



16 November 2001

ICTY WEEKLY UPDATE – 197

LATEST NEWS:

Slobodan MILOŠEVIĆ Case (“Kosovo” and “Croatia”)

Trial Chamber III – Judges May (Presiding), Robinson and Fassi Fihri

ORDER:

On 15 November 2001, the Trial Chamber ordered Ramsey Clark and John Livingston to be the accused's legal advisors. The accused had asked to meet with them. The Code of Professional Conduct for Defence Counsel Appearing before the Tribunal shall apply to them. This legal advice shall not be at the expense of the Tribunal. The accused shall be entitled to communicate fully and without restraint with the two legal advisors in accordance with Rule 67 of the Rules of Detention.

PROCEDURAL DEVELOPMENTS:

I. OVERVIEW OF COURT PROCEEDINGS:

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

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

On 12 November, the trial opened with the cross-examination by the Defence of Francisco Aguirre, analyst with the Office of the Prosecution. Aguirre was asked about the selection of documents for evidence and events taking place in the Mostar area in 1992 and 1993. The cross-examination continued on 13 November. Later that day, the Trial Chamber heard Allan Knudsen's testimony about his time as a soldier of fortune with the HVO. On 14 November the examination-in-chief of Allan Knudsen continued. On 15 November the Trial Chamber heard the testimony of Jeremy Bowen, journalist with the BBC, who made a documentary about the war in Mostar in 1993. On 16 November the Trial Chamber heard protected witness NN who testified to his detention in the Heliodrom camp and his forced labour.

Mitar VASILJEVIĆ Case (“Višegrad”)

Trial Chamber II – Judges Hunt (Presiding), Janù and Taya

The Prosecution examined the accused on 12 November 2001. On 13 November the Trial Chamber heard the testimony of Dragiša Dikić, a neighbour of Mitar Vasiljević. In the afternoon, the Defence called protected witness VGD22. His examination continued into the next morning. The latter part of the morning the Prosecution cross-examined Dragiša Lindo. In the afternoon the Defence called witness Vasilije Vojnović who was cross-examined the following day by the Prosecution. The Defence examined witness Dragan Simić. After his cross-examination, the Trial Chamber heard the testimony of the accused's wife, Milojka Vasiljević. Her testimony continued on 16 November.

Stanislav GALIĆ Case (“Sarajevo”)

Trial Chamber I – Judges Rodrigues (Presiding), Riad and Wald

On 12 November, the Trial Chamber resumed the status conference of Thursday 8 November on the progress of the pre-trial preparation.

Milomir STAKIĆ Case (“Prijedor”)

Trial Chamber I – Judges Rodrigues (Presiding), Riad and Wald

On 14 November 2001 a status conference took place. Pre-trial preparations were discussed. The next status conference will be held on **11 December 2001**. The trial date was set for **25 February 2002**.

Miodrag JOKIĆ Case (“Dubrovnik”)

Trial Chamber I – Judge Rodrigues

After his voluntary surrender on 12 November 2001, Miodrag Jokić made his initial appearance before the Trial Chamber on 14 November. The indictment was read to Admiral Jokić who pleaded not guilty to all counts.

Rahim ADEMI Case (“Medak Pocket”)

Trial Chamber I – Judges Rodrigues

On 15 November the Trial Chamber convened for a status conference. A work plan was discussed to expedite the trial preparations. A date for the pre-trial conference will be determined in due course.

Nenad BANOVIĆ and Predrag BANOVIĆ Case (“Keraterm”)

Trial Chamber III – Pre-Trial Judge Fassi Fihri

Following their arrest on 8 November 2001 in Serbia, Nenad BANOVIĆ and Predrag BANOVIĆ first appeared before the Tribunal on 16 November at 14:30. They pleaded not guilty on all counts.

II. OVERVIEW OF COURT DOCUMENTS:

Dusko SIKIRICA, Damir DOŠEN and Dragan KOLUNDŽIJA Case (“Keraterm Camp”)

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

SENTENCING JUDGEMENT:

On 13 November at 14:30 the Trial Chamber rendered its sentencing judgement:

Dusko Sikirica: sentenced to 15 years' imprisonment after pleading guilty to one count of crime against humanity on 19 September 2001.

Damir Došen: sentenced to 5 years' imprisonment after pleading guilty to one count of crime against humanity on 19 September 2001.

Dragan Kolundžija: sentenced to 3 years' imprisonment after pleading guilty to one count of crime against humanity on 4 September 2001.

(see *Press Release 635e*)

On 13 November 2001, the Defence filed an application for the immediate release of Dragan Kolundžija. Dragan Kolundžija was sentenced to 3 years' imprisonment of which he already served 2 years, 5 months and 6 days. The Defence argued that it is an established procedure in European States to release a prisoner when he has served two thirds of his sentence.

KVOČKA, KOS, RADIĆ, ŽIGIĆ AND PRCAĆ Case (“Omarska and Keraterm Camps”)

Trial Chamber I - Judges Rodrigues (Presiding), Riad and Wald

On 13 November 2001, pursuant to Rule 108 of the ICTY Rules of Procedure and Evidence Defence Counsel for Miroslav Kvočka filed a Notice of Appeal against the sentencing judgement of 2 November 2001 (see *Weekly Update* No. 196). On 14 November Defence Counsel for Dragoljub Prcac and Mlado Radić also filed Notices of Appeal as did Defence Counsel for Zoran Žigić on 15 November.

Milomir STAKIĆ Case

Trial Chamber I – Judges Rodrigues (Presiding), Riad and Wald

DEFENCE INTERLOCUTORY APPEAL TO THE TRIAL CHAMBER'S DECISION ON MOTION CHALLENGING JURISDICTION:

On 13 November 2001, the Defence of Milomir Stakić filed an appeal against the Trial Chamber's decision denying the motion challenging the jurisdiction of the Tribunal. On 30 October 2001 the Trial Chamber rejected the Defence motion challenging the Tribunal's lack of jurisdiction (see *Weekly Update* No. 196).

Momir TALIĆ and Radoslav BRĐANIN Case

Trial Chamber II – Pre-Trial Judge Hunt

SCHEDULING ORDER:

On 13 November 2001, the Pre-Trial Judge ordered the Defence to file its pre-trial brief no later than 20 November.

A Pre-Trial Conference will be held on **10 December 2001 at 14:00**.

COURTROOM SCHEDULE: 19 NOVEMBER – 23 NOVEMBER*

MONDAY 19 NOVEMBER

Courtroom I 09:30 - 13:00, **Martinovic/Naletilic**, Trial
14:30 - 16:00, **Martinovic/Naletilic**, Trial
Courtroom II 09:30 - 13:00, **Vasiljevic**, Trial
14:30 - 16:00, **Vasiljevic**,
Courtroom III 09:30 - 13:00, **Simic et al.**, Trial
14:30 - 16:00, **Simic et al.**, Trial

TUESDAY 20 NOVEMBER

Courtroom I 09:30 - 13:00, **Martinovic/Naletilic**, Trial
14:30 - 16:00, **Martinovic/Naletilic**, Trial
Courtroom II 09:30 - 13:00, **Vasiljevic**, Trial
14:30 - 16:00, **Vasiljevic**, Trial
Courtroom III 09:30 - 13:00, **Simic et al.**, Trial
14:30 - 16:00, **Simic et al.**, Trial

WEDNESDAY 21 NOVEMBER

Courtroom I 09:30 - 13:00, **Martinovic/Naletilic**, Trial
14:30 - 16:00, **Martinovic/Naletilic**, Trial
Courtroom II 09:30 - 13:00, **Vasiljevic**, Trial
14:30 - 16:00, **Vasiljevic**, Trial
Courtroom III 09:30 - 13:00, **Simic et al.**, Trial
14:30 - 16:00, **Simic et al.**, Trial

THURSDAY 22 NOVEMBER

Courtroom I 09:30 - 12:00, **Martinovic/Naletilic**, Trial, To be confirmed
13:00 - 18:00, **New Judges Solemn declaration**
Courtroom II 09:30 - 13:00, **Vasiljevic**, Trial
14:30 - 16:00, **Vasiljevic**, Trial
Courtroom III 09:30 - 13:00, **Simic et al.**, Trial

FRIDAY 23 NOVEMBER

Courtroom I 09:30 - 11:00, **Extraordinary Plenary**
Courtroom II 09:30 - 11:00, **Extraordinary Plenary**
14:30 - 16:00, **Vasiljevic**, Trial
Courtroom III 09:30 - 11:00, **Extraordinary Plenary**
15:30 - 17:00, **Simic et al.**, Trial, To be confirmed

*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/schedule/week-e.htm> (in English);

<http://www.un.org/icty/bhs/week-b.htm> (na bosanskom/hrvatskom/srpskom).

PRESS RELEASES ISSUED SINCE 9 NOVEMBER:

DATE	NUMBER	TITLE	E	F	B/C/S
09/11/2001	633	ARREST AND TRANSFER OF NENAD BANOVIĆ AND PREDRAG BANOVIĆ	E		B/C/S
12/11/2001	634	VOLUNTARY SURRENDER OF MIODRAG JOKIĆ TO THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA	E		B/C/S
13/11/2001	635	SENTENCING JUDGEMENT IN THE CASE THE PROSECUTOR AGAINST DUŠKO SIKIRICA, DAMIR DOŠEN AND DRAGAN KOLUNDŽIJA	E	F	B/C/S
14/11/2001	636	VOLUNTARY SURRENDER OF PAŠKO LJUBIČIĆ TO THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA	E		B/C/S

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