



24 September 2004

## ICTY WEEKLY UPDATE – 329

### PROCEDURAL DEVELOPMENTS

---

#### I. OVERVIEW OF COURT PROCEEDINGS

##### **KRAJIŠNIK Case (“Bosnia and Herzegovina”)**

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

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

From 20 until 22 September 2004, the proceedings in the Krajišnik case mainly took place in closed session. On 23 and 24 September 2004, the following witnesses were examined by the Prosecution and subsequently cross-examined by the Defence:

- Witness Asim Džambasović
- Witness Fejzija Hadžić

##### **MARTIĆ Case (“RSK”)**

*Pre-Trial Judge Martín Canivell*

On 21 September 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.

##### **STANIŠIĆ and SIMATOVIĆ Case**

*Pre-Trial Judge Kwon*

On 23 September 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.

#### II. OVERVIEW OF SELECTED COURT DOCUMENTS

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

*President of the Tribunal – Judge Meron*

##### **ORDER ASSIGNING JUDGES TO A CASE BEFORE THE APPEALS CHAMBER AND DESIGNATING A PRE-APPEAL JUDGE**

On 20 September 2004, the President of the Tribunal ordered that the Appeals Chamber in the case on the Court assigned Counsel be composed as follows:

- Judge Theodor Meron (Presiding)
- Judge Fausto Pocar
- Judge Florence Mumba
- Judge Mehmet Güney
- Judge Inés Weinberg de Roca

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

##### **REASONS FOR DECISION ON ASSIGNMENT OF DEFENCE COUNSEL**

On 22 September 2004, the Trial Chamber issued reasons for its oral Decision of 2 September 2004 to assign Defence Counsel to the Accused (see *Weekly Update* No. 326 and *Press Releases* Nos. 889 and 890).

---

**ORIĆ Case**

*President of the Tribunal – Judge Meron*

**ORDER ASSIGNING JUDGES AND TRANSFERRING A CASE TO A NEW TRIAL CHAMBER**

On 21 September 2004, the President of the Tribunal transferred the Orić case from Trial Chamber III to Trial Chamber II and ordered that the Trial Chamber for the case be composed of:

Judge Carmel Agius  
Judge Hans Henrik Brydensholt  
Judge Albin Eser

---

*Trial Chamber II – Judges Agius (Presiding), Brydensholt and Eser*

**SCHEDULING ORDER**

On 22 September 2004, the Trial Chamber ordered that the Pre-Trial conference for the Orić case be held on Tuesday 28 September 2004 at 2.30 p.m. and that the trial commence on Wednesday 6 October 2004 at 9 a.m.

---

**MEJAKIĆ *et al.* Case (“Omarska, Keraterm and Trnopolje”)**

*President of the Tribunal – Judge Meron*

**PRELIMINARY ORDER IN RESPONSE TO THE PROSECUTOR’S REQUEST UNDER RULE 11 *bis***

On 22 September 2004, the President offered the Prosecutor the opportunity to clarify issues, as well as any others that she deems important in light of Ambassador Fassier’s recent letter to President Meron to the effect that “there will no possibility to provide before the planned date of January 2005 trials that meet the standards of international due process” and that “no referral of cases be made prior to [that date]”. The issues to be clarified by the Prosecutor are the following:

- What evidence supports the proposition that “Bosnia and Herzegovina would provide all necessary legal and technical conditions for fair trials”?
- To what extent is Bosnia and Herzegovina capable of referring defendants’ case to a competent court “forthwith”?

---

**MILUTINOVIĆ *et al.* Case (“Kosovo”)**

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

**SCHEDULING ORDER**

On 22 September 2004, the Trial Chamber ordered *inter alia* as follows:

- 1) a hearing on Dragoljub Ojdanić’s 15 November 2002 and 20 June 2003 Application shall be held on 1, 2 and 3 December 2004, at which counsel for the Applicant, NATO and the Responding States may appear to address the Application;
- 2) the Application shall be heard from 3 to 6 p.m. on 1 and 2 December and from 9.30 a.m. to 6 p.m. on 3 December 2004;
- 3) NATO and any of the Responding States wishing to be heard at the hearing shall file a notification to such effect with the Trial Chamber no later than 29 October 2004.

The States "which may appear to address the application" are Canada, the Czech Republic, France, Germany, Hungary, the Netherlands, the United Kingdom and the United States.

---

**BRĐANIN Case (“Krajina”)**

*President of the Tribunal – Judge Meron*

**CONCERNING ALLEGATIONS AGAINST MILKA MAGLOV  
ORDER REASSIGNING A CASE TO A TRIAL CHAMBER**

On 22 September 2004, the President of the Tribunal reassigned, with immediate effect, the contempt proceedings against Milka Maglov, Case no. IT-99-36-R77, to Trial Chamber III, composed as follows:

Judge Patrick Robinson  
Judge O-Gon Kwon  
Judge Iain Bonomy

## COURTROOM SCHEDULE: 27 SEPTEMBER to 1 OCTOBER 2004\*

---

### **MONDAY 27 SEPTEMBER**

Courtroom I 09:00 - 13:45, **Krajišnik**, Trial

### **TUESDAY 28 SEPTEMBER**

Courtroom I 14:30 - 17:30, **Orić**, Pre-Trial Conference

Courtroom II 09:00 - 13:45, **Krajišnik**, Trial

### **WEDNESDAY 29 SEPTEMBER**

Courtroom II 09:00 - 13:45, **Krajišnik**, Trial

Courtroom III 09:00 - 13:45, **Blagojević & Jokić**, Closing Arguments

15:00 - 16:30, **Blagojević & Jokić**, Closing Arguments

### **THURSDAY 30 SEPTEMBER**

Courtroom II 09:00 - 13:45, **Krajišnik**, Trial

Courtroom III 09:00 - 13:45, **Blagojević & Jokić**, Closing Arguments

15:00 - 16:30, **Blagojević & Jokić**, Closing Arguments

### **FRIDAY 1 OCTOBER**

Courtroom II 09:00 - 13:45, **Krajišnik**, Trial

Courtroom III 09:00 - 13:45, **Blagojević & Jokić**, Closing Arguments

\*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 17 SEPTEMBER 2004

DATE	NUMBER	TITLE	E	F	B/C/S
17/09/2004	895	VIDOJE BLAGOJEVIĆ AND DRAGAN JOKIĆ CASE: TRIAL CHAMBER I CONDUCTS ON-SITE VISIT TO BOSNIA AND HERZEGOVINA	E		B/C/S
21/09/2004	896	JUDGES HANS HENRIK BRYDENSHOLT AND ALBIN ESER SWORN IN AS <i>AD LITEM</i> JUDGES OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA	E		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](#)