reasons for its oral Ruling of 18 December 2002, rejecting a Prosecution Motion that defence counsel should be imposed on Slobodan Milošević.

ORDER CONCERNING A CHRONOLOGY OF EVENTS IN THE CROATIA PART OF THE CASE

On 8 April 2003, the Trial Chamber ordered the parties to file any objections or proposed amendments to the Chronology attached to the Order within 14 days.

DECISION ON PROSECUTION MOTION FOR JUDICIAL NOTICE OF ADJUDICATED FACTS

On 10 April 2003, the Trial Chamber admitted the first 130 paragraphs set out in Annex A to the Prosecution Motion of 12 December 2002, but did so in the form set out in the Schedule attached to the Decision under the heading “Actual Text”. It did not admit the remainder of the facts set out by the Prosecution in Annex A to its Motion.

ORDER CONCERNING THE RESPONSE OF THE GOVERNMENT OF SERBIA AND MONTENEGRO TO THE TRIAL CHAMBER’S REQUEST FOR AN INVESTIGATION INTO VIOLATION OF ITS ORDER FOR PROTECTIVE MEASURES

On 10 April 2003, the Trial Chamber took notice of the report of the authorities of Serbia and Montenegro and reminded the authorities of Serbia and Montenegro that, whatever is provided for in their domestic legislation, Article 29 of the International Tribunal’s Statute imposes upon all States the obligation to comply with any request for assistance or order of a Trial Chamber.

MEAKIĆ *et al.* Case (“Omarska and Keraterm Camps”)

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

DECISIONS ON DUŠKO KNEŽEVIĆ’S, DUŠKO FUŠTAR’S, PREDRAG BANOVIĆ’S AND MOMČILO GRUBAN’S PRELIMINARY MOTIONS ON THE FORM OF THE INDICTMENT

On 4 April 2003, the Trial Chamber issued four Decisions rejecting the Preliminary Motions of four of the Co-accused on the form of the Indictment.

JOVANOVIĆ Case

Judge Agius

DECISION ON REVIEW OF INDICTMENT AND ORDER FOR NON DISCLOSURE OF SUPPORTING MATERIAL

On 7 April 2003, Judge Agius confirmed the Indictment against Duško Jovanović. The Prosecution charged Jovanović with contempt of the Tribunal, a violation of Rule 77(A)(ii) of the Rules of Procedure and Evidence (see *Press Release* No. 744).

BLAGOJEVIĆ *et al.* Case (“Srebrenica”)

Appeals Chamber – Judges Pocar (Presiding), Jorda, Shahabuddeen, Güney and Gunawardana

DECISION

On 8 April 2003, the Appeals Chamber dismissed Jokić’s, Blagojević’s and Nikolić’s Appeals. The three Co-accused had filed Interlocutory Appeals against the Trial Chamber Decision of 21 January 2003 which ordered the Prosecution to deliver copies of statements of the witnesses it intends to call at trial and copies of all disclosure materials.

GALIĆ Case (“Sarajevo”)

Trial Chamber I – Judges Orić (Presiding), El Mahdi and Nieto Navia

DECISION ON THE DEFENCE REQUEST FOR CERTIFICATION TO APPEAL THE BUREAU’S DECISION ON GALIĆ’S APPLICATION PURSUANT TO RULE 15(B)

On 10 April 2003, the Trial Chamber declared that it was not competent to decide upon the Defence Request of 3 April 2003 for Certification to Appeal against the Bureau’s Decision on Galić’s Application Pursuant to Rule 15(B).

ORIĆ Case

Judge May

CONFIRMATION OF INDICTMENT AND ORDER FOR NON-DISCLOSURE

On 28 March 2003, Judge May confirmed the Indictment against Naser Orić. Once the Arrest Warrant had been served on the Accused, the Indictment was disclosed publicly (see *Press Release No. 745*).

COURTROOM SCHEDULE: 14 APRIL – 18 APRIL 2003*

MONDAY 14 APRIL

Courtroom I 09:00 - 13:45, **Milošević**, Trial
Courtroom II 09:00 - 12:30, **Stakić**, Closing Arguments
14:00 - 16:30, **Stakić**, Closing Arguments
Courtroom III 09:00 - 13:45, **Simić et al.**, Trial

TUESDAY 15 APRIL

Courtroom I 09:00 - 13:45, **Milošević**, Trial
Courtroom II 09:00 - 13:45, **Stakić**, Closing Arguments
Courtroom III 09:00 - 13:45, **Simić et al.**, Trial

WEDNESDAY 16 APRIL

Courtroom I 09:00 - 13:45, **Milošević**, Trial
Courtroom II 09:00 - 13:45, **Stakić**, Closing Arguments
Courtroom III 09:00 - 13:45, **Simić et al.**, Trial

THURSDAY 17 APRIL

Courtroom I 09:00 - 13:45, **Milošević**, Trial
Courtroom II 09:00 - 13:45, **Stakić**, Closing Arguments
Courtroom III 09:00 - 13:45, **Simić et al.**, Trial

FRIDAY 18 APRIL

Good Friday

*The courtroom schedule is provisional and you are invited to check for last minute changes with the Public Information Services. Unless otherwise indicated, all sessions are open.

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 4 APRIL 2003

DATE	NUMBER	TITLE	E	F	B/C/S
08/04/03	743	JUDGEMENT IN THE APPEAL THE PROSECUTOR V. MUCIC, DELIC AND LANDZO	E	F	B/C/S
08/04/03	744	DUSKO JOVANOVIĆ INDICTED FOR CONTEMPT OF THE TRIBUNAL	E	F	B/C/S
11/04/03	745	ARREST AND TRANSFER OF NASER ORIĆ	E		B/C/S

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