



19 September 2003

ICTY WEEKLY UPDATE – 282

PROCEDURAL DEVELOPMENTS:

I. OVERVIEW OF COURT PROCEEDINGS:

The overview of the Milosević and of the Blagojević & Jokić cases will be published in the next issue of the Weekly Update.

RAŠEVIĆ Case (“Foča”)

Judge Janu

On 16 September 2003, following his transfer to the Tribunal on 15 August 2003 and Initial Appearance on 18 August 2003, the parties appeared before Judge Janu for Mitar Rašević's Further Initial Appearance. The Accused declined again to enter a plea. Judge Janu therefore entered a plea of “not guilty” on his behalf, pursuant to Rule 62(iv) of the Rules of Procedure and Evidence: the Judge shall “if the accused fails to enter a plea at the initial or any further appearance, enter a plea of not guilty on the accused's behalf”.

KRNOJELAC Case (“Foča”)

Appeals Chamber – Judges Jorda (Presiding), Schomburg, Shahabuddeen, Güney and Agius

On 17 September 2003, the parties appeared before the Appeals Chamber for the pronouncement of the Appeals Judgement. The Appeals Chamber expanded the criminal responsibility and the culpability of the Accused, quashed the acquittal pronounced by the Trial Chamber on two counts of crimes against humanity (torture and murders) and on two counts of violations of the laws or customs of war (torture and murders) and declared the Accused guilty of them. It revised the sentence and raised it to 15 years' imprisonment (see *Press Release No. 783*).

II. OVERVIEW OF SELECTED COURT DOCUMENTS:

LIMAJ *et al.* Case

Trial Chamber I – Judges Orić (Presiding), El Mahdi and Martín Canivell

DECISION ON PROVISIONAL RELEASE OF FATMIR LIMAJ

On 12 September 2003, the Trial Chamber denied the Defence Motion for Provisional Release of Fatmir Limaj, filed on 24 June 2003.

DECISION ON PROVISIONAL RELEASE OF HARADIN BALA

On 16 September 2003, the Trial Chamber denied the Defence Motion for Provisional Release of Haradin Bala, filed on 7 July 2003.

DECISION ON PROVISIONAL RELEASE OF ISAK MUSLIU

On 17 September 2003, the Trial Chamber denied the Defence Motion for Provisional Release of Isak Musliu, filed on 6 August 2003.

Vidoje BLAGOJEVIĆ Case

Appeals Chamber – Judges Shahabuddeen (Presiding), Pocar, Hunt, Güney and Weinberg de Roca
DECISION ON APPEAL BY VIDOJE BLAGOJEVIĆ TO REPLACE HIS DEFENCE TEAM

On 15 September 2003, the Appeals Chamber dismissed Blagojević's Appeal of Trial Chamber I 3 July 2003 Decision on Independent Counsel for Vidoje Blagojević's Motion to Instruct the Registrar to Appoint new Lead and Co-counsel (see *Weekly Update* No. 274). A reasoned Decision will be rendered in due course.

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

ORDER RE-SCHEDULING STATUS CONFERENCE

On 15 September 2003, the Trial Chamber re-scheduled the status conference to be held on Wednesday 1 October 2003 at 03:00p.m.

Miroslav DERONJIĆ Case

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

SCHEDULING ORDER FOR STATUS CONFERENCE

On 16 September 2003, the Trial Chamber ordered that a status conference be held on Friday 26 September at 10:00a.m. in Courtroom I.

Slobodan MILOSEVIĆ Case

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

ORDER CONCERNING THE PREPARATION AND PRESENTATION OF THE DEFENCE CASE

On 17 September 2003, the Trial Chamber ordered *inter alia* that the Trial be adjourned for three months between the close of the Prosecution case and the commencement of the Defence case to facilitate the Accused in the preparation of his case; that the Accused file the list of witnesses he intends to call and the list of exhibits he intends to rely on within six weeks of the close of the Prosecution case; that the Registry provide the Accused with facilities to prepare his case (the text of the order is available on the website of the Tribunal at www.un.org/icty).

Enver HADŽIHASANOVIC & Amir KUBURA

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

SCHEDULING ORDER

On 17 September 2003, the Trial Chamber ordered *inter alia* that the Prosecutor file the final version of its pre-trial brief no later than Friday 10 October 2003 and that the Defence file its pre-trial brief no later than Monday 3 November 2003.

Pavle STRUGAR

Trial Chamber I – Judges Orić (Presiding), El Mahdi and Martín Canivell

ORDER FOR RETURN TO UNITED NATIONS DETENTION UNIT

On 17 September 2003, the Trial Chamber ordered the suspension of Pavle Strugar's provisional release from 6th October 2003 (at which date he shall return to the United Nations Detention Unit), until further order .

COURTROOM SCHEDULE: 22 SEPTEMBER – 26 SEPTEMBER 2003*

MONDAY 22 SEPTEMBER

Courtroom I 09:00 - 13:45, Blagojević & Jokić, Trial

TUESDAY 23 SEPTEMBER

Courtroom I 09:00 - 13:45, Milošević, Trial

15:00 - 16:30, Stanišić & Simatović, Status Conference

Courtroom III 14:15 - 19:00, Blagojević & Jokić, Trial

WEDNESDAY 24 SEPTEMBER

Courtroom I 09:00 - 13:45, Milošević, Trial

15:00, Milutinović *et al.*, Status Conference

Courtroom III 09:00 - 13:45, Blagojević & Jokić, Trial

THURSDAY 25 SEPTEMBER

Courtroom I 09:00 - 13:45, **Milošević**, Trial
15:00, **Ljubičić**, Status Conference
Courtroom III 09:00 - 13:45, **Blagojević & Jokić**, Trial

FRIDAY 26 SEPTEMBER

Courtroom III 09:00 - 13:45, **Blagojević & Jokić**, 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 15 SEPTEMBER 2003

DATE	NUMBER	TITLE	E	F	B/C/S
15/09/2003	782	APPEALS JUDGEMENT TO BE RENDERED IN THE KRNOJELAC CASE	E		B/C/S
17/09/2003	783	APPEALS CHAMBER JUDGEMENT IN THE CASE THE PROSECUTOR v. MILORAD KRNOJELAC, CULPABILITY OF THE ACCUSED EXPANDED AND SENTENCE INCREASED TO 15 YEARS' IMPRISONMENT	E	F	B/C/S

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

For a selection of the latest public documents, please visit the [ICTY Website](#)