



8 February 2008

## ICTY WEEKLY UPDATE – 479

### PROCEDURAL DEVELOPMENTS

#### I. OVERVIEW OF COURT PROCEEDINGS

##### MILUTINOVIĆ et al. Case

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

##### Continuation of the Defence case

From 5 February until 7 February 2008, the following witness testified:

- **Radojko Stefanović** (Yugoslav Army officer – Chief of the Operations and Training department of the Priština Corps during the relevant period)

*Witness Stefanović was the last witness for the Defence of Vladimir Lazarević. Subsequently, the Defence of Sreten Lukić commenced its case on the same day.*

From 7 February until 8 February 2008, the following witness testified:

- **Dragan Paunović** (member of the Serbian special police unit/PJP during the relevant period)

On 8 February 2008, the following witness testified:

- **Ljubivoje Joksić** (member of the Serbian State Security/RDB during the relevant period)

##### POPOVIĆ et al. Case (“Srebrenica”)

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

##### Completion of the Prosecution case

On 5 February 2008, the following witnesses testified:

- **Milenko Tomić** (truck driver in the Republika Srpska Army during the relevant period)
- **Ewa Tabeau** (demographer – ICTY/OTP staff member)

On 6 February 2008, the following witness testified:

- **Emma Sayer** (member of UNPROFOR in BiH during the relevant period)

On 7 February 2008, the parties discussed evidentiary matters, after which the Prosecution rested its case.

Rule 98bis submissions will be heard from 14 February 2008.

##### PRLIĆ et al. Case

*Trial Chamber III – Judges Antonetti (Presiding), Prandler, Trechsel and Mindua (Reserve Judge)*

##### Rule 98bis submissions

On 4 February and 5 February 2008, the Prosecution presented their submissions pursuant to Rule 98bis.

The Rule 98bis judgement will be rendered in due course.

### **Vojislav ŠEŠELJ Case**

*Trial Chamber III – Judges Antonetti (Presiding), Harhoff and Lattanzi*

#### **Continuation of the Prosecution case**

On 5 February and 6 February 2008, the following witness testified:

- **Yves Tomić** (historian – expert witness)

On 7 February 2008, the following witness testified:

- **Witness VS-004** (member of the Serbian Democratic Party/SDS in Croatia during the relevant period)

### **BOŠKOSKI & TARČULOVSKI Case**

*Trial Chamber I – Judges Parker (Presiding), Thelin and Van den Wyngaert*

#### **Continuation of the Defence case**

On 4 February 2008, the following witness testified:

- **Sofija Galeva-Petrovska** (member of the Macedonian Ministry of Interior)

From 4 February until 6 February 2008, the following witness testified:

- **Igno Stojkov** (member of the Macedonian Ministry of Interior)

From 7 February until 8 February 2008, the following witness testified:

- **Petre Stojanovski** (member of the Macedonian Ministry of Interior)

## **II. OVERVIEW OF SELECTED COURT DOCUMENTS**

### **DELIĆ Case**

*Trial Chamber I – Judges Moloto (Presiding), Harhoff and Lattanzi*

#### **ORDER CONCERNING HEARING TO BE HELD IN SARAJEVO PURSUANT TO RULE 4 AND TRANSFER OF THE ACCUSED**

On 5 February 2008 (*the order was filed confidentially on 1 February*), pursuant to Rules 4, 28, 54 and 64 of the Rules, Trial Chamber I ordered that an evidentiary hearing shall take place in a courtroom of the BiH Court in Sarajevo from 8 February until 11 February 2008. The accused shall be transferred to BiH in order to enable his presence throughout the hearing – *See Press Release, number 1214, dated 6 February 2008.*

### **PERIŠIĆ Case**

*Trial Chamber III – Judges Robinson (Presiding), Thelin and Höpfel*

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## PROSECUTION FILING OF REVISED SECOND AMENDED INDICTMENT WITH ANNEX A

On 5 February 2008, the Prosecution filed the revised second amended indictment, which became the operative indictment in this case.

### STANIŠIĆ & SIMATOVIĆ Case

*Trial Chamber III – Judges Robinson (Presiding), Thelin and Höpfel*

#### SCHEDULING ORDER AND TERMINATION OF PROVISIONAL RELEASE

On 6 February 2008, pursuant to Article 20 of the Statute and Rules 54, 65 and 73bis of the Rules, Trial Chamber III ordered that a pre-trial Conference be held on 27 February 2008 in courtroom III at 14:15. Furthermore, the Chamber terminated the provisional release of both accused and ordered them to surrender to the custody of the Tribunal on 11 February 2008.

### GOTOVINA et al. Case

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

#### ORDER SCHEDULING START OF TRIAL AND TERMINATING PROVISIONAL RELEASE

On 6 February 2008, pursuant to Articles 20 and 29 of the Statute and Rules 65, 73bis and 84 of the Rules, Trial Chamber I ordered that:

- the pre-trial Conference in the case of *Prosecutor v. Ante Gotovina, Ivan Čermak and Mladen Markač* shall be held on 10 March 2008;
- the opening statement of the Prosecution will be delivered on 11 March 2008;
- opening statement of the Defence, if any at this stage of the proceedings, shall conclude on 12 March 2008;
- alternatively, if there are no opening statements of the Defence, the presentation of evidence for the Prosecution shall commence on 12 March 2008 and shall continue until 14 March 2008, or, if necessary to conclude a witness' testimony, until 18 March 2008;
- there will be a break until 7 April 2008 on which date the presentation of the Prosecution evidence will resume;

Furthermore, the Chamber terminated the provisional release of Ivan Čermak and ordered him to return to the UN Detention Unit in the Hague on 5 March 2008.

## COURTROOM SCHEDULE: 11 FEBRUARY – 15 FEBRUARY 2008\*

### MONDAY 11 FEBRUARY

Courtroom I 09:00 – 15:30, **Milutinović et al.**, Trial  
Courtroom II 09:00 – 13:45, **Boškoski&Tarčulovski**, Trial

### TUESDAY 12 FEBRUARY

Courtroom I 09:00 – 13:45, **Šešelj**, Trial  
Courtroom II 09:00 – 13:45, **Boškoski&Tarčulovski**, Trial  
Courtroom III 09:00 – 15:30, **Milutinović et al.**, Trial

### WEDNESDAY 13 FEBRUARY

Courtroom I 09:00 – 13:45, **Šešelj**, Trial  
Courtroom II 09:00 – 13:45, **Boškoski&Tarčulovski**, Trial  
Courtroom III 09:00 – 15:30, **Milutinović et al.**, Trial

### THURSDAY 14 FEBRUARY

Courtroom I 08:30 – 13:15, **Šešelj**, Trial

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Courtroom II 14:15 – 19:00, **Milutinović et al.**, Trial  
 09:00 – 13:45, **Boškoski&Tarčulovski**, Trial  
 14:15 – 19:00, **Delić**, Trial  
 Courtroom III 09:00 – 13:45, **Popović et al.**, Trial

**FRIDAY 15 FEBRUARY**

Courtroom I 09:00 – 15:30, **Milutinović et al.**, Trial  
 Courtroom II 09:00 – 13:45, **Boškoski&Tarčulovski**, Trial  
 14:15 – 19:00, **Delić**, Trial  
 Courtroom III 09:00 – 15:30, **Popović et al.**, Trial

\*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.un.org/icty/latest/> (in English) (Please click on Hearing Schedule);

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

**LATEST PRESS RELEASES**

Date	Number	Title	E	F	B/C/S
06/02/2008	1214	TRIAL CHAMBER IN RASIM DELIĆ CASE TO HOLD A HEARING IN SARAJEVO  <a href="http://www.un.org/icty/pressreal/2008/pr1214e.htm">HTTP://WWW.UN.ORG/ICTY/PRESSREAL/2008/PR1214E.HTM</a>	E		B/C/S

**LATEST FILED DOCUMENTS**

SignatureDate	CaseNumber	CaseDescription	DocumentTitle
01-Feb-08	IT-04-83	Delic	ORDER CONCERNING HEARING TO BE HELD IN SARAJEVO PURSUANT TO RULE 4 AND TRANSFER OF THE ACCUSED [MADE PUBLIC PURSUANT TO TCI ORDER OF 05/02/2008]
01-Feb-08	IT-05-88	Popovic et al	PROSECUTION'S NOTICE TO WITHDRAW 19 DECEMBER 2007 "PROSECUTION'S MOTION FOR LEAVE TO AMEND ITS 65 TER EXHIBIT LIST WITH EXHIBITS PERTAINING TO WITNESS 85"
01-Feb-08	IT-04-82	Boskoski et al	INTERNAL MEMORANDUM FROM THE REGISTRY RE: INCLUSION OF THE TRANSCRIPTS, ADMITTEDB PURSUANT TO TCII DECISION, DATED 29 JANUARY 2008, INTO THE TRIAL RECORD
01-Feb-08	IT-05-88/2	Zdravko Tolimir	SUBMISSION OF THE ACCUSED TO THE PRE-TRIAL CHAMBER, THE REGISTRAR AND PROSECUTOR ON THE RETURN OF DOCUMENTS WHICH THE ACCUSED DOES NOT UNDERSTAND AND THE REQUEST THAT ALL COMMUNICATION AND CORRESPONDENCE BE CARRIED OUT IN THE SERBIAN LANGUAGE AND SCRIPT WHICH THE ACCUSED SOLELY UNDERSTANDS
04-Feb-08	IT-02-54	Milosevic	DECISION RECONSIDERING CONDITIONS FOR THE DEFENCE ACCESS TO CONFIDENTIAL TESTIMONY AND DOCUMENTS FROM THE SLOBODAN MILOSEVIC CASE
04-Feb-08	IT-03-69	Stanisic & Simatovic	DECISION RECONSIDERING CONDITIONS FOR THE DEFENCE ACCESS TO CONFIDENTIAL TESTIMONY AND DOCUMENTS FROM THE SLOBODAN MILOSEVIC CASE

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04-Feb-08	IT-04-74	Prlic and Others	NOTICE BY THE ACCUSED MR. PUSIC (ABSENCE FROM COURT)
04-Feb-08	IT-03-69	Stanisic & Simatovic	ORDER REGARDING TRANSLATIONS AND DISCLOSURE
04-Feb-08	IT-98-29/1-A	Milosevic Dragomir (Appeal)	ORDER ASSIGNING JUDGES TO A CASE BEFORE THE APPEALS CHAMBER
04-Feb-08	IT-03-69	Stanisic & Simatovic	DECISION PURSUANT TO RULE 73 BIS (D)
05-Feb-08	IT-04-74	Prlic and Others	INTERNAL MEMORANDUM REGARDING TIME MONITORING; PERIOD ENDING 24 JANUARY 2008
05-Feb-08	IT-05-88/2-AR73.1	Tolimir (Interlocutory)	ORDER ASSIGNING JUDGES TO A CASE BEFORE THE APPEALS CHAMBER
05-Feb-08	IT-04-83	Delic	ORDER LIFTING CONFIDENTIALITY
05-Feb-08	IT-03-67	Seselj	ORDONNANCE AUX FINS DE CLARIFICATION DES DEUX REQUÊTES DE L'ACCUSATION RELATIVES AU CONSTAT JUDICIAIRE DE MOYENS DE PREUVE DOCUMENTAIRES
05-Feb-08	IT-05-88	Popovic et al	JOINT DEFENCE MOTION CHALLENGING THE ADMISSIBILITY OF THE NARRATIVES PREPARED BY WITNESS RICHARD BUTLER
05-Feb-08	IT-04-74	Prlic and Others	NOTICE BY THE ACCUSED MR. PUSIC (ABSENCE FROM COURT)
05-Feb-08	IT-03-67	Seselj	PROCÈS-VERBAL OF RECEPTION OF BCS TRANSLATION OF "DÉCISION RELATIVE AUX REQUÊTES DE L'ACCUSATION ET DE L'ACCUSÉ AUX FINS DE MISE EN EUVRE DE L'ARTICLE 77 DU RÈPLEMENT DE PROCÉDURE ET DE PREUVE"
05-Feb-08	IT-03-69	Stanisic & Simatovic	INTERNAL MEMORANDUM FROM CLSS IN RESPONSE TO ORDER REGARDING TRANSLATIONS AND DISCLOSURE
05-Feb-08	IT-04-81	Perisic	REVISED SECOND AMENDED INDICTMENT
05-Feb-08	IT-95-13/1-A	Mrksic (Appeal)	SUPPLEMENT TO BOOK OF AUTHORITIES FOR PROSECUTION'S APPEAL BRIEF
05-Feb-08	IT-05-87	Milutinovic et al.	SRETEN LUKIC'S DEFENCE NOTIFICATION FOR THE MONTHS OF FEBRUARY AND MARCH 2008
05-Feb-08	IT-03-69	Stanisic & Simatovic	PROSECUTION REPORT PURSUANT TO THE 4 FEBRUARY 2008 DECISION RECONSIDERING CONDITIONS FOR THE DEFENCE ACCESS TO CONFIDENTIAL TESTIMONY AND DOCUMENTS FROM THE SLOBODAN MILOSEVIC CASE
05-Feb-08	IT-02-54	Milosevic	PROSECUTION REPORT PURSUANT TO THE 4 FEBRUARY 2008 DECISION RECONSIDERING CONDITIONS FOR THE DEFENCE ACCESS TO CONFIDENTIAL TESTIMONY AND DOCUMENTS FROM THE SLOBODAN MILOSEVIC CASE
06-Feb-08	IT-05-87	Milutinovic et al.	CORRIGENDUM TO ORDER ON LAZAREVIC DEFENCE NOTICE RE DOCUMENTS MARKED FOR IDENTIFICATION PENDING TRANSLATION
06-Feb-08	IT-05-87	Milutinovic et al.	REPORT ON USE OF TIME IN THE TRIAL PERIOD ENDING 31 JANUARY 2008
06-Feb-08	IT-03-69	Stanisic & Simatovic	PROSECUTION REPORT PURSUANT TO THE 4 FEBRUARY 2008 ORDER REGARDING TRANSLATIONS AND DISCLOSURE
06-Feb-08	IT-06-90	Gotovina et Al.	ORDER SCHEDULING START OF TRIAL AND TERMINATING PROVISIONAL RELEASE
06-Feb-08	IT-05-87	Milutinovic et al.	ORDER ON EXHIBITS P2885, 1D279, 1D671, 4D3, 4D95, 4D106 AND 5D272
06-Feb-08	IT-04-82	Boskoski et al	ORDER TO REDACT THE PUBLIC BROADCAST OF A HEARING [05 FEB 2008]
06-Feb-08	IT-05-87	Milutinovic et al.	SRETEN LUKIC'S REQUEST REGARDING EXHIBIT 6D1130
06-Feb-08	IT-05-87	Milutinovic et al.	DEFENCE NOTICE REGARDING EXHIBIT 5D690

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06-Feb-08	IT-01-42/2	Kovacevic	ORDER LIFTING CONFIDENTIALITY AND INCORPORATED CORRIGENDUM
06-Feb-08	IT-02-54	Milosevic	DECISION ON VLASTIMIR DORDEVIC 'S MOTION FOR ACCESS TO TRANSCRIPTS, EXHIBITS AND DOCUMENTS IN PROSECUTOR V. SLOBODAN MILOSEVIC, CASE NO IT-02-54
06-Feb-08	IT-05-87	Milutinovic et al.	DEFENCE NOTICE REGARDING EXHIBIT 5D 1363
06-Feb-08	IT-05-87/1	Dordevic Vlastimir	SCHEDULING ORDER
06-Feb-08	IT-03-67	Seselj	PROCÈS-VERBAL OF RECEPTION OF "NOTICE OF PROFESSOR VOJISLAV SESELJ CONCERNING THE REPORT BY A TEAM OF MILITARY ANALYSTS REPRESENTED BY REYNAUD THEUNENS (SUBMISSION NO. 367)"
06-Feb-08	IT-03-66-A	Limaj et al (Appeal)	MOTION ON BEHALF OF HARADIN BALA FOR TEMPORARY PROVISIONAL RELEASE
06-Feb-08	IT-03-69	Stanisic & Simatovic	SCHEDULING ORDER AND TERMINATION OF PROVISIONAL RELEASE
06-Feb-08	IT-05-87/1	Dordevic Vlastimir	DECISION ON VLASTIMIR DORDEVIC 'S MOTION FOR ACCESS TO TRANSCRIPTS, EXHIBITS AND DOCUMENTS IN PROSECUTOR V. SLOBODAN MILOSEVIC, CASE NO IT-02-54
06-Feb-08	IT-05-87/1	Dordevic Vlastimir	DECISION ON VLASTIMIR DORDEVIC'S MOTION FOR ACCESS TO ALL MATERIAL IN PROSECUTOR V. LIMAJ ET AL, CASE NO IT-03-66
06-Feb-08	IT-03-66-A	Limaj et al (Appeal)	DECISION ON VLASTIMIR DORDEVIC'S MOTION FOR ACCESS TO ALL MATERIAL IN PROSECUTOR V. LIMAJ ET AL, CASE NO IT-03-66
06-Feb-08	IT-05-88	Popovic et al	DECISION ON DEFENCE MOTION FOR REMOVAL FROM EVIDENCE OF MOMIR NIKOLIC 'S STATEMENT OF FACTS
07-Feb-08	IT-05-88	Popovic et al	PROSECUTION'S MOTION FOR ADMISSION OF EXHIBITS FROM THE BAR TABLE WITH CONFIDENTIAL ANNEX
07-Feb-08	IT-98-29/1-A	Milosevic Dragomir (Appeal)	REQUÊTE AUX FINS DE PROROGER LED DELAIS DE DEPOT DES MEMOIRES DE L'APPELLANT ET DE L'INTIME PAR LA DEFENSE
07-Feb-08	IT-05-87	Milutinovic et al.	SRETEN LUKIC WITNESS NOTIFICATION FOR THE TRIAL WEEK COMMENCING 11 FEBRUARY 2008
07-Feb-08	IT-03-66-A	Limaj et al (Appeal)	ORDER ASSIGNING JUDGES TO A CASE BEFORE THE APPEALS CHAMBER
07-Feb-08	IT-03-67	Seselj	REGISTRY SUBMISSION PURSUANT TO RULE 33(B) OF THE RULES OF PROCEDURE AND EVIDENCE REGARDING THE TRANSLATION OF BOOKS
07-Feb-08	IT-03-67-AR73.7	Seselj (Interlocutory)	ORDER ASSIGNING JUDGES TO A CASE BEFORE THE APPEAL CHAMBER
07-Feb-08	IT-96-23/2-ES	Zelenovic (Enforcement)	PROSECUTION'S RESPONSE TO DEFENCE MOTION FOR TEMPORARY PROVISIONAL RELEASE
07-Feb-08	IT-05-87	Milutinovic et al.	SRETEN LUKIC'S SECOND MOTION TO AMEND RULE 65TER EXHIBIT LIST WITH ANNEX A
07-Feb-08	IT-05-88	Popovic et al	MOTION FOR PROVISIONAL RELEASE OF MILAN GVERO DURING THE FORTHCOMING BREAK IN THE PROCEEDINGS
07-Feb-08	IT-05-87	Milutinovic et al.	DEFENDANT OJDANIC'S REQUEST REGARDING EXHIBIT 3D893
08-Feb-08	IT-04-79	Stanisic	DEFENCE RESPONSE TO PROSECUTION'S THIRD MOTION FOR JUDICIAL NOTICE OF ADJUDICATED FACTS

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08-Feb-08	IT-05-87	Milutinovic et al.	ORDER RE EXHIBIT 6D1130
08-Feb-08	IT-00-39-A	Krajisnik (Appeal)	DECISION ON PROSECUTION'S MOTION TO LIFT SEAL ON EXHIBIT P152
08-Feb-08	IT-05-87	Milutinovic et al.	DEFENCE NOTICE REGARDING EXHIBIT 5D1316
08-Feb-08	IT-04-82	Boskoski et al	DECISION ON PROSECUTION'S RULE 94 BIS NOTICE RE: EXPERT WITNESS SLAGJANA TASEVA
08-Feb-08	IT-05-87	Milutinovic et al.	DECISION ON LUKIC SECOND MOTION TO AMEND RULE 65TER EXHIBIT LIST
08-Feb-08	IT-05-87	Milutinovic et al.	WAIVER FROM PAVKOVIC FOR ABSENCE FROM COURT ON 08 FEBRUARY 2008
08-Feb-08	IT-05-87	Milutinovic et al.	PROSECUTION'S NOTICE RE EXHIBIT 5D 1316

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