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International
Criminal Tribunal
for the former
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Tribunal Pénal
International pour
l'ex-Yougoslavie

ICTY WEEKLY UPDATE-83

25 June 1999

LAST MINUTE NEWS

ALEKSOVSKI CASE ("Lasva Valley"): TRIAL CHAMBER'S JUDGEMENT RENDERED TODAY

Earlier today, Friday 25 June 1999, Trial Chamber I-bis (consisting of Judges Almiro Rodrigues (Presiding), Lal Chand Vohrah and Rafael Nieto-Navia) issued the full text of its Judgement in the Aleksovski case.

The Judgement includes a Dissenting Opinion of Judge Almiro Simoes Rodrigues, and a Joint Separate Opinion of Judge Lal Chand Vohrah and Judge Rafael Nieto-Navia.

This follows the hearing held on 7 May 1999 during which the Trial Chamber pronounced its Judgement. Finding Zlatko Aleksovski guilty on one count of violations of the laws or customs of war and, by majority, not guilty of two counts of grave breaches of the 1949 Geneva Conventions, the Trial Chamber imposed a sentence of two years and six months. Considering that this sentence was covered by the time already spent in detention by the accused, the Trial Chamber ordered the immediate release of the accused (see Press Release No. 400). Meanwhile, both parties have filed notices of appeal against both the Judgement and the sentence.

Hard-copies of the Judgement (issued in French), the Dissenting Opinion (issued in French) and the Joint Separate Opinion (issued in English and already translated into French) will be available in these languages as of next Tuesday upon request at the Public Information Services. These documents are ALREADY available on the ICTY's Internet Homepage (provisionally only in PDF format).

The Judgement and the Dissenting Opinion are being translated and will be available at a later stage. These translations will also be released in due time on the Internet Homepage.

PROCEDURAL DEVELOPMENTS 21-25 JUNE 1999

OVERVIEW OF COURT DOCUMENTS

DELALIC & OTHERS CASE ("Celebici"):

MOTION BY MR. TOM MORAN TO WITHDRAW AS CO-COUNSEL FOR HAZIM DELIC DENIED

On 24 June 1999, the Appeals Chamber (Judges Hunt (Presiding), Riad, Wang, Nieto-Navia and Bennouna) denied a Motion to withdraw as co-counsel for Hazim Delic due to conflict of interest, filed by Mr. Tom Moran on 17 June 1999.

In the Motion Mr. Moran contended that he is unable to provide effective assistance to his client without risking his own employment at his law firm. The Appeals Chamber considered that these allegations were an insufficient basis upon which to withdraw Mr. Moran as co-counsel having regard to the fact that Hazim Delic's appellants brief is due on 2 July 1999.

As a consequence of the above refusal to withdraw Mr. Moran, on 24 June 1999, the Appeals Chamber denied the Motion to extend time to file the appeal brief, filed by lead counsel for Hazim Delic on 18 June 1999.

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

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KRNOJELAC CASE :
MOTION GRANTED TO VARY THE TIME LIMIT FOR FILING AN AMENDED INDICTMENT

On 24 June 1999, Trial Chamber II (Judges Hunt (Presiding), Cassese and Mumba) granted the Prosecutor's Motion for variation of the time limit for filing an amended indictment, dated 17 June 1999.

The Trial Chamber granted leave to the Prosecution to file the amended indictment within seven days of its confirmation by the confirming Judge, and granted leave to the accused, Milorad Krnojelac, to file a preliminary Motion within 30 days of the filing of the amended indictment.

OVERVIEW OF COURT PROCEEDINGS

BLASKIC CASE

Trial Chamber I – Judges Jorda (Presiding), Shahabuddeen and Rodrigues

This week, the court heard the testimony of the two remaining witnesses called by the Trial Chamber in its Order of 25 March 1999 (see Press Release No. 393, 6 April 1999).

On Monday, General Philippe Morillon, former UNPROFOR Commander gave evidence. Protective measures were granted by the Chamber, thus, the session was closed to the public (see Update 80).

The court reconvened on Wednesday morning with the testimony of the final Chamber's witness, General Milivoje Petkovic, Commander of the Main Staff of the HVO at the time relevant to the indictment. The General's testimony was given in closed session by video link from the Republic of Croatia.

General Petkovic concluded his testimony on Thursday morning, after which, on Thursday afternoon, the court heard the testimony of a rebuttal witness called by the Prosecution, namely, Major Nicholas Short. Major Short, from the British Army and liaison officer based in Gornji Vakuf, gave evidence regarding alleged HVO provocation of the Bosnian Army and Muslim Community. The session was open to the public.

The Trial Chamber completed the week's hearings on Friday with a discussion of the admissibility of exhibits referred to throughout the Trial.

KUPRESKIC & OTHERS CASE

Trial Chamber II – Judges Cassese (Presiding), May and Mumba

This week the court began to hear the testimony of witnesses called by the accused Drago Josipovic.

Protective measures were granted for two witnesses testifying on Monday, one of which continued on Tuesday morning, both sessions were closed to the public.

On Tuesday, the court heard two further witnesses called by Drago Josipovic (one also appeared on behalf of Vladimir Santic) during an intermittently closed session.

A total of six Defence witnesses were called over Wednesday and Thursday (Ms. Katica Kovac, Ms. Ivo Pranjko and Mr. Dragan Calic on Wednesday, and Mr. Josip Vidovic, Mr. Josip Covic and Ms. Finka Bralo on Thursday). All the witnesses gave evidence regarding factual issues in open session.

The week's proceedings concluded on Friday with a witness, Anto Bralo, giving evidence of general events at the beginning of the war.

SIKIRICA & OTHERS CASE

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

On Thursday, the Trial Chamber held an evidentiary hearing on the issue of the mistaken identity of the accused. The Trial Chamber decided, after considering written and oral submissions from the Defence and Prosecution, that the accused is the person named as Dragan "Kulundzija" in the "Sikirica & others" indictment and that he is to enter a plea on Tuesday 13 July at 2.30 p.m. An amended indictment has been submitted for confirmation by the Prosecution. (For full details see Press Release No. 411).

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COURTROOM SCHEDULE: 28 JUNE - 02 JULY

	Monday	Tuesday	Wednesday	Thursday	Friday
Courtroom I	No proceedings	No proceedings	Plenary	Plenary	Plenary
	No proceedings	No proceedings	Plenary	Plenary	Plenary
Courtroom III	10.00 Appeals Chamber, Tadic/Vujin R77 Hearing	No proceedings	Plenary	Plenary	Plenary
	14.30 Appeals Chamber, Tadic/Vujin R77 Hearing	No proceedings	Plenary	Plenary	Plenary

*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 JUNE

DATE ISSUED	NUMBER	TITLE
25/06/99	411	KOLUNDZIJA CASE: IDENTITY OF THE ACCUSED ESTABLISHED INITIAL APPEARANCE HEARING TO RESUME ON 13 JULY

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](#)