



26 November 2004

## ICTY WEEKLY UPDATE – 337

### PROCEDURAL DEVELOPMENTS

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#### I. OVERVIEW OF COURT PROCEEDINGS

##### **LIMAJ *et al.* Case (“Llapushnik/Lapušnik Camp”)**

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

Second week of the Prosecution case.

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

- Witness Ole Lehtinen
- Witness Jan Kickert
- Protected Witness L-06

(The hearings on 24 and 25 November 2004 took place mainly in closed session.)

##### **ORIĆ Case**

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

Sixth week of the Prosecution case.

From 22 until 25 November 2004, the following witnesses were examined by the Prosecution and subsequently cross-examined by the Defence:

- Witness Dr. James Gow
- Witness Svetlana Trifunović (via video link)

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

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

22<sup>nd</sup> week of the Prosecution case.

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

- Witness Mehmed Mušić
- Witness Momčilo Mandić (accompanied by his defence counsel Dušan Tomić)

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

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

Continuation of the Defence case.

From 22 until 24 November 2004, the following witness was examined by the Accused and subsequently cross-examined by the Prosecution:

- Witness Nikolai Rizhkov
- Witness General Leonid Ivashov

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

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

Sixth week of the Hadžihasanović Defence case.

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

- Witness General Fikret Ćuskić
- Witness Professor Mesud Hadžialić
- Witness Nezir Brkić
- Witness Hazim Baručija

**GALIĆ Case (“Sarajevo”)**

*Pre-Appeal Judge Mumba*

On 22 November 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.

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

*Pre-Appeal Judge Pocar*

On 23 November 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.

**PRLIĆ *et al.* Case**

*Pre-Trial Judge Orić*

On 24 November 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. The six Accused were not required to be present at the Status Conference.

**LJUBIČIĆ Case (“Lašva Valley”)**

*Pre-Trial Judge El Mahdi*

On 25 November 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.

**Momir NIKOLIĆ Case (“Srebrenica”)**

*Pre-Appeal Judge Güney*

On 26 November 2004, the parties appeared before the Pre-Appeal Judge for a Status Conference pursuant to Rule 65 *bis* of the Rules of Procedure and Evidence.

**II. OVERVIEW OF SELECTED COURT DOCUMENTS**

**KORDIĆ and ČERKEZ Case (“Lašva Valley”)**

*Appeals Chamber – Judges Schomburg (President), Pocar, Mumba, Güney and Weinberg de Roca*

**SCHEDULING ORDER**

On 22 November 2004, the Appeals Chamber ordered that a public hearing be held on 17 December 2004 at 2.15 p.m. in Courtroom I to deliver the Judgement in this Appeal.

**PRLIĆ *et al.* Case**

*Appeals Chamber – Judges Pocar (President), Shahabuddeen, Mumba, Schomburg and Weinberg de Roca*

**DECISION ON APPEAL BY BRUNO STOJIĆ AGAINST TRIAL CHAMBER’S DECISION ON REQUEST FOR APPOINTMENT OF COUNSEL**

On 24 November 2004, the Appeals Chamber dismissed the "Appeal Against Decision of the Trial Chamber dated July 30, 2004 Regarding the Motion to Appoint Željko Olujić Lead Counsel". The Defence for Bruno Stojić filed the Appeal Brief on 13 September 2004.

Judge Mumba appended a Separate Opinion to the Decision and Judges Shahabuddeen, Schomburg and Weinberg de Roca appended a joint Declaration.

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**MILUTINOVIĆ *et al.* Case ("Kosovo")**

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

**SCHEDULING ORDER**

On 23 November 2004, the Trial Chamber scheduled the order for the presentations of arguments in a hearing on General Ojdanić's Application for Orders to NATO and States for Production of Information.

The schedule will be as follows:

**WEDNESDAY 1 DECEMBER**

15:00 - 15:15, Procedural matters  
15:15 - 16:00, Applicant  
16:00 - 16:30, Break  
16:30 - 17:15, Canada  
17:15 - 18:00, The Netherlands

**THURSDAY 2 DECEMBER**

15:00 - 15:45, United Kingdom  
15:45 - 16:30, United States  
16:30 - 17:00, Break  
17:00 - 17:45, Germany  
17:45 - 18:30, France

**FRIDAY 3 DECEMBER**

09:30 - 10:00, Bosnia and Herzegovina  
10:00 - 10:30, Turkey  
10:30 - 11:00, Break  
11:00 - 12:00, Applicant

The schedule is for guidance only and is subject to change at the direction of the Trial Chamber.

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**COURTROOM SCHEDULE: 29 NOVEMBER – 3 DECEMBER 2004\***

**MONDAY 29 NOVEMBER**

Courtroom I 14:15 - 19:00, **Limaj *et al.***, Trial  
Courtroom II 09:00 - 13:45, **Krajišnik**, Trial  
14:15 - 19:00, **Hadžihasanović & Kubura**, Trial  
Courtroom III 09:00 - 13:45, **Dragan Nikolić**, Sentencing Hearing  
14:15 - 19:00, **Dragan Nikolić**, Sentencing Hearing

**TUESDAY 30 NOVEMBER**

Courtroom I 09:00 - 13:45, **Milošević**, Trial  
14:15 - 19:00, **Limaj *et al.***, Trial  
Courtroom II 09:00 - 13:45, **Krajišnik**, Trial  
16:00 - 17:30, **Deronjić**, Status Conference  
Courtroom III 09:00 - 13:45, **Hadžihasanović & Kubura**, Trial  
14:15 - 19:00, **Orić**, Trial

**WEDNESDAY 1 DECEMBER**

Courtroom I 09:00 - 13:45, **Milošević**, Trial  
14:15 - 19:00, **Limaj *et al.***, Trial  
Courtroom II 09:00 - 13:45, **Krajišnik**, Trial  
14:15 - 19:00, **Orić**, Trial  
Courtroom III 09:00 - 13:45, **Hadžihasanović & Kubura**, Trial  
15:00 - 18:00, **Milutinović *et al.***, Rule 54 *bis* Motion Hearing

**THURSDAY 2 DECEMBER**

Courtroom I 09:00 - 13:45, **Milošević**, Trial  
14:15 - 19:00, **Limaj *et al.***, Trial  
Courtroom II 09:00 - 13:45, **Krajišnik**, Trial  
14:15 - 19:00, **Orić**, Trial  
Courtroom III 09:00 - 13:45, **Hadžihasanović & Kubura**, Trial  
15:00 - 18:00, **Milutinović *et al.***, Rule 54 *bis* Motion Hearing

**FRIDAY 3 DECEMBER**

Courtroom I 09:00 - 13:45, **Limaj et al.**, Trial  
14:15 - 19:00, **Orić**, Trial  
Courtroom II 09:00 - 13:45, **Krajišnik**, Trial  
14:15 - 19:00, **Hadžihasanović & Kubura**, Trial  
Courtroom III 09:00 - 18:00, **Milutinović et al.**, Rule 54 *bis* Motion Hearing

\*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 NOVEMBER 2004**

| DATE       | NUMBER | TITLE   | E | F | B/C/S |
|------------|--------|---|---|---|-------|
| 22/11/2004 | 913    | FOURTEEN JUDGES ELECTED BY THE UN GENERAL ASSEMBLY  | E |   | B/C/S |
| 23/11/2004 | 914    | KONJIC CONFERENCE "BRIDGING THE GAP BETWEEN THE ICTY AND COMMUNITIES IN BOSNIA AND HERZEGOVINA"   | E |   | B/C/S |
| 23/11/2004 | 915    | DARKO MRĐA TRANSFERRED TO SPAIN TO SERVE HIS PRISON SENTENCE  | E |   | B/C/S |
| 23/11/2004 | 916    | ADDRESS OF JUDGE THEODOR MERON, PRESIDENT OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA, TO THE UNITED NATIONS SECURITY COUNCIL 23 NOVEMBER 2004                           | E | F | B/C/S |
| 24/11/2004 | 916    | ALLOCUTION DE S.E. LE JUGE THEODOR MERON, PRÉSIDENT DU TRIBUNAL PÉNAL INTERNATIONAL POUR L'EX-YOUGOSLAVIE, DEVANT LE CONSEIL DE SÉCURITÉ DE L'ORGANISATION DES NATIONS UNIES 23 NOVEMBRE 2004 |   | F |       |
| 23/11/2004 | 917    | ADDRESS BY CARLA DEL PONTE, PROSECUTOR OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA, TO THE UNITED NATIONS SECURITY COUNCIL 23 NOVEMBER 2004                              | E |   | B/C/S |

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