



15 October 2004

## ICTY WEEKLY UPDATE – 332

### PROCEDURAL DEVELOPMENTS

---

#### I. OVERVIEW OF COURT PROCEEDINGS

##### **ORIĆ Case**

---

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

Second week of the Prosecution case.

From 11 until 15 October 2004, the following witnesses were examined by the Prosecution and subsequently cross-examined by the Defence:

- Expert Witness W.P.F. Fagel
- Expert Witness Jan de Koeijer
- Protected Witness Dragan Đurić
- Witness Miladin Simić (not yet cross-examined)

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

---

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

Fourth week of the Defence case.

On 12 and 13 October 2004, the following witness was examined by the Defence counsel and subsequently cross-examined by the Prosecution:

- Witness Franz Josef Hutsch

On 13 October 2004, a Status Conference took place and the trial was then adjourned until Monday 18 October 2004.

##### **ČERMAK and MARKAČ Case**

---

*Pre-Trial Judge Parker*

On 12 October 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.

##### **BEARA Case**

---

*Judge Bonomy*

On 12 October 2004, following his transfer to the Tribunal on 10 October, Ljubiša Beara appeared before Judge Bonomy for his initial appearance. The Accused exercised his right under Rule 62 (iii) of the Rules of Procedure and Evidence not to enter a plea at this stage. A further appearance was scheduled for 9 November 2004.

## II. OVERVIEW OF SELECTED COURT DOCUMENTS

### **LIMAJ *et al.* Case**

*Vice-President of the Tribunal – Judges Pocar*

#### **ORDER ASSIGNING CASE TO A TRIAL CHAMBER**

On 11 October 2004, the Vice-President of the Tribunal assigned the Limaj *et al.* Case to Trial Chamber II, composed as follows:

- Judge Kevin Parker (Presiding), Australia
- Judge Krister Thelin, Sweden
- Judge Christine Van Den Wyngaert, Belgium

---

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

#### **SCHEDULING ORDER**

On 12 October 2004, the Trial Chamber scheduled the Pre-Trial Conference for Monday 15 November 2004 at 10 a.m. and the trial for 2.15 p.m.

### **BEARA Case**

*Vice-President of the Tribunal – Judge Pocar*

#### **ORDER ASSIGNING A CASE TO A TRIAL CHAMBER**

On 11 October 2004, the Vice-President of the Tribunal assigned the Beara Case to Trial Chamber III. Trial Chamber III is composed of Judges Patrick Robinson, O-Gon Kwon and Iain Bonomy.

### **BRALO Case**

*Duty Judge Kwon*

#### **ORDER ON MOTION FOR VACATION OF ORDER FOR NON-DISCLOSURE AND FOR RELEASE OF CONFIDENTIAL DOCUMENTS**

On 12 October 2004, the Duty Judge issued an Order disclosing the Warrant of Arrest and Order for Surrender and the Indictment against Miroslav Bralo. The Indictment was confirmed on 10 December 1995 and had remained under seal until this date.

### **ČERMAK and MARKAČ Case**

*A Bench of the Appeals Chamber - Judges Pocar (Presiding), Mumba and Güney*

#### **DECISION ON JOINT MOTION FOR LEAVE TO APPEAL DECISION ON PROVISIONAL RELEASE**

On 13 October 2004, a Bench of the Appeals Chamber granted the joint Defence Motion for leave to appeal Trial Chamber II's Decision denying the provisional release Motions of Ivan Čermak and Mladen Markač.

## **COURTROOM SCHEDULE: 18 to 22 OCTOBER 2004\***

### **MONDAY 18 OCTOBER**

Courtroom I 09:00 - 13:45, **Milošević**, Trial  
14:15 - 19:00, **Hadžihasanović & Kubura**, Start of Defence case  
Courtroom III 14:15 - 19:00, **Krajišnik**, Trial

### **TUESDAY 19 OCTOBER**

Courtroom I 09:00 - 13:45, **Milošević**, Trial  
14:15 - 19:00, **Krajišnik**, Trial  
Courtroom III 14:15 - 19:00, **Hadžihasanović & Kubura**, Trial

### **WEDNESDAY 20 OCTOBER**

Courtroom I 09:00 - 13:45, **Milošević**, Trial  
14:15 - 19:00, **Krajišnik**, Trial  
Courtroom II 14:30 - 15:30, **Blagoje Simić**, Status Conference  
Courtroom III 09:00 - 13:45, **Orić**, Trial  
14:15 - 19:00, **Hadžihasanović & Kubura**, Trial

**THURSDAY 21 OCTOBER**

Courtroom I 09:00 - 13:45, **Milošević**, Motion Hearing  
14:15 - 19:00, **Krajišnik**, Trial  
Courtroom III 09:00 - 13:45, **Orić**, Trial  
14:15 - 19:00, **Hadžihasanović & Kubura**, Trial

**FRIDAY 22 OCTOBER**

Courtroom II 09:00 - 13:45, **Hadžihasanović & Kubura**, Trial  
Courtroom III 09:00 - 13:45, **Orić**, Trial  
14:15 - 19:00, **Krajišnik**, 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 8 OCTOBER 2004**

DATE	NUMBER	TITLE	E	F	B/C/S
11/10/2004	900	INITIAL APPEARANCE OF LJUBIŠA BEARA TO TAKE PLACE ON TUESDAY 12 OCTOBER 2004	E		B/C/S
12/10/2004	901	FOCA CONFERENCE "BRIDGING THE GAP BETWEEN THE ICTY AND COMMUNITIES IN BOSNIA AND HERZEGOVINA"	E		B/C/S
13/10/2004	902	INDICTMENT AGAINST MIROSLAV BRALO MADE PUBLIC	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](#)