



17 May 2002

ICTY WEEKLY UPDATE – 220

PROCEDURAL DEVELOPMENTS:

I. OVERVIEW OF COURT PROCEEDINGS:

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

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

On 13 May 2002, the tenth week of the Prosecution case, the accused resumed the cross-examination of witness Nike Peraj from Gjakovë/Đakovica municipality in Kosovo (see *Weekly Update* No. 219). The witness was then cross-examined by one of the *amici curiae* and re-examined by the Prosecution. The accused later resumed cross-examination of General Karol Drewienkiewicz who first testified on 11 April 2002 on the OSCE mission in Račak (see *Weekly Update* No. 215). The Prosecution subsequently re-examined the witness.

On 14 May, the Prosecution called Rule 92 *bis* witness Isuf Loku from the village of Kotlinë/Kotlina in the municipality of Kačanik/Kačanik in Kosovo. The witness testified about Serb attacks on his village in March 1999. The accused cross-examined the witness and the Prosecution re-examined him. The Trial Chamber then briefly questioned the witness. The Prosecutor subsequently called witness Ratimir Tanić, special advisor to the President of the political party “Novo Demokratija” on international and Kosovo affairs from 1995 to 1999.

On 15 May, the Prosecution resumed examination of witness Ratimir Tanić. The accused then cross-examined the witness.

On 16 May, the accused resumed cross-examination of the witness. The Trial Chamber gave the accused an hour and a half to conclude his cross-examination on Tuesday 21 May.

As scheduled, there was no session on Friday 17 May.

Stanislav GALIĆ Case (“Sarajevo”)

Trial Chamber I Section B – Judges Orić (Presiding), El Mahdi and Nieto-Navia

On 13 May 2002, the Trial Chamber convened to hear the nineteenth week of the Prosecution case. The Prosecution examined witness Commandant Jacques Kolp, an officer in the Belgian Army. The Defence cross-examined the witness.

On 14 May, the Defence resumed cross-examination. The Prosecution then called witness Michael Carswell, a Canadian army officer and United Nations Military Observer (“UNMO”) stationed in Bosnia and Herzegovina in 1992. The Defence then cross-examined the witness.

On 15 May, the Defence resumed cross-examination of witness Michael Carswell. The Prosecution subsequently re-examined the witness and the Judges also questioned him. Following the conclusion of witness Michael Carswell’s testimony, the Prosecution examined witness Jeremy Hermer, an officer in the British Royal Marines and UNMO in Bosnia and Herzegovina in 1993 on the Serb side of the frontline in Sarajevo. The Defence then cross-examined the witness.

On 16 May, the Defence resumed cross-examination of the witness. The Prosecution subsequently re-examined the witness and the Judges questioned him. Following the conclusion of the testimony of witness Jeremy Hermer, the Prosecution examined witness Patrick Henneberry an officer in the Canadian Army who was an UNMO in Sarajevo in 1992.

As scheduled, there was no session on Friday 17 May.

Mladen NALETILIĆ and Vinko MARTINOVIĆ Case (“Tuta” and “Štela”)

Trial Chamber I Section A – Judges Liu (Presiding), Harding Clark and Diarra

On 13 May 2002, the Trial Chamber convened to hear the eighth week of the Defence case. The Defence called witness Milan Kovač from Posušje in Bosnia and Herzegovina, one of the founding members of the Croatian Democratic Union (“HDZ”) and minister in the government of the Republic of Croatia since 1997.

On 14 May, the Defence resumed examination of witness Milan Kovač after which the Prosecution cross-examined him. Then the Defence called Željko Glasnović, a former member of the Canadian Army and the French Foreign Legion who went to Croatia in 1991 where he joined the Zrinski Battalion of the Croatian Army. In 1993 he joined the Croatian Defence Council (“HVO”).

On 15 May, the Defence resumed examination of witness Željko Glasnović. The Prosecution then cross-examined the witness.

On 16 May, the Prosecution resumed cross-examination of the witness.

As scheduled, there was no session on Friday 17 May.

Milimir STAKIĆ Case (“Prijedor”)

Trial Chamber II - Judges Schomburg (Presiding), Fassi Fihri and Vassylenko

On 13 May 2002, the Trial Chamber convened to hear the sixth week of the Prosecution case. The Prosecution examined witness Nijaz Kapetanović, a teacher and president of the humanitarian organisation “Merhamet” from the town of Prijedor. He had been detained in a military prison in Banja Luka in Bosnia and Herzegovina. The Defence then cross-examined the witness.

On 14 May, the Defence resumed cross-examination of witness Nijaz Kapetanović. The Judges also questioned the witness. The Prosecution then called witness Minka Čehajić, a paediatrician from Prijedor whose husband was elected mayor of Prijedor in 1990.

On 15 May, the Prosecution resumed examination of witness Minka Čehajić. The Defence then cross-examined the witness and the Prosecution later re-examined her.

On 16 May, the Judges questioned the witness. The hearing then went into closed session.

As scheduled, there was no session on Friday 17 May.

Milan SIMIĆ, Blagoje SIMIĆ, Miroslav TADIĆ and Simo ZARIĆ Case (“Bosanski Šamac”)

Trial Chamber II Section B – Judges Mumba (Presiding), Williams and Lindholm

On 13 May 2002, the hearing took place partly in closed session. In the latter part of the day, the Prosecution further examined witness Esad Dagović who described events in Bosanski Šamac after April 1992 (see *Weekly Update* No. 207 on his previous testimony). The Defence then further cross-examined the witness.

On 14 May, the hearing took place in closed session.

On 15 May, the hearing began in closed session. Once in open session, the Prosecution examined witness Hajrija Drljačić from Bosanski Šamac who testified about events that occurred in her town in 1993. She told the Trial Chamber, *inter alia*, about the detention of Croats in Bosanski Šamac.

On 16 May, the Prosecution resumed the examination of the witness.

As scheduled, there was no session on Friday 17 May.

Radoslav BRĐANIN and Momir TALIĆ Case (“Krajina”)

Trial Chamber II Section A - Judges Agius (Presiding), Janů and Taya

On 13 May 2002, the Trial Chamber convened to hear the fourteenth week of the Prosecution case. The Prosecution resumed examination of witness Adil Draganović, a judge from the municipal court of Sanski Most in Bosnia and Herzegovina (see *Weekly Update* No. 217). His examination continued for the following two days.

On 16 May, following the conclusion of the examination by the Prosecution, the Defence cross-examined the witness.

As scheduled, there was no session on Friday 17 May.

Mile MRKŠIĆ Case (“Vukovar Hospital”)

Trial Chamber II - Judge Schomburg

On 16 May 2002, following his transfer to the Tribunal on 15 May, Mile Mrkšić appeared before Judge Schomburg for the initial appearance. He pleaded “not guilty” to all counts charged against him in the Indictment.

II. OVERVIEW OF SELECTED COURT DOCUMENTS:

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

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

DECISION ON PROSECUTION MOTION FOR VARIATION OF AN ORDER OF THE TRIAL CHAMBER

On 22 April 2002, the Prosecution filed a Motion for Variation of an Order of the Trial Chamber in which the Prosecution sought to curtail cross-examination on matters of fact by the *amici curiae*. On 14 May, the Trial Chamber denied the Prosecution’s Motion considering, *inter alia*, that the *amici curiae* have been limiting their cross-examination of witnesses to what was appropriate. The Trial Chamber considered the cross-examination by the *amici curiae* to have been of assistance to the Trial Chamber in ensuring fairness of the proceedings and in particular in ensuring that witness testimony is properly tested.

COURTROOM SCHEDULE: 20 MAY – 24 MAY*

MONDAY 20 MAY

UN HOLIDAY
WHIT MONDAY

TUESDAY 21 MAY

Courtroom I 09:00 - 13:45, **Milošević**, Trial
14:15, **Martić** Initial Appearance
15:30 - 19:00, **Martinović/Naletilić**, Trial
Courtroom II 09:00 - 13:45, **Galić**, Trial
14:15 - 19:00, **Stakić** Trial
Courtroom III 09:00 - 13:45, **Brđanin/Talić**, Trial
14:15 - 19:00, **Simić et al.**, Trial

WEDNESDAY 22 MAY

Courtroom I 09:00 - 13:45, **Milošević**, Trial
14:15 - 19:00, **Martinović/Naletilić**, Trial
Courtroom II 09:00 - 13:45, **Galić**, Trial
14:15 - 19:00, **Stakić** Trial
Courtroom III 09:00 - 13:45, **Brđanin/Talić**, Trial
14:15 - 19:00, **Simić et al.**, Trial

THURSDAY 23 MAY

Courtroom I 09:00 - 13:45, **Milošević**, Trial
14:15 - 19:00, **Martinović/Naletilić**, Trial
Courtroom II 09:00 - 13:45, **Galić**, Trial
14:15 - 19:00, **Stakić** Trial
Courtroom III 09:00 - 13:45, **Brđanin/Talić**, Trial
14:15 - 19:00, **Simić et al.**, Trial

FRIDAY 24 MAY

Courtroom I 09:00 - 13:45, **Milošević**, Trial
14:15 - 19:00, **Martinović/Naletilić**, Trial
Courtroom II 09:00 - 13:45, **Galić**, Trial
14:15 - 19:00, **Stakić** Trial
Courtroom III No hearing

*The courtroom schedule is provisional and you are invited to check for last minute changes with the Public Information Services. Unless otherwise indicated, all sessions are open.

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 10 MAY

DATE	NUMBER	TITLE	E	F	B/C/S
10 May 2002	674	DUŠKO SIKIRICA AND DAMIR DOŠEN TRANSFERRED TO AUSTRIA TO SERVE PRISON SENTENCE	E		B/C/S
15 May 2002	675	MILAN MARTIĆ AND MILE MRKŠIĆ TRANSFERRED TO THE HAGUE	E		B/C/S

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