



2 April 2004

## ICTY WEEKLY UPDATE – 308

### PROCEDURAL DEVELOPMENTS:

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#### I. OVERVIEW OF COURT PROCEEDINGS:

##### **HADŽIHASANOVIĆ and KUBURA Case (“Central Bosnia”)**

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

15<sup>th</sup> week of the Prosecution case.

On 29 March, 31 March and 2 April 2004, the following witnesses were examined by the Prosecution and subsequently cross-examined by the Defence in open session:

- Witness Håkan Birger
- Witness Andre Kujawinski

##### **STRUGAR Case (“Dubrovnik”)**

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

11<sup>th</sup> week of the Prosecution case.

From 29 March until 2 April 2004, the following witnesses were examined by the Prosecution and subsequently cross-examined by the Defence:

- Witness Miodrag Jokić
- Witness Jan W. H. Fietelaars

##### **BLAŠKIĆ Case (“Lašva Valley”)**

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*Pre-Appeal Judge Pocar*

On 29 March 2004, the parties appeared before the Pre-Appeal Judge for a Status Conference pursuant to Rule 65 *bis* (B) of the Rules of Procedure and Evidence. The Defence counsel participated by way of a telephone conference.

##### **DERONJIĆ Case (“Glogova”)**

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

#### **SENTENCING JUDGEMENT**

On 30 March 2004, the parties appeared before the Trial Chamber for the pronouncement of the Sentencing Judgement in the Deronjić case. On 30 September 2003, Miroslav Deronjić pleaded guilty to Count One of the Second Amended Indictment: persecutions, on political, racial, and religious grounds as a crime against humanity (see *Press Release* No. 785). The Trial Chamber sentenced Miroslav Deronjić to 10 years' imprisonment (see *Press Release* No. 834). Judge Schomburg appended a Dissenting Opinion and Judge Mumba appended a Separate Opinion. The Office of the Prosecutor had recommended that the Trial Chamber impose a sentence of 10 years, while the Defence had recommended a sentence of not more than six years' imprisonment.

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**NALETILIĆ and MARTINOVIĆ Case (“Tuta and Štela”)**

*Pre-Appeal Judge Pocar*

On 30 March 2004, the parties appeared before the Pre-Appeal Judge for a Status Conference pursuant to Rule 65 *bis* (B) of the Rules of Procedure and Evidence.

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**GALIĆ Case (“Sarajevo”)**

*Pre-Appeal Judge Mumba*

On 31 March 2004, the parties appeared before the Pre-Appeal Judge for a Status Conference pursuant to Rule 65 *bis* (B) of the Rules of Procedure and Evidence.

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**MRĐA Case (“Vlašić Mountain”)**

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

**SENTENCING JUDGEMENT**

On 31 March 2004, the parties appeared before the Trial Chamber for the pronouncement of the Sentencing Judgement in the Mrda case. On 24 July 2003, Darko Mrda pleaded guilty to one count of murder, a violation of the laws or customs of war and one count of inhumane acts (attempted murder), a crime against humanity (see *Press Release No. 773*). The Trial Chamber sentenced Darko Mrda to 17 years’ imprisonment (see *Press Release No. 835*). The Office of the Prosecutor had recommended that the Trial Chamber impose a sentence in the range of 15 to 20 years, while the Defence had recommended a sentence not exceeding 15 years’ imprisonment.

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**ČERMAK and MARKAČ Case**

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

On 1 April 2004, the Trial Chamber convened a hearing on the provisional release applications of the two Accused. The parties and the Minister of Justice of the Government of the Republic of Croatia presented their arguments. The Trial Chamber will render a Decision in due course.

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**KRSTIĆ Case**

*Pre-Appeal Judge Meron*

On 1 April 2004, the parties appeared before the Pre-Appeal Judge for a Status Conference pursuant to Rule 65 *bis* (B) of the Rules of Procedure and Evidence. The Defence counsel participated by way of a telephone conference.

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**BABIĆ Case**

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

On 1 and 2 April 2004, the Trial Chamber convened for the Sentencing Hearing in the Babić case. On 27 January 2004, Milan Babić pleaded guilty to Count 1 of the Indictment, persecutions on political, racial, and religious grounds (see *Press Releases No. 818 and No. 819*).

The following witnesses were heard by the Court:

- Expert Witness Mladen Lončar (Prosecution witness)
- Witness Drago Kovačević (Defence witness)

The parties presented their arguments and Milan Babić gave a statement. The Prosecution had recommended a sentence of no more than 11 years and the Defence had made no specific recommendation. The Sentencing Judgement will be rendered in due course.

## II. OVERVIEW OF SELECTED COURT DOCUMENTS:

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

*Trial Chamber III - Judges Robinson (President), May and Kwon*

#### **ORDER PURSUANT TO RULE 15 BIS (D)**

On 29 March 2004, the remaining Judges of the Trial Chamber decided that it was in the interests of justice to continue the proceedings in the Milošević case with a substitute Judge. This Order followed the resignation of Judge May, effective 31 May 2004, and the 25 March 2004 hearing to ascertain whether the Accused would give his consent to a continuation of the proceedings with a substitute Judge (see *Weekly Update* No. 307).

### BRĐANIN Case (“Krajina”)

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

#### **SCHEDULING ORDER FOR CLOSING ARGUMENTS**

On 31 March 2004, the Trial Chamber scheduled the Closing Arguments of the parties from 19 to 22 April 2004.

### PRLIĆ, STOJIC, PRALJAK and PETKOVIĆ Case

*Confirming Judge Antonetti*

#### **ORDER ON PROSECUTOR’S MOTION TO LIFT CONFIDENTIALITY ON THE REDACTED INDICTMENTS AND WARRANTS OF ARREST AND ORDER FOR SURRENDER**

On 2 April 2004, Judge Antonetti ordered the public disclosure of the redacted Indictments against Jadranko Prlić, Bruno Stojić, Slobodan Praljak and Milivoj Petković and the Warrants of Arrest and Order for Surrender addressed to the Authorities of the Republic of Croatia.

## COURTROOM SCHEDULE: \*5 APRIL to 8 APRIL 2004

### MONDAY 5 APRIL

Courtroom I 09:00 - 13:45, **Strugar**, Trial  
Courtroom II 09:30 - 10:30, **Stakić**, Status Conference  
Courtroom III 14:15 - 19:00, **Hadžihasanović and Kubura**, Trial

### TUESDAY 6 APRIL

Courtroom I 09:00 - 13:45, **Strugar**, Trial  
Courtroom III 09:00 - 10:30, **Rašević**, Status Conference  
14:15 - 16:45, **Hadžihasanović and Kubura**, Trial

### WEDNESDAY 7 APRIL

Courtroom I 09:00 - 13:45, **Strugar**, Trial  
15:00 - 16:00, **Halilović**, Status Conference  
Courtroom II 09:00 - 13:45, **Blagojević and Jokić**, Pre-Defence Conference  
Courtroom III 09:00 - 13:45, **Hadžihasanović and Kubura**, Trial

### THURSDAY 8 APRIL

Courtroom I 09:00 - 13:45, **Strugar**, Trial  
15:00 - 16:30, **Momir Nikolić**, Status Conference  
Courtroom III 09:00 - 13:45, **Hadžihasanović and Kubura**, Trial

### FRIDAY 9 APRIL

UN holiday – Good Friday

\*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 19 MARCH 2004

DATE	NUMBER	TITLE	E	F	B/C/S
30/03/2004	834	JUDGEMENT IN THE CASE THE PROSECUTOR V. MIROSLAV DERONJIĆ, MIROSLAV DERONJIĆ SENTENCED TO 10 YEARS’ IMPRISONMENT	E	F	B/C/S

31/03/2004	835	JUDGEMENT IN THE CASE THE PROSECUTOR V. DARKO MRĐA, DARKO MRĐA SENTENCED TO 17 YEARS' IMPRISONMENT	E	F	B/C/S
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