



22 April 2005

ICTY WEEKLY UPDATE – 354

PROCEDURAL DEVELOPMENTS

I. OVERVIEW OF COURT PROCEEDINGS

HALILOVIĆ Case (“Grabovica-Uzdol”)

Trial Chamber I - Judges Liu (Presiding), El Mahdi and Szénási

12th week of the Prosecution case.

From 18 until 22 April 2005, the following witnesses were examined by the Prosecution and subsequently cross-examined by the Defence:

- Witness Kate Adie
- Witness Vahid Karavelić

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

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

Continuation of the Defence case.

On 19 and 20 April 2005, the following Defence witness was called for cross-examination:

- Witness Kosta Bulatović

On 19 April 2005, the Accused was not present in court due to his ill health. The witness refused to continue his testimony in the absence of the Accused and the Trial Chamber gave him until the following day to consider his position and the fact that his refusal could lead to him being held in contempt of the Tribunal. To enable him to fully appreciate his position, the witness, Kosta Bulatović, was assigned counsel by the Registry.

On 20 April 2005, the witness confirmed his refusal to continue his cross-examination and the Trial Chamber charged him with contempt of the Tribunal pursuant to Rule 77 of the Rules of Procedure and Evidence. The contempt proceedings will reconvene on 5 May 2005. The trial was adjourned until 25 April 2005.

KRAJIŠNIK Case (“Bosnia and Herzegovina”)

Trial Chamber I - Judges Orić (Presiding), Martín Canivell and Hanoteau

30th week of the Prosecution case.

From 18 until 21 April 2005, the following witnesses were examined by the Prosecution and subsequently cross-examined by the Defence:

- Protected Witness KRAJ 073
- Protected Witness KRAJ 084
- Protected Witness KRAJ 239
- Protected Witness KRAJ 132

HADŽIHASANOVIĆ and KUBURA Case (“Central Bosnia”)

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

2nd week of the Kubura Defence case.

From 18 until 20 April 2005, the following witnesses were examined by the Prosecution and subsequently cross-examined by the Defence:

- Witness Safet Junuzović
- Witness Elvedin Omić
- Witness Kasim Podžić

POPOVIĆ Case

Judge Kwon

On 18 April 2005, following his transfer to the Tribunal on 14 April 2005, Vujadin Popović appeared before Judge Kwon for his initial appearance. He pleaded not guilty to all the counts of the indictment.

TARČULOVSKI Case (“Macedonia”)

Pre-Trial Judge Eser

On 18 April 2005, following his transfer to the Tribunal on 16 March and his initial appearance on 21 March 2005, Johan Tarčulovski appeared before Judge Eser for his further initial appearance. He pleaded not guilty to all the counts of the indictment.

Vladimir KOVAČEVIĆ Case (“Dubrovnik”)

Judges Orić (Presiding), El Mahdi and Martín Canivell

On 19 April 2005, the parties appeared before the Trial Chamber to continue their discussion on the Accused’s medical condition. The Accused was not required to be present at the hearing.

ORIĆ Case

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

20th week of the Prosecution case.

From 20 until 21 April 2005, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- Witness Ibrahim Becirović

Drago NIKOLIĆ Case (“Srebrenica”)

Presiding Judge Liu

On 20 April 2005, following his transfer to the Tribunal on 17 March and his initial appearance on 23 March 2005, Drago Nikolić appeared before Judge Liu for his further initial appearance. He pleaded not guilty to all the counts of the indictment.

BRALO Case

Pre-Trial Judge Liu

On 21 April 2005, 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

HARADINAJ *et al.* Case

Duty Judge Bonomy

DECISION ON URGENT DEFENCE MOTION ON BEHALF OF RAMUSH HARADINAJ FOR PROVISIONAL RELEASE

On 16 April 2005, the Duty Judge granted Ramush Haradinaj’s urgent motion for provisional release to attend the funeral of his brother in Kosovo. Ramush Haradinaj was provisionally released from 17 until 19 April 2005 (see *Press Release* No. 963).

MRKŠIĆ *et al.* Case (“Vukovar”)

Bench of the Appeals Chamber – Judges Shahabuddeen (Presiding), Pocar and Güney

DECISION ON APPLICATION FOR LEAVE TO APPEAL

On 19 April 2005, a Bench of the Appeals Chamber denied Mile Mrkšić leave to appeal Trial Chamber II’s 9 March 2005 Decision denying his Motion for provisional release.

MILOŠEVIĆ Case (“Contempt”)

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

ORDER ON CONTEMPT CONCERNING WITNESS KOSTA BULATOVIĆ

On 20 April 2005, the Trial Chamber ordered that Kosta Bulatović, a witness before Trial Chamber II, knowingly and willingly interfered with the administration of justice, by contumaciously refusing to answer questions asked by the Prosecution. The Trial Chamber further ordered that it would prosecute the matter itself.

HALILOVIĆ Case (“Grabovica-Uzdol”)

Trial Chamber I - Judges Liu (Presiding), El Mahdi and Szénási

DECISION ON MOTION FOR PROVISIONAL RELEASE

On 21 April 2005, the Trial Chamber denied the confidential Defence request for provisional release of Enver Halilović during the suspension of the trial proceedings, from 25 April until 11 May 2005.

BEQAJ Case (“Contempt”)

Trial Chamber I - Judges El Mahdi (Presiding), Liu and Szénási

SCHEDULING ORDER FOR PRE-TRIAL CONFERENCE AND COMMENCEMENT OF TRIAL

On 21 April 2005, the Trial Chamber ordered that the Pre-Trial Conference be held on 25 April 2005 at 2:15 p.m. and that the trial shall commence following the Pre-Trial Conference (see *Press Release* No. 964).

BOROVNICA Case (“Prijeđor”)

Judge Parker

ORDER GRANTING LEAVE TO WITHDRAW INDICTMENT WITHOUT PREJUDICE

On 21 April 2005, Judge Parker granted the Prosecution Motion to withdraw the indictment against Goran Borovnica without prejudice (see *Press Release* No. 965).

COURTROOM SCHEDULE: 25 - 29 APRIL 2005*

MONDAY 25 APRIL

Courtroom I 09:00 - 13:45, **Milošević**, Trial
14:15 - 19:00, **Beqaj**, Pre-Trial Conference and start of Trial
Courtroom II 09:00 - 13:45, **Krajišnik**, Trial
14:15 - 19:00, **Orić**, Trial
Courtroom III 10:00 - 11:30, **Babić**, Appeals Hearing

TUESDAY 26 APRIL

Courtroom I 09:00 - 13:45, **Milošević**, Trial
15:00, **Delić**, Motion Hearing
Courtroom II 09:00 - 13:45, **Krajišnik**, Trial
14:15 - 19:00, **Orić**, Trial
Courtroom III 09:30 - 11:00, **Miodrag Jokić**, Appeals Hearing

WEDNESDAY 27 APRIL

Courtroom I 09:00 - 13:45, **Milošević**, Trial
14:15 - 19:00, **Beqaj**, Trial
Courtroom II 09:00 - 13:45, **Krajišnik**, Trial
14:15 - 19:00, **Orić**, Trial

THURSDAY 28 APRIL

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

Courtroom III 09:00 - 13:45, Orić, Trial

FRIDAY 29 APRIL

UN holiday – Queen’s Day (observed)

*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 15 APRIL 2005

DATE	NUMBER	TITLE	E	F	B/C/S
15/04/2005	962	MILAN MILUTINOVIĆ, NIKOLA ŠAINOVIĆ, DRAGOLJUB OJDANIĆ AND VLADIMIR LAZAREVIĆ PROVISIONALLY RELEASED	E		B/C/S
16/04/2005	963	RAMUSH HARADINAJ GRANTED PROVISIONAL RELEASE	E		B/C/S
21/04/2005	964	PRE-TRIAL CONFERENCE AND START OF TRIAL OF BEQA BEQAJ SCHEDULED FOR MONDAY, 25 APRIL 2005	E		B/C/S
22/04/2005	965	INDICTMENT AGAINST GORAN BOROVNICA WITHDRAWN WITHOUT PREJUDICE	E		B/C/S

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