



22 September 2006

ICTY WEEKLY UPDATE – 416

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

During the session on 19 September 2006, the Chamber decided to refuse to admit the evidence of the witness K-82, who started to testify on 18 September, stating that “*the reasons for that determination will be explained in a written decision which will be issued as soon as possible*”.

On 19 September 2006, the following witnesses were examined by the Prosecution and subsequently cross-examined by the Defence:

- Isa Raka (eye-witness from the municipality of Kačanik/Kaçanik in Kosovo)
- Fadil Vishi (eye-witness from the municipality of Kačanik/Kaçanik in Kosovo)

From 20 September until 21 September 2006, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- Halit Berisha (local official in the municipality of Suva Reka/Suharekë in Kosovo during the relevant period)

From 21 September until 22 September 2006, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- Ali Gjogaj (eye-witness from the municipality of Prizren in Kosovo)

On 22 September 2006, the following witness was examined by the Prosecution:

- Shefqet Zogaj (eye-witness from the municipality of Suva Reka/Suharekë in Kosovo)

POPOVIĆ et al. Case (“Srebrenica”)

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

Continuation of the Prosecution case

On 18 September 2006, the following witness was cross-examined by the Defence and subsequently re-examined by the Prosecution:

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

From 19 September until 22 September 2006, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

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

PTV, Communication Service

Churchillplein 1, 2517 JW The Hague. P.O. Box 13888, 2501 EW The Hague. Netherlands
Tel.: +31 70 512-8591 Fax: +31 70 512 5355 or 512-8668

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- Pieter Boering (member of the UNPROFOR/Dutchbat troops in Srebrenica during the relevant period)

MARTIĆ Case

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

Continuation of the Defence case

From 15 September until 18 September 2006, the following witness was examined by the Defence, subsequently cross-examined by the Prosecution and then re-examined by the Defence:

- Ljubica Vujanić (jurist in Knin, Republika Srpska Krajina, during the relevant period)

From 18 September until 20 September 2006, the following witness was examined by the Defence, subsequently cross-examined by the Prosecution and then re-examined by the Defence:

- Milan Dragišić (Chief of Staff of the Territorial Defence in Knin during the relevant period)

From 20 September until 22 September 2006, the following witness was examined by the Defence and subsequently cross-examined by the Prosecution:

- Stevo Plejo (member of the reserve police force in Republika Srpska Krajina 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

From 18 September until 19 September 2006, the following witness was cross-examined by the Defence and subsequently re-examined by the Prosecution (continuation from 11 September):

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

On 19 September 2006, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- Nijaz Islamović (eye-witness from the municipality of Prozor, BiH)

On 20 September 2006, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- Ragib Mulahusić (eye-witness from the municipality of Prozor, BiH)

From 20 September until 21 September 2006, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- BM

On 21 September 2006, the following witness testified in closed session:

- BN

MRKŠIĆ et al. Case

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

Continuation of the Defence case

On 18 September 2006, the following witness was cross-examined by the Prosecution and subsequently re-examined by the Defence:

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

On 18 September 2006, the following witness was examined by the Defence and subsequently cross-examined by the Prosecution:

- Dušan Milošević (member of the Yugoslav Army in Vukovar during the relevant period)

On 20 September 2006, the parties met for a motion hearing regarding the witness P-019, during which the Trial Chamber stated that “*they will take steps to ensure that witness P019 is formally informed of the potential consequences of his failure to give evidence*”.

From 21 September until 22 September 2006, the following witness was examined by the Defence, subsequently cross-examined by the Prosecution and then re-examined by the Defence:

- Milovan Lešanović (member of the Yugoslav Army in Vukovar during the relevant period)

VLADIMIR KOVAČEVIĆ 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 the Republic of Serbia were present.

On the same day, the parties met before the pre-trial judge Orić for a Status Conference pursuant to Rule 65*bis*. The accused was not present.

II. OVERVIEW OF SELECTED COURT DOCUMENTS

MILUTINOVIĆ et al. Case

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

SCHEDULING ORDER AND DECISION ON JOINT DEFENCE MOTION TO MODIFY TRIAL SCHEDULE FOR TRIAL WEEK BEGINNING 25 SEPTEMBER 2006

On 15 September 2006, pursuant to Rules 54 and 90(F), Trial Chamber III ordered, *inter alia*, that:

- the schedule for the trial week beginning 25 September 2006, shall be Monday-Friday, 25-29 September 2006, from 09:00 to 17:30;
- the winter recess shall begin on Monday, 18 December 2006, and the trial shall resume on Tuesday, 16 January 2006;

Vojislav ŠEŠELJ Case

Trial Chamber II - Judges Orić (Presiding), Robinson and Moloto

SCHEDULING ORDER REGARDING COMMENCEMENT OF TRIAL

On 18 September 2006, pursuant to Article 20 of the Statute and Rules 54 and 73*bis* of the Rules, Trial Chamber I ordered that:

- a pre-trial Conference shall be held on 1 November 2006 at 0900; and
- the trial shall commence on 2 November 2006.

PROSECUTION'S SUBMISSION OF PROPOSALS TO REDUCE THE SCOPE OF THE INDICTMENT

On 21 September 2006, following a request by the pre-trial judge at the Status Conference on 14 September 2006, the Prosecution filed its submission with a number of proposals to reduce the scope of the indictment against V. Šešelj.

STRUGAR Case

Appeals Chamber - Judges Pocar (Presiding), Güney, Vaz, Meron and Schomburg

FINAL DECISION ON "DEFENCE NOTICE OF WITHDRAWING APPEAL" AND "WITHDRAWAL OF PROSECUTION'S APPEAL AGAINST THE JUDGEMENT OF TRIAL CHAMBER II DATED 31 JANUARY 2005"

On 20 September 2006, the Appeals Chamber declared the appellate proceedings in this case to be concluded – *See Press Release number 1112, dated 20 September 2006.*

KRAJIŠNIK Case

Trial Chamber I - Judges Orić (Presiding), Canivell and Hanoteau

SCHEDULING ORDER FOR PRONOUNCEMENT OF JUDGEMENT

On 20 September 2006, pursuant to Rule 98ter of the Rules, Trial Chamber I scheduled the pronouncement of the judgement in the Krajišnik case to take place on Wednesday, 27 September 2006, at 1300 in courtroom I.

COURTROOM SCHEDULE: 25 SEPTEMBER – 29 SEPTEMBER 2006*

MONDAY 25 SEPTEMBER

Courtroom I 09:00 – 17:30, **Milutinović et al.**, Trial
Courtroom II 14:15 – 19:00, **Mrkšić et al.**, Trial
Courtroom III 09:00 – 13:45, **Popović et al.**, Trial
14:15 – 19:00, **Prlić et al.**, Trial

TUESDAY 26 SEPTEMBER

Courtroom I 09:00 – 17:30, **Milutinović et al.**, Trial
Courtroom II 09:00 – 13:45, **Mrkšić et al.**, Trial
16:00 – 17:00, **Miće Stanišić**, Status Conference
Courtroom III 09:00 – 13:45, **Prlić et al.**, Trial
14:15 – 19:00, **Popović et al.**, Trial

WEDNESDAY 27 SEPTEMBER

Courtroom I 09:00 – 12:30, **Milutinović et al.**, Trial
13:00 – 14:00, **Krajišnik**, Judgement
14:00 – 17:30, **Milutinović et al.**, Trial
Courtroom II 09:00 – 13:45, **Mrkšić et al.**, Trial
Courtroom III 09:00 – 13:45, **Prlić et al.**, Trial
14:15 – 19:00, **Popović et al.**, Trial

THURSDAY 28 SEPTEMBER

Courtroom I 09:00 – 17:30, **Milutinović et al.**, Trial
Courtroom II 09:00 – 13:45, **Mrkšić et al.**, Trial
Courtroom III 09:00 – 13:45, **Prlić et al.**, Trial
14:15 – 19:00, **Popović et al.**, Trial

FRIDAY 29 SEPTEMBER

Courtroom I 09:00 – 17:30, **Milutinović et al.**, Trial
Courtroom II 09:00 – 13:45, **Mrkšić et al.**, Trial

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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 15 SEPTEMBER 2006

Date	Number	Title	E	F	B/C/S
18/09/2006	1110	APPEALS WITHDRAWN IN PAVLE STRUGAR CASE	E		B/C/S
20/09/2006	1111	ICRC DELEGATION VISITS ICTY DETENTION UNIT	E		B/C/S
20/09/2006	1112	PAVLE STRUGAR CASE CONCLUDES	E		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](#)

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