



23 November 2001

## ICTY WEEKLY UPDATE – 198

### LATEST NEWS:

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

*Judge May (Confirming Judge)*

#### DECISION ON REVIEW OF INDICTMENT:

On 22 November 2001, Judge May confirmed the indictment against Slobodan Milošević charging him with crimes in Bosnia and Herzegovina between 1992 and 1995. They include:

- (a) Genocide and complicity with genocide under Article 4 of the Statute;
- (b) Crimes against humanity involving persecution, extermination, murder, imprisonment, torture, deportation and inhumane acts (forcible transfers) under Article 5 of the Statute;
- (c) Grave breaches of the Geneva Conventions of 1949 involving wilful killing, unlawful confinement, torture, wilfully causing great suffering, unlawful deportation or transfer, and extensive destruction and appropriation of property under Article 2 of the Statute;
- (d) Violations of the laws or customs of war involving, *inter alia*, attacks on civilians, unlawful destruction, plunder of property, and cruel treatment under Article 3 of the Statute.

### 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*

The morning of 19 November, the Prosecution examined protected witness OO. This witness was cross-examined by the Defence in the afternoon. On the following day, in the morning, Judge Harding Clark briefly examined the witness. In the afternoon of that day, the Trial Chamber heard the testimony of protected witness PP. On 21 November 2001 PP continued his testimony. The witness testified on events in the Heliodrom camp, Ljubuški and Široki Brijeg. He also told the court about forced labour he had to perform. In the afternoon another protected witness, QQ, told the Chamber about HV units he saw at the Heliodrom. On 22 November QQ continued his testimony. There was no afternoon session on that day or on Friday.

#### **Mitar VASILJEVIĆ Case (“Višegrad”)**

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

In the morning of 19 November 2001, the Prosecution examined protected witness VGD23 who began his testimony on Friday 16 November. The Defence examined witness Ilija Zečević in the latter part of the morning. In the afternoon, the Defence called witness Petar Mitrović. The Prosecution examined this witness the next day. The Trial Chamber asked the witness some questions before he was re-examined by Defence Counsel. The Defence called Ratimir Šimšić whose testimony was followed by that of witness Živorad Savić. In the morning of 21 November, Savić was cross-examined by the Prosecution. During the afternoon session, witness Goran Lončarević gave his testimony. Lončarević also testified the following morning to events that took place in the Užice health centre at which he worked at as a doctor. In the latter part of the morning session, witness Miloje Novaković was examined by the Prosecution. Towards the end of the morning session, the Defence called witness Dobrivoje Sikirić. In the

afternoon, this witness was cross-examined by the Prosecution. The Defence called witness Radomir Vasiljević, a doctor from Višegrad. He was director of the Višegrad health centre and he is a distant relative of the accused.

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

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

The Trial Chamber resumed this week with the examination of protected witness G by the Prosecution. After a closed session in the morning of 20 November 2001, the Trial Chamber heard the testimony of protected witness L. The Prosecution’s examination in chief witness resumed on 21 November 2001 and lasted until the afternoon of 22 November. The Prosecution questioned him on the exchanges of Muslims, Serbs and Croats. There was no session in the afternoon or on Friday.

**II. OVERVIEW OF COURT DOCUMENTS:**

**Dragoljub KUNARAC, Radomir KOVAČ and Zoran VUKOVIĆ Case**

*Appeals Chamber – Pre-Trial Judge Mohammed Shahabuddeen*

**SCHEDULING ORDER FOR THE HEARING ON APPEAL:**

The oral hearing on the appeals filed by the three accused is scheduled to commence on 4 December 2001 at 09:30. Arguments will begin with the presentation of the appellants’ submissions. Appellants are granted 6 hours and 30 minutes for their arguments. They are to file by 26 November a statement indicating the order of their submissions and how they intend to share the total time between appellants. The Prosecution’s response will follow the appellants’ arguments and may continue for a maximum of 4 hours. After this response, appellants have a total of one hour for their replies.

**Miroslav KVOČKA, Milojica KOS, Mlado RADIĆ, Zoran ŽIGIĆ and Dragoljub PRCAĆ Case (“Omarska and Keraterm Camps”)**

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

On 16 November 2001, pursuant to Rule 108 of the Rules of Procedure and Evidence, Counsel for Milojica Kos filed a Notice of Appeal against the judgement of 2 November 2001 (see *Weekly Update* No. 196).

**Enver HADŽIHASANOVIĆ, Mehmed ALAGIĆ and Amir KUBURA Case (“Central Bosnia”)**

*Trial Chamber II - Judges Hunt (Presiding), Mumba and Wald*

**RE-SCHEDULING ORDER FOR STATUS CONFERENCE:**

The status conference in this case was re-scheduled for **29 November 2001 at 14:30.**

**COURTROOM SCHEDULE: 26 NOVEMBER – 30 NOVEMBER\***

**MONDAY 26 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  
15:30 - 17:00, **Simic et al.**, Trial

**TUESDAY 27 NOVEMBER**

Courtroom I 14:00 - 20:30, **Martinovic/Naletilic**, Video-link Conference  
Courtroom II 09:30 - 13:00, **Vasiljevic**, Trial  
14:30 - 16:00, **Vasiljevic**, Trial  
Courtroom III 09:30 - 13:00, **Simic et al.**, Trial  
15:30 - 17:00, **Simic et al.**, Trial

**WEDNESDAY 28 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  
 15:30 - 17:00, **Simic et al.**, Trial

**THURSDAY 29 NOVEMBER**

Courtroom I 15:00 - 21:30, **Martinovic/Naletilic**, Video-link Conference  
 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, **Hadzihasanovic et al.** Status Conference  
 15:30 - 17:30, **Simic et al.**, Trial (*to be confirmed*)

**FRIDAY 30 NOVEMBER**

Courtroom I 09:30 - 13:00, **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  
 15:30 - 17:00, **Simic et al.**, Trial

\*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 14 NOVEMBER:**

DATE	NUMBER	TITLE	E	F	B/C/S
21/11/2001	637	VOLUNTARY SURRENDER OF PAŠKO LJUBIČIĆ TO THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA	E		B/C/S
22/11/2001	638	JUDGE RICHARD MAY CONFIRMS INDICTMENT CHARGING SLOBODAN MILOSEVIC WITH GENOCIDE IN BOSNIA AND HERZEGOVINA	E		B/C/S
22/11/2001	639	JUDGE CLAUDE JORDA RE-ELECTED BY ACCLAMATION AS PRESIDENT AND JUDGE SHAHABUDDIEN ELECTED AS VICE-PRESIDENT	E	F	

For the latest list of all court filings, please visit the [ICTY Court Records](#)

For a selection of the latest public documents, please visit the [ICTY Website](#)