



2 December 2005

## ICTY WEEKLY UPDATE – 382

### PROCEDURAL DEVELOPMENTS

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#### I. OVERVIEW OF COURT PROCEEDINGS

##### MILOŠEVIĆ Case

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

##### **Continuation of the Defence case**

On 29 November 2005, the parties appeared before the Trial Chamber for a hearing on severing the Kosovo indictment and the medical conditions of the accused. Both parties opposed the severance of the indictment.

On 30 November 2005, the following witness was examined by the accused and subsequently cross-examined by the Prosecution:

- Witness Janoš Sel

On 1 December 2005, the following witness was examined by the accused:

- Witness Krsman Jelić

##### MRKŠIĆ et al. Case

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

##### **Continuation of the Prosecution case**

From 28 November until 29 November 2005, the following witness was examined by the Prosecution, subsequently cross-examined by the Defence and then re-examined by the Prosecution:

- Witness Šarlota Foro

From 30 November until 1 December 2005, the following witness was examined by the Prosecution, subsequently cross-examined by the Defence and then re-examined by the Prosecution:

- Witness Zvezdana Polovina

On 2 December 2005, the following witness was examined by the Prosecution, subsequently cross-examined by the Defence and then re-examined by the Prosecution:

- Witness Mara Bučko

##### ORIĆ Case

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

##### **Continuation of the Defence case**

On 28 November 2005, the following witness was cross-examined by the Prosecution and then re-examined by the Defence:

- Protected witness D-005

From 28 November until 29 November 2005, the following witness was examined by the Defence, subsequently cross-examined by the Prosecution and then re-examined by the Defence:

- Witness Mirsad Mustafić

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### **LIMAJ & BALA & MUSLIU Case**

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

On 30 November 2005, Trial Chamber II rendered the judgement in the case of the Prosecutor v. Limaj & Bala & Musliu. Fatmir Limaj and Isak Musliu were found not guilty on all charges and both were to be released from the Detention unit. Haradin Bala was convicted and sentenced to 13 years' imprisonment – *See Press Release number 1028 dated 30 November 2005.*

Fatmir Limaj and Isak Musliu were released on 1 December 2005 – *See Press Release number 1029 dated 1 December 2005.*

## **II. OVERVIEW OF SELECTED COURT DOCUMENTS**

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### **JANKOVIĆ Case**

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*Appeals Chamber – Judges Pocar (Presiding), Shahabuddeen, Güney, Vaz and Schomburg*

#### **DECISION ON APPEAL OF THE TRIAL CHAMBER'S DECISION ON PROVISIONAL RELEASE**

On 30 November 2005, the Appeals Chamber dismissed the Gojko Janković's appeal against the Trial Chamber's decision denying his provisional release. The appeal was filed on 27 September 2005.

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### **KRAJIŠNIK Case**

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*Trial Chamber I – Judges Orić (Presiding), Canivell and HanotEAU*

#### **DECISION ON DEFENCE APPLICATION FOR CERTIFICATION TO APPEAL THE DECISION ON SCHEDULING OF 18 NOVEMBER 2005**

On 2 December 2005, Trial Chamber I denied the "Defence application for certification pursuant to Rule 73(B) of the Rules to appeal against decision on scheduling made 18 November 2005" filed on 25 November 2005. The decision from 18 November 2005 had granted the Defence a seven-week extension up till 28 April 2006 to prepare and present its case and stated that no further extension would be granted unless exceptional circumstances were demonstrated.

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#### **COURTROOM SCHEDULE: 5 DECEMBER – 9 DECEMBER 2005\***

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##### **MONDAY 5 DECEMBER**

Courtroom I 09:00 – 11:00, **Momir Nikolić**, Appeal  
11:30 – 15:30, **Orić**, Trial  
Courtroom III 09:00 – 13:45, **Krajišnik**, Trial  
14:15 – 15:45, **Mrkšić & Radić & Šljivančanin**, Trial

**TUESDAY 6 DECEMBER**

Courtroom I 09:00 – 13:45, **Milošević**, Trial  
14:15 – 19:00, **Orić**, Trial  
Courtroom III 09:00 – 13:45, **Mrkšić & Radić & Šljivančanin**, Trial  
14:15 – 19:00, **Krajišnik**, Trial

**WEDNESDAY 7 DECEMBER**

Courtroom I 08:00 – 08:30, **Bralo**, Judgement  
09:00 – 13:45, **Milošević**, Trial  
14:15 – 19:00, **Orić**, Trial  
Courtroom III 09:00 – 13:45, **Mrkšić & Radić & Šljivančanin**, Trial  
14:15 – 19:00, **Vladimir Kovačević**, Hearing

**THURSDAY 8 DECEMBER**

Courtroom I 09:00 – 13:45, **Milošević**, Trial  
14:15 – 19:00, **Orić**, Trial  
Courtroom III 09:00 – 13:45, **Mrkšić & Radić & Šljivančanin**, Trial  
14:15 – 19:00, **Krajišnik**, Trial

**FRIDAY 9 DECEMBER**

Courtroom III 09:00 – 13:45, **Orić**, Trial  
14:15 – 19:00, **Krajišnik**, Trial  
Courtroom III 09:00 – 13:45, **Mrkšić & Radić & Šljivančanin**, Trial  
14:30 – 17:30, **Milutinović et al.**, Status Conference

\*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 25 NOVEMBER 2005

Date	Number	Title	E	F	B/C/S
30/11/2005	1028	FATMIR LIMAJ AND ISAK MUSLIU ACQUITTED; HARADIN BALA CONVICTED	E		B/C/S
1/12/2005	1029	FATMIR LIMAJ AND ISAK MUSLIU RELEASED	E		B/C/S
2/12/2005	1030	TWO <i>AD LITEM</i> JUDGES SWORN IN	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](#)