



19 October 2001

ICTY WEEKLY UPDATE – 193

PROCEDURAL DEVELOPMENTS:

I. OVERVIEW OF COURT PROCEEDINGS:

NALETILIĆ and MARTINOVIĆ CASE (“Tuta” and “Štela”)

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

The trial resumed on Monday 15 October with the conclusion of the testimony of protected Witness AA which commenced on Wednesday 10 October (see *Weekly Update 192*).

The Trial Chamber then heard the testimony of Mr. Falk Simang, a German member of the Kažnjenička Bojna, the “Convicts Battalion”, from February 1993 to March 1994.

Mr. Simang testified about the tasks he was assigned to perform during military operations of the “Convicts Battalion” and how the Battalion was organised. Mr. Simang’s testimony concluded on Tuesday 16 October.

On Wednesday 17 October, the Trial Chamber heard the testimony of Seid Smajkić, the “Mufti” (a senior Islamic cleric) of Mostar.

Mr. Smajkić told the court that, as the chief cleric in an area covering all the religious activities in Herzegovina, he supervised the religious life, religious activities, the work of religious schools, celebrations of religious holidays and activities related to the organisation of all affairs concerning the Islamic religious community and testified about events that took place in Mostar during the time relevant to the indictment.

Mr. Smajkić’s testimony continued on Thursday 18 and Friday 19 October.

Milan SIMIĆ, Blagoje SIMIĆ, TADIĆ, and ZARIĆ CASE (“Bosanski Šamac”)

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

The Trial Chamber reconvened this week to hear the fourth week of the prosecution case-in-chief.

On Tuesday 16 October, Mr. Izet Izetbegović resumed his testimony which commenced on 3 October 2001 (see *Weekly Update 191*). Mr. Izetbegović’s testimony continued throughout the week.

KUNARAC, KOVAČ and VUKOVIĆ CASE (“Foča”)

Appeals Chamber – Judges Jorda (Presiding), Vohrah, Shahabuddeen, Nieto-Navia and Liu

On Tuesday 16 October, Judge Shahabuddeen held the scheduled status conference in open session and noted that the hearing on the appeal may take place in the first week of December 2001.

BLAŠKIĆ CASE (“Lašva Valley”)

Appeals Chamber – Judges Vohrah (Presiding), Nieto-Navia, Wald, Pocar and Liu

On Thursday 18 October, Judge Pocar held the scheduled status conference in open session.

KORDIĆ and ČERKEZ CASE (“Lašva Valley”)

Appeals Chamber – Judges Hunt (Presiding), Vohrah, Nieto-Navia, Pocar and Liu

On Thursday 18 October, Judge Hunt held the scheduled status conference in open session.

Cont.

II. OVERVIEW OF COURT DOCUMENTS:

NALETILIĆ and MARTINOVIĆ CASE (“Tuta” and “Štela”)

SECOND AMENDED INDICTMENT CONFIRMED

On 16 October 2001, Trial Chamber I, Section A (Judges Liu (Presiding), Harding Clark and Diarra) granted the prosecution’s motion, filed on 28 September 2001, to amend the amended indictment, confirmed on 28 November 2000.

In the motion, the prosecution requested amendments to clarify that the accused Martinović is not charged in Counts 9, 10, 19, 20 and 22 of the amended indictment.

MILOŠEVIĆ CASE (“Croatia”)

MOTION TO FILE A SECOND AMENDED INDICTMENT

On 16 October 2001, the Prosecutor filed a motion for leave to amend the amended “Kosovo” indictment confirmed against Slobodan Milošević, Milan Milutinović, Nikola Šainović, Dragoljub Ojdanić and Vljako Stojiljković on 29 June 2001.

The next day, the Trial Chamber ordered that: (1) the amici curiae shall have until 12 noon on **25 October 2001** to file their responses, if any, to the above motion; and (2) oral arguments on the motion shall be heard on **29 October 2001**.

KUNARAC, KOVAČ and VUKOVIĆ CASE (“Foča”)

KUNARAC’S MOTION FOR PROVISIONAL RELEASE DENIED

On 16 October 2001, the Appeals Chamber (Judges Jorda (Presiding), Vohrah, Shahabuddeen, Nieto-Navia and Liu) dismissed Kunarac’s motion, dated 19 September 2001, for provisional release for a period of 3 months in order to receive medical treatment in Belgrade.

COURTROOM SCHEDULE: 22 – 26 OCTOBER *

MONDAY 22 OCTOBER

Courtroom I 09:30 - 13:00, **Martinović/Naletilić**, Trial
14:30 - 16:00, **Martinović/Naletilić**, Trial
Courtroom II 09:30 - 13:00, **Vasiljević**, Pre-defence conference
14:30 - 16:00, **Vasiljević**, Pre-defence conference
Courtroom III 09:30 - 13:00, **Simić et al.**, Trial
15:30 - 17:00, **Simić et al.**, *to be confirmed*

TUESDAY 23 OCTOBER

Courtroom I 09:30 - 13:00, **Martinović/Naletilić**, Trial
14:30 - 16:00, **Martinović/Naletilić**, Trial
Courtroom II 09:30 - 13:00, **Vasiljević**, Trial
14:30 - 16:00, **Vasiljević**, Trial
Courtroom III 09:30 - 13:00, **Simić et al.**, Trial
13:30 - 14:30, **Kupreškić et al.**, *Appeal Judgement*
15:30 - 17:00, **Simić et al.**, *to be confirmed*

WEDNESDAY 24 OCTOBER

UN Holiday

THURSDAY 25 OCTOBER

Courtroom I 09:30 - 13:00, **Martinović/Naletilić**, Trial
14:30 - 16:00, **Martinović/Naletilić**, Trial
Courtroom II 09:30 - 13:00, **Vasiljević**, Trial
14:30 - 16:00, **Vasiljević**, Trial
Courtroom III 09:30 - 13:00, **Simić et al.**, Trial
15:30 - 17:00, **Simić et al.**, *to be confirmed*

FRIDAY 26 OCTOBER

Courtroom I 09:30 - 13:00, **Martinović/Naletilić**, Trial
Courtroom II 09:30 - 13:00, **Vasiljević**, Trial
14:30 - 16:00, **Vasiljević**, Trial
Courtroom III 09:30 - 13:00, **Simić et al.**, Trial
15:30 - 17:00, **Simić et al.**, *to be confirmed*

* 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-c.htm> (in English);

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

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