



6 November 2009

## ICTY WEEKLY UPDATE – 557

### PROCEDURAL DEVELOPMENTS

#### I. OVERVIEW OF COURT PROCEEDINGS

##### **KARADŽIĆ Case**

*Trial Chamber III – Judges Kwon (Presiding), Morrison, Baird and Lattanzi (Reserve Judge)*

##### **Adjournment of the trial**

On 2 November 2009, the Prosecution completed its opening statement without the accused present.

Subsequently, on 3 November 2009, the parties met for the administrative hearing during which the accused repeated his assertions that he was not prepared for the trial. On 5 November 2009, the Chamber ordered the Registrar to appoint a counsel to prepare to represent the interests of the accused at trial and that the trial should resume on 1 March 2010 – *See below for a summary of the decision.*

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

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

##### **Continuation of the Defence case (Ivan Čermak)**

On 2 November 2009, the following witnesses testified:

- *Mladen Vedriš (a close associate of Ivan Čermak during the relevant period)*
- *Nadan Vidošević (Croatian Minister for the Economy during the relevant period)*

From 3 until 6 November 2009, the following witness testified:

- *Christopher Albiston (police expert witness)*

On 6 November 2009, the following witness testified:

- *Jack Deverell (military expert witness)*

##### **PRLIĆ *et al.* Case**

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

##### **Continuation of the Defence case (Milivoj Petković)**

On 2 and 3 November 2009, the following witness testified:

- *Milan Gorjanc (military expert)*

## **PERIŠIĆ Case**

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

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

From 2 until 4 November 2009, the following witness testified:

- *Ned Krayishnik (prominent member of the Serbian diaspora in Canada)*

## **STANIŠIĆ&ŽUPLJANIN Case**

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

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

From 2 until 4 November 2009, the following witness testified:

- *Branko Đerić (Prime Minister of the Serbian Republic of BiH/Republika Srpska during the relevant period)*

On 4 November 2009, the following witness testified:

- *Witness ST-14 (eyewitness from Zvornik, BiH)*

On 4 and 5 November 2009, the following witness testified (*closed session*):

- *Witness ST-15*

On 5 November 2009, the following witness testified:

- *Witness ST-28 (eyewitness from Bileća, BiH)*

On 5 and 6 November 2009, the following witness testified:

- *Ramiz Smajlović (eyewitness from Zvornik, BiH)*

On 6 November 2009, the following witness testified (*mostly in closed session*):

- *Witness ST-144*

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

## **LUKIĆ& LUKIĆ Case**

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

### **DECISION ON MILAN LUKIĆ'S MOTION SEEKING EXTENSION OF TIME TO FILE APPEAL BRIEF AND MOTION FOR STAY OF PROCEEDINGS**

On 30 October 2009, the Appeals Chamber granted the motion by the Defence of Milan Lukić and ordered that its appeal brief be filed by 17 December 2009. The Chamber dismissed the Defence's motion for stay of proceedings.

## **PROSECUTION APPEAL BRIEF**

On 2 November 2009, the Prosecution filed its appeal brief.

## **APPEAL BRIEF ON BEHALF OF SREDOJE LUKIĆ**

On 2 November 2009, the Defence of Sredoje Lukić filed a public redacted version of its appeal brief against the judgement.

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### **STANIŠIĆ & SIMATOVIĆ Case**

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

## **DECISION ON URGENT STANIŠIĆ'S DEFENCE MOTION FOR PROVISIONAL RELEASE**

On 3 November 2009, the Trial Chamber denied the motion for temporary provisional release until 30 November 2009 for Jovica Stanišić.

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### **KARADŽIĆ Case**

*Trial Chamber III – Judges Kwon (Presiding), Morrison, Baird and Lattanzi (Reserve Judge)*

## **DECISION ON APPOINTMENT OF COUNSEL AND ORDER ON FURTHER TRIAL PROCEEDINGS**

On 5 November 2009, the Trial Chamber determined that the overall interests of justice were best met by the appointment of counsel and ordered the Registrar to appoint a counsel to prepare to represent the interests of Radovan Karadžić at trial, subject to further order of the Chamber. The order further stated that the trial is to resume on 1 March 2010 – *See Press Release number 1337, dated 5 November 2009.*

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## **COURTROOM SCHEDULE: 9 NOVEMBER – 13 NOVEMBER 2009\***

### **MONDAY 9 NOVEMBER**

Courtroom I 09:00 – 18:00, **Gotovina et al.**, Trial  
Courtroom III 14:15 – 19:00, **Prlić et al.**, Trial

### **TUESDAY 10 NOVEMBER**

Courtroom I 11:00 – 18:40, **Gotovina et al.**, Trial  
Courtroom II 09:00 – 13:45, **Stanišić & Župljanin**, Trial  
Courtroom III 09:00 – 13:45, **Prlić et al.**, Trial

### **WEDNESDAY 11 NOVEMBER**

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

### **THURSDAY 12 NOVEMBER**

Courtroom I 09:00 – 10:30, **Dragomir Milošević**, Appeals Judgement  
Courtroom II 09:00 – 13:45, **Stanišić&Župljanin**, Trial  
14:15 – 19:00, **Perišić**, Trial  
Courtroom III 09:00 – 13:45, **Prlić *et al.***, Trial

### **FRIDAY 13 NOVEMBER**

Courtroom I 09:00 – 13:45, **Stanišić&Župljanin**, Trial  
Courtroom II 09:00 – 13:45, **Perišić**, 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 PRESS RELEASES**

<b>Date</b>	<b>Number</b>	<b>Title</b>	<b>E</b>	<b>F</b>	<b>B/C/S</b>
05/11/2009	1337	TRIAL CHAMBER ORDERS APPOINTMENT OF COUNSEL IN THE CASE OF RADOVAN KARADŽIC <a href="http://www.icty.org/sid/10262">http://www.icty.org/sid/10262</a>	E		B/C/S

## **LATEST FILED DOCUMENTS**

<b>Signature Date</b>	<b>Case Number</b>	<b>Case Description</b>	<b>Document Title</b>
30-Oct-09	IT-98-32/1-A	Lukic et al (Appeal)	DECISION ON MILAN LUKIC'S MOTION SEEKING EXTENSION OF TIME TO FILE APPEAL BRIEF AND MOTION FOR STAY OF PROCEEDINGS
30-Oct-09	IT-04-81	Perisic	DECISION ON DEFENCE REQUEST TO LIFT CONFIDENTIALITY OF FILINGS
30-Oct-09	IT-04-74	Prlic and Others	PROSECUTION RESPONSE TO PRLIC 19 OCTOBER 2009 MOTION FOR RECONSIDERATION OF CHAMBER DECISION DENYING ADMISSION OF ANONYMOUS DEFENCE EXHIBITS
30-Oct-09	IT-04-81	Perisic	DECISION ON PROSECUTION'S MOTION TO SUBSTITUTE EXPERT WITNESS [AMENDED PUBLIC REDACTED VERSION]

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30-Oct-09	IT-95-5/18	Karadzic	DECISION ON MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO PROSECUTION MOTION FOR JUDICIAL NOTICE OF DOCUMENTS
30-Oct-09	IT-05-87/1	Dordevic Vlastimir	INTERNAL MEMORANDUM RE DECISION ON DEFENCE MOTION FOR ACCESS TO TRANSCRIPTS, EXHIBITS AND DOCUMENTS IN THE DORDEVIC CASE OF 10 JUNE 2009
30-Oct-09	IT-05-87-A	Sainovic et al (Appeal)	INTERNAL MEMORANDUM RE DECISION ON DEFENCE MOTION FOR ACCESS TO TRANSCRIPTS, EXHIBITS AND DOCUMENTS IN THE DORDEVIC CASE OF 10 JUNE 2009
30-Oct-09	IT-95-5/18	Karadzic	DECISION ON PROSECUTION REQUEST FOR LEAVE TO REPLY TO "RESPONSE TO PROSECUTION'S MOTION FOR PROTECTIVE MEASURES FOR WITNESS KDZ487"
02-Nov-09	IT-05-87-A	Sainovic et al (Appeal)	GENERAL PAVKOVIC REPLY TO PROSECUTION APPEAL BRIEF
02-Nov-09	IT-98-32/1-A	Lukic et al (Appeal)	REDACTED VERSION OF "BOOK OF AUTHORITIES FOR THE APPELLANTS BRIEF OF SREDOJE LUKIC"
02-Nov-09	IT-95-5/18	Karadzic	CORRESPONDENCE FROM STATE [AUSTRIA]
02-Nov-09	IT-95-5/18	Karadzic	PARTIAL RESPONSE TO FOURTH MOTION FOR ADMISSION OF STATEMENTS AND TRANSCRIPTS: SARAJEVO "SEIGE" EVENTS
02-Nov-09	IT-95-5/18	Karadzic	WITHDRAWAL OF MOTION FOR BINDING ORDER: GOVERNMENT OF TURKEY
02-Nov-09	IT-95-5/18	Karadzic	WITHDRAWAL OF MOTION FOR BINDING ORDER: GOVERNMENT OF GREECE
02-Nov-09	IT-95-5/18	Karadzic	WITHDRAWAL OF MOTION FOR BINDING ORDER: GOVERNMENT OF EGYPT
02-Nov-09	IT-05-87-A	Sainovic et al (Appeal)	DEFENCE RESPONDENT'S BRIEF
02-Nov-09	IT-05-87-A	Sainovic et al (Appeal)	GENERAL OJDANIC'S RESPONSE BRIEF
02-Nov-09	IT-05-87-A	Sainovic et al (Appeal)	LAZAREVIC DEFENCE RESPONDENT'S BRIEF
02-Nov-09	IT-98-32/1-A	Lukic et al (Appeal)	PROSECUTION APPEAL BRIEF
02-Nov-09	IT-03-69	Stanisic & Simatovic	DEFENCE MOTION ON THE FORM OF THE INDICTMENT (GOOD CAUSE / MERITS)

02-Nov-09	IT-08-91	Stanisic & Zupljanin	INTERNAL MEMORANDUM FROM CMSS REGARDING ASSIGNMENT OF EXHIBIT NUMBERS TO DOCUMENTS TENDERED WITH RULE 92 TER WITNESS BRANKO DJERIC
02-Nov-09	IT-03-67	Seselj	DÉCISION RELATIVE À LA DEMANDE D'ADMISSION DU TÉMOIGNAGE D'ALEKSANDAR FILKOVIC EN APPLICATION DE L'ARTICLE 92QUATER
02-Nov-09	IT-95-5/18	Karadzic	LETTER TO PRESIDING JUDGE
02-Nov-09	IT-04-74	Prlic and Others	PROSECUTION REQUEST FOR LEAVE TO REPLY TO DEFENCE RESPONSES TO PROSECUTION'S MOTION FOR JUDICIAL NOTICE OF ADJUDICATED
02-Nov-09	IT-95-5/18	Karadzic	MOTION FOR LEAVE TO REPLY: NON BIS IN IDEM MOTION
02-Nov-09	IT-95-5/18	Karadzic	PROSECUTION NOTIFICATION OF ADMISSION OF WRITTEN EVIDENCE PURSUANT TO RULE 92 TER WITH APPENDIX A - WITNESS SULEJMAN CRNCALO
02-Nov-09	IT-95-5/18	Karadzic	DECISION ON PROSECUTION'S SIXTH MOTION FOR ADMISSION OF STATEMENTS IN LIEU OF VIVA VOCE TESTIMONY PURSUANT TO RULE 92 BIS: HOSTAGE WITNESSES
02-Nov-09	IT-95-5/18	Karadzic	DECISION ON REQUEST FROM THE ISLAMIC REPUBLIC OF PAKISTAN
02-Nov-09	IT-06-90	Gotovina et Al.	DEFENDANT ANTE GOTOVINA'S NOTICE TO THE TRIAL CHAMBER PURSUANT TO RULE 94 BIS CONCERNING THE EXPERT REPORT OF PROFESSOR NIKICA BARIC
02-Nov-09	IT-95-5/18	Karadzic	SECOND INVITATION TO THE KINGDOM OF THE NETHERLANDS
02-Nov-09	IT-95-5/18	Karadzic	DECISION ON REQUEST FROM THE GOVERNMENT OF THE ISLAMIC REPUBLIC OF IRAN
03-Nov-09	IT-03-69	Stanisic & Simatovic	STANISIC WEEKLY MEDICAL REPORT [03/11/2009]
03-Nov-09	IT-04-74-AR73.16	Prlic and Others (Interlocutory)	DECISION ON JADRANKO PRLIC'S INTERLOCUTORY APPEAL AGAINST THE DECISION ON PRLIC DEFENCE MOTION FOR RECONSIDERATION OF THE DECISION ON ADMISSION OF DOCUMENTARY EVIDENCE
03-Nov-09	IT-05-88/2	Zdravko Tolimir	DECISION ON PROSECUTION'S MOTION FOR ADMISSION OF EVIDENCE PURSUANT TO RULE 92 TER WITH APPENDICES A - C
03-Nov-09	IT-05-87/1	Dordevic	DECISION ON PROSECUTION

		Vlastimir	MOTION RE EXHIBIT P1302 WITH ATTACHMENT A
03-Nov-09	IT-04-81	Perisic	PROSECUTION FOURTH BAR TABLE MOTION, WITH ANNEX A
03-Nov-09	IT-03-67	Seselj	REGISTRY SUBMISSION PURSUANT TO RULE 33(B) REGARDING THE IMPLEMENTATION OF MEDICAL EXPERT RECOMMENDATIONS
03-Nov-09	IT-04-74	Prlic and Others	DECISION SUBSEQUENTE AU RAPPORT DE L'AMICUS CURIAE
03-Nov-09	IT-04-74	Prlic and Others	DÉCISION RELATIVE À LA DEMANDE DE LA DÉFENSE PRILIC DE RECONSIDÉRATION DE L'ORDONNANCE PORTANT SUR L'ADMISSION D'ÉLÉMENTS DE PREUVE RELATIFS AU TÉMOIN JOSIP JURCEVIC
03-Nov-09	IT-03-69	Stanisic & Simatovic	DECISION ON URGENT STANISIC DEFENCE MOTION FOR PROVISIONAL RELEASE
03-Nov-09	IT-04-74	Prlic and Others	DECISION SUBSEQUENT TO THE AMICUS CURIAE REPORT
03-Nov-09	IT-06-90	Gotovina et Al.	REASONS FOR DECISION GRANTING PROSECUTION'S MOTION TO CROSS-EXAMINE FOUR PROPOSED RULE 92 BIS WITNESSES AND REASONS FOR DECISION TO HEAR THE EVIDENCE OF THOSE WITNESSES VIA VIDEO-CONFERENCE LINK
04-Nov-09	IT-95-5/18	Karadzic	REPLY BRIEF : NON-BIS-IN-IDEM
04-Nov-09	IT-95-5/18	Karadzic	PROSECUTION'S REQUEST FOR LEAVE TO REPLY AND REPLY TO KARADZIC'S "PARTIAL RESPONSE TO FOURTH MOTION FOR ADMISSION OF STATEMENTS AND TRANSCRIPTS: SARAJEVO "SIEGE" EVENTS"
04-Nov-09	IT-02-54-R77.5	Hartmann (Contempt)	CERTIFICATE BY CMSS ON PUBLIC TRIAL WITNESS LISTS
04-Nov-09	IT-02-54-R77.5	Hartmann (Contempt)	CERTIFICATE BY CMSS ON PUBLIC TRIAL EXHIBIT LISTS
04-Nov-09	IT-95-5/18	Karadzic	WITHDRAWAL OF MOTION FOR BINDING ORDER : GOVERNMENT OF AUSTRIA
05-Nov-09	IT-95-5/18	Karadzic	DECISION ON APPOINTMENT OF COUNSEL AND ORDER ON FURTHER TRIAL PROCEEDINGS
05-Nov-09	IT-05-87/1	Dordevic Vlastimir	PROSECUTION'S MOTION TO RE-OPEN THE CASE AND EXCEED THE WORD LIMIT AND SECOND MOTION TO ADMIT EXHIBITS FROM THE BAR TABLE
05-Nov-09	IT-95-5/18	Karadzic	DECISION ON REQUEST FROM THE

			GOVERNMENT OF BOSNIA AND HERZEGOVINA
05-Nov-09	IT-95-5/18	Karadzic	DECISION ON REQUEST FROM THE GOVERNMENT OF THE ITALIAN REPUBLIC
05-Nov-09	IT-06-90	Gotovina et Al.	PROSECUTION'S RESPONSE TO DEFENDANT ANTE GOTOVINA'S MOTION FOR NON-DISCLOSURE ORDER DIRECTED TO PROSECUTOR SERGE BRAMMERTZ PURSUANT TO RULE 53 (A)
05-Nov-09	IT-08-91	Stanisic & Zupljanin	WRITTEN REASONS FOR THE TRIAL CHAMBER'S ORAL DECISION ACCEPTING DOROTHEA HANSON AS AN EXPERT WITNESS
05-Nov-09	IT-95-5/18	Karadzic	LETTER TO THE CHAMBER
05-Nov-09	IT-03-69	Stanisic & Simatovic	REGISTRY SUBMISSION OF EXPERT REPORT

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