



9 April 2009

ICTY WEEKLY UPDATE – 533

Please note that the next Update will be issued on 24 April 2009

PROCEDURAL DEVELOPMENTS

I. OVERVIEW OF COURT PROCEEDINGS

PRLIĆ et al. Case

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

Continuation of the Defence case (Bruno Stojić)

On 6 April 2009, the parties discussed procedural matters.

On 7 April 2009, the following witness testified:

- ***Davor Korać*** (*Chief of Finance Department in the Ministry of Internal Affairs of BiH during the relevant period*)

The trial will resume on 20 April 2009.

PERIŠIĆ Case

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

Continuation of the Prosecution case

On 6 April 2009, the following witness testified (*closed session*):

- ***Witness MP-016***

On 6 and 7 April 2009, the following witness testified (*closed session*):

- ***Witness MP-432***

The trial will resume on 21 April 2009.

ĐORĐEVIĆ Case

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

Continuation of the Prosecution case

On 6 April 2009, the following witness testified:

- ***Dušan Dunjić*** (*forensic expert*)

On 6 and 7 April 2009, the following witness testified:

- **Miloš Deretić** (*Head of the Communications Sector in the Serbian Ministry of Interior in Priština during the relevant period*)

On 7 April 2009, the following witness testified:

- **Hysni Berisha** (*eye-witness from the area of Suva Reka/Suhareka, Kosovo*)

On 7 and 8 April 2009, the following witness testified:

- **Halit Berisha** (*eye-witness from the area of Suva Reka/Suhareka, Kosovo*)

On 8 April 2009, the following witness testified:

- **Shefqet Zogaj** (*eye-witness from the area of Suva Reka/Suhareka, Kosovo*)

The trial will resume on 21 April 2009.

LUKIĆ&LUKIĆ Case

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

Prosecution evidence in rebuttal

On 6 April 2009, the following witnesses testified:

- **Witness VG-141** (*testifying about the events in Višegrad during the relevant period*)
- **Witness VG-136** (*testifying about the events in Višegrad during the relevant period*)
- **Witness VG-148** (*testifying about the events in Višegrad during the relevant period*)

On 8 April 2009, the following witness testified (*closed session*):

- **Witness VG-094**

Examination of Trial Chamber's witnesses

On 7 April 2009, the following witness testified:

- **Huso Kurspahić** (*testifying about the events in Višegrad during the relevant period*)

On 8 April 2009, the following witness testified:

- **Ferid Spahić** (*testifying about the events in Višegrad during the relevant period*)

On 9 April 2009, the following witness testified:

- *Witness CW-2 (testifying about the events in Višegrad during the relevant period)*

The trial will resume on 21 April 2009.

II. OVERVIEW OF SELECTED COURT DOCUMENTS

PERIŠIĆ Case

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

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

On 6 April 2009, the Trial Chamber granted in part the motion by the Defence and ordered that Momčilo Perišić be provisionally released on or after 9 April 2009 until 17 April 2009.

KARADŽIĆ Case

Trial Chamber III – Judges Bonomy (Presiding), Flügge and Picard

ORDER FOLLOWING ON STATUS CONFERENCE AND APPENDED WORK PLAN

On 6 April 2009, the Trial Chamber ordered, *inter alia*, that the Pre-Trial Conference be held on 20 July 2009.

ORIĆ Case

Trial Chamber II – Judges Agius (Presiding), Parker and Kwon

DECISION ON ORIĆ'S MOTION REGARDING A BREACH OF *NON-BIS-IN- IDEM*

On 7 April 2009, the Trial Chamber dismissed a motion by the Defence of Naser Orić requesting the Chamber to order the Prosecutor's Office in Bijeljina to permanently discontinue its proceedings against Orić as being in breach of the *non-bis-in-idem* principle pursuant to Article 10 of the Statute and Rule 13 of the Rules of Procedure and Evidence. The Chamber concluded, *inter alia*, that "...because there is no information to show that criminal proceedings have been instituted against Orić before a court in Bosnia and Herzegovina for a crime for which he has already been tried by the Tribunal, Rule 13 is not applicable."

MILUTINOVIĆ et al. Case

Trial Chamber – Judges Bonomy (Presiding), Antonetti and Flügge

ORDER REGARDING PROSECUTION'S SUBMISSION WITH RESPECT TO RULE 73bis (D)

On 7 April 2009, the Trial Chamber declared that there remained no outstanding charges against Milan Milutinović, Nikola Šainović, Dragoljub Ojdanić, Nebojša Pavković, Vladimir Lazarević and Sreten Lukić before the Tribunal.

HARAQIJA&MORINA Case

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

DECISION ON MOTION OF ASTRIT HARAQIJA FOR PROVISIONAL RELEASE

On 8 April 2009, the Appeals Chamber granted in part a motion by the Defence and ordered that Astrit Haraqija be provisionally released pending the disposition of his appeal – *See Press Release number 1313, dated 8 April 2009.*

COURTROOM SCHEDULE: 13 APRIL – 17 APRIL 2009*

No trials scheduled

LATEST PRESS RELEASES

Date	Number	Title	E	F	B/C/S
06/04/2009	1312	LAUNCH OF ICTY ONLINE COURT RECORDS DATABASE http://www.icty.org/sid/10099	E	F	B/C/S
08/04/2009	1313	ASTRIT HARAQIJA GRANTED PROVISIONAL RELEASE PENDING APPEAL http://www.icty.org/sid/10106	E	F	B/C/S

LATEST FILED DOCUMENTS

Signature Date	Case Number	Case Description	Document Title
03-Apr-09	IT-04-81	Perisic	SUBMISSION OF EXPERT REPORTS BY EWA TABEAU WITH ANNEXES A THROUGH G
03-Apr-09	IT-06-90	Gotovina et Al.	NOTIFICATION OF MOTION AND INVITATION TO RESPOND
03-Apr-09	IT-98-32/1	Lukic et al	MILAN LUKIC'S NOTICE OF WITHDRAWAL OF FILING OF 1 APRIL 2009 STYLED " DEFENSE THIRD NOTICE AS TO NAMED MURDER VICTIMS IN THE INDICTMENT FOR WHOM EVIDENCE EXISTS THAT THEY ARE ALIVE"
03-Apr-09	IT-04-74	Prlic and Others	CD ANNEX C TO SLOBODAN PRALJAK'S SUBMISSION OF THE EXPERT REPORT OF DR. VLADO SAKIC
03-Apr-09	IT-04-74	Prlic and Others	PROSECUTION RESPONSE TO SLOBODAN PRALJAK NOTICE REGARDING THE UPCOMING STATEMENTS PURSUANT TO RULES 84 AND 84 BIS
03-Apr-09	IT-95-5/18	Karadzic	PROCÈS-VERBAL OF RECEPTION OF DOCUMENTS OF THE ICTY (D13977-D13970)
03-Apr-09	IT-95-5/18	Karadzic	PROCÈS-VERBAL OF RECEPTION OF DOCUMENTS OF THE ICTY (D13968-D13967)
03-Apr-09	IT-03-67-R77.2	Seselj (Contempt)	DECISION ON MOTION FOR DISQUALIFICATION AND ORDER REPLACING A JUDGE IN A CASE BEFORE A TRIAL CHAMBER
03-Apr-09	IT-95-5/18	Karadzic	PROCÈS-VERBAL OF RECEPTION OF DOCUMENTS OF THE ICTY (D13965-D13964)
03-Apr-09	IT-95-5/18	Karadzic	PROCÈS-VERBAL OF RECEPTION OF DOCUMENTS OF THE ICTY (D13956-D13951)
03-Apr-09	IT-95-5/18	Karadzic	REGISTRY SUBMISSION REGARDING THE REQUEST FOR REVERSAL OF LIMITATIONS OF CONTACT WITH JOURNALIST
03-Apr-09	IT-95-5/18	Karadzic	ORDER ON PROSECUTION REQUEST FOR LEAVE TO REPLY TO THE "RESPONSE TO FIRST PROSECUTION MOTION FOR JUDICIAL NOTICE OF ADJUDICATED FACTS"
03-Apr-09	IT-05-87/1	Dordevic Vlastimir	INTERNAL MEMORANDUM RE EXHIBIT NUMBERS ASSIGNED TO

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			DOCUMENTS ADMITTED PURSUANT TO ORAL DECISION DATED 3 APRIL 2009
03-Apr-09	IT-98-32/1	Lukic et al	PROSECUTION RESPONSE TO "DEFENCE REQUEST FOR ADDITIONAL TIME FOR FINAL BRIEF AND CLOSING ARGUMENT"
03-Apr-09	IT-04-74	Prlic and Others	BRUNO STOJIC'S MOTION TO ADD EXHIBIT 2D 01533 TO THE RULE 65 TER (G) EXHIBIT LIST WITH ANNEXES A AND B
03-Apr-09	IT-95-5/18	Karadzic	PROSECUTION RESPONSE TO PRELIMINARY MOTION ALLEGING DEFECT IN FORM OF THE INDICTMENT - JOINT CRIMINAL ENTERPRISE MEMBERS AND NONMEMBER PARTICIPANTS
03-Apr-09	IT-04-74	Prlic and Others	SLOBODAN PRALJAK'S MOTION TO ADD EXHIBITS TO THE RULE 65 TER (G) EXHIBIT LIST WITH ANNEXES
03-Apr-09	IT-95-5/18	Karadzic	PROCÈS-VERBAL OF RECEPTION OF DOCUMENTS OF THE ICTY (D13962-D13958)
03-Apr-09	IT-04-74	Prlic and Others	BRUNO STOJIC'S SUBMISSION OF REVISED RULE 65 TER SUMMARY FOR STOJIC DEFENCE WITNESS DRAGAN JURIC WITH ANNEX
03-Apr-09	IT-98-32/1	Lukic et al	CORRIGENDUM PROSECUTION RESPONSE TO "DEFENCE REQUEST FOR ADDITIONAL TIME FOR FINAL BRIEF AND CLOSING ARGUMENT"
06-Apr-09	IT-04-74	Prlic and Others	NOTICE BY THE ACCUSED MR. CORIC (ABSENCE FROM COURT)
06-Apr-09	IT-95-5/18-AR73.1	Karadzic (Interlocutory)	DECISION ON APPELLANT RADOVAN KARADZIC'S APPEAL CONCERNING HOLBROOKE AGREEMENT DISCLOSURE
06-Apr-09	IT-04-81	Perisic	DEFENCE NOTIFICATION ON THE MFI DOCUMENTS TENDERED VIA BRETON RANDALL
06-Apr-09	IT-04-81	Perisic	ODLUKA PO ZAHTEVU G. PERISICA ZA PRIVREMENO PUSTANJE NA SLOBODU TOKOM USKRSNJE PAUZE U RADU SUDA
06-Apr-09	IT-04-81	Perisic	DECISION ON MR. PERISIC'S MOTION FOR PROVISIONAL RELEASE DURING THE EASTER COURT RECESS
06-Apr-09	IT-95-5/18	Karadzic	PROCÈS-VERBAL OF RECEPTION OF DOCUMENTS OF THE ICTY (D14014-D14010)

06-Apr-09	IT-95-5/18	Karadzic	MOTION FOR LEAVE TO REPLY AND REPLY BRIEF : REQUEST FOR REVERSAL OF LIMITATIONS OF CONTACT WITH JOURNALIST
06-Apr-09	IT-95-5/18	Karadzic	PROCÈS-VERBAL OF RECEPTION OF DOCUMENTS OF THE ICTY (D13987-D13979)
06-Apr-09	IT-95-5/18	Karadzic	ORDER FOLLOWING ON STATUS CONFERENCE AND APPENDED WORK PLAN
06-Apr-09	IT-95-5/18	Karadzic	MOTION FOR SERVICE OF DOCUMENTS
06-Apr-09	IT-95-5/18	Karadzic	THIRD PROSECUTION MOTION FOR JUDICIAL NOTICE OF ADJUDICATED FACTS
06-Apr-09	IT-95-5/18	Karadzic	PROCÈS-VERBAL OF RECEPTION OF DOCUMENTS OF THE ICTY (D26/12760TER A&D25-1/12760TER A)
06-Apr-09	IT-95-5/18	Karadzic	PROSECUTION REPLY TO THE "RESPONSE TO FIRST PROSECUTION MOTION FOR JUDICIAL NOTICE OF ADJUDICATED FACTS" AND FURTHER CORRIGENDUM TO FIRST PROSECUTION MOTION FOR JUDICIAL NOTICE OF ADJUDICATED FACTS
06-Apr-09	IT-02-65	Mejakic et al.	PROSECUTOR'S TWELFTH PROGRESS REPORT
06-Apr-09	IT-95-5/18	Karadzic	APPLICATION FOR CERTIFICATION TO APPEAL DECISION ON LANGUAGES
06-Apr-09	IT-95-5/18	Karadzic	PROCÈS-VERBAL OF RECEPTION OF DOCUMENTS OF THE ICTY (D14006-D13999)
07-Apr-09	IT-95-5/18	Karadzic	PROCÈS-VERBAL OF RECEPTION OF DOCUMENTS OF THE ICTY (D13837-D13829&D10-1/13837TER)
07-Apr-09	IT-95-5/18	Karadzic	PROCÈS-VERBAL OF RECEPTION OF DOCUMENTS OF THE ICTY (D14094-D14016)
07-Apr-09	IT-04-74	Prlic and Others	DÉCISION RELATIVE À LA DEMANDE DE L'ACCUSATION DE RECONSIDÉRATION DE L'ORDONNANCE PORTANT ADMISSION D'ÉLÉMENTS DE PREUVE RELATIFS AU TÉMOIN STIPO BULJAN
07-Apr-09	IT-95-5/18	Karadzic	PROCÈS-VERBAL OF RECEPTION OF DOCUMENTS OF THE ICTY (D14115-D14112)
07-Apr-09	IT-05-87/1	Dordevic Vlastimir	PROSECUTION NOTIFICATION OF ORDER OF WITNESSES FOR WEEK COMMENCING ON 21 APRIL 2009

07-Apr-09	IT-03-69	Stanisic & Simatovic	PROSECUTION WITHDRAWAL OF REQUEST FOR AN ORAL HEARING BEFORE THE PRE-TRIAL JUDGE
07-Apr-09	IT-06-90-AR73.4	Gotovina et al. (Interlocutory)	JOINT DEFENCE REQUEST TO EXTEND TIME LIMIT FOR FILING REPLY
07-Apr-09	IT-03-67-R77.2	Seselj (Contempt)	AMICUS CURIAE PROSECUTOR'S MOTION SEEKING VARIANCE OF PROTECTIVE MEASURES PURSUANT TO RULE 75
07-Apr-09	IT-02-54-R77.5	Hartmann (Contempt)	MOTION TO EXPEDITE THE TRIAL (PUBLIC REDACTED)
07-Apr-09	IT-95-5/18	Karadzic	PROSECUTION RESPONSE TO "PRELIMINARY MOTION ON LACK OF JURISDICTION CONCERNING OMISSION LIABILITY "
07-Apr-09	IT-95-5/18	Karadzic	ORDER SETTING A DEADLINE FOR REGISTRY SUBMISSION ON ACCUSED'S MOTION FOR SERVICE OF DOCUMENTS
07-Apr-09	IT-95-5/18	Karadzic	ORDER FOR EXPEDITED RESPONSE TO ACCUSED'S APPLICATION FOR CERTIFICATION TO APPEAL DECISION ON LANGUAGES
07-Apr-09	IT-08-91	Stanisic & Zupljanin	PROSECUTION'S LEAVE TO REPLY AND REPLY TO STOJAN ZUPLJANIN'S REQUEST FOR LEAVE TO EXCEED THE WORD LIMIT AND RESPONSE TO PROSECUTION REQUEST AND NOTICE REGARDING APPLICATION OF ADJUDICATED FACTS TO STOJAN ZUPLJANIN
07-Apr-09	IT-08-91	Stanisic & Zupljanin	PROSECUTION'S MOTION FOR LEAVE TO REPLY AND PROPOSED REPLY TO STOJAN ZUPLJANIN'S RESPONSE TO THE PROSECUTION'S MOTIONS FOR LEAVE TO AMEND THE CONSOLIDATED INDICTMENT
07-Apr-09	IT-95-5/18	Karadzic	MOTION FOR LEAVE TO REPLY AND REPLY BRIEF : PRELIMINARY MOTION ALLEGING DEFECT IN FORM OF INDICTMENT - MULTIPLE JOINT CRIMINAL ENTERPRISE
07-Apr-09	IT-03-68-A	Oric(Appeal)	DECISION ON ORIC'S MOTION REGARDING A BREACH OF NON-BIS-IN-IDEM
07-Apr-09	IT-03-67	Seselj	AMICUS CURIAE PROSECUTOR'S MOTION SEEKING VARIANCE OF PROTECTIVE MEASURES PURSUANT TO RULE 75
07-Apr-09	IT-95-5/18	Karadzic	PROCÈS-VERBAL OF RECEPTION OF DOCUMENTS OF THE ICTY (D14105-D14096)

07-Apr-09	IT-05-87	Milutinovic et al.	ORDER REGARDING PROSECUTION'S SUBMISSION WITH RESPECT TO RULE 73 BIS (D) + OPINION INDIVIDUELLE DU JUGE JEAN-CLAUDE ANTONETTI RELATIVE AUX OBSERVATIONS DE L'ACCUSATION CONCERNANT LA DÉCISION RENDUE LE 11 JUILLET 2006 EN APPLICATION DE L'ARTICLE 73 BIS D)
07-Apr-09	IT-04-74	Prlic and Others	ORDONNANCE PORTANT DEMANDE DE TRADUCTION DE LA PIÈCE P 06346
07-Apr-09	IT-04-74	Prlic and Others	BRUNO STOJIC'S RESPONSE TO PROSECUTION REQUEST FOR RECONSIDERATION OF THE TRIAL CHAMBER'S ORDER ON THE ADMISSION OF EVIDENCE RELATED TO WITNESS 2D-AB (EXHIBITS P05507, P05508, P05511, P05512, P05514)
07-Apr-09	IT-04-74	Prlic and Others	ORDONNANCE PORTANT SUR L'ADMISSION D'ÉLÉMENTS DE PREUVE RELATIFS AU TÉMOIN IVAN BANDIC
07-Apr-09	IT-95-5/18	Karadzic	PROCÈS-VERBAL OF RECEPTION OF DOCUMENTS OF THE ICTY (D14142-D14141)
07-Apr-09	IT-95-5/18	Karadzic	PROCÈS-VERBAL OF RECEPTION OF DOCUMENTS OF THE ICTY (D14139-D14138)
07-Apr-09	IT-95-5/18	Karadzic	PROCÈS-VERBAL OF RECEPTION OF DOCUMENTS OF THE ICTY (D14136-D14124)
07-Apr-09	IT-95-5/18	Karadzic	PROCÈS-VERBAL OF RECEPTION OF DOCUMENTS OF THE ICTY (D14122-D14117)
07-Apr-09	IT-95-5/18	Karadzic	PROCÈS-VERBAL OF RECEPTION OF DOCUMENTS OF THE ICTY (D14110-D14107)
07-Apr-09	IT-03-67	Seselj	ZAHTEV AMICUS CURIAE TUZIOCA ZA IZMENU ZASTITNIH MERA NA OSNOVU PRAVILA 75
08-Apr-09	IT-95-5/18-AR73.1	Karadzic (Interlocutory)	PROCÈS-VERBAL OF RECEPTION OF DOCUMENTS (A88-A82)
08-Apr-09	IT-04-84-R77.4-A	Haraqija and Morina(Appeal)	DECISION ON MOTION OF ASTRIT HARAQIJA FOR PROVISIONAL RELEASE
08-Apr-09	IT-06-90-AR73.4	Gotovina et al. (Interlocutory)	DECISION ON JOINT DEFENCE REQUEST TO EXTEND TIME LIMIT FOR FILING REPLY
08-Apr-09	IT-95-5/18	Karadzic	MOTION FOR LEAVE TO REPLY AND REPLY TO PROSECUTION RESPONSE TO PRELIMINARY MOTION TO

			DISMISS COUNT 11 FOR LACK OF JURISDICTION
08-Apr-09	IT-95-5/18	Karadzic	PROSECUTION RESPONSE TO KARADZIC'S APPLICATION FOR CERTIFICATION TO APPEAL DECISION ON LANGUAGES
08-Apr-09	IT-95-5/18	Karadzic	PROSECUTION'S SUBMISSION OF INTERIM PRE-TRIAL BRIEF
08-Apr-09	IT-06-90-AR73.4	Gotovina et al. (Interlocutory)	PROSECUTION RESPONSE TO JOINT DEFENCE REQUEST TO EXTEND THE TIME LIMIT FOR FILING REPLY
08-Apr-09	IT-95-5/18	Karadzic	PROCÈS-VERBAL OF RECEPTION OF DOCUMENTS OF THE ICTY (D14175-D14168)
09-Apr-09	IT-98-32/1	Lukic et al	MILAN LUKIC'S REQUEST TO REPLY AND REPLY TO PROSECUTION'S RESPONSE TO MILAN LUKIC'S MOTION FOR ADMISSION OF DOCUMENTS FROM THE BAR TABLE

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