



26 March 2004

ICTY WEEKLY UPDATE – 307

PROCEDURAL DEVELOPMENTS:

I. OVERVIEW OF COURT PROCEEDINGS:

HADŽIHASANOVIĆ and KUBURA Case (“Central Bosnia”)

Trial Chamber II - Judges Antonetti (Presiding), Rasoazanany and Swart

14th week of the Prosecution case.

From 22 until 26 March 2004, the following witnesses were examined by the Prosecution and subsequently cross-examined by the Defence:

- Witness Vaughan Kent-Payne
- Witness Launcelot James Cameron Kiggell
- Witness Mark Bower

STRUGAR Case (“Dubrovnik”)

Trial Chamber II - Judges Parker (Presiding), Thelin and Van Den Wyngaert

10th week of the Prosecution case.

From 22 until 26 March 2004, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- Witness Miodrag Jokić

KVOČKA, RADIĆ, ŽIGIĆ and PRCAĆ Case (“Omarska, Keraterm and Trnopolje Camps”)

Appeals Chamber - Judges Shahabuddeen (Presiding), Pocar, Mumba, Güney and Weinberg de Roca

From 23 until 26 March 2004, the Appeals Chamber convened for the appeals hearing in the Kvočka, Radić, Žigić and Prcać Case. The Court heard Protected Witness KV1 and the parties presented their arguments. The Appeals Judgement will be rendered in due course.

ORIĆ Case

Pre-Trial Judge Kwon

On 23 March 2004, the parties appeared before the Pre-Trial Judge for a Status Conference pursuant to Rule 65 *bis* of the Rules of Procedure and Evidence.

BRĐANIN Case (“Krajina”)

Trial Chamber II Section A – Judges Agius (Presiding), Janù and Taya

On 24 March 2004, the Trial Chamber convened a hearing to inform the Accused about its on-site visit of a number of locations in Bosnia and Herzegovina relevant to the case against Radoslav Brđanin.

MILOŠEVIĆ Case (“Kosovo, Croatia and Bosnia and Herzegovina”)

Judge Meron – President of the Tribunal

On 25 March 2004, the President of the Tribunal convened a hearing to ascertain whether the Accused would give his consent to a continuation of the proceedings with a substitute Judge, following the resignation of Presiding Judge May pursuant to Rule 15 *bis* (C) of the Rules of Procedure and Evidence. President Meron took the Accused’s lack of an affirmative response as withholding his consent to a continuation of proceedings. The matter now rests with the Trial Chamber to decide whether it is in the interests of justice to continue the proceedings with a substitute Judge.

II. OVERVIEW OF SELECTED COURT DOCUMENTS:

BRĐANIN Case (“Krajina”)

Appeals Chamber – Judges Meron (Presiding), Shahabuddeen, Güney, El Mahdi and Weinberg de Roca
DECISION ON INTERLOCUTORY APPEAL

On 19 March 2004, the Appeals Chamber issued a Decision on a Prosecution Interlocutory Appeal concerning Trial Chamber II’s acquittal of Radoslav Brđanin on Count 1 of his Indictment on 28 November 2003, following a Motion for Acquittal Pursuant to Rule 98 *bis* of the Tribunal’s Rules of Procedure and Evidence. The Appeals Chamber stated the following in its disposition: "The Prosecution's appeal is allowed. The Decision of the Trial Chamber to acquit Brđanin of Count 1 of the Indictment, genocide, with respect to the third category of joint criminal enterprise liability is reversed, and that Count re-instated". Judge Shahabuddeen appended a separate opinion to the Decision (see *Press Release* No. 833).

DERONJIĆ Case (“Glogova”)

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

SCHEDULING ORDER

On 22 March 2004, the Trial Chamber ordered the pronouncement of the Judgement in the Deronjić case to be held on 30 March 2004 at 12 a.m. in Courtroom III.

MRĐA Case (“Vlašić Mountain”)

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

SCHEDULING ORDER

On 24 March 2004, the Trial Chamber ordered the pronouncement of the Sentencing Judgement in the Mrđa case to be held on 31 March 2004 at 3 p.m. in Courtroom I.

BABIĆ Case

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

SCHEDULING ORDER FOR A SENTENCING HEARING

On 25 March 2004, the Trial Chamber ordered the Sentencing Hearing in the Babić case to take place on 1 and 2 April 2004 starting at 9 a.m. in Courtroom I.

ORIĆ Case

Appeals Chamber – Judges Meron (Presiding), Pocar, Shahabuddeen, Mumba and Schomburg
PUBLIC REDACTED VERSION OF “DECISION ON INTERLOCUTORY APPEAL CONCERNING RULE 70” ISSUED ON 24 MARCH 2004

On 26 March 2004, the Appeals Chamber issued a Decision allowing the Defence interlocutory appeal against the Trial Chamber Decision that denied Naser Orić’s request for the application of Rule 70(F) to information that was to be provided to him. The Impugned decision was set aside and the Motion of the Accused was remitted to the Trial Chamber for further consideration in light of this Decision.

COURTROOM SCHEDULE: *29 MARCH to 2 APRIL 2004

MONDAY 29 MARCH

Courtroom I 16:00 - 17:30, **Blaškić**, Status Conference
Courtroom II 09:00 - 13:45, **Strugar**, Trial
Courtroom III 14:15 - 19:00, **Hadžihasanović and Kubura**, Trial

TUESDAY 30 MARCH

Courtroom I 09:00 - 13:45, **Hadžihasanović and Kubura**, Trial
15:00 - 17:30, **Naletilić and Martinović**, Status Conference
Courtroom II 09:00 - 13:45, **Strugar**, Trial
Courtroom III 12:00 - 13:30, **Deronjić**, Sentencing Judgement

WEDNESDAY 31 MARCH

Courtroom I 10:00 - 11:30, **Galić**, Status Conference
15:00 - 16:30, **Mrđa**, Sentencing Judgement
Courtroom II 09:00 - 13:45, **Strugar**, Trial
Courtroom III 09:00 - 13:45, **Hadžihasanović and Kubura**, Trial

THURSDAY 1 APRIL

Courtroom I 09:00 - 13:45, **Babić**, Sentencing Hearing
Courtroom II 09:00 - 13:45, **Strugar**, Trial
Courtroom III 09:00 - 13:45, **Hadžihasanović and Kubura**, Trial

FRIDAY 2 APRIL

Courtroom I 09:00 - 13:45, **Babić**, Sentencing Hearing
Courtroom II 09:00 - 13:45, **Strugar**, Trial
Courtroom III 09:00 - 13:45, **Hadžihasanović and Kubura**, 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 18 MARCH 2004

DATE	NUMBER	TITLE	E	F	B/C/S
19/03/2004	833	PROSECUTOR V. RADOSLAV BRĐANIN, APPEALS CHAMBER REINSTATES COUNT 1, GENOCIDE, TO THE INDICTMENT	E		B/C/S

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

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