



3 March 2000

## ICTY WEEKLY UPDATE – 115

### LAST MINUTE NEWS:

#### **BLAŠKIĆ CASE**

*Judges Jorda (Presiding), Rodrigues and Shahabuddeen*

On Friday 3 March, the Trial Chamber found Tihomir Blaškić guilty on all counts charged against him and imposed a sentence of 45 years' imprisonment (see Press Release No. 474).

### PROCEDURAL DEVELOPMENTS:

#### **I. OVERVIEW OF COURT PROCEEDINGS**

#### **KORDIĆ & ČERKEZ CASE**

*Trial Chamber III – Judges May (Presiding), Bennouna and Robinson*

The Trial Chamber reconvened this week continuing to hear the Prosecution case-in-chief.

On Monday 28 February, Colonel William Stutt gave evidence on military matters. Colonel Stutt was a member of the European Community Monitoring Mission (ECMM) from August 1993 to August 1994, initially having responsibility for Zepce, Zavidovici, Breza and Vares, becoming its team leader in September 1993 and thereafter taking over from Philip Watkins as the head of CC Travnik on 17 October 1993, and from Sir Martin Garrod, as the head of the RC Zenica, in May 1994.

The testimony of Lieutenant-Colonel Remi Landry followed. Lieutenant-Colonel Landry, a member of the ECMM from February 1993 to August 1993 based in central Bosnia, primarily at the regional centre Zenica, testified about military matters over this period.

The cross-examination of Lieutenant-Colonel Landry concluded on Tuesday 29 February, after which the Trial Chamber heard the testimony of Mrs. Nura Mujanović. Mrs. Mujanović lived with her family in Zume in the lower part of Ahmići. Her testimony included details of the 16 April 1993 attack.

On Wednesday 1 March, witnesses were heard via satellite link in closed session.

The week's hearings concluded with the testimony of Ms. Apollonia Bos, an investigator at the ICTY who took a statement from the late Midhat Haskić on 13 September 1995.

The Trial Chamber adjourned until Monday 6 March.

#### **KVOČKA & OTHERS CASE**

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

The trial of Miroslav Kvočka, Milojica Kos, Mlado Radić and Zoran Žigić commenced this week.

On Monday 28 February, the Trial Chamber heard the Prosecution opening statement. From Tuesday 29 February to Thursday 2 March, Kvočka gave evidence. His examination-in-chief will continue on Monday 6 March.

#### **SIMIĆ & OTHERS CASE**

*Trial Chamber III – Judges Robinson (Presiding), Hunt and Bennouna*

On Wednesday 1 March, a status conference took place in closed session.

#### **FURUNDŽIJA CASE**

*Appeals Chamber – Judges Shahabuddeen (Presiding), Vohrah, Nieto-Navia, Robinson and Pocar*

On Thursday 2 March, the Appeals Chamber heard closing arguments on the defence appeal against the Judgement handed down by Trial Chamber II (Mumba (Presiding), Cassese and May) on 10 December 1998 (see Press Release No. 372).

## **KUNARAC, KOVAČ & VUKOVIĆ CASE**

*Trial Chamber II – Judges Hunt (Presiding), Mumba and Pocar*

On Thursday 2 March, the Trial Chamber held a pre-trial conference in open session.

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

#### **SIMIĆ & OTHERS CASE**

##### **DECISIONS ISSUED ON TODOROVIC AND ICRC REQUESTS**

On 28 February 2000, Trial Chamber III (Judges Robinson (Presiding), Hunt and Bennouna) issued its decision on (1) an application to re-open the decision of 27 July 1999, filed by Todorović on 5 October 1999 (see Update No. 96), (2) an application filed by the ICRC on 3 December 1999 to re-open the scheduling order of 18 November 1999 by which Todorović was granted access to the ICRC decision findings (see Update No. 102), and (3) conditions for access to material.

The Trial Chamber refused motions (1) and (2), and varied the scheduling order of 18 November 1999, directing that Todorović be provided with a copy of materials filed by the Prosecution in support of its motion for a ruling concerning the testimony of a witness, redacted to protect the identity of the proposed witness, and imposing restrictions on the access granted by the scheduling order concerning materials filed by the ICRC in opposition to the Prosecution motion.

##### **ORDERS ISSUED ON REQUESTS BY ZARIC AND TADIC FOR PROVISIONAL RELEASE**

On 29 February 2000, Trial Chamber III (Judges Robinson (Presiding), Hunt and Bennouna) issued its decision on requests for provisional release, filed by Zarić and Tadić on 19 January 1999.

Having heard submissions of the parties in open session on 23 November 1999, the Trial Chamber considered that it was not yet satisfied that sufficient guarantees exist for the granting of the requests and thus ordered Zarić and Tadić to provide the Trial Chamber with certain undertakings and guarantees in writing, as specified in the orders, from the appropriate authorities and the accused themselves, within 14 days.

#### **BRĐANIN & TALIĆ CASE**

##### **REQUEST TO APPEAL DECISION AGAINST PROVISIONAL RELEASE OF TALIC DENIED**

On 1 March 2000, a Bench of the Appeals Chamber (Judges Vohrah (Presiding), Wang and Nieto-Navia) rejected a request to appeal against the second part of the decision of 1 February 2000 (see update No. 114) filed by Talić on 4 February 2000.

Talić sought to appeal against the part of the decision denying his request for release, however, the Bench considered that the request arose from a misunderstanding by Talić of the terms of the Rules regarding arrest, detention, and the amendment of indictments, as noted in the decision, and therefore Talić had failed to establish the existence of an issue of general importance to proceedings before the Tribunal or in international law generally.

### **COURTROOM SCHEDULE: 6 MARCH – 10 MARCH \***

#### **MONDAY 6 MARCH**

Courtroom I 09:30, **Kordic/Cerkez**, Trial  
14:30, **Kordic/Cerkez**, Trial

Courtroom III 09:30, **Kvočka et al.**, Trial

#### **TUESDAY 7 MARCH**

Courtroom I 09:30, **Kordic/Cerkez**, Trial  
14:30, **Kordic/Cerkez**, Trial

Courtroom III 09:30, **Kvočka et al.**, Trial

#### **WEDNESDAY 8 MARCH**

Courtroom I 09:30, **Kordic/Cerkez**, Trial  
14:30, **Kordic/Cerkez**, Trial

Courtroom III 09:30, **Kvočka et al.**, Trial

#### **THURSDAY 9 MARCH**

Courtroom I 09:30, **Kordic/Cerkez**, Trial  
14:30, **Kordic/Cerkez**, Trial

Courtroom III 09:30, **Kvočka et al.**, Trial

#### **FRIDAY 10 MARCH**

Courtroom I 09:30, **Kordic/Cerkez**, Trial

Courtroom III 09:30, **Kvočka et al.**, Trial

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\*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.

## PRESS RELEASES ISSUED SINCE 25 FEBRUARY:

DATE ISSUED	NUMBER	TITLE	E	F
03/03/00	474	GENERAL BLASKIC FOUND GUILTY ON ALL CHARGES AND SENTENCED TO 45 YEARS IMPRISONMENT	E	F
29/02/00	473	MR. JACQUES CHIRAC, PRESIDENT OF THE FRENCH REPUBLIC, VISITS THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA	E	F
25/02/00	472	FRANCE BECOMES THE FIRST PERMANENT MEMBER OF THE SECURITY COUNCIL TO SIGN AN AGREEMENT ON THE ENFORCEMENT OF SENTENCES OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA	E	F

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