



26 June 2009

# ICTY WEEKLY UPDATE – 543

## PROCEDURAL DEVELOPMENTS

### I. OVERVIEW OF COURT PROCEEDINGS

#### **GOTOVINA et al. Case**

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

#### **Continuation of the Defence case (Ante Gotovina)**

On 22 and 23 June 2009, the following witness testified:

- *Mile Mrkšić (Commander of the Army of Republika Srpska Krajina during the relevant period/sentenced by the ICTY)*

From 23 until 25 June 2009, the following witness testified:

- *Boris Milas (Croatian Army officer/military police of the Split Military District during the relevant period)*

On 26 June 2009, the parties held a hearing about Gotovina's Defence motion for a restraining order against the Republic of Croatia pursuant to Rule 54 of the Rules of Procedure and Evidence. Representatives of the Republic of Croatia were present.

#### **PRLIĆ et al. Case**

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

#### **Continuation of the Defence case (Slobodan Praljak)**

From 22 until 25 June 2009, the following witness testified:

- *Slobodan Praljak (one of the accused)*

#### **ĐORĐEVIĆ Case**

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

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

From 22 until 24 June 2009, the following witness testified:

- *Karol John Drewienkiewicz (Deputy Head of the Kosovo Verification Mission during the relevant period)*

On 24 June 2009, the following witness testified:

- **Merita Deda** (*eye-witness from the municipality of Đakovica/Gjakove, Kosovo*)

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**TOLIMIR Case**

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*Judge Prost*

On 25 June 2009, the parties met before Judge Prost for a Status Conference with the accused present.

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

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**Dragomir MILOŠEVIĆ Case**

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

### **SCHEDULING ORDER FOR APPEALS HEARING**

On 22 June 2009, the Appeals Chamber ordered that the hearing of the appeals shall take place on 21 July 2009.

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**PERIŠIĆ Case**

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

### **ORDER LIFTING CONFIDENTIALITY**

On 24 June 2009, the Trial Chamber lifted the confidentiality of its order about conducting a site visit to relevant locations in Croatia and Bosnia and Herzegovina – *See Press Release number 1322 dated 24 June 2009.*

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**ŠAINOVIĆ et al. Case**

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

### **DECISION ON URGENT DEFENCE MOTION REQUESTING PROLONGATION OF PROVISIONAL RELEASE OF VLADIMIR LAZAREVIĆ**

On 24 June 2009, the Appeals Chamber granted a motion by Vladimir Lazarević to extend his provisional release until 15 July 2009 in order to ensure adequate medical treatment and rehabilitation.

**HARTMANN Case ("Contempt of Court")**

*Specially Appointed Chamber – Judges Moloto (Presiding), Güney and Daqun*

**SCHEDULING ORDER FOR CONTINUED TRIAL DATES AND SUBMISSION OF FINAL BRIEFS**

On 24 June 2009, the Chamber ordered that the trial in this case shall continue on 1 July at 09:00 in courtroom I to hear the remainder of the evidence of the last Defence witness. The parties shall file their final briefs by 2 July and present their closing arguments on 3 July 2009 at 09:00 in courtroom I.

**POPOVIĆ et al. Case**

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

**DECISION ON THE EXPEDITED MOTION ON BEHALF OF DRAGO NIKOLIĆ REQUESTING THE TRIAL CHAMBER TO ISSUE A *SUBPOENA DUCES TECUM***

On 24 June 2009, the Trial Chamber granted in part a motion by Drago Nikolić and ordered that a *subpoena ad testificandum* be issued for Sreten Milošević to appear before the Trial Chamber to give oral testimony during the week commencing 6 July 2009 at a date and time to be notified.

**COURTROOM SCHEDULE: 29 JUNE – 3 JULY 2009\***

**MONDAY 29 JUNE**

Courtroom I 09:00 – 13:45, **Đorđević**, Trial  
14:15 – 19:00, **Perišić**, Trial  
Courtroom II 14:15 – 19:00, **Stanišić&Simatović**, Trial  
Courtroom III 14:15 – 19:00, **Prlić et al.**, Trial

**TUESDAY 30 JUNE**

Courtroom I 09:00 – 13:45, **Gotovina et al.**, Trial  
14:15 – 19:00, **Perišić**, Trial  
Courtroom II 09:00 – 13:45, **Đorđević**, Trial  
14:15 – 19:00, **Stanišić&Simatović**, Trial  
Courtroom III 09:00 – 13:45, **Popović et al.**, Trial  
14:15 – 19:00, **Prlić et al.**, Trial

**WEDNESDAY 1 JULY**

Courtroom I 09:00 – 13:45, **Hartmann**, Trial  
14:15 – 19:00, **Perišić**, Trial  
Courtroom II 09:00 – 13:45, **Đorđević**, Trial  
14:15 – 19:00, **Gotovina et al.**, Trial  
Courtroom III 09:00 – 13:45, **Karadžić**, Status Conference *\*end time is tentative*  
11:30 – 13:45, **Popović et al., Trial** *\*exact time to be confirmed*  
14:15 – 19:00, **Prlić et al.**, Trial

**THURSDAY 2 JULY**

Courtroom I 09:00 – 13:45, **Perišić**, Trial  
 14:15 – 19:00, **Gotovina et al.**, Trial  
 Courtroom II 09:00 – 13:45, **Dorđević**, Trial  
 Courtroom III 09:00 – 13:45, **Prlić et al.**, Trial  
 14:15 – 19:00, **Popović et al.**, Trial

**FRIDAY 3 JULY**

Courtroom I 09:00 – 12:00, **Hartmann**, Trial  
 14:15 – 19:00, **Perišić**, Trial  
 Courtroom II 09:00 – 13:45, **Dorđević**, Trial  
 Courtroom III 09:00 – 13:45, **Gotovina et al.**, Trial  
 14:15 – 19:00, **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.icty.org> (in English)

<http://www.icty.org/bhs> (na bosanskom/hrvatskom/srpskom).

**LATEST PRESS RELEASES**

Date	Number	Title	E	F	B/C/S
24/06/2009	1322	TRIAL CHAMBER CONDUCTS SITE VISIT TO ZAGREB, SARAJEVO AND SREBRENICA IN MOMČILO PERIŠIĆ CASE  <a href="http://www.icty.org/sid/10171">http://www.icty.org/sid/10171</a>	E	F	B/C/S

**LATEST FILED DOCUMENTS**

Signature Date	Case Number	Case Description	Document Title
19-Jun-09	IT-06-90	Gotovina et Al.	INTERNAL MEMORANDUM RE VERIFICATION OF ACCURACY OF INTERPRETATION IN CASE NO. IT-06-90-T, HEARING OF 19 JUNE 2009
19-Jun-09	IT-95-5/18	Karadzic and Mladic	PROSECUTION'S NOTIFICATION OF COMPLIANCE WITH DECISION RE ACCESS BY KARADZIC TO CONFIDENTIAL MATERIALS IN COMPLETED CASES (PROSECUTOR V. DUSKO SIKIRICA ET AL. - IT-95-8)

Internet address: <http://www.icty.org/>

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19-Jun-09	IT-95-5/18	Karadzic and Mladic	PROSECUTION'S NOTIFICATION OF COMPLIANCE WITH DECISION RE ACCESS BY KARADZIC TO CONFIDENTIAL MATERIALS IN COMPLETED CASES (PROSECUTOR V. MOMIR TALIC - IT-99-36/1)
19-Jun-09	IT-95-5/18	Karadzic and Mladic	PROSECUTION'S NOTIFICATION OF COMPLIANCE WITH DECISION RE ACCESS BY KARADZIC TO CONFIDENTIAL MATERIALS IN COMPLETED CASES (PROSECUTOR V. PREDRAG BANOVIC - IT-02-65/1)
19-Jun-09	IT-95-5/18	Karadzic and Mladic	PROSECUTION'S NOTIFICATION OF COMPLIANCE WITH DECISION RE ACCESS BY KARADZIC TO CONFIDENTIAL MATERIALS IN COMPLETED CASES (PROSECUTOR V. MIROSLAV KVOCKA ET AL., IT-98-30/1)
19-Jun-09	IT-95-5/18	Karadzic and Mladic	PROSECUTION'S NOTICE REGARDING COMPLIANCE WITH DECISION RE ACCESS BY KARADZIC TO CONFIDENTIAL MATERIALS IN COMPLETED CASES AND REQUEST FOR EXTENSION OF TIME
19-Jun-09	IT-95-5/18	Karadzic and Mladic	PROSECUTION'S NOTIFICATION OF COMPLIANCE WITH DECISION RE ACCESS BY KARADZIC TO CONFIDENTIAL MATERIALS IN COMPLETED CASES (PROSECUTOR V. BILJANA PLAVSIC, IT-00-39&40/1)
19-Jun-09	IT-95-5/18	Karadzic and Mladic	PROSECUTION'S NOTIFICATION OF COMPLIANCE WITH DECISION RE ACCESS BY KARADZIC TO CONFIDENTIAL MATERIALS IN COMPLETED CASES (PROSECUTOR V. STANISLAV GALIC - IT-98-29)
19-Jun-09	IT-95-5/18	Karadzic and Mladic	PROSECUTION'S NOTIFICATION OF COMPLIANCE WITH DECISION RE ACCESS BY KARADZIC TO CONFIDENTIAL MATERIALS IN COMPLETED CASES (PROSECUTOR V. DRAZEN ERDEMOVIC - IT-96-22)

19-Jun-09	IT-95-5/18	Karadzic and Mladic	PROSECUTION'S NOTIFICATION OF COMPLIANCE WITH DECISION RE ACCESS BY KARADZIC TO CONFIDENTIAL MATERIALS IN COMPLETED CASES (PROSECUTOR V. ZELJKO MEJAKIC ET AL., IT-02-65 )
19-Jun-09	IT-05-88	Popovic et al	CORRIGENDUM TO EXPEDITED MOTION ON BEHALF OF DRAGO NIKOLIC REQUESTING THE TRIAL CHAMBER TO ISSUE A SUBPOENA DUCES TECUM
19-Jun-09	IT-95-5/18	Karadzic and Mladic	MOTION FOR LEAVE TO REPLY AND FOR EXTENSION OF TIME - HOLBROOKE AGREEMENT MOTION
19-Jun-09	IT-05-88	Popovic et al	MOTION ON BEHALF OF MILAN GVERO SEEKING RECONSIDERATION OF THE TRIAL CHAMBERS REFUSAL TO ALLOW THE RECALL OF CERTAIN PROSECUTION WITNESSES AND IN THE ALTERNATIVE CERTIFICATION OF THE SAME
19-Jun-09	IT-95-5/18	Karadzic and Mladic	PROSECUTION'S NOTIFICATION OF COMPLIANCE WITH DECISION RE ACCESS BY KARADZIC TO CONFIDENTIAL MATERIALS IN COMPLETED CASES (PROSECUTOR V. SLOBODAN MILOSEVIC - IT-02-54)
19-Jun-09	IT-95-5/18	Karadzic and Mladic	PROSECUTION'S NOTIFICATION OF COMPLIANCE WITH DECISION RE ACCESS BY KARADZIC TO CONFIDENTIAL MATERIALS IN COMPLETED CASES (PROSECUTOR V. RANKO CESIC - IT-95-10/1)
19-Jun-09	IT-05-87/1	Dordevic Vlastimir	VLASTIMIR DORDEVIC'S RESPONSE TO PROSECUTION'S MOTION FOR TESTIMONY TO BE HEARD VIA VIDEO-CONFERENCE LINK WITH CONFIDENTIAL ANNEXES A-C
19-Jun-09	IT-95-5/18	Karadzic and Mladic	DECISION ON MOTION FOR ORDER FOR CONTACT WITH PROSECUTION WITNESSES
19-Jun-09	IT-95-5/18	Karadzic and Mladic	FIRST SUPPLEMENT TO HOLBROOKE AGREEMENT MOTION
19-Jun-09	IT-06-90	Gotovina et Al.	INVITATION TO THE EUROPEAN UNION AND TO THE GOTOVINA DEFENCE

19-Jun-09	IT-04-74-AR65.16	Prlic and Others (Interlocutory)	ORDER ASSIGNING JUDGES TO A CASE BEFORE THE APPEALS CHAMBER
19-Jun-09	IT-06-90	Gotovina et Al.	PROSECUTION DISCLOSURE OF DOCUMENTATION CURRENTLY SOUGHT BY THE GOTOVINA DEFENCE FROM THE EUROPEAN UNION
19-Jun-09	IT-95-5/18	Karadzic and Mladic	PROSECUTION'S NOTIFICATION OF COMPLIANCE WITH DECISION RE ACCESS BY KARADZIC TO CONFIDENTIAL MATERIALS IN COMPLETED CASES (PROSECUTOR V. GORAN JELISIC - IT-95-10)
19-Jun-09	IT-06-90	Gotovina et Al.	APPENDICES D & E TO PROSECUTION'S RESPONSE TO CROATIA'S 2 JUNE 2009 REQUEST
19-Jun-09	IT-06-90	Gotovina et Al.	PROSECUTION'S SUBMISSION IN RELATION TO THE TRIAL CHAMBER'S INVITATION TO THE EUROPEAN UNION AND TO THE GOTOVINA DEFENCE
19-Jun-09	IT-05-88-AR65.8	Gvero (Interlocutory appeal )	ORDER ASSIGNING JUDGES TO A CASE BEFORE THE APPEALS CHAMBER
22-Jun-09	IT-04-84-R77.4-A	Haraqija and Morina(Appeal)	NOTICE OF FILING OF PUBLIC REDACTED VERSION OF THE "APPEAL BRIEF ON BEHALF OF BAJRUSH MORINA"
22-Jun-09	IT-95-5/18	Karadzic and Mladic	PROSECUTION RESPONSE TO KARADZIC'S "FIRST SUPPLEMENT TO HOLBROOKE AGREEMENT MOTION"
22-Jun-09	IT-05-87/1	Dordevic Vlastimir	VLASTIMIR DORDEVIC'S RESPONSE TO PROSECUTION'S MOTION FOR THE ADMISSION OF EVIDENCE OF WITNESS FUAT HAXHIBEQIRI PURSUANT TO RULE 92TER
22-Jun-09	IT-95-5/18	Karadzic and Mladic	PROSECUTION'S NOTIFICATION OF COMPLIANCE WITH DECISION RE ACCESS BY KARADZIC TO CONFIDENTIAL MATERIALS IN COMPLETED CASES (PROSECUTOR V. MIROSLAV DERONJIC - IT-02-61)
22-Jun-09	IT-05-87-A	Sainovic et al (Appeal)	PROSECUTION RESPONSE TO JOINT DEFENCE MOTION SEEKING EXTENSION OF TIME TO FILE APPEAL BRIEFS

22-Jun-09	IT-05-87/1	Dordevic Vlastimir	INTERNAL MEMORANDUM RE ASSIGNMENT OF EXHIBIT NUMBERS PURSUANT TO ORAL RULING DATED 22 JUNE 2009
22-Jun-09	IT-95-5/18	Karadzic and Mladic	CORRIGENDUM TO "PROSECUTION RESPONSE TO 'HOLBROOKE AGREEMENT MOTION' "
22-Jun-09	IT-98-29/1-A	Milosevic Dragomir (Appeal)	SCHEDULING ORDER FOR APPEALS HEARING
22-Jun-09	IT-95-5/18	Karadzic and Mladic	ORDER REGARDING THE ACCUSED'S MOTION FOR LEAVE TO REPLY AND FOR EXTENSION OF TIME - HOLBROOKE AGREEMENT MOTION
22-Jun-09	IT-95-5/18	Karadzic and Mladic	PROSECUTION'S NOTIFICATION OF COMPLIANCE WITH DECISION RE ACCESS BY KARADZIC TO CONFIDENTIAL MATERIALS IN COMPLETED CASES (PROSECUTOR V. MOMIR NIKOLIC - IT-02-60/1)
22-Jun-09	IT-06-90	Gotovina et Al.	DEFENDANT ANTE GOTOVINA'S SUBMISSION OF EXPERT REPORT OF MAJOR GENERAL (RETIRED) TIMOTHY CROSS PURSUANT TO RULE 94 BIS
22-Jun-09	IT-05-87/1	Dordevic Vlastimir	PROSECUTION NOTIFICATION OF THE ORDER OF WITNESSES FOR WEEK COMMENCING ON 6 JULY 2009
22-Jun-09	IT-95-5/18	Karadzic and Mladic	ORDER REGARDING THE PROSECUTION'S REQUEST FOR EXTENSION OF TIME TO REVIEW CONFIDENTIAL MATERIALS FROM COMPLETED CASES
22-Jun-09	IT-95-5/18	Karadzic and Mladic	ORDER ARISING FROM RULE 65 TER MEETING
23-Jun-09	IT-05-88	Popovic et al	DECISION ON BOROVCANIN MOTION FOR RECONSIDERATION OF ORAL DECISIONS
23-Jun-09	IT-03-69	Stanisic & Simatovic	SIMATOVIC DEFENCE RESPONSE TO "PROSECUTION MOTION FOR THE ADMISSION OF WRITTEN EVIDENCE OF WITNESS C-058 PURSUANT TO RULE 92TER WITH CONFIDENTIAL ANNEX"
23-Jun-09	IT-05-87/1	Dordevic Vlastimir	DECISION ON PROSECUTION MOTION FOR TESTIMONY TO BE HEARD VIA VIDEO-CONFERENCE LINK
23-Jun-09	IT-05-88/2	Zdravko Tolimir	NOTIFICATION (ENG&BCS)

23-Jun-09	IT-95-5/18	Karadzic and Mladic	PROSECUTION MOTION FOR STAY OF TRIAL CHAMBER'S DECISION ON MOTION FOR ORDER FOR CONTACT WITH PROSECUTION WITNESSES
23-Jun-09	IT-06-90	Gotovina et Al.	DEFENDANT ANTE GOTOVINA'S SUBMISSION IN RESPONSE TO TRIAL CHAMBER'S INVITATION FOR WITNESS AG-34
23-Jun-09	IT-05-88	Popovic et al	VUJADIN POPOVIC'S MOTION TO AMEND HIS RULE 65TER LIST AND FOR THE ADMISSION OF DOCUMENTS FROM THE BAR TABLE, WITH CONFIDENTIAL ANNEXES
23-Jun-09	IT-03-69	Stanisic & Simatovic	STANISIC WEEKLY MEDICAL REPORT [23/06/2009]
23-Jun-09	IT-95-5/18	Karadzic and Mladic	PROSECUTION SUBMISSION OF DEATH CERTIFICATES, WITH CONFIDENTIAL APPENDIX A
23-Jun-09	IT-06-90	Gotovina et Al.	GOTOVINA DEFENCE SUBMISSION IN RESPONSE TO THE TRIAL CHAMBER'S INVITATION TO THE EUROPEAN UNION AND TO THE GOTOVINA DEFENCE
24-Jun-09	IT-04-84-R77.4-A	Haraqija and Morina(Appeal)	NOTICE OF FILING OF PUBLIC REDACTED VERSION OF PROSECUTION'S CORRECTED CONSOLIDATED RESPONSE BRIEF
24-Jun-09	IT-95-5/18	Karadzic and Mladic	PROSECUTION'S SUBMISSION ON WITHDRAWAL OF SEVENTEEN WITNESSES CONTAINED IN THE PROSECUTION'S FOURTH RULE 92BIS MOTION
24-Jun-09	IT-02-54-R77.5	Hartmann (Contempt)	SCHEDULING ORDER FOR CONTINUED TRIAL DATES AND SUBMISSIONS OF FINAL BRIEFS
24-Jun-09	IT-05-87-A	Sainovic et al (Appeal)	ODLUKA PO HITNOM ZAHTEVU ODBRANE ZA PRODUZENJE PRIVREMENOG PUSTANJA NA SLOBODU VLADIMIRA LAZAREVICA
24-Jun-09	IT-04-82-A	Boskoski et al (Appeal)	SCHEDULING ORDER
24-Jun-09	IT-04-74	Prlic and Others	JADRANKO PRLIC'S REPLY TO PROSECUTION RESPONSE TO PRLIC MOTION TO REOPEN DEFENCE CASE AND ALLOW SCHINDLER EVIDENCE
24-Jun-09	IT-00-39-ES	Krajisnik (Enforcement)	CORRESPONDENCE FROM STATE

24-Jun-09	IT-05-88	Popovic et al	DECISION ON THE EXPEDITED MOTION ON BEHALF OF DRAGO NIKOLIC REQUESTING THE TRIAL CHAMBER TO ISSUE A SUBPOENA DUCES TECUM
24-Jun-09	IT-05-88	Popovic et al	ODLUKA PO HITNOM ZAHTJEVU PODNESENOM U IME DRAGE NIKOLICA KOJIM SE OD PRETRESNOG VIJECA TRAZI DA IZDA NALOG SUBPOENA DUCES TECUM
24-Jun-09	IT-05-87-A	Sainovic et al (Appeal)	(PUBLIC REDACTED VERSION) DECISION ON URGENT DEFENCE MOTION REQUESTING PROLONGATION OF PROVISIONAL RELEASE OF VLADIMIR LAZAREVIC
24-Jun-09	IT-04-81	Perisic	ORDER LIFTING CONFIDENTIALITY
24-Jun-09	IT-04-81	Perisic	NALOG O UKIDANJU POVERLJIVOG STATUSA
24-Jun-09	IT-03-69	Stanisic & Simatovic	SIMATOVIC DEFENCE MOTION FOR PROVISIONAL RELEASE DURING THE UPCOMING COURT RECESS
25-Jun-09	IT-04-74	Prlic and Others	NOTICE BY THE ACCUSED MR. PUSIC (ABSENCE FROM COURT)
25-Jun-09	IT-02-54-R77.5	Hartmann (Contempt)	PROSECUTOR'S SECOND SUBMISSION OF REDACTED EXHIBIT
25-Jun-09	IT-05-87/1	Dordevic Vlastimir	PROSECUTION MOTION FOR TESTIMONY TO BE HEARD VIA VIDEO-CONFERENCE LINK WITH CONFIDENTIAL ANNEX A
25-Jun-09	IT-95-5/18-AR72.1	Karadzic (Interlocutory)	DECISION ON RADOVAN KARADZIC'S MOTIONS CHALLENGING JURISDICTION (OMISSION LIABILITY, JCE-III - SPECIAL INTENT CRIMES, SUPERIOR RESPONSIBILITY)
25-Jun-09	IT-95-5/18-AR72.4	Karadzic (Interlocutory)	DECISION ON PROSECUTION'S MOTION APPEALING TRIAL CHAMBER'S DECISION ON JCE III FORESEEABILITY
25-Jun-09	IT-95-5/18-AR72.3	Karadzic (Interlocutory)	DECISION ON RADOVAN KARADZIC'S MOTIONS CHALLENGING JURISDICTION (OMISSION LIABILITY, JCE-III - SPECIAL INTENT CRIMES, SUPERIOR RESPONSIBILITY)

25-Jun-09	IT-95-5/18- AR72.2	Karadzic (Interlocutory)	DECISION ON RADOVAN KARADZIC'S MOTIONS CHALLENGING JURISDICTION (OMISSION LIABILITY, JCE-III - SPECIAL INTENT CRIMES, SUPERIOR RESPONSIBILITY)
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