



9 December 2005

ICTY WEEKLY UPDATE – 383

PROCEDURAL DEVELOPMENTS

I. OVERVIEW OF COURT PROCEEDINGS

MILOŠEVIĆ Case

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

Continuation of the Defence case

From 6 December to 8 December 2005, the following witness was examined by the accused, subsequently cross-examined by the Prosecution and then re-examined by the accused:

- Witness Krsman Jelić

On 8 December 2005, the following witness was cross-examined by the Prosecution (continuation from 30 November 2005):

- Witness Janoš Sel

MRKŠIĆ et al. Case

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

Continuation of the Prosecution case

From 5 December until 6 December 2005, the following witness was examined by the Prosecution, subsequently cross-examined by the Defence and then re-examined by the Prosecution:

- Witness Irinej Bučko

From 7 December until 8 December 2005, the following witness was examined by the Prosecution, subsequently cross-examined by the Defence and then re-examined by the Prosecution:

- Protected witness P-032

The Mrkšić et al. trial will resume on 23 January 2006.

ORIĆ Case

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

Continuation of the Defence case

From 5 December until 6 December 2005, the following witness was examined by the Defence and subsequently cross-examined by the Prosecution:

- Diego Enrique Arria

From 6 December until 9 December 2005, the following witness was examined by the Defence and subsequently cross-examined by the Prosecution:

- Witness Suad Smajlović

KRAJIŠNIK Case

Internet address: <http://www.un.org/icty>

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Continuation of the Defence case

From 5 December until 8 December 2005, the following witness was examined by the Defence and subsequently cross-examined by the Prosecution:

- Witness Slobodanka Hrvaćanin

MOMIR NIKOLIĆ Case

Appeals Chamber - Judges Pocar (Presiding), Meron, Shahabuddeen, Güney and Vaz

On 5 December 2005, the parties appeared before the Appeals Chamber to hear the appeal from the Defence and the response from the Prosecution. Following the plea agreement on 7 May 2003, Momir Nikolić was sentenced to 27 years' of imprisonment on 2 December 2003.

BRALO Case

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

On 7 December 2005, Trial Chamber rendered the Sentencing Judgement in the Bralo case: Miroslav Bralo was sentenced to 20 years' imprisonment- *See Press Release number 1031 dated 7 December 2005.*

VLADIMIR KOVAČEVIĆ Case

Pre-Trial Judge Orić

On 7 December 2005, the parties appeared before the Trial Chamber for a "fitness to plea" hearing, in the presence of the medical experts (ICTY, Defence, Prosecution and the psychiatrist from Belgrade responsible for the treatment of the accused).

MILUTINOVIĆ et al. Case

Pre-Trial Judge Bonomy

On 9 December 2005, the parties appeared before the Pre-Trial Judge for a Status Conference pursuant to Rule 65*bis* of the Rules.

II. OVERVIEW OF SELECTED COURT DOCUMENTS

MILUTINOVIĆ et al. Case

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

DECISION ON NEBOJŠA PAVKOVIĆ'S MOTION TO DELAY START OF TRIAL OR IN THE ALTERNATIVE TO RECONSIDER AND GRANT PREVIOUS MOTION FOR SEVERANCE

On 2 December 2005, Trial Chamber III dismissed the motion by Nebojša Pavković to delay the start of the trial until mid-2007 or, in the alternative, to issue an order severing the accused from the case and delaying his trial until mid-2007, filed on 7 November 2005.

MARTIĆ Case

Trial Chamber I – Judges Moloto (Presiding), Nosworthy and Höpfel

**DECISION ON DEFENCE'S MOTION FOR REVIEW OF REGISTRY'S DECISION DENYING
ADDITIONAL LEGAL AID FUNDS**

On 6 December 2005, pursuant to Rule 54 of the Rules, Trial Chamber I denied the Defence's "Motion for additional legal aid funds" filed *ex-parte* on 18 March 2005.

DECISION ON DEFENCE'S MOTION FOR POSTPONEMENT OF COMMENCEMENT OF TRIAL

On 6 December 2005, pursuant to Rule 54 of the Rules, Trial Chamber I denied the Defence's "Motion to postpone setting of the date of the commencement of trial" filed on 21 November 2005.

The trial in the Martić case will start on Tuesday, 13 December 2005, at 2:15 p.m. in courtroom III.

HARADINAJ et al. Case

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

**THIRD EXTENSION OF ORDER RELATING TO PROSECUTION MOTION TO STAY THE TRIAL
CHAMBER'S DECISION OF 12 OCTOBER 2005 REGARDING CONDITIONS OF PROVISIONAL
RELEASE OF RAMUSH HARADINAJ**

On 6 December 2005, pursuant to Rules 54 and 65 of the Rules, Trial Chamber II ordered that the interim stay of the Trial Chamber's "Decision on defence motion of Ramush Haradinaj to request re-assessment of conditions of provisional release granted 6 June 2005", currently in place, be extended until 21 December 2005, or until such date as the Appeals Chamber may render its decision, if this would occur prior to this date. The order further stated that, if the Appeals Chamber would not render its decision by 22 December 2005, the Trial Chamber's Variation decision be applied.

ŽUPLJANIN Case

Judge Antonetti

ORDER AND REMINDER TO THE AUTHORITIES OF BOSNIA AND HERZEGOVINA

On 7 December 2005, Judge Antonetti requested the authorities of Bosnia and Herzegovina to report on the reasons of their inability to arrest Stojan Župljanin since 17 December 1999 and to identify the steps they have taken in order to execute the warrant of arrest dated 5 October 2004. The Registrar of the Tribunal was directed to transmit this order to the authorities of Bosnia and Herzegovina.

COURTROOM SCHEDULE: 12 DECEMBER – 16 DECEMBER 2005*

MONDAY 12 DECEMBER

Courtroom I 09:00 – 13:45, **Milošević**, Trial
14:15 – 15:15, **Strugar**, Status Conference
16:00 – 17:30, **Boškoski & Tarčulovski**, Status Conference
18:00 – 20:00, **Martić**, Pre-Trial Hearing
Courtroom III 09:00 – 13:45, **Orić**, Trial
14:15 – 19:00, **Krajišnik**, Trial

TUESDAY 13 DECEMBER

Courtroom I 09:00 – 13:45, **Milošević**, Trial
14:15 – 19:00, **Krajišnik**, Trial
Courtroom III 08:00 – 09:00, **Dragomir Milošević**, Status Conference

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09:00 – 13:45, **Orić**, Trial
14:15 – 19:00, **Martić**, Trial

WEDNESDAY 14 DECEMBER

Courtroom I 09:00 – 13:45, **Milošević**, Trial
14:15 – 19:00, **Krajišnik**, Trial
Courtroom III 09:00 – 13:45, **Orić**, Trial
14:15 – 19:00, **Martić**, Trial

THURSDAY 15 DECEMBER

Courtroom I 09:00 – 13:45, **Krajišnik**, Trial
Courtroom III 09:00 – 13:45, **Orić**, Trial

FRIDAY 16 DECEMBER

Courtroom I 09:00 – 13:45, **Krajišnik**, Trial
Courtroom III 09:00 – 13:45, **Orić**, 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 2 DECEMBER 2005

Date	Number	Title	E	F	B/C/S
7/12/2005	1031	BRALO JUDGEMENT	E		B/C/S
8/12/2005	1032	GOJKO JANKOVIĆ TRANSFERRED TO BOSNIA AND HERZEGOVINA	E		B/C/S
9/12/2005	1033	JUDGES DECIDE AGAINST CALLING TONY BLAIR AND GERHARD SCHRÖDER TO TESTIFY IN MILOŠEVIĆ TRIAL	E		B/C/S

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