



4 February 2005

## ICTY WEEKLY UPDATE – 345

### PROCEDURAL DEVELOPMENTS

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#### I. OVERVIEW OF COURT PROCEEDINGS

##### **STRUGAR Case (“Dubrovnik”)**

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

#### **JUDGEMENT**

On 31 January 2005, the Trial Chamber delivered its Judgement in the Strugar case. Pavle Strugar was found guilty pursuant to Article 7(3) of the Statute of one count of attacks on civilians, and one count of destruction or wilful damage done to institutions dedicated to religion, charity and education, the arts and sciences, historic monuments and works of art and science (both counts are violations of the laws or customs of war under Article 3 of the Statute). He was sentenced to eight years’ imprisonment (see *Press Release* No. 932).

##### **HADŽIHASANOVIĆ and KUBURA Case (“Central Bosnia”)**

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

Thirteenth week of the Hadžihasanović Defence case.

From 31 January until 4 February 2005, the following witnesses were examined by the Defence and subsequently cross-examined by the Prosecution:

- Witness Robert Alexander Stewart
- Protected Witness HC
- Witness Hajrudin Hubo

##### **ORIĆ Case**

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

Thirteenth week of the Prosecution case.

From 31 January until 4 February 2005, the following witnesses were examined by the Prosecution and subsequently cross-examined by the Defence:

- Witness Branislav Gligić
- Protected Witness C007

##### **LIMAJ *et al.* Case (“Llapushnik/Lapušnik Camp”)**

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

Eighth week of the Prosecution case.

From 31 January until 4 February 2005, the following witnesses were examined by the Prosecution and subsequently cross-examined by the Defence:

- Witness Ramadan Behluli
- Protected Witness L10

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

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

On 1 February 2005, the trial was adjourned for the week due to the fact that the Accused had a bout of the flu.

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**HALILOVIĆ Case (“Grabovica-Uzdol”)**

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

Start of the Trial.

On 31 January 2005, the Prosecution presented its opening statement.

From 1 until 4 February 2005, the following witnesses were examined by the Prosecution and subsequently cross-examined by the Defence:

- Protected Witness A
- Protected Witness B
- Witness Salko Gušić

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**ŠEŠELJ Case**

*Pre-Trial Judge Agius*

On 31 January 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.

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**BRĐANIN Case (“Krajina”)**

*Pre-Appeal Judge Shahabuddeen*

On 3 February 2005, the parties appeared before the Pre-Appeal Judge for a Status Conference pursuant to Rule 65 *bis* (B) of the Rules of Procedure and Evidence.

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**MRKŠIĆ *et al.* Case**

*Pre-Trial Judge Agius*

On 4 February 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.

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**ČERMAK and MARKAČ Case**

*Pre-Trial Judge Parker*

On 4 February 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.

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**Dragan NIKOLIĆ Case (“Sušica Camp”)**

*Appeals Chamber - Judges Meron (Presiding), Shahabuddeen, Güney and Weinberg de Roca*

**JUDGEMENT ON SENTENCING APPEAL**

On 4 February 2005, the Appeals Chamber delivered the Judgement on the sentencing appeal in the Dragan Nikolić case. Judge Pocar was away on Tribunal business (see *Press Release* No. 934).

**II. OVERVIEW OF SELECTED COURT DOCUMENTS**

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**Dragomir MILOŠEVIĆ Case (“Sarajevo”)**

*President of the Tribunal – Judge Meron*

**ORDER APPOINTING A TRIAL CHAMBER FOR THE PURPOSE OF DETERMINING WHETHER AN INDICTMENT SHOULD BE REFERRED TO ANOTHER COURT UNDER RULE 11B/S**

On 1 February 2005, the President of the Tribunal appointed the following Judges to constitute the Trial Chamber for the purpose of determining whether this case should be referred to the authorities of Bosnia and Herzegovina pursuant to Rule 11*bis*:

Judge Alphons Orie

Judge O-Gon Kwon

Judge Kevin Parker

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**Ivica RAJIĆ Case**

*President of the Tribunal – Judge Meron*

**ORDER REASSIGNING A CASE TO A TRIAL CHAMBER**

On 2 February 2005, the President of the Tribunal reassigned this case to Trial Chamber I consisting of:

Judge Liu Daqun  
Judge Amin El Mahdi  
Judge Alphons Oric

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**Milan LUKIĆ and Sredoje LUKIĆ Case**

*President of the Tribunal – Judge Meron*

**ORDER APPOINTING A TRIAL CHAMBER FOR THE PURPOSE OF DETERMINING WHETHER AN INDICTMENT SHOULD BE REFERRED TO ANOTHER COURT UNDER RULE 11B/S**

On 2 February 2005, the President of the Tribunal appointed the following Judges to constitute the Trial Chamber for the purpose of determining whether this case should be referred to the authorities of Bosnia and Herzegovina pursuant to Rule 11bis:

Judge Alphons Oric  
Judge O-Gon Kwon  
Judge Kevin Parker

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**PAVKOVIĆ *et al.* Case**

*President of the Tribunal – Judge Meron*

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

On 2 February 2005, the President of the Tribunal assigned this case to Trial Chamber II following the transfer of Vladimir Lazarević to the Tribunal on 3 February 2005.

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**COURTROOM SCHEDULE: 7 – 11 FEBRUARY 2005\***

**MONDAY 7 FEBRUARY**

Courtroom I 09:00 - 12:30, **Orić**, Trial  
13:00 - 13:45, **Lazarević**, Initial Appearance  
14:15 - 19:00, **Limaj *et al.***, Trial  
Courtroom III 09:00 - 13:45, **Halilović**, Trial  
14:15 - 19:00, **Hadžihasanović & Kubura**, Trial

**TUESDAY 8 FEBRUARY**

Courtroom I 09:00 - 13:45, **Milošević**, Trial  
14:15 - 19:00, **Limaj *et al.***, Trial  
Courtroom II 09:00 - 13:45, **Orić**, Trial  
Courtroom III 09:00 - 13:45, **Halilović**, Trial  
14:15 - 19:00, **Hadžihasanović & Kubura**, Trial

**WEDNESDAY 9 FEBRUARY**

Courtroom I 09:00 - 13:45, **Milošević**, Trial  
14:15 - 19:00, **Limaj *et al.***, Trial  
Courtroom II 09:00 - 13:45, **Orić**, Trial  
Courtroom III 09:00 - 13:45, **Halilović**, Trial  
14:15 - 19:00, **Hadžihasanović & Kubura**, Trial

**THURSDAY 10 FEBRUARY**

Courtroom I 09:00 - 13:45, **Milošević**, Trial  
14:15 - 19:00, **Limaj *et al.***, Trial  
Courtroom II 14:15 - 19:00, **Orić**, Trial  
Courtroom III 09:00 - 13:45, **Halilović**, Trial  
14:15 - 19:00, **Hadžihasanović & Kubura**, Trial

**FRIDAY 11 FEBRUARY**

Plenary session

\*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 28 JANUARY 2005

DATE	NUMBER	TITLE	E	F	B/C/S
31/01/2005	932	JUDGEMENT IN THE CASE THE PROSECUTION V. PAVLE STRUGAR	E		B/C/S
03/02/2005	933	TRANSFER OF GENERAL LAZAREVIĆ	E		B/C/S

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