



22 October 2009

## ICTY WEEKLY UPDATE – 555

### PROCEDURAL DEVELOPMENTS

#### I. OVERVIEW OF COURT PROCEEDINGS

##### **STANIŠIĆ&ŽUPLJANIN Case**

*Trial Chamber II – Judges Hall (Presiding), Delvoie and Harhoff*

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

On 19 and 20 October 2009, the following witness testified:

- *Milenko Delić (Public Prosecutor in Sanski Most during the relevant period)*

On 20 and 21 October 2009, the following witness testified:

- *Isak Gaši (eye-witness from Brčko)*

On 21 and 22 October 2009, the following witness testified:

- *Cvjetko Ignić (police officer in Brčko during the relevant period)*

##### **ŠEŠELJ Case**

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

On 20 October 2009, the parties met before the Chamber for an administrative hearing with the accused present. During the hearing, the Chamber issued its oral decision dismissing the Prosecution's motion to impose counsel to Šešelj. The written decision will follow.

##### **TOLIMIR Case**

*Judge Prost*

On 22 October 2009, the parties met before the Chamber for a Status Conference with the accused present. Judge Prost anticipated that the trial would commence on 17 December 2009 preceded by the Pre-Trial Conference on 16 December.

## II. OVERVIEW OF SELECTED COURT DOCUMENTS

### **KARADŽIĆ Case**

*Trial Chamber III – Judges Kwon (Presiding), Morrison, Baird and Lattanzi (Reserve Judge)(\*)  
The Bench – Judges Agius (Presiding), Hall and Delvoie (\*\*)*

#### **PROSECUTION’S MARKED-UP INDICTMENT(\*)**

On 12 October 2009, the Prosecution filed a marked-up version of the indictment in accordance with the Trial Chamber’s decision of 8 October 2009.

#### **DECISION ON MOTION TO RECUSE JUDGE BAIRD AND REPORT TO JUDGE GÜNEY(\*\*)**

On 20 October 2009, the Bench denied the motion by Karadžić to recuse Judge Baird from the Chamber in his case. The Bench concluded, inter alia, that “*the Statute does not limit the ability of judges to serve at the Tribunal by virtue of age, nor does the Bench find any reason to read such a requirement into Article 13.*”

### **ŠEŠELJ Case**

*Judge Güney*

#### **DECISION ON VOJISLAV ŠEŠELJ’S REQUEST FOR REVIEW OF REGISTRAR’S DECISION OF 10 SEPTEMBER 2009**

On 21 October 2009, Judge Güney dismissed the request by Šešelj to reverse the impugned decision in which the Registrar denied both a privileged visit to the accused by Zoran Krasić and Slavko Jerković on the premises of the UN Detention Unit and the accused’s request for reimbursement of travel expenses related to his legal associates’ visits to him.

## **COURTROOM SCHEDULE: 26 OCTOBER – 30 OCTOBER 2009\***

### **MONDAY 26 OCTOBER**

Courtroom I            09:00 – 13:45, **Karadžić**, Trial  
                                 14:15 – 16:45, **Đorđević**, Trial  
Courtroom II           09:00 – 13:45, **Stanišić&Župljanin**, Trial  
                                 14:15 – 19:00, **Perišić**, Trial  
Courtroom III         09:00 – 13:45, **Gotovina et al.**, Trial  
                                 14:15 – 17:00, **Prlić et al.**, Trial

### **TUESDAY 27 OCTOBER**

Courtroom I            09:00 – 13:45, **Gotovina et al.**, Trial  
                                 14:15 – 19:00, **Karadžić**, Trial  
Courtroom II           09:00 – 13:45, **Stanišić&Župljanin**, Trial  
                                 14:15 – 19:00, **Đorđević**, Trial

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Courtroom III 09:00 – 13:45, **Prlić *et al.*, Trial**  
14:15 – 19:00, **Perišić, Trial**

**WEDNESDAY 28 OCTOBER**

Courtroom I 09:00 – 19:00, **Haradinaj *et al.*, Appeals Hearing**  
Courtroom II 09:00 – 13:45, **Stanišić&Župljanin, Trial**  
14:15 – 19:00, **Đorđević, Trial**  
Courtroom III 09:00 – 13:45, **Prlić *et al.*, Trial**  
14:15 – 19:00, **Gotovina *et al.*, Trial**

**THURSDAY 29 OCTOBER**

Courtroom I 09:00 – 17:00, **Bošković&Tarčulovski, Appeals Hearing**  
Courtroom II 09:00 – 13:45, **Stanišić&Župljanin, Trial**  
14:15 – 19:00, **Đorđević, Trial**  
Courtroom III 09:00 – 13:45, **Prlić *et al.*, Trial**  
14:15 – 19:00, **Gotovina *et al.*, Trial**

**FRIDAY 30 OCTOBER**

Courtroom I 09:00 – 13:45, **Stanišić&Župljanin, Trial**  
Courtroom II 09:00 – 13:45, **Đorđević, Trial**  
14:15 – 19:00, **Perišić, Trial**  
Courtroom III 09:00 – 13:45, **Gotovina *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)

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<http://www.icty.org> (in English)

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

**LATEST FILED DOCUMENTS**

<b>Signature Date</b>	<b>Case Number</b>	<b>Case Description</b>	<b>Document Title</b>
15-Oct-09	IT-95-5/18	Karadzic	DECISION ON REQUEST FROM THE GOVERNMENT OF THE REPUBLIC OF GREECE
15-Oct-09	IT-95-5/18	Karadzic	PROSECUTION'S FURTHER SUBMISSION FOR ADMISSION OF KDZ297'S EVIDENCE PURSUANT TO RULE 92 QUATER
15-Oct-09	IT-95-5/18	Karadzic	PROSECUTION'S FURTHER SUBMISSIONS FOR ADMISSION OF THE EVIDENCE OF KDZ172 PURSUANT TO RULE 92 QUATER
15-Oct-09	IT-95-5/18	Karadzic	PROSECUTION REQUEST FOR CLARIFICATION AND PROPOSAL CONCERNING GUIDELINES FOR THE CONDUCT OF TRIAL
15-Oct-09	IT-05-87-A	Sainovic et al (Appeal)	GENERAL OJDANIC'S MOTION TO AMEND HIS AMENDED NOTICE OF APPEAL OF 29 JULY 2009
15-Oct-09	IT-03-69	Stanisic & Simatovic	ODLUKA PO ZAHTEVU SIMATOVICEVE ODBRANE ZA PRIVREMENO PUSTANJE

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			NA SLOBODU
15-Oct-09	IT-98-29/1-A	Milosevic Dragomir (Appeal)	ORDONNANCE FIXANT LA DATE DU PRONONCÉ DE L'ARRÊT
15-Oct-09	IT-05-88/2	Zdravko Tolimir	NALOG O RASPOREDIVANJU AD LITEM SUDIJE U SVRHU RADA NA PRETPRETRESNOM POSTUPKU
15-Oct-09	IT-09-92	Ratko Mladic	ORDER SEVERING RATKO MLADIC
15-Oct-09	IT-05-88/2	Zdravko Tolimir	NALOG O ZAMJENI SUDIJE U PRETRESNOM VIJECU
15-Oct-09	IT-05-88	Popovic et al	BOROVCANIN RESPONSE TO "SECOND CORRIGENDUM TO THE PROSECUTION FINAL TRIAL BRIEF"
16-Oct-09	IT-95-5/18	Karadzic	RESPONSE TO PROSECUTION'S NOTICE AND MOTION REGARDING WITNESSES FROM A HUMANITARIAN ORGANIZATION
16-Oct-09	IT-95-5/18	Karadzic	NOTICE OF REQUEST TO UNITED NATIONS SECURITY COUNCIL
16-Oct-09	IT-95-5/18	Karadzic	CORRESPONDENCE FROM STATE (DENMARK)
16-Oct-09	IT-95-5/18	Karadzic	PROSECUTION'S FIRST MOTION FOR JUDICIAL NOTICE OF DOCUMENTARY EVIDENCE RELATED TO THE SARAJEVO COMPONENT WITH CONFIDENTIAL APPENDIX A
16-Oct-09	IT-95-5/18	Karadzic	PROSECUTION REQUEST FOR RECONSIDERATION OF DECISION ON SECOND PROSECUTION MOTION FOR JUDICIAL NOTICE OF ADJUDICATED FACTS
16-Oct-09	IT-03-69	Stanisic & Simatovic	DEFENCE SUBMISSION OF ADDITIONAL INFORMATION FROM VMA AND REQUEST FOR AN ORDER EXPEDITING FILINGS PROVISIONAL RELEASE
16-Oct-09	IT-04-74	Prlic and Others	MILIVOJ PETKOVIC'S JOINDER TO SLOBODAN PRALJAK'S REQUEST FOR RECONSIDERATION, OR IN THE ALTERNATIVE, FOR CERTIFICATION TO APPEAL THE TRIAL CHAMBERS'S 6 OCTOBER 2009 DECISION DENYING THE ADMISSION OF MUCH OF THE EXPERT REPORT OF JOSIP JURCEVIC (3D03720)
19-Oct-09	IT-06-90	Gotovina et Al.	PROSECUTION'S RESPONSE TO DEFENDANT IVAN CERMAK'S SUBMISSION OF THE CORRECTED EXPERT REPORT OF GENERAL SIR JACK DEVERELL PURSUANT TO RULE 94 BIS
19-Oct-09	IT-08-91	Stanisic & Zupljanin	JOINT DEFENCE RESPONSE TO PROSECUTION'S MOTION FOR LEAVE

			TO AMEND ITS 65TER LIST OF WITNESSES
19-Oct-09	IT-95-5/18	Karadzic	PROSECUTION'S SUBMISSION OF ITS REVISED 65TER EXHIBIT LIST WITH CONFIDENTIAL APPENDIX A
19-Oct-09	IT-95-5/18	Karadzic	PROSECUTION'S MARKED-UP INDICTMENT
19-Oct-09	IT-05-88/2	Zdravko Tolimir	NOTIFICATION (ENG&BCS)
19-Oct-09	IT-04-81	Perisic	NOTICE PURSUANT TO RULE 94BIS WITH REGARD TO PROSECUTION WITNESS MUNGO MELVIN AND REQUEST TO LIFT CONFIDENTIALITY OF FILINGS
19-Oct-09	IT-95-5/18	Karadzic	PROSECUTION'S MARKED-UP INDICTMENT [TROISIÈME ACTE D'ACCUSATION MODIFIE]
19-Oct-09	IT-06-90	Gotovina et Al.	IVAN CERMAK'S SUBMISSION OF THE PUBLIC VERSION OF EXPERT REPORT OF CHRISTOPHER ALBISTON PURSUANT TO RULE 94 BIS
19-Oct-09	IT-95-5/18	Karadzic	CORRESPONDENCE FROM STATE [IRAN]
20-Oct-09	IT-04-74	Prlic and Others	INTERNAL MEMORANDUM REGARDING TIME MONITORING; PERIOD ENDING 30 SEPTEMBER 2009
20-Oct-09	IT-03-69	Stanisic & Simatovic	STANISIC WEEKLY MEDICAL REPORT [20/10/2009]
20-Oct-09	IT-05-88/2	Zdravko Tolimir	ORDER DESIGNATING A PRESIDING JUDGE
20-Oct-09	IT-95-5/18	Karadzic	ORDER ON PROSECUTION REQUEST FOR CLARIFICATION AND PROPOSAL CONCERNING GUIDELINES FOR THE CONDUCT OF COUNSEL
20-Oct-09	IT-95-5/18	Karadzic	PROSECUTION NOTIFICATION OF ADMISSION OF WRITTEN EVIDENCE PURSUANT TO RULE 92TER WITH APPENDIX A - WITNESS KDZ459
20-Oct-09	IT-95-5/18	Karadzic	PROSECUTION'S SUBMISSION REGARDING ORDER OF WITNESSES AND LIST OF WITNESSES FOR NOVEMBER
20-Oct-09	IT-04-82-A	Boskoski et al (Appeal)	INTERNAL MEMORANDUM FROM APPEALS CHAMBER ADDRESSED TO THE PARTIES RE: THE APPEAL HEARING ON 29 OCTOBER 2009
20-Oct-09	IT-04-74	Prlic and Others	INTERNAL MEMORANDUM FROM CLSS REGARDING: VERIFICATION OF ACCURACY OF ENGLISH TRANSCRIPT IN THE PRALJAK CASE IT-04-74-T (HEARING OF 02.07.09)
20-Oct-09	IT-95-5/18	Karadzic	DECISION ON MOTION TO RECUSE JUDGE BAIRD AND REPORT TO JUDGE GÜNEY

20-Oct-09	IT-08-91	Stanisic & Zupljanin	DECISION GRANTING PROSECUTION'S MOTION FOR LEAVE TO AMEND RULE 65 TER LIST TO ADD DOCUMENTS RELATED TO WITNESS ST093
20-Oct-09	IT-04-84-A	Haradinaj (Appeal)	DECISION ON LAHI BRAHIMAJ'S MOTION REQUESTING PERMISSION TO CHANGE HIS RESIDENCE ADDRESS
20-Oct-09	IT-05-87/1	Dordevic Vlastimir	DECISION ON VLASTIMIR DORDEVIC'S NOTICE OF TRANSLATION AND CORRELATIVE MOTION FOR ADMISSION OF EVIDENCE
20-Oct-09	IT-08-91	Stanisic & Zupljanin	DECISION DENYING MICO STANISIC'S MOTION FOR CERTIFICATION TO APPEAL THE ORAL DECISION ACCEPTING CHRISTIAN NIELSEN AS AN EXPERT AND REQUEST FOR A STAY OF PROCEEDINGS
20-Oct-09	IT-05-87-A	Sainovic et al (Appeal)	GENERAL VLADIMIR LAZAREVIC'S REFILED APPEAL BRIEF (PUBLIC VERSION)
21-Oct-09	IT-03-67	Seselj	PODNEŠAK SEKRETARIJATA NA OSNOVU PRAVILA 33(B) PO MALOGU PRETRESNOG VECA U VEZI S LEKARSKIM IZVEŠTAJIMA
21-Oct-09	IT-05-88/1	Trbic Milorad	PROSECUTOR'S TENTH PROGRESS REPORT
21-Oct-09	IT-03-67	Seselj	DECISION ON VOJISLAV SESELJ'S REQUEST FOR REVIEW OF REGISTRAR'S DECISION OF 10 SEPTEMBER 2009
21-Oct-09	IT-04-74	Prlic and Others	DECISION RELATIVE A UNE DEMANDE DE LA DEFENSE PETKOVIC AUX FINS D'AJOUT DE 37 PIECES A SA LISTE 65 TER (MILAN GORJANC)
21-Oct-09	IT-95-5/18	Karadzic	SUBMISSION ON THE COMMENCEMENT OF TRIAL
21-Oct-09	IT-95-5/18	Karadzic	RESPONSE TO SECOND INVITATION TO THE KINGDOM OF NORWAY
21-Oct-09	IT-95-5/18	Karadzic	CORRESPONDENCE FROM STATE [AUSTRIA]
21-Oct-09	IT-05-87/1	Dordevic Vlastimir	VLASTIMIR DORDEVIC'S MOTION RE EXHIBIT D238 MFI
21-Oct-09	IT-03-67	Seselj	REGISTRY SUBMISSION PURSUANT TO RULE 33(B) REGARDING THE TRIAL CHAMBER'S ORDER ON MEDICAL REPORTS
21-Oct-09	IT-04-81	Perisic	DECISION ON MUNGO MELVIN'S STATUS AS AN EXPERT
21-Oct-09	IT-08-91	Stanisic & Zupljanin	DECISION GRANTING IN PART AND DENYING IN PART THE PROSECUTION'S SIXTH MOTION FOR PROTECTIVE MEASURES FOR VICTIMS AND WITNESSES

21-Oct-09	IT-95-5/18	Karadzic	WITHDRAWAL OF MOTION FOR BINDING ORDER : GOVERNMENT OF DENMARK
21-Oct-09	IT-08-91	Stanisic & Zupljanin	DECISION DENYING THE PROSECUTION MOTION FOR RECONSIDERATION OF THE ORDER LIMITING THE NUMBER OF WITNESSES IT MAY CALL AT TRIAL
21-Oct-09	IT-02-54-R77.5-A	Hartmann (Appeal)	PROSECUTOR'S MOTION SEEKING LEAVE TO EXCEED THE WORD LIMIT
22-Oct-09	IT-05-87/1	Dordevic Vlastimir	VLASTIMIR DORDEVIC'S RESPONSE TO PROSECUTION MOTION RE EXHIBIT P1302 WITH ATTACHMENT A

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