



15 September 2006

## ICTY WEEKLY UPDATE – 415

### PROCEDURAL DEVELOPMENTS

#### I. OVERVIEW OF COURT PROCEEDINGS

##### MILUTINOVIĆ et al. Case

*Trial Chamber III - Judges Bonomy (Presiding), Chowhan, Kamenova and Nosworthy (Reserve Judge)*

##### **Continuation of the Prosecution case**

On 11 September 2006, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- Bedri Hyseni (eye-witness from the municipality of Uroševac/Ferizaj in Kosovo)

From 11 September until 12 September 2006, the following witness was examined by the Prosecution, subsequently cross-examined by the Defence and then re-examined by the Prosecution:

- Hazbi Loku (eye-witness from the municipality of Kačanik/Kaçanik in Kosovo)

From 12 September until 13 September 2006, the following witness was examined by the Prosecution, subsequently cross-examined by the Defence and then re-examined by the Prosecution:

- Sejdi Lami (eye-witness from the municipality of Kačanik/Kaçanik in Kosovo)

From 13 September until 14 September 2006, the following witness testified in closed session:

- K-73

##### POPOVIĆ et al. Case (“Srebrenica”)

*Trial Chamber II - Judge Agius (Presiding), Kwon and Prost*

##### **Continuation of the Prosecution case**

From 11 September until 15 September 2006, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- Jean-Rene Ruez (former staff member of the ICTY/Office of the Prosecutor – chief investigator of the Srebrenica event)

##### MARTIĆ Case

*Trial Chamber I – Judges Moloto (Presiding), Nosworthy and Höpfel*

##### **Continuation of the Defence case**

From 8 September until 11 September 2006, the following witness was examined by the Defence, subsequently cross-examined by the Prosecution and then re-examined by the Defence:

- Branko Popović (one of the founders of the Serbian Democratic Party – SDS in Croatia during the relevant period)

From 12 September until 15 September 2006, the following witness was examined by the Defence, subsequently cross-examined by the Prosecution and then re-examined by the Defence:

- Lazar Macura (member of the SDS in Croatia and vice president of the Knin municipality during the relevant period)

### **PRLIĆ et al. Case**

*Trial Chamber II – Judges Antonetti (Presiding), Prandler, Trechsel and Mindua (Ad Litem Reserve Judge)*

#### **Continuation of the Prosecution case**

On 11 September 2006, the following witness was cross-examined by the Defence:

- William Tomljanovich (staff member of the ICTY/Office of the Prosecutor)

From 12 September until 14 September 2006, the following witness was examined by the Prosecution, subsequently cross-examined by the Defence and then re-examined by the Prosecution:

- Peter Galbraith (US Ambassador to the Republic of Croatia during the relevant period)

### **MRKŠIĆ et al. Case**

*Trial Chamber II - Judges Parker (Presiding), Thelin and Van Den Wyngaert*

#### **Continuation of the Defence case**

On 11 September 2006, the following witnesses were examined by the Defence, subsequently cross-examined by the Prosecution and then re-examined by the Defence:

- Velimir Ćorić (member of the Yugoslav Army during the relevant period)
- Ivan Minić (member of the Yugoslav Army during the relevant period)

On 12 September 2006, the following witnesses were examined by the Defence, subsequently cross-examined by the Prosecution and then re-examined by the Defence:

- Milan Babić (member of the Yugoslav Army during the relevant period)
- Nenad Novićević (member of the Yugoslav Army during the relevant period)

From 14 September until 15 September 2006, the following witness was examined by the Defence and subsequently cross-examined by the Prosecution:

- Dušan Jakšić (member of the Territorial Defence in Vukovar during the relevant period)

### **ŠEŠELJ Case**

*Pre-Trial Judge Orić*

On 14 September 2006, the parties met before the Pre-Trial Judge for a Status Conference pursuant to Rule 65*bis* of the Rules. The accused Šešelj was present in the beginning of the session but requested to be escorted out of the courtroom before the Conference ended.

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**BRALO Case**

*Pre-Appeal Judge Vaz*

On 15 September 2006, the parties met before the Pre-Appeal Judge for a Status Conference pursuant to Rule 65*bis* of the Rules. The appellant was present.

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**TRBIĆ Case**

*Pre-Trial Judge Agius*

On 15 September 2006, the parties met before the Pre-Trial Judge for a Status Conference pursuant to Rule 65*bis* of the Rules. The accused was present.

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**Milan LUKIĆ & Sredoje LUKIĆ Case**

*Referral Bench – Judges Orić (Presiding), Kwon and Parker*

On 15 September 2006, the parties met before the Referral Bench for a hearing pursuant to Rule 11*bis* of the Rules. Representatives of Bosnia and Herzegovina, the Republic of Serbia and the Republic of Argentina were present.

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**II. OVERVIEW OF SELECTED COURT DOCUMENTS**

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**ŠEŠELJ Case**

*Judge Pocar – President of ICTY*

**DECISION ON ŠEŠELJ'S REQUEST THAT THE ICTY PRESIDENT ORDER THE REMOVAL OF ALL OBSTACLES THAT RESTRICT THE EQUALITY OF ALL RADIO AND TELEVISION STATIONS TO BROADCAST ŠEŠELJ'S TRIAL**

On 11 September 2006, Judge Pocar dismissed as being without merit the accused's request asking for an order to remove all obstacles that restrict the equality of all radio and television stations in Serbia with respect to the right to television and radio broadcasts from the ICTY courtrooms, filed on 14 July 2006.

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**MARGETIĆ Case (“Contempt of court”)**

*Judge Van Den Wyngaert – Reviewing Judge*

**DECISION ON REVIEW OF INDICTMENT AND ORDER FOR NON-DISCLOSURE**

On 11 September 2006, pursuant to Article 19 of the Statute and Rules 47 and 53 of the Rules, Judge Van Den Wyngaert confirmed the indictment against Domagoj Margetić – *See Press Release, number 1108, dated 11 September 2006.*

**ORDER SUMMONING THE ACCUSED TO APPEAR**

On 13 September 2006, pursuant to Rule 54 of the Rules, the Pre-Trial Judge Orić summoned Domagoj Margetić to appear before the Tribunal on Thursday 5 October 2006, at 14:15 to answer charges of contempt under Rule 77 of the Rules.

**MARTIĆ Case**

*Appeals Chamber – Judges Pocar (Presiding), Shahabuddeen, Vaz, Meron and Schomburg*

**DECISION ON APPEAL AGAINST THE TRIAL CHAMBER’S DECISION ON THE EVIDENCE OF WITNESS MILAN BABIĆ**

On 14 September 2006, the Appeals Chamber dismissed an interlocutory appeal, filed by Milan Martić on 10 July 2006, against the Trial Chamber decision denying the Defence’s request to exclude the testimony of Milan Babić from the trial record.

**COURTROOM SCHEDULE: 18 SEPTEMBER – 22 SEPTEMBER 2006\***

**MONDAY 18 SEPTEMBER**

Courtroom I 09:00 – 13:45, **Milutinović et al.**, Trial  
14:15 – 19:00, **Mrkšić et al.**, Trial  
Courtroom II 14:15 – 19:00, **Martić**, Trial  
Courtroom III 09:00 – 13:45, **Popović et al.**, Trial  
14:15 – 19:00, **Prlić et al.**, Trial

**TUESDAY 19 SEPTEMBER**

Courtroom I 09:00 – 13:45, **Mrkšić et al.**, Trial  
14:15 – 19:00, **Milutinović et al.**, Trial  
Courtroom II 09:00 – 13:45, **Martić**, Trial  
Courtroom III 09:00 – 13:45, **Popović et al.**, Trial  
14:15 – 19:00, **Prlić et al.**, Trial

**WEDNESDAY 20 SEPTEMBER**

Courtroom I 09:00 – 13:45, **Mrkšić et al.**, Trial  
14:15 – 19:00, **Milutinović et al.**, Trial  
Courtroom II 09:00 – 13:45, **Martić**, Trial  
Courtroom III 14:15 – 19:00, **Prlić et al.**, Trial

**THURSDAY 21 SEPTEMBER**

Courtroom I 09:00 – 13:45, **Mrkšić et al.**, Trial  
14:15 – 19:00, **Milutinović et al.**, Trial  
Courtroom II 09:00 – 13:45, **Martić**, Trial  
Courtroom III 09:00 – 13:45, **Popović et al.**, Trial  
14:15 – 19:00, **Prlić et al.**, Trial

**FRIDAY 22 SEPTEMBER**

Courtroom I 09:00 – 13:45, **Milutinović et al.**, Trial  
Courtroom II 09:00 – 13:45, **Mrkšić et al.**, Trial  
14:15 – 19:00, **Martić**, Trial  
Courtroom III 09:00 – 13:45, **Popović et al.**, Trial

\*The courtroom schedule is provisional and you are invited to check for last minute changes with the Media Office (+31-70-512-5343, - 5356, or – 8752)

Public proceedings are also broadcast with a 30 minute delay on the ICTY’s web site:  
<http://www.un.org/icty/latest/> (in English) (Please click on Hearing Schedule);  
<http://www.un.org/icty/bhs/week-b.htm> (na bosanskom/hrvatskom/srpskom).

**PRESS RELEASES ISSUED SINCE 8 SEPTEMBER 2006**

Date	Number	Title	E	F	B/C/S
11/09/2006	1107	U.S. AMBASSADOR-AT-LARGE FOR WAR CRIMES VISITS TRIBUNAL	E		B/C/S
11/09/2006	1108	DOMAGOJ MARGETIĆ CHARGED WITH CONTEMPT OF THE TRIBUNAL	E		B/C/S

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

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14/09/2006	1109	PRIME MINISTER OF THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA VISITS TRIBUNAL	E		B/C/S
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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](#)