



30 November 2001

ICTY WEEKLY UPDATE – 199

LATEST NEWS:

Paško LJUBIČIĆ Case

Trial Chamber I - Judges Liu (Presiding), Elmahdi and Orié

The initial appearance for Paško Ljubičić was held this Friday, 30 November 2001 at 14:00 in Courtroom I. He pleaded not guilty to all counts.

PROCEDURAL DEVELOPMENTS:

I. OVERVIEW OF COURT PROCEEDINGS:

Mladen NALETILIĆ and Vinko MARTINOVIĆ Case (“Tuta” and “Štela”)

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

On 26 November 2001, protected witness QQ was cross-examined by the Defence. QQ told the court about the various Croatian forces that he saw in the Heliodrom.

In the afternoon of 27 November the Prosecution heard protected witness RR via video link. After the Prosecution’s examination, RR was cross-examined by the Defence.

The following day, SS testified about the encounters that he had with Mladen Naletilić.

On 29 November, the court heard protected witness TT also via video link. The Prosecutor asked TT about events taking place in Sovići and Ljubuški in 1993. He also told the court that he saw Mladen Naletilić at the Heliodrom where the witness was detained. The witness also testified about his detention at a prison in Ljubuški.

On Friday, protected witness SS resumed his testimony that he had started on Wednesday.

Mitar VASILJEVIĆ Case (“Višegrad”)

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

On 26 November 2001, the Prosecution cross-examined Radomir Vasiljević. After the morning break, the Defence called witness Milena Tomašević, the head nurse of the psychiatric ward of the general hospital in Užice. She had worked in this ward from 1979 onwards. The accused stayed in this ward for a period of time in 1992.

On 27 November, witness Slobodan Simić who was a doctor at the Užice hospital talked about the medical condition of the accused. In the afternoon the Defence called Slavica Pavlović, an employee at the Užice hospital at the time the accused was there.

The next day, the Defence resumed its examination of Pavlović. In the afternoon she was cross-examined by the Prosecution.

On Thursday the Defence called witness Borisav Martinović, a psychiatrist who discussed the medical situation of the accused in 1992. In the latter part of the morning, the Defence called witness Slavica Jevtović, a neuro-psychiatrist who has been working in the general hospital in Užice since June 1966. She worked in the psychiatric ward in 1992 when Mitar Vasiljević was hospitalized there.

On 30 November, Defence witness Snežana Nešković, a lawyer, testified about the ethnic composition of the municipal assembly and the executive council in Višegrad. She also testified about Serbs who fled to Serbia and to surrounding Serb villages. After this witness the Defence continued the examination of Ivan Jovanović which had started the day before.

Milan SIMIĆ, Blagoje SIMIĆ, Miroslav TADIĆ and Simo ZARIĆ Case (“Bosanski Šamac”)

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

On Monday morning, 26 November 2001, the Defence cross-examined protected witness L. He was questioned about his exchange and transfer to Batković in 1993.

On the following day, the court heard protected witness K mostly in closed session.

On 28 November the Trial Chamber heard the testimony of another witness in closed session.

The following day K was cross-examined by the Defence.

On 30 November witness K resumed his testimony before the court.

Enver HADŽIHASANOVIĆ, Mehmed ALAGIĆ and Amir KUBURA Case (“Central Bosnia”)

Trial Chamber II- Schomburg (Presiding), Mumba and Agius

On 29 November, the Trial Chamber convened for a status conference during which the progress of the pre-trial preparation was discussed.

II. OVERVIEW OF COURT DOCUMENTS:

Radoslav BRĐANIN and Momir TALIĆ (“Krajina”)

Trial Chamber II- Judges Hunt (Presiding), Mumba and Liu

DECISION ON FORM OF FOURTH AMENDED INDICTMENT

On 23 November 2001, the Trial Chamber:

- (1) rejected the complaint by Momir Talić that the case pleaded in para. 20.1 was defective.
- (2) rejected the complaint by Momir Talić that the form of the Indictment was defective because it did not identify the leaders of the Bosnian Serbs who formed the ARK Crisis Staff.
- (3) refused the Prosecution’s leave to amend para. 40 of the previous Indictment and struck the amendment made to para. 40 of the current Indictment.
- (4) granted the Prosecution leave to amend paras. 5 and 6 of the Request.
- (5) refused the Prosecution leave to amend para. 8 of the Request; and struck the amendments to the current Indictment.

Slobodan MILOŠEVIĆ Case (“Kosovo”), (“Croatia”) and (“Bosnia and Herzegovina”)

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

SCHEDULING ORDER

On 23 November 2001, the Trial Chamber ordered the Prosecution to file any application for joinder of the three Milošević cases (on Kosovo, Croatia and Bosnia and Herzegovina) by close of business on 27 November 2001. The *amici curiae* shall then have until 12:00 on 10 December to file their responses, if any. The Trial Chamber will hear oral arguments on the Motion for joinder on **11 December 2001**. The initial appearance of Slobodan Milošević for the Bosnia and Herzegovina Indictment was scheduled to take place on the same day at **9:30**.

LATEST DEVELOPMENT

On 27 November 2001, the Prosecution filed a motion to join the three Milošević cases.

ORDER INVITING DESIGNATION OF AMICUS CURIAE

On 23 November, the Trial Chamber invited the Registrar to designate three *amici curiae*, to assist the Trial Chamber by:

- (1) making any submissions properly open to the accused by way of preliminary or other pre-trial motion;
- (2) making any submissions or objections to evidence properly open to the accused during the trial proceedings and cross-examining witness as appropriate;
- (3) drawing to the attention of the Trial Chamber any exculpatory or mitigating evidence; and

acting in any other way which designated counsel considers appropriate in order to secure a fair trial.

DECISION

On 27 November 2001, the Registrar designated three *amici curiae* for the Milošević Case (“Bosnia and Herzegovina” IT-01-51):

Mr. Stephen Kay Q.C., Attorney from London
Mr. Branislav Tapušковиć, Attorney from Belgrade
Mr. Michail Wladimiroff, Attorney from The Hague

Milorad KRNOJELAC Case

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

SCHEDULING ORDER

On 29 November, the Trial Chamber ordered that a Status Conference be held on **10 December 2001 at 16:30**.

Momčilo KRAJIŠNIK and Biljana PLAVŠIĆ Case

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

SCHEDULING ORDER

On 29 November, the Trial Chamber rescheduled the status conference for **10 December, commencing at 14:30**.

ASSIGNMENT OF CHAMBERS (as per 29 November)

Dragan NIKOLIĆ Case (IT-94-2):

Trial Chamber II
Wolfgang Schomburg (Presiding)
Florence Mumba
Carmel A. Agius (also pre-trial judge)

Tihomir BLASKIĆ Case (IT-95-14-A):

Appeals Chamber:
David Hunt (Presiding)
Mehmet Güney
Asoko de Zoysa Gunawardana
Fausto Pocar
Theodor Meron

Dario KORDIĆ and Mario ČERKEZ Case (IT-95-14/2-A):

Appeals Chamber:
David Hunt (Presiding)
Mehmet Güney
Asoko de Zoysa Gunawardana
Fausto Pocar
Theodor Meron

Nenad BANOVIĆ and Predrag BANOVIĆ Case (IT-95-8/1):

Trial Chamber III
Richard May (Presiding)
Patrick Robinson
O-Gon Kwon (also pre-trial judge)

Dragoljub KUNARAC, Radomir KOVAČ and Zoran VUKOVIĆ Case (IT-96-23 & 23/1-A):

Appeals Chamber:
Claude Jorda (Presiding)
Mohamed Shahabuddeen

Mehmet Güney
Wolfgang Schomburg
Theodor Meron

Milomir STAKIĆ Case (IT-97-24):

Transfer from Trial Chamber I to Trial Chamber II:

Wolfgang Schomburg (Presiding)
Florence Mumba
Carmel A. Agius

Bench of the Appeals Chamber to decide on the admissibility of the motion for appeal

Mohamed Shahabuddeen
Mehmet Güney
Asoko de Zoysa Gunawardana

Stanislav GALIĆ Case (IT-98-29):

Trial Chamber I – Section B

Alphons Orie (Presiding)
Amin El Mahdi
Rafael Nieto-Navia

Bench of the Appeals Chamber to decide on the admissibility of the motion for appeal

David Hunt
Mehmet Güney
Theodor Meron

Miroslav KVOČKA, Milojica KOS, Mladjo RADIĆ, Zoran ŽIGIĆ and Dragoljub Prcać Case (IT-98-30/1-A):

Appeals Chamber

Mohamed Shahabuddeen (Presiding)
David Hunt
Mehmet Güney
Asoko de Zoysa Gunawardana
Theodor Meron

Vidoje BLAGOJEVIĆ Case (IT-98-33/1):

Trial Chamber II

Wolfgang Schomburg (Presiding and pre-trial judge)
Florence Mumba
Carmel A. Agius

Radislav KRSTIĆ Case (IT-98-33-A):

Appeals Chamber

David Hunt (Presiding)
Mohamed Shahabuddeen
Mehmet Güney
Asoko de Zoysa Gunawardana
Fausto Pocar

Mladen NALETILIĆ and Vinko MARTINOVIĆ Case (IT-98-34):

Trial Chamber I

Liu Daqun (Presiding)
Maureen Harding Clark
Fatoumata Diarra

Bench of the Appeals Chamber to decide on the admissibility of the motion for appeal

Mohamed Shahabuddeen
Mehmet Güney
Theodor Meron

Radoslav BRĐANIN and Milomir TALIĆ Case (IT-99-36):

Trial Chamber II

Wolfgang Schomburg (Presiding)
Florence Mumba
Carmel A. Agius

Bench of the Appeals Chamber to decide on the admissibility of the motion for appeal

Mohamed Shahabuddeen
Mehmet Güney
Fausto Pocar

Slobodan MILOŠEVIĆ Case (“Kosovo”) (IT-99-37):

Trial Chamber III

Richard May (Presiding)
Patrick Robinson
O-Gon Kwon

Momčilo KRAJIŠNIK and Biljana PLAVŠIĆ Case (IT-00-39 & 40)

Trial Chamber III

Richard May (Presiding)
Patrick Robinson
O-Gon Kwon

Paško LJUBIČIĆ Case (IT-00-41):

Trial Chamber I

Liu Daqun (Presiding)
El Abbassi Elmahdi
Alphons Orie

Pavle STRUGAR and Miodrag JOKIĆ Case (IT-01-42):

Trial Chamber I

Liu Daqun (Presiding)
El Abbassi Elmahdi
Alphons Orie

Dragan OBRENOVIĆ Case (IT-01-43):

Trial Chamber II

Wolfgang Schomburg (Presiding judge)
Carmel A. Agius
O-Gon Kwon (temporary pre-trial judge)

Dragan JOKIĆ Case (IT-01-44):

Trial Chamber II

Wolfgang Schomburg (Presiding and pre-trial judge)
Florence Mumba
Carmel A. Agius

Rahim ADEMI Case (IT-01-46):

Trial Chamber I

Liu Daqun (Presiding and pre-trial judge)
El Abbassi Elmahdi
Alphons Orie

Enver HADŽIHASANOVIĆ, Mehmed ALAGIĆ and Amir KUBURA Case (IT-01-47):

Trial Chamber II

Wolfgang Schomburg (Presiding)
Florence Mumba
Carmel A. Agius

Sefer HALILOVIĆ case (IT-01-48):

Trial Chamber III

Richard May (Presiding)
Patrick Robinson
O-Gon Kwon (Pre-trial judge)

Slobodan MILOŠEVIĆ Case (“Croatia”) (IT-01-50):

Trial Chamber III

Richard May (Presiding)
Patrick Robinson
O-Gon Kwon

Slobodan MILOŠEVIĆ Case (“Bosnia and Herzegovina”) (IT-01-51):

Trial Chamber III

Richard May (Presiding)
Patrick Robinson
O-Gon Kwon

COURTROOM SCHEDULE: 3 DECEMBER – 7 DECEMBER*

MONDAY 3 DECEMBER

Courtroom I 16:30 - 23:00, **Martinovic/Naletilic**, Video-link Conference
Courtroom II 09:30 - 13:00, **Vasiljevic**, Trial
14:30 - 16:00, **Vasiljevic**, Trial
Courtroom III 09:30 - 13:00, **Simic et al.**, Trial
14:15 - 19:00, **Galic**, Opening of Trial

TUESDAY 4 DECEMBER

Courtroom I 09:30 - 13:00, **Kunarac et al.**, Appeals Hearing
14:30 - 16:00, **Kunarac et al.**, Appeals Hearing
Courtroom II 09:30 - 14:00, **Vasiljevic**, Trial
14:30 - 19:00, **Martinovic/Naletilic**, Trial
Courtroom III 09:30 - 13:00, **Simic et al.**, Trial
14:15 - 19:00, **Galic**, Trial

WEDNESDAY 5 DECEMBER

Courtroom I 09:00 - 13:45, **Kunarac et al.**, Appeals Hearing
14:15 - 19:00, **Martinovic/Naletilic**, Trial
Courtroom II 09:30 - 13:00, **Vasiljevic**, Trial
14:30 - 16:00, **Vasiljevic**, Trial
Courtroom III 09:30 - 13:00, **Simic et al.**, Trial
14:15 - 19:00, **Galic**, Trial

THURSDAY 6 DECEMBER

Courtroom I 09:00 - 13:45, **Kunarac et al.**, Appeals Hearing
14:15 - 19:00, **Martinovic/Naletilic**, Trial
Courtroom II 09:30 - 13:00, **Vasiljevic**, Trial
14:30 - 16:00, **Vasiljevic**, Trial
Courtroom III 09:30 - 13:00, **Simic et al.**, Trial
14:15 - 19:00, **Galic**, Trial

FRIDAY 7 DECEMBER

Courtroom I 09:30 - 13:00, **Martinovic/Naletilic**, Trial
Courtroom II 09:30 - 13:00, **Vasiljevic**, Trial
14:30 - 16:00, **Vasiljevic**, Trial
Courtroom III 09:30 - 13:00, **Simic et al.**, Trial
14:15 - 19:00, **Galic**, 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.

Public proceedings are also broadcast with a 30 minute delay on the ICTY's web site:

<http://www.un.org/icty/schedule/week-e.htm> (in English);

<http://www.un.org/icty/bhs/week-b.htm> (na bosanskom/hrvatskom/srpskom).

PRESS RELEASES ISSUED SINCE 22 NOVEMBER:

DATE	NUMBER	TITLE	E	F	B/C/S
23/11/2001	638	JUDGE RICHARD MAY CONFIRMS INDICTMENT CHARGING SLOBODAN MILOŠEVIĆ WITH GENOCIDE IN BOSNIA AND HERZEGOVINA	E		B/C/S
23/11/2001	639	JUDGE CLAUDE JORDA RE-ELECTED BY ACCLAMATION AS PRESIDENT AND JUDGE SHAHABUDDIN ELECTED AS VICE-PRESIDENT	E	F	B/C/S
27/11/2001	640	ADDRESS BY HIS EXCELLENCY, JUDGE CLAUDE JORDA, PRESIDENT OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA, TO THE UN GENERAL ASSEMBLY	E	F	B/C/S
27/11/2001	641	ADDRESS BY HIS EXCELLENCY, JUDGE CLAUDE JORDA, PRESIDENT OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA, TO THE UN SECURITY COUNCIL	E	F	B/C/S
27/11/2001	642	ADDRESS BY THE PROSECUTOR OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA, CARLA DEL PONTE, TO THE UN SECURITY COUNCIL	E		B/C/S

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