



18 November 2005

## ICTY WEEKLY UPDATE – 380

### PROCEDURAL DEVELOPMENTS

#### I. OVERVIEW OF COURT PROCEEDINGS

##### MILOŠEVIĆ Case

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

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

On 15 November 2005, the following witness was examined by the accused and subsequently cross-examined by the Prosecution:

- Witness Husein Sarvanović

From 15 November to 16 November 2005, the following witness was examined by the accused, subsequently cross-examined by the Prosecution and then re-examined by the accused:

- Witness Zlatko Odak

On 16 November 2005, the trial was adjourned because of the ill-health of the accused.

##### KRAJIŠNIK Case

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

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

On 16 November 2005, the following witness was examined by the Defence and then cross-examined by the Prosecution on 18 November 2005:

- Witness Rajko Kasagić

On 17 November 2005, the following witness was examined by the Defence:

- Witness Vidomir Banduka

##### MRKŠIĆ et al. Case

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

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

From 14 November until 15 November 2005, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- Witness Juraj Njavro

From 16 November until 18 November 2005, the following witness was examined by the Prosecution, subsequently cross-examined by the Defence and then re-examined by the Prosecution:

- Witness Herbert Stuart Okun

On 18 November 2005, the following witness was examined by the Prosecution:

- Witness Imra Agotić

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### ORIĆ Case

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

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

From 14 November until 15 November 2005, the following witness was examined by the Defence and subsequently cross-examined by the Prosecution:

- David Lawrence MacDonald

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### MOMIR NIKOLIĆ Case

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*Pre-Trial Judge Güney*

On 14 November 2005, the Parties appeared before the Pre-Trial Judge for a Status Conference pursuant to Rule 65*bis* of the Rules. The accused was present at the conference.

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### HALILOVIĆ Case

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*Trial Chamber I – Judges Liu (Presiding), El Mahdi and Mumba*

On 16 November 2005, Trial Chamber I rendered the judgement in the case of the Prosecutor v. Sefer Halilović. Sefer Halilović was found not guilty and therefore acquitted of Murder, a Violation of the Laws or Customs of War as charged in the indictment – *See Press Release number 1021 dated 16 November 2005.*

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

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### JANKOVIĆ Case

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

#### **DECISION ON RULE 11*bis* REFERRAL**

On 15 November 2005, the Appeals Chamber upheld a decision to refer the Gojko Janković case to Bosnia and Herzegovina – *See Press Release number 1022 dated 16 November 2005.*

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### MILOŠEVIĆ Case

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

#### **ORDER FOR EXPERT MEDICAL REPORTS**

On 15 November 2005, pursuant to Rule 54 of the Rules, the Trial Chamber ordered by majority (judge Bonomy dissented) the Registrar to arrange an examination of the accused, if necessary, and to obtain the expert medical reports of the treating cardiologist and ear, nose and throat specialist by 21 November 2005.

**LIMAJ & BALA & MUSLIU Case**

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

**SCHEDULING ORDER**

On 16 November 2005, Trial Chamber II ordered that the pronouncement of judgement be held on 30 November at 1500 hours in Courtroom I.

**MILUTINOVIĆ & ŠAINOVIĆ & OJDANIĆ & PAVKOVIĆ & LAZAREVIĆ & ĐORĐEVIĆ & SRETEN LUKIĆ Case**

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

**SECOND DECISION ON NEBOJŠA PAVKOVIĆ'S PROVISIONAL RELEASE**

On 18 November 2005, the Trial Chamber granted the provisional release of Nebojša Pavković subject to the terms and conditions set out in the order for provisional release filed on 30 September 2005. On 1 November 2005, the Appeals Chamber quashed the initial decision and remitted the matter to this Trial Chamber for further consideration.

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**COURTROOM SCHEDULE: 21 NOVEMBER – 25 NOVEMBER 2005\***

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**MONDAY 21 NOVEMBER**

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

**TUESDAY 22 NOVEMBER**

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

**WEDNESDAY 23 NOVEMBER**

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

**THURSDAY 24 NOVEMBER**

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

**FRIDAY 25 NOVEMBER**

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

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

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| <b>Date</b> | <b>Number</b> | <b>Title</b>                                                                                               | <b>E</b> | <b>F</b> | <b>B/C/S</b> |
|-------------|---------------|------------------------------------------------------------------------------------------------------------|----------|----------|--------------|
| 14/11/2005  | 1019          | JUDGE MERON SELECTED FOR HUDSON MEDAL                                                                      | E        |          | B/C/S        |
| 16/11/2005  | 1020          | MLAĐO RADIĆ TRANSFERRED TO FRANCE TO SERVE HIS 20 YEAR PRISON SENTENCE                                     | E        |          | B/C/S        |
| 16/11/2005  | 1021          | JUDGEMENT IN THE CASE THE PROSECUTOR V. SEFER HALILOVIĆ                                                    | E        |          | B/C/S        |
| 16/11/2005  | 1022          | APPEALS CHAMBER UPHOLDS DECISION TO REFER CASE AGAINST GOJKO JANKOVIĆ TO BOSNIA AND HERZEGOVINA            | E        |          | B/C/S        |
| 17/11/2005  | 1023          | FOURTH TERM OF OFFICE BEGINS FOR ICTY PERMANENT JUDGES                                                     | E        |          | B/C/S        |
| 17/11/2005  | 1024          | JUDGE FAUSTO POCAR AND JUDGE KEVIN PARKER ELECTED AS PRESIDENT AND VICE-PRESIDENT OF THE ICTY RESPECTIVELY | E        |          | B/C/S        |

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