



18 December 2009

## ICTY WEEKLY UPDATE – 563

Please note that the next Update will be released on 15 January 2010

### PROCEDURAL DEVELOPMENTS

#### I. OVERVIEW OF COURT PROCEEDINGS

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

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

##### **Continuation of the Defence case (Mladen Markač)**

On 14 and 15 December 2009, the following witness testified:

- ***Dragutin Vurnek*** (*Assistant Commander of the special police unit of the Sisak-Moslavina police administration during the relevant period*)

On 15 December 2009, the following witness testified (*closed session*):

- ***Witness MM-025***

On 16 December 2009, the parties met before the Chamber for a hearing about the missing artillery documents. Representatives of the Republic of Croatia were present.

On 18 December 2009, the following witness testified:

- ***Ivan Herman*** (*doctor in the special police unit of the Varaždin police administration during the relevant period*)

*The trial is adjourned until 11 January 2010.*

##### **DORĐEVIĆ Case**

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

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

On 14 December 2009, the following witness testified:

- ***Vlastimir Đorđević*** (*the accused*)

*The trial is adjourned until 20 January 2010.*

## STANIŠIĆ&SIMATOVIĆ Case

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

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

On 14 December 2009, the following witness testified:

- *Witness JF-007 (eyewitness from Zvornik, BiH)*

On 15 December 2009, the following witness testified (*closed session*):

- *Witness B-1108*

*The trial is adjourned until 20 January 2010.*

## STANIŠIĆ&ŽUPLJANIN Case

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

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

On 14 December 2009, the following witness testified:

- *Dorothea Hanson (expert witness-historian, testifying about the Crisis Staffs in BiH)*

From 14 until 17 December 2009, the following witness testified:

- *Christian Nielsen (police expert)*

*The trial is adjourned until 18 January 2010.*

## TOLIMIR Case

*Judge Prost*

### **Further appearance/Status Conference**

On 16 December 2009, the parties met before Judge Prost for the further appearance of Zdravko Tolimir. He pleaded not guilty to the new charges from the third amended indictment. Subsequently, the parties held a Status Conference.

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

### STANIŠIĆ& ŽUPLJANIN Case

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

## DECISION GRANTING MR STANIŠIĆ'S MOTION FOR PROVISIONAL RELEASE DURING THE WINTER COURT RECESS

On 11 December 2009, the Trial Chamber granted the motion by Mićo Stanišić and ordered his provisional release from 18 December 2009 until 15 January 2010.

## **STANIŠIĆ & SIMATOVIĆ Case**

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

### **DECISION ON SIMATOVIĆ DEFENCE MOTION REQUESTING PROVISIONAL RELEASE DURING THE WINTER COURT RECESS**

On 14 December 2009, the Trial Chamber granted the motion by Simatović and ordered his provisional release from 16 December 2009 until 15 January 2010.

## **DELIĆ Case**

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

### **ORDER RECALLING RASIM DELIĆ FROM PROVISIONAL RELEASE**

On 16 December 2009, the Appeals Chamber ordered Delić to return to the UN Detention Unit in The Hague for the duration of the appeal hearing scheduled for 19 January 2010.

## **COURTROOM SCHEDULE: Court recess until 11 January 2010**

*Please consult the Tribunal's website to access the courtroom schedule for the week starting on 11 January 2010*

## **LATEST FILED DOCUMENTS**

<b>Signature Date</b>	<b>Case Number</b>	<b>Case Description</b>	<b>Document Title</b>
10-Dec-09	IT-04-74	Prlic and Others	MILIVOJ PETKOVIC'S REQUEST FOR ADMISSION OF EXHIBITS TENDERED THROUGH WITNESS FILIP FILIPOVIC
10-Dec-09	IT-95-5/18	Karadzic	CORRESPONDENCE FROM STATE (ITALIAN REPUBLIC)
10-Dec-09	IT-04-74	Prlic and Others	PROSECUTION OPPOSITION TO PRALJAK IC LIST CONCERNING THE WITNESS FILIPOVIC
10-Dec-09	IT-04-74	Prlic and Others	SLOBODAN PRALJAK'S REQUEST FOR ADMISSION OF EXHIBITS TENDERED THROUGH WITNESS BOZO PERIC
11-Dec-09	IT-05-87-A	Sainovic et al (Appeal)	SUPPLEMENTAL BOOK OF AUTHORITIES

11-Dec-09	IT-04-81	Perisic	PROSECUTION PRELIMINARY SUBMISSION REGARDING DEFENCE MOTION FOR RECONSIDERATION OF THE TRIAL CHAMBER'S ORAL ORDER ON THE FILING OF THE 65TER (G) LIST
11-Dec-09	IT-04-74	Prlic and Others	BRUNO STOJIC'S OBJECTIONS TO THE PROSECUTION'S REQUEST FOR ADMISSION OF EXHIBITS THROUGH WITNESS FILIP FILIPOVIC
11-Dec-09	IT-04-74	Prlic and Others	BRUNO STOJIC'S FILING OF THE LIST OF DOCUMENTS TENDERED THROUGH WITNESS BOZO PERIC ON 8 DECEMBER 2009
11-Dec-09	IT-08-91	Stanisic & Zupljanin	ODLUKA KOJOM SE ODOBRAVA ZAHTJEV G. STANIŠICA ZA PRIVREMENO PUŠTANJE NA SLOBODU TOKOM ZIMSKOG SUDSKOG RASPUSTA
11-Dec-09	IT-06-90	Gotovina et Al.	DEFENDANT MLADEN MARKAC'S MOTION FOR THE ADMISSION OF EVIDENCE PURSUANT TO RULE 92 BIS (WITNESSES MM-7 AND MM-8)
11-Dec-09	IT-02-54-R77.5-A	Hartmann (Appeal)	RESPONSE TO AMICUS THIRD MOTION TO STRIKE AND HARTMANN MOTION TO STRIKE PARTS OF AMICUS RESPONDENT BRIEF (PUBLIC VERSION)
11-Dec-09	IT-08-91	Stanisic & Zupljanin	DECISION GRANTING MR. STANISIC'S MOTION FOR PROVISIONAL RELEASE DURING THE WINTER COURT RECESS
11-Dec-09	IT-04-74	Prlic and Others	MILIVOJ PETKOVIC'S OBJECTION TO THE OTP LIST OF EXHIBITS TENDERED THROUGH WITNESS FILIP FILIPOVIC
14-Dec-09	IT-04-74	Prlic and Others	ORDONNANCE PORTANT ADMISSION D'ELEMENTS DE PREUVE RELATIFS AU TEMOIN MILAN GORJANC
14-Dec-09	IT-98-32/1-A	Lukic et al (Appeal)	BOOK OF AUTHORITIES FOR PROSECUTION RESPONSE TO SREDOJE LUKIC'S APPEAL
14-Dec-09	IT-04-74	Prlic and Others	MILIVOJ PETKOVIC'S REQUEST FOR ADMISSION OF EXHIBITS TENDERED THROUGH WITNESS BOŽO PERIC
14-Dec-09	IT-95-5/18	Karadzic	PROSECUTION RESPONSE TO KARADZIC'S MOTION TO VACATE APPOINTMENT OF RICHARD HARVEY
14-Dec-09	IT-04-74	Prlic and Others	ORDONNANCE PORTANT DELAI URGENT POUR LE DEPOT DU

			RAPPORT D'UN TEMOIN EXPERT DE LA CHAMBRE
14-Dec-09	IT-98-32/1-A	Lukic et al (Appeal)	BOOK OF AUTHORITIES IN SUPPORT OF SREDOJE LUKIC'S RESPONSE TO THE PROSECUTION'S APPEAL BRIEF
14-Dec-09	IT-03-69	Stanisic & Simatovic	STANISIC WEEKLY MEDICAL REPORT [14/12/2009]
14-Dec-09	IT-95-5/18	Karadzic	REGISTRAR'S SUBMISSION PURSUANT TO RULE 33 (B) REGARDING RADOVAN KARADZIC'S MOTION TO VACATE APPOINTMENT OF RICHARD HARVEY
14-Dec-09	IT-03-69	Stanisic & Simatovic	NOTICE RE. NON-ATTENDANCE IN COURT (MR STANISIC) (14/12/2009)
14-Dec-09	IT-95-5/18	Karadzic	PROSECUTION'S NOTICE OF COMPLIANCE RE "DECISION ON THE PROSECUTION'S "PROSECUTION'S MOTION FOR RECONSIDERATION AND RESCISSION OF THE ORDER TO DISCLOSE ISSUED IN TRIAL CHAMBER'S "DECISION ON MOTION BY RADOVAN KARADZIC FOR ACCESS TO CONFIDENTIAL MATERIALS I
14-Dec-09	IT-95-5/18	Karadzic	FIFTH PROSECUTION MOTION FOR JUDICIAL NOTICE OF ADJUDICATED FACTS
14-Dec-09	IT-95-5/18	Karadzic	PROSECUTION'S FIRST BAR TABLE MOTION WITH APPENDIX A
14-Dec-09	IT-95-5/18	Karadzic	PROSECUTION'S MOTION FOR LEAVE TO FILE A SUPPLEMENTAL RULE 65 TER EXHIBIT LIST WITH CONFIDENTIAL APPENDIX A, PUBLIC APPENDIX B AND CONFIDENTIAL AND EX PARTE APPENDIX C
14-Dec-09	IT-95-5/18	Karadzic	MOTION FOR ADMISSION OF SUPPLEMENT TO WITNESS STATEMENT OF GUNNAR WESTLUND
14-Dec-09	IT-04-74	Prlic and Others	BRUNO STOJIC'S RESPONSE TO THE OBJECTIONS OF THE PETKOVIC DEFENCE TO THE PROSECUTION'S LIST OF EXHIBITS TENDERED THROUGH FILIP FILIPOVIC
14-Dec-09	IT-04-74	Prlic and Others	MILIVOJ PETKOVIC'S RESPONSE TO PROSECUTION OPPOSITION TO PRALJAK IC LIST FOR WITNESS FILIP FILIPOVIC

14-Dec-09	IT-05-88/2	Zdravko Tolimir	PROSECUTION'S CONSOLIDATED RESPONSE TO TWO REQUESTS FOR CERTIFICATION (PUBLIC REDACTED VERSION)
14-Dec-09	IT-04-74	Prlic and Others	PROSECUTION FILING OF "IC LIST" OF EXHIBITS TENDERED FOR ADMISSION IN CONNECTION WITH THE WITNESS BOZO PERIC
14-Dec-09	IT-98-32/1-A	Lukic et al (Appeal)	SREDOJE LUKIC'S RESPONSE TO THE PROSECUTION'S APPEAL BRIEF
14-Dec-09	IT-05-87/1	Dordevic Vlastimir	DECISION ON PROSECUTION'S SECOND MOTION TO RE-OPEN THE CASE AND SUBMISSION OF PROOF-OF DEATH CHARTS
14-Dec-09	IT-03-69	Stanisic & Simatovic	DECISION ON SIMATOVIC DEFENCE MOTION REQUESTING PROVISIONAL RELEASE DURING THE WINTER COURT RECESS
14-Dec-09	IT-03-69	Stanisic & Simatovic	ODLUKA PO ZAHTEVU SIMATOVICEVE ODBRANE ZA PRIVREMENO PUSTANJE NA SLOBODU TOKOM ZIMSKOG SUDSKOG RASPUSTA
14-Dec-09	IT-04-74	Prlic and Others	PROSECUTION SUBMISSION CONCERNING ENGLISH VERSION OF EXHIBIT P11123
14-Dec-09	IT-04-74	Prlic and Others	CORRIGENDUM A "L'ORDONNANCE PORTANT ADMISSION D'ELEMENTS DE PREUVE RELATIFS AU TEMOIN DW"
15-Dec-09	IT-04-74	Prlic and Others	MILIVOJ PETKOVIC'S OBJECTION TO THE OTP LIST OF EXHIBITS TENDERED THROUGH WITNESS BOŽO PERIC
15-Dec-09	IT-03-69	Stanisic & Simatovic	DEFENCE SUBMISSION OF ADDITIONAL DOCUMENT FOR PROVISIONAL RELEASE MOTION WITH PUBLIC ANNEX E
15-Dec-09	IT-05-88/2	Zdravko Tolimir	ZDRAVKO TOLIMIR'S REQUEST FOR LEAVE TO FILE A REPLY AND A REPLY TO THE PROSECUTION'S CONSOLIDATED RESPONSE TO TWO REQUESTS FOR CERTIFICATION (ENG&BCS)
15-Dec-09	IT-06-90	Gotovina et Al.	DEFENDANT MLADEN MARKAC'S SUBMISSION IN RESPONSE TO TRIAL CHAMBER'S INVITATION OF 9 DECEMBER 2009
15-Dec-09	IT-04-74	Prlic and Others	BRUNO STOJIC'S OBJECTIONS TO PROSECUTION'S REQUEST FOR ADMISSION OF EXHIBITS THROUGH WITNESS BOŽO PERIC
15-Dec-09	IT-04-83-A	Delic (Appeal)	ADDENDUM TO THE ORDER

			SCHEDULING THE APPEAL HEARING
15-Dec-09	IT-95-5/18	Karadzic	PROSECUTION RESPONSE TO MOTION FOR ADMISSION OF SUPPLEMENT TO WITNESS STATEMENT OF GUNNAR WESTLUND
15-Dec-09	IT-05-87-A	Sainovic et al (Appeal)	SRETEN LUKIC'S MOTION TO PRESENT ADDITIONAL EVIDENCE BEFORE APPEALS CHAMBER
15-Dec-09	IT-06-90	Gotovina et Al.	DEFENDANT MLADEN MARKAC'S NOTICE OF WITHDRAWAL OF MOTION FOR THE ADMISSION OF EVIDENCE PURSUANT TO RULE 92 BIS (WITNESSES MM-7 AND MM-8)
15-Dec-09	IT-04-81	Perisic	THIRD MOTION FOR JUDICIAL NOTICE OF FACTS RELEVANT TO THE SARAJEVO CRIME BASE, WITH ANNEX
15-Dec-09	IT-04-74	Prlic and Others	PROSECUTION MOTION FOR EXTENSION OF TIME TO RESPOND TO PETKOVI DEFENCE IC LIST OF DOCUMENTS TENDERED THROUGH WITNESS BOZO PERIC
15-Dec-09	IT-04-74-AR65.23	Prlic and Others (Interlocutory)	ORDER ASSIGNING JUDGES TO A CASE BEFORE THE APPEALS CHAMBER
15-Dec-09	IT-03-69	Stanisic & Simatovic	NOTICE RE. NON-ATTENDANCE IN COURT (MR STANISIC) (15/12/2009)
15-Dec-09	IT-02-54-R77.5-A	Hartmann (Appeal)	PROSECUTOR'S REPLY TO RESPONSE TO MOTION FOR ORDER STRIKING ELEMENTS OF RE-FILED NOTICE OF APPEAL AND RE-FILED APPELLANT'S BRIEF
15-Dec-09	IT-95-5/18	Karadzic	PROSECUTION PERIODIC DISCLOSURE REPORT
15-Dec-09	IT-04-81	Perisic	DECISION ON RECONSIDERATION OF THE TRIAL CHAMBER'S ORAL ORDER ON THE FILING OF THE RULE 65 TER (G) LIST
15-Dec-09	IT-95-5/18	Karadzic	CORRESPONDENCE FROM STATE [IRAN]
16-Dec-09	IT-08-91	Stanisic & Zupljanin	DECISION DENYING THE STANISIC MOTION FOR EXCLUSION OF RECORDED INTERCEPTS
16-Dec-09	IT-98-32/1-A	Lukic et al (Appeal)	DECISION ON MILAN LUKIC'S MOTION TO AMEND HIS NOTICE OF APPEAL
16-Dec-09	IT-04-74	Prlic and Others	MILIVOJ PETKOVIC'S RESPONSE TO PROSECUTION OBJECTION TO PETKOVIC IC LIST FOR WITNESS BOŽO PERIC

16-Dec-09	IT-03-67-R77.2-A	Seselj (Contempt Appeal)	DECISION ON PROSECUTION'S MOTIONS FOR ORDER STRIKING APPELLANT'S NOTICE OF APPEAL BRIEF AND CLOSING THE CASE
16-Dec-09	IT-95-5/18	Karadzic	PARTIAL RESPONSE TO PROSECUTION'S SECOND MOTION FOR ADMISSION OF STATEMENTS AND TRANSCRIPTS : ARK MUNICIPALITIES [WITNESS KDZ097]
16-Dec-09	IT-05-88/2	Zdravko Tolimir	WRITTEN REASONS FOR DECISION ON PROSECUTION MOTION TO AMEND THE SECOND AMENDED INDICTMENT
16-Dec-09	IT-95-5/18	Karadzic	MOTION FOR LEAVE TO REPLY : MOTION TO VACATE APPOINTMENT OF RICHARD HARVEY
16-Dec-09	IT-05-88	Popovic et al	PROSECUTION'S MOTION SEEKING LEAVE TO REOPEN ITS CASE
16-Dec-09	IT-05-88	Popovic et al	NOTE TO FILE : PAGE NUMBER D33703 WAS SKIPPED, NO ACTUAL PAGE IS MISSING
16-Dec-09	IT-06-90	Gotovina et Al.	INVITATION TO THE EUROPEAN UNION
16-Dec-09	IT-03-69	Stanisic & Simatovic	DECISION ON TAKING JUDICIAL NOTICE OF ADJUDICATED FACTS
16-Dec-09	IT-06-90	Gotovina et Al.	INVITATION ADRESSÉE À L'UNION EUROPÉENNE
16-Dec-09	IT-04-83-A	Delic (Appeal)	ORDER RECALLING RASIM DELIC FROM PROVISIONAL RELEASE
16-Dec-09	IT-04-78	Ademi & Norac	PROSECUTOR'S SEVENTEENTH PROGRESS REPORT
16-Dec-09	IT-04-74	Prlic and Others	PROSECUTION OBJECTIONS TO PETKOVIC IC LIST OF DOCUMENTS TENDERED CONCERNING THE WITNESS BOZO PERIC
17-Dec-09	IT-02-54-R77.5-A	Hartmann (Appeal)	DECISION ON FURTHER MOTIONS TO STRIKE
17-Dec-09	IT-04-82-A	Boskoski et al (Appeal)	TARCULOVSKI MOTION FOR PROVISIONAL RELEASE TO MEET HIS LEGAL OBLIGATIONS WITH ANNEXES 1 AND 2
17-Dec-09	IT-95-5/18	Karadzic	DECISION ON THE ACCUSED'S MOTION FOR LEAVE TO REPLY : MOTION TO VACATE APPOINTMENT OF RICHARD HARVEY
17-Dec-09	IT-06-90	Gotovina et Al.	GOTOVINA DEFENCE SUBMISSION IN RESPONSE TO THE TRIAL CHAMBER'S INVITATION OF 9 DECEMBER 2009

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**LPTV, Communications Service**

Churchillplein 1, 2517 JW The Hague. P.O. Box 13888, 2501 EW The Hague. Netherlands

Tel.: +31 70 512-8591 Fax: +31 70 512 5355 or 512-8668

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