



15 December 2006

ICTY WEEKLY UPDATE – 428

Please note that the next Weekly Update will be issued on 12 January 2007

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 December 2006, the following witness was examined by the Prosecution:

- Jon Sterenberg (archeologist involved in exhumations in Serbia)

From 13 December until 14 December 2006, the following witness was examined by the Prosecution, subsequently cross-examined by the Defence and then re-examined by the Prosecution:

- Klaus Naumann (chairman of the NATO military committee during the relevant period)

The Milutinović et al. trial will resume on 16 January 2007.

POPOVIĆ et al. Case (“Srebrenica”)

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

Continuation of the Prosecution case

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

- Witness PW-140

On 12 December 2006, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- Witness PW-137

From 13 December until 14 December 2006, the following witness was examined by the Prosecution, subsequently cross-examined by the Defence and then re-examined by the Prosecution:

- Witness PW-133

The Popović et al. trial will resume on 10 January 2007.

PRLIĆ et al. Case

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

Continuation of the Prosecution case

On 7 December 2006, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- Witness CP

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

- Witness CQ

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

- Ismet Poljarević (eye-witness from the municipality of Jablanica, Bosnia)

From 13 December until 14 December 2006, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- Sejfo Kajmović (eye-witness from the municipality of Čapljina, Bosnia)

The Prlić et al. trial will resume on 8 January 2007.

KRAJIŠNIK Case

Pre-Appeal Judge Schomburg

On 11 December 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.

HADŽIHASANOVIĆ & KUBURA Case

Pre-Appeal Judge Shahabuddeen

On 11 December 2006, the parties met before the pre-appeal judge for a Status Conference pursuant to Rule 65*bis* of the Rules. The appellant Hadžihasanović was present.

BOŠKOSKI & TARČULOVSKI Case

Pre-Trial Judge Parker

On 12 December 2006, the parties met before the pre-trial judge for a Status Conference pursuant to Rule 65*bis* of the Rules. Both accused were present.

II. OVERVIEW OF SELECTED COURT DOCUMENTS

ŠEŠELJ Case

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

DECISION ON APPEAL AGAINST THE TRIAL CHAMBER'S DECISION (NO.2) ON ASSIGNMENT OF COUNSEL

On 8 December 2006, the Appeals Chamber ordered that all trial proceedings in this case following the order of the Trial Chamber directing the Registry to appoint standby counsel are set aside and that the trial of Šešelj be suspended until such time as he is fit enough to fully participate in the proceedings as a self-represented accused.

Milan LUKIĆ & Sredoje LUKIĆ Case

Trial Chamber III – Judges Robinson (Presiding), Thelin and Höpfel

DECISION ON SREDOJE LUKIĆ'S MOTION FOR PROVISIONAL RELEASE

On 13 December 2006, pursuant to Rules 65, 126 and 127bis of the Rules, the Trial Chamber denied the motion for provisional release of Sredoje Lukić.

Dragomir MILOŠEVIĆ Case

Pre-Trial Judge Robinson

SCHEDULING ORDER REGARDING OPENING STATEMENTS AND PRESENTATION OF EVIDENCE

On 13 December 2006, pursuant to Rules 54 and 65ter of the Rules, the pre-trial judge ordered, *inter alia*, that the presentation of evidence will start on 15 January 2007.

PRLIĆ et al. & GOTOVINA et al. Cases

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

DECISION ON PROSECUTION'S MOTION TO STRIKE REQUEST FOR REVIEW UNDER RULE 108BIS

On 13 December 2006, the Appeals Chamber granted the Prosecution's motion and denied the request by Croatia for a review of the decisions refusing the Croatian authorities to appear as *amicus curiae* in the Prlic et al. and the Gotovina et al. cases.

GOTOVINA et al. Case

Trial Chamber III – Judges Alphons Orié (Presiding), Van den Wyngaert and Moloto

REQUEST TO THE PROSECUTION PURSUANT TO RULE 73 BIS(D) TO REDUCE THE SCOPE OF ITS CASE

On 13 December 2006, pursuant to Rule 73bis(D) of the Rules, the Trial Chamber invited the Prosecution to propose means to reduce the scope of the Indictment by at least one-third by reducing the number of counts and/or crime sites or incidents mentioned in one or more counts, notably taking into account the cumulative counts of the indictment.

STANIŠIĆ & SIMATOVIĆ Case

Trial Chamber III – Judges Robinson (Presiding), Thelin and Höpfel

DECISION ON STANIŠIĆ'S DEFENCE'S MOTION FOR TEMPORARY MODIFICATION OF PROVISIONAL RELEASE CONDITIONS

On 13 December 2006, pursuant to Rules 54 and 65 of the Rules, the Trial Chamber granted the Defence's motion and ordered that the accused Stanišić may leave the municipality of Belgrade for the Igalo Institute in Montenegro for the sole purpose of receiving medical treatment.

MILUTINOVIĆ et al. Case

Appeals Chamber – Judges Meron (Presiding), Shahabuddeen, Güney, Daqun and Schomburg

DECISION ON INTERLOCUTORY APPEAL OF DENIAL OF PROVISIONAL RELEASE DURING THE WINTER RECESS

On 14 December 2006, the Appeals Chamber confirmed the decision denying the provisional release for the accused during the court recess.

COURTROOM SCHEDULE: Court winter recess until 8 January 2007

PRESS RELEASES ISSUED SINCE 8 DECEMBER 2006

Date	Number	Title	E	F	B/C/S
08/12/2006	1134	VOJISLAV ŠEŠELJ TO RESUME TAKING FOOD	E		B/C/S
15/12/2006	1135	UKRAINIAN DEPUTY MINISTER OF JUSTICE VISITS TRIBUNAL	E		

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For a selection of the latest public documents, please visit the [ICTY Website](#)