



19 December 2008

ICTY WEEKLY UPDATE – 519

PROCEDURAL DEVELOPMENTS

I. OVERVIEW OF COURT PROCEEDINGS

POPOVIĆ et al. Case

Trial Chamber II - Judges Agius (Presiding), Kwon, Prost and Støle (Reserve Judge)

Continuation of the Defence case

From 15 through 17 December, the following witness testified (continuation of testimony which commenced on 10 December):

- *Milenko Jevdjević (in July 1995, he was the Commander of Communications Battalion, VRS Drina Corps)*

The trial will resume on 12 January 2009.

GOTOVINA et al. Case

Trial Chamber I – Judges Orić (Presiding), Künis and Gwaunza

Continuation of the Prosecution case

On 15 December 2008, the following witness testified (continued testimony from 11 December):

- *Josip Turkalj*

From 16 to 17 December, the following witness testified:

- *Hussein Al-Alfi*

On 18 December 2008, the following witness testified:

- *Norman Boucher*

The trial will resume on 12 January 2009.

PERIŠIĆ Case

Trial Chamber I – Judges Moloto (Presiding), David and Picard

Continuation of the Prosecution case

On 16 December 2008, the following witness testified:

- **Helge Brunborg** (*demographer*)

On 17 December 2008, a pseudonym witness testified in closed session.

The trial will resume on 13 January 2009.

LUKIĆ&LUKIĆ Case

Trial Chamber III – Judges Robinson (Presiding), Van den Wyngaert and David

Continuation of the Defence case

On 15 December 2008, the parties met and discussed procedural matters.

On 17 December 2008, the following witness testified:

- **Zeljko Markovic**

On 18 December 2008, the following witness testified (with face and voice distortion):

- **Witness MLD10**

The trial will resume on 14 January 2009 .

HARAQIJA & MORINA Case (“Contempt”)

Trial Chamber I – Judges Orić (Presiding), Van den Wyngaert and Moloto

Judgement

On 17 December 2008, the Trial Chamber found Astrit Haraqija and Bajrush Morina guilty of contempt of the Tribunal for having knowingly and wilfully interfered with the administration of justice by interfering with a witness whose identity had been ordered protected in the trial of the former Kosovo Albanian military leader Ramush Haradinaj and others. Astrit Haraqija was sentenced to five months’ imprisonment, and Bajrush Morina was sentenced to three months’ imprisonment, credit being given to both for the 36 days already spent in custody.

DORDEVIĆ Case

Trial Chamber II – Judges Parker (Presiding), Flügge and Baird

On 16 December 2008, the Parties appeared before the Trial Chamber for a Pre-Trial Conference pursuant to Rule 73*bis* of the Rules. The accused was present.

Another Pre-Trial Conference will be held on 26 January 2009, and the trial is scheduled to commence on 27 January 2009.

II. OVERVIEW OF SELECTED COURT DOCUMENTS

DORĐEVIĆ *et al.* Case

Trial Chamber II – Judges Parker (Presiding), Flügge and Baird

ORDER ASSIGNING AN *AD LITEM* JUDGE TO A CASE BEFORE A TRIAL CHAMBER

On 15 December 2008, President Robinson assigned *ad litem* Judge Melville Baird to Trial Chamber II for the trial of Vlastimir Đorđević.

ORDER REPLACING A JUDGE ON THE TRIAL BENCH

On 16 December 2008, Judge Agius, Presiding Judge of Trial Chamber II, assigned Judge Melville Baird to replace Judge Frederik Harhoff on the bench in the case.

MILUTINOVIĆ *et al.* Case

Trial Chamber III – Judges Bonomy (Presiding), Chowhan, Kamenova and Nosworthy (Reserve Judge)

DECISION ON MILUTINOVIĆ MOTION FOR TEMPORARY PROVISIONAL RELEASE

On 16 December 2008, pursuant to Article 29 of the Statute and Rules 54 and 65 of the Rules, Trial Chamber III granted Milan Milutinović's application for provisional leave under a number of terms and conditions set out in the decision. Mr. Milutinović was granted provisional release for the period 19 December 2008 until 2 January 2009.

DECISION ON OJDANIĆ MOTION FOR TEMPORARY PROVISIONAL RELEASE

On 17 December 2008, pursuant to Rules 54 and 65 of the Rules, Trial Chamber III denied Mr. Ojdanić's motion for provisional release for 10 days for compassionate and humanitarian reasons.

PRLIĆ *et al.* Case

Appeals Chamber – Judges Pocar (Presiding), Shahabuddeen, Güney, Vaz and Meron

DECISION ON PRALJAK'S APPEAL OF THE TRIAL CHAMBER'S 2 DECEMBER 2008 DECISION ON PROVISIONAL RELEASE

On 16 December 2008, the Appeals Chamber, Judge Güney partly dissenting, dismissed the accused's appeal of the Trial Chamber's decision to deny his request for provisional release.

POPOVIĆ *et al.* Case

Trial Chamber II - Judges Agius (Presiding), Kwon, Prost and Støle (Reserve Judge)

DECISION ON BOROVIČANIN'S MOTION FOR CUSTODIAL VISIT

On 17 December 2008, pursuant to Article 29 of the Statute and Rules 54 and 65 of the Rules, the Trial Chamber denied Ljubomir Borovčanin's motion for provisional release under custodial conditions.

PERIŠIĆ Case

Trial Chamber I – Judges Moloto (Presiding), David and Picard

**DECISION ON MR. PERIŠIĆ'S MOTION FOR PROVISIONAL RELEASE
DURING THE COURT'S WINTER RECESS**

On 17 December 2008, pursuant to Rules 54 and 65 of the Rules, Trial Chamber I granted Momčilo Perišić's application for provisional leave under a number of terms and conditions set out in the decision. Mr. Perišić was granted provisional release for the period 22 December 2008 until 9 January 2009.

STANIŠIĆ and SIMATOVIĆ Case

Trial Chamber III – Judges Robinson (Presiding), David and Picard

**DECISION ON PROSECUTION MOTION FOR RE-ASSESSMENT OF JOVICA
STANIŠIĆ'S HEALTH AND RECOMMENCEMENT OF TRIAL AND DECISION
ON PROSECUTION MOTION TO ORDER FURTHER MEDICAL REPORTS
ON JOVICA STANIŠIĆ'S HEALTH**

On 17 December 2008, Trial Chamber III denied the Prosecution motions and ordered the adjournment of the proceedings in this case prolonged.

**ORDER REPLACING A JUDGE AND ASSIGNING AN AD LITEM JUDGE IN A
CASE BEFORE A TRIAL CHAMBER**

On 17 December 2008, Presiding Judge Robinson assigned Judge Christoph Flügge to replace him, and assigned Judge Flavia Lattanzi to replace Judge David for the purposes of pre-trial work.

COURTROOM SCHEDULE: Court recess though 9 January 2008. Courtroom proceedings will recommence on 12 January 2009.

Please note: *The Prosecutor v. Vojislav Seselj (IT-03-67-T)* trial will resume on Thursday morning, 08 January 2009 at 09.00, in Courtroom II.

*The courtroom schedule is provisional and you are invited to check for last minute changes with the Media Office (+31-70-512-5343, - 5356, or - 8752)

Public proceedings are also broadcast with a 30 minute delay on the ICTY's web site:
<http://www.icty.org>

LATEST PRESS RELEASES

Date	Number	Title	E	F	B/C/S
17/12/2008	1297	Haraqija and Morina Found Guilty of Contempt http://www.un.org/icty/pressreal/2008/pr1297e.htm	E	F	BCS

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