



30 June 2000

ICTY WEEKLY UPDATE – 131

PROCEDURAL DEVELOPMENTS:

I. OVERVIEW OF COURT PROCEEDINGS

KRSTIĆ CASE (“SREBRENICA”)

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

On Monday 26 June, the Trial Chamber entered its ninth week of hearings with the continuation of the Prosecution case-in-chief.

The first witness to be called this week, protected Prosecution witness “BB”, continued his testimony from Friday 23 June. He told the court that he joined an anti-electronic warfare unit in October 1992. Stationed at various locations in eastern Bosnia including Okresanica and Konjuh, he was assigned to the task of intercepting the communications of the army of Republika Srpska.

Witness BB testified about his duties as an operator monitoring certain frequencies. He particularly identified for the court intercepted communications which were recorded in July 1995, the transcripts of which were entered into evidence.

Witness W was then recalled (having initially testified on Tuesday 20 June (see Update No. 130)) to verify certain transcribed conversations which were entered into evidence.

On Tuesday 27 June, the Trial Chamber heard the testimony of Witness CC, a member of the Bosnian army since October 1992. He told the court that, in March 1995, he was assigned to the listening post at Okresanica, where the 2nd Corps of the Bosnian army and the State Security Service of the Bosnian government also had listening posts.

As an operator, Witness CC had the task of intercepting and recording military transmissions made principally by the army of Republika Srpska. During his testimony, certain intercepts were introduced into evidence.

The next witness, Mr. Richard Butler, an “all-source” military intelligence analyst with the United States Army, who was seconded by the United States government to the Office of the Prosecutor in April 1997.

Mr. Butler produced two reports he prepared for the Krstić case. For his narrative report, Mr. Butler reviewed the JNA regulations and documents obtained from the VRS pursuant to search warrants in order to deal with the actual linkage between the military units of the Drina Corps and the actual crime scenes. In his command report, Mr. Butler detailed in abstract a VRS corps command in about 1995 and laid out the authorities and responsibilities as they are understood and outlined under VRS army laws and under the VRS regulations in effect.

Mr. Butler’s testimony continued on Wednesday, Thursday and Friday.

KORDIĆ & ČERKEZ CASE (“LAŠVA VALLEY”)

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

The Trial Chamber continued to hear Kordić’s defence case-in-chief this week.

On Monday 26 June the Defence called Mr. Mark Almond, a lecturer in history. Mr. Almond produced his report on the history of the Federal Republic of Yugoslavia (FRY) and gave his reasons for disagreeing with some of the conclusions and opinions reached by Dr. Robert Donia (Dr. Donia was a Prosecution witness who testified on 19 July to 21 July 1999 (see Update No. 87)), particularly with regard to Dr. Donia’s conclusions about events in 1991 and 1992, and the breakup of Yugoslavia and how it is interpreted.

Cont.

The next witness, Dr. Stjepan Mestrovic, a sociologist, was also called to rebut Dr. Donia's testimony. He told the court that Dr. Donia's central assertion appears to be that Bosnia and Herzegovina was a peaceful and multi-ethnic nation for centuries prior to the rise of Franjo Tudman and that there was no violence that could be attributed to ethnic differences in the history of Bosnia-Herzegovina. In contrast, Dr. Mestrovic asserted that the history of Bosnia and Herzegovina is one of recurrent ethnic tensions, wars and insurrections.

After the completion of Dr. Mestrovic's testimony on Tuesday 27 June the court heard the testimony of Dr. Petar Pavlovic.

Dr. Pavlovic, who was the chief of the institute for the evaluation of work ability for the Zenica and Dobojski regions, testified with regard to Prosecution witness Mr. Cicak (who testified from 22 to 27 April 1999). An affidavit signed by Dr. Pavlovic on 19 May 2000 was submitted to the Trial Chamber.

Counsel for Kordic have estimated that their case-in-chief will conclude on 17 July 2000.

SIMIC & OTHERS CASE

Pre-trial Judge – Judge Robinson

On Wednesday 28 June, Judge Robinson held a status conference in open session. It was noted that the written judgement in the contempt proceedings against Milan Simic and Mr. Branislav Avramovic will be issued shortly. On 29 March 2000, the Trial Chamber delivered its oral Judgement acquitting Simic and Mr. Avramovic of the contempt allegations (see Press Release No. 438)

FURUNDŽIJA CASE (“LAŠVA VALLEY”)

Judge Robinson

Judge Robinson held a status conference in open session on Thursday 29 June.

II. OVERVIEW OF COURT DOCUMENTS

SIMIC & OTHERS CASE (“BOSANSKI ŠAMAC”)

APPLICATION FOR MIROSLAV TADIC TO PROVISIONALLY LEAVE HIS RESIDENCE DENIED

On 29 June 2000, Trial Chamber III (Judges May (Presiding), Bennouna and Robinson), denied Miroslav Tadic's application to provisionally leave his residence for a medical examination, filed on 15 June 2000.

Having been granted provisional release on 4 April 2000 (see Press Release No. 487) subject to certain conditions, including the requirement “to remain within the confines of the municipality of Bosanski Šamac“, Tadic sought permission to leave the municipality to travel to Belgrade, Federal Republic of Yugoslavia (FRY), for a specified medical examination.

In reaching its decision, the Trial Chamber considered the history of non-cooperation with the ICTY by the FRY and the risk of non-appearance of the accused for trial if permitted to travel to the FRY. Trial Chamber III further held that, although the accused should not be deprived of obtaining treatment indispensable for his health, on the material provided, it was not satisfied that the specified examination was either necessary or unavailable elsewhere.

COURTROOM SCHEDULE: 12 JUNE – 23 JUNE *

MONDAY 3 JULY

Courtroom I 09:30, **Kunarac/Kovac/Vukovic**, Trial
Courtroom II 09:30, **Kordic/Cerkez**, Trial
14:30, **Kordic/Cerkez**, Trial
Courtroom III 09:30, **Kvočka et al./Prcac**, Trial

TUESDAY 4 JULY

Courtroom I 09:30, **Kunarac/Kovac/Vukovic**, Trial
14:30, **Kunarac/Kovac/Vukovic**, Trial
16:30, **Blaskic**, Status Conference
Courtroom II 09:30, **Kordic/Cerkez**, Trial
14:30, **Kordic/Cerkez**, Trial
Courtroom III 09:30, **Kvočka et al./Prcac**, Trial
16:00, **Kvočka et al./Prcac**, Status Conference

WEDNESDAY 5 JULY

Courtroom I 09:30, **Kunarac/Kovac/Vukovic**, Trial
14:30, **Kunarac/Kovac/Vukovic**, Trial
Courtroom II 09:30, **Kordic/Cerkez**, Trial
14:30, **Kordic/Cerkez**, Trial
Courtroom III 09:30, **Kvočka et al./Prcac**, Trial

THURSDAY 6 JULY

Courtroom I 09:30, **Kunarac/Kovac/Vukovic**, Trial
14:30, **Kunarac/Kovac/Vukovic**, Trial
Courtroom II 09:30, **Kordic/Cerkez**, Trial
14:30, **Kordic/Cerkez**, Trial
Courtroom III 09:30, **Kvočka et al./Prcac**, Trial

FRIDAY 7 JULY

Courtroom I 14:30, **Sikirica**, Initial appearance
Courtroom II 09:30, **Kordic/Cerkez**, Trial
Courtroom III 09:30, **Kvočka et al./Prcac**, Trial

Coverage of the proceedings in Courtroom II will be broadcast in the viewing area in the lobby.

*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 26 JUNE:

DATE	NO.	TITLE	E	F	B/C/S
26/06/00	513	DUSKO SIKIRICA DETAINED BY SFOR IN BOSNIA AND HERZEGOVINA	E	F	B/C/S

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](#)