



28 September 2001

## ICTY WEEKLY UPDATE – 190

### PROCEDURAL DEVELOPMENTS:

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

##### **NALETILIĆ and MARTINOVIĆ CASE (“Tuta” and “Štela”)**

*Trial Chamber I – Judges Liu (Presiding), Harding Clark and Diarra*

The trial resumed on Monday with the testimony of protected Witness T, a member of the KB Kruško unit from 1993 to 1996 under the command of Naletilić. Witness T testified about the KB Kruško and other paramilitary units commanded by Naletilić and Martinović.

The Trial Chamber then heard the cross-examination of Mr. Ralf Rudiger Mrachacz, an East German Captain of the Convicts' Battalion from August 1992 whose examination-in-chief was heard on 20 and 21 September 2001 (see *Weekly Update 189*).

On Tuesday 25 September, the prosecution called protected Witness U, a resident of Mostar, to testify. Witness U testified about the main events in Mostar between 1991 and 1993 which led to the deterioration in the relations between the Croat and Muslim communities and finally brought about a conflict between the HVO and ABiH.

After the conclusion of Witness U's testimony on Wednesday 26 September, the Trial Chamber heard the testimony of Witness V who testified about the involvement of the Republic of Croatia in respect of the nature of the conflict and the superior authority of the accused Naletilić.

The Trial Chamber then heard the testimony of Mr. Salko Osmić, a resident of the Prozor municipality. Mr. Osmić testified about the HVO attack on Prozor in Autumn 1992 and subsequent HVO attacks on Jablanica and Sovići in April 1993. Mr. Osmić's testimony continued on Thursday 27 September.

##### **VASILJEVIĆ CASE (“Višegrad”)**

*Trial Chamber II, Section A – Judges Hunt (Presiding), Janů and Taya*

The Trial Chamber reconvened this week to hear the third week of the prosecution case-in-chief.

On Monday 24 September, protected Witness VG6, a former policeman and resident of Višegrad, continued his testimony which commenced on Wednesday 19 September.

The Trial Chamber then heard the testimony of Witness VG21, a former resident of Višegrad, who testified about events in the town of Višegrad in 1992, including the arrival and departure of the Užice Corps and subsequent arrival of the “White Eagles” paramilitary unit. VG21 told the court that he also assisted Mr. Mevsud Poljo, who testified in this trial on 17 and 18 September 2001 (see *Weekly Update 189*), in recovering bodies from the River Drina.

The testimony of Mr. Amor Mašović, President of the Federal Commission for the Search of Missing Persons in the Federation of Bosnia and Herzegovina, followed. Mr. Mašović testified about exhumations conducted in the area of the Višegrad municipality in the course of 2000 and 2001, and told the court that a total of 311 victims had been exhumed in 14 different sites during this period (159 of the victims have been identified). Mr. Mašović was previously a witness in the Krnojelac case from 21 to 23 March 2001 (see *Weekly Update 165*). Mr. Mašović's testimony concluded on Tuesday 25 September.

On Wednesday 26 September, the Trial Chamber heard the testimony of witness VG115, a former resident of Višegrad. VG115 told the court that she was staying in Pionirska Street in April 1992 and testified about incidents around Višegrad in 1992, including the killing of an elderly couple called Kurspahić, the fire in Pionirska Street and the mistreatment of a person called “Kahriman” and Medo Mulahasić in June 1992 and an incident involving a person called “Kupus” in July 1992.

The Trial Chamber then heard the testimony of three witnesses via video-link. Witness VG87 testified about events on 14 June 1992 in Pionirska Street and the subsequent fire in the area. After the

conclusion of VG87’s testimony on Thursday 27 the Trial Chamber heard the testimony of Witness 105, who told the court about the “White Eagles” expelling all Muslims from their houses in June 1992 and being taken to the fire brigade centre in Višegrad. The Trial Chamber then heard the testimony of Witness VG101, who testified about events from 13 June 1992 onwards including the incidents in Pionirska Street.

**Milan SIMIĆ, Blagoje SIMIĆ, TADIĆ, and ZARIĆ CASE (“Bosanski Šamac”)**

*Trial Chamber II, Section B – Judges Mumba (Presiding), Singh and Williams*

The Trial Chamber reconvened this week to hear the third week of the prosecution case-in-chief.

On Monday 24 September, Mr. Dragan Lukač resumed his testimony which commenced on Thursday 20 September (see *Weekly Update 189*). Mr. Lukač’s testimony continued throughout the week.

**HALILOVIĆ CASE (“Grabovica and Uzdo”)**

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

Having voluntarily surrendered to the custody of the Tribunal on 25 September 2001, Sefer Halilović pleaded “not guilty” at his initial appearance hearing on 27 September 2001 to the count of murder, as a violation of the laws or customs of war, charged in the indictment.

**II. OVERVIEW OF COURT DOCUMENTS:**

**MILOŠEVIĆ CASE (“Kosovo”)**

ORDER REGARDING PRELIMINARY MOTIONS

On 21 September 2001, Judge May, the pre-trial Judge in this case, ordered the *amici curiae* to file any preliminary motions pursuant to Rule 72 and any responses to the accused’s presentation on the alleged illegality of the ICTY by **19 October 2001**. The prosecution has until **26 October 2001** to file its written response and oral argument on any such preliminary motion shall be heard on **29 October 2001 at 10 a.m.**

**COURTROOM SCHEDULE: 1 OCTOBER – 5 OCTOBER\***

**MONDAY 1 OCTOBER**

Courtroom II 09:30 - 13:00, **Vasiljević**, Trial  
14:30 - 16:00, **Vasiljević**, Trial  
Courtroom III 09:30 - 13:00, **Simić et al.**, Trial

**TUESDAY 2 OCTOBER**

Courtroom II 09:30 - 13:00, **Vasiljević**, Trial  
14:30 - 16:00, **Vasiljević**, Trial  
Courtroom III 09:30 - 13:00, **Simić et al.**, Trial

**WEDNESDAY 3 OCTOBER**

Courtroom I 16:30, **Plavsic/Krajisnik**, Status Conference  
Courtroom II 09:30 - 13:00, **Vasiljević**, Trial  
14:30 - 16:00, **Vasiljević**, Trial  
Courtroom III 09:30 - 13:00, **Simić et al.**, Trial

**THURSDAY 4 OCTOBER**

Courtroom II 09:30 - 13:00, **Vasiljević**, Trial  
14:30 - 16:00, **Vasiljević**, Trial  
Courtroom III 09:30 - 13:00, **Simić et al.**, Trial

**FRIDAY 5 OCTOBER**

Courtroom I 14:30 - 17:30, **Stakić**, Motion hearing on the amended indictment (*further initial appearance to be confirmed*); Status conference  
Courtroom II 09:30 - 13:00, **Vasiljević**, Trial  
14:30 - 16:00, **Vasiljević**, Trial  
Courtroom III 09:30 - 13:00, **Simić et al.**, Trial

\*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 21 SEPTEMBER:**

DATE	NUMBER	TITLE	E	F	B/C/S
25/09/2001	622	VOLUNTARY SURRENDER OF SEFER HALILOVIĆ TO THE ICTY	E		B/C/S

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

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