



10 September 1999

ICTY WEEKLY UPDATE – 92

PROCEDURAL DEVELOPMENTS: 6 – 10 SEPTEMBER

I. OVERVIEW OF COURT PROCEEDINGS

TADIĆ CASE

Appeals Chamber – Judges Shahabuddeen (Presiding), Cassese, Hunt, Nieto-Navia and Mumba

This week, the Appeals Chamber continued to hear the issue of contempt allegations against Tadić's former counsel, Milan Vujin.

The week's proceedings commenced in closed session on Monday.

Reconvening on Wednesday, the Appeals Chamber heard the testimony of Mr. Mihail Wladimiroff, former lead counsel for Duško Tadić. Mr. Wladimiroff testified that Mr. Vujin manipulated witnesses and did not act in the interests of his client during the majority of the time he represented Mr. Tadić.

On Thursday the Appeals Chamber began to hear witnesses called by Mr. Vujin. However, upon the request of Mr. Vujin, all Defence witnesses called on Thursday and Friday gave their testimony in closed session.

The Appeals Chamber has now adjourned in this matter until a later date.

JELISIĆ CASE

Trial Chamber I – Judges Jorda (Presiding), Riad and Rodrigues

The trial of Goran Jelisić on the one count of genocide continued this week.

The Defence concluded its cross-examination of Prosecution witness Amir Didić at the beginning of the week, and between Monday and Friday, the Trial Chamber heard the testimony of 5 witnesses who had been detainees at the Luka facility

All witnesses were questioned, amongst other things, on two Prosecution exhibits which list people killed and missing. The witnesses were asked to identify the names of people they recognised in order to indicate that genocide was committed in that people were killed on the basis of their status as Muslims.

Throughout the week, the hearings were intermittently held in private session.

II. OVERVIEW OF COURT DOCUMENTS

KRNOJELAC CASE

FURTHER INITIAL APPEARANCE SCHEDULED

Pursuant to the confirmation of an amended indictment by Judge Lal Chand Vohrah on 21 July 1999, and the filing of that indictment by the Prosecution on 26 July 1999 (see Update No. 87). A further initial appearance of Milorad Krnojelac has been scheduled to take place before Judge David Hunt of Trial Chamber II (sitting in the absence of Judges Mumba and Cassese, pursuant to an Order issued by President Gabrielle Kirk McDonald on 7 September 1999) on **14 September 1999 at 10.00 a.m.**

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

Cont.

Public Information Services, Legal Unit

Churchillplein 1, 2517 JW The Hague. P.O. Box 13888, 2501 EW The Hague, Netherlands
Tel.: +31 70 416-8750; or 416-5024 Fax: +31 70 416 5355 or 416-8668

**Only for public information purposes
Not an official document**

KUNARAC & KOVAĆ CASE

SECOND AMENDED INDICTMENT CONFIRMED

Further to the Prosecution's motion for leave to file an amended indictment against Radomir Kovać and Dragoljub Kunarac, filed on 30 August 1999 (see Update No. 91).

On 3 September 1999, Judge Lal Chand Vohrah granted leave to amend and confirmed the second amended indictment which was subsequently filed by the Prosecution on 6 September 1999.

FURTHER INITIAL APPEARANCE SCHEDULED

Noting that the second amended indictment contains two additional counts of violations of the laws or customs of war pursuant to Article 3 of the Statute of the Tribunal, namely, rape and outrages upon personal dignity, but considering that it has not changed substantively as far as Dragoljub Kunarac is concerned. On 9 September 1999, Trial Chamber II (Judges Mumba (Presiding), Cassese and Hunt) ordered that Radomir Kovać appear before the Trial Chamber (Judges Mumba and Hunt sitting in the absence of Judge Cassese, pursuant to an Order issued by President Gabrielle Kirk McDonald on 9 September 1999) on **24 September 1999 at 4.00 p.m.** to plead to the new counts.

KORDIĆ & ČERKEZ CASE

APPEALS CHAMBER AFFIRMS BINDING ORDER ISSUED AGAINST THE REPUBLIC OF CROATIA

On 9 September 1999, the Appeals Chamber (Judges Kirk McDonald (Presiding), Shahabudeen, Vohrah, Wang and Nieto-Navia) issued its decision on the request of the Republic of Croatia for review of a binding order for the disclosure of documents issued by Trial Chamber III (Judges May (Presiding), Bennouna and Robinson) on 4 February 1999 (see Update No. 65).

The Republic of Croatia had requested the Appeals Chamber to quash the binding order on the basis of two main grounds: firstly, the binding order was issued without the Republic of Croatia having been given notice and an opportunity to be heard; and secondly, the binding order is inconsistent with the criteria for the issuance of such orders as established by the Tribunal.

Rejecting both these grounds, the Appeals Chamber affirmed the binding order and reinstated its execution which had been suspended pending review.

PRESS RELEASES ISSUED SINCE 6 SEPTEMBER

DATE	NUMBER	TITLE
06/09/99	434	DECISION TO WITHDRAW SEVEN ACCUSED'S ASSIGNMENT OF COUNSEL REVERSED BY TRIAL CHAMBERS
08/09/99	435	JUDGE ANTONIO CASSESE, FIRST PRESIDENT OF THE INTERNATIONAL TRIBUNAL, WILL LEAVE IN EARLY 2000

COURTROOM SCHEDULE: 13 - 17 SEPTEMBER

	Monday	Tuesday	Wednesday	Thursday	Friday
Courtroom I	No proceedings	10.00, TC I Jelusic Trial	No proceedings	10.00, TC I Jelusic Trial	9.00-13.30, TC I Jelusic Trial
	14.00-18.00, TC I Jelusic Trial	14.30, TC I Jelusic Trial	14.00-18.00, TC I Jelusic Trial	14.30, TC I Jelusic Trial	No proceedings
Courtroom II	No proceedings	10.00, TC II Krnojelac Trial Initial App.	No proceedings	No proceedings	No proceedings
	No proceedings	No proceedings	No proceedings	No proceedings	No proceedings
Courtroom III	9.30-13.00, TC III Kordic/Cerkez	9.30-13.00, TC III Kordic/Cerkez Trial	9.30-13.00, TC III Kordic/Cerkez Trial	9.30-13.00, TC III Kordic/Cerkez Trial	9.30-13.00, TC III Kordic/Cerkez
	14.30-16.15, TC III Kordic/Cerkez Trial	14.30-16.15, TC III Kordic/Cerkez Trial	14.30-16.15, TC III Kordic/Cerkez Trial	14.30-16.15, TC III Kordic/Cerkez Trial	No proceedings

*The courtroom schedule is provisional and you are invited to check for last minute changes with the Public Information Services. Unless otherwise indicated, all sessions are open.

Public Information Services, Legal Unit

Churchillplein 1, 2517 JW The Hague. P.O. Box 13888, 2501 EW The Hague. Netherlands
Tel.: +31 70 416-8750; or 416-5024 Fax: +31 70 416 5355 or 416-8668

**Only for public information purposes
Not an official document**

For the latest list of all court filings, please visit the [ICTY Court Records](#)

For a selection of the latest public documents, please visit the [ICTY Website](#)

Public Information Services, Legal Unit

Churchillplein 1, 2517 JW The Hague. P.O. Box 13888, 2501 EW The Hague. Netherlands
Tel.: +31 70 416-8750; or 416-5024 Fax: +31 70 416 5355 or 416-8668

**Only for public information purposes
Not an official document**