



23 February 2007

## ICTY WEEKLY UPDATE – 435

### 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**

From 19 February until 20 February 2007, the following witness was examined by the Prosecution, subsequently cross-examined by the Defence and then re-examined by the Prosecution:

- *Eric Baccard* (medical doctor - expert in pathology and forensic science)

From 20 February until 21 February 2007, the following witness was examined by the Prosecution, subsequently cross-examined by the Defence and then re-examined by the Prosecution:

- *Patrick Ball* (sociologist and statistician)

From 21 February until 22 February 2007, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- *Witness K-88*

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

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

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

On 9 February 2007, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- *Witness PW-157 (this witness was not mentioned in Update no.433)*

On 19 February 2007, the following witness was examined by the Prosecution, subsequently cross-examined by the Defence and then re-examined by the Prosecution (continuation from 9 February):

- *Witness PW-145*

From 19 February until 20 February 2007, the following witness was examined by the Prosecution, subsequently cross-examined by the Defence and then re-examined by the Prosecution:

- *John Clark* (forensic pathologist)

On 20 February 2007, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- *Witness PW-153*

From 20 February until 21 February 2007, the following witness was examined by the Prosecution, subsequently cross-examined by the Defence and then re-examined by the Prosecution:

- *Richard Wright* (archeologist involved in exhumations around Srebrenica)

On 21 February 2007, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- *Christopher Lawrence* (forensic pathologist)

From 22 February until 23 February 2007, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- *Witness PW-101*

### **PRLIĆ et al. Case**

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

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

On 19 February 2007, the following witness was cross-examined by the Defence:

- *Miro Salčin* (member of the BiH Army in Mostar during the relevant period)

From 19 February until 20 February 2007, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- *Nermin Malović* (photographer of the BiH Army in the city of Jablanica, BiH, during the relevant period)

From 20 February until 21 February 2007, the following witness testified in closed session:

- *Witness DD*

From 21 February until 22 February 2007, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- *Mustafa Hadrović* (police officer in Mostar, BiH, during the relevant period)

### **Dragomir MILOŠEVIĆ Case**

*Trial Chamber III – Judges Robinson (Presiding), Mindua and Harhoff*

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

From 19 February until 20 February 2007, the following witness was examined by the Prosecution, subsequently cross-examined by the Defence and then re-examined by the Prosecution:

- *Witness W-137*

From 20 February until 21 February 2007, the following witness was examined by the Prosecution, subsequently cross-examined by the Defence and then re-examined by the Prosecution:

- *Sead Bešić* (police officer in Sarajevo)

From 21 February until 22 February 2007, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- *John Jordan* (founder and director of a non-governmental organization called “Global Operation Fire Rescue Services”)

On 22 February 2007, the following witnesses were examined by the Prosecution and subsequently cross-examined by the Defence:

- *Witness W-28*
- *Ziba Šubo* (eye-witness from Sarajevo)

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### **ZELENOVIĆ Case**

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*Trial Chamber I – Judges Orić (Presiding), Van den Wyngaert and Moloto*

On 23 February 2007, the parties met before the Trial Chamber for a sentencing hearing. The Prosecution asked for a sentence of 10-15 years, while the Defence asked for a sentence of 7-10 years' imprisonment. The accused Zelenović also addressed the court.

## **II. OVERVIEW OF SELECTED COURT DOCUMENTS**

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### **ŠEŠELJ Case**

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*Judge Pocar – President of the ICTY*

#### **DECISION ON MOTION FOR DISQUALIFICATION**

On 19 February 2007, Judge Pocar denied Šešelj's motion for disqualification of Judges Orić, Robinson and Höpfel from the trial and appeal proceedings in the case against him.

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### **GOTOVINA et al. Case**

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*Trial Chamber I – Judges Orić (Presiding), Moloto and Van den Wyngaert*

#### **ORDER PURSUANT TO RULE 73bis(D) TO REDUCE THE INDICTMENT**

On 21 February 2007, pursuant to Rule 73bis(D) of the Rules, the Trial Chamber affirmed the oral order, dated 9 February 2007, to the Prosecution to reduce the indictment.

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### **HARADINAJ et al. Case**

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*Trial Chamber I – Judges Orić (Presiding), Höpfel and Støle*

#### **DECISION PURSUANT TO RULE 73bis(D)**

On 22 February 2007, pursuant to Rule 73bis(D) of the Rules, the Trial Chamber accepted the Prosecutor's declination and decided not to reduce the scope of the indictment.

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### **BRĐANIN Case**

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*Appeals Chamber – Judges Meron (Presiding), Shahabuddeen, Güney, Vaz and Van den Wyngaert*

#### **DECISION ON RADOSLAV BRĐANIN'S MOTION FOR PROVISIONAL RELEASE**

On 23 February 2007, the Appeals Chamber denied a motion for provisional release of Radoslav Brđanin, filed on 7 February 2007.

**MRKŠIĆ et al. Case**

*Trial Chamber II – Judges Parker (Presiding), Van den Wyngaert and Thelin*

**DECISION ON MOTION TO REOPEN PROSECUTION CASE**

On 23 February 2007, pursuant to Rules 85, 89(C) and 89(D) of the Rules, the Trial Chamber denied a motion to reopen the Prosecution case.

**COURTROOM SCHEDULE: 26 FEBRUARY – 2 MARCH 2007\***

**MONDAY 26 FEBRUARY**

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

**TUESDAY 27 FEBRUARY**

Courtroom I 09:00 – 13:45, **Milutinović et al.**, Trial  
Courtroom II 09:00 – 11:00, **Delić**, Status Conference  
14:15 – 19:00, **D. Milošević**, Trial  
Courtroom III 09:00 – 13:45, **Prlić et al.**, Trial  
14:15 – 19:00, **Popović et al.**, Trial

**WEDNESDAY 28 FEBRUARY**

Courtroom I 09:00 – 13:45, **Milutinović et al.**, Trial  
14:15 – 19:00, **Gotovina et al.**, Motion hearing  
Courtroom II 14:15 – 19:00, **D. Milošević**, Trial  
Courtroom III 09:00 – 13:45, **Prlić et al.**, Trial  
14:15 – 19:00, **Popović et al.**, Trial

**THURSDAY 1 MARCH**

Courtroom I 09:00 – 13:45, **Milutinović et al.**, Trial  
Courtroom II 09:00 – 13:45, **Haradinaj et al.**, Pre-trial Conference  
14:15 – 19:00, **D. Milošević**, Trial  
Courtroom III 09:00 – 13:45, **Prlić et al.**, Trial  
14:15 – 19:00, **Popović et al.**, Trial

**FRIDAY 2 MARCH**

Courtroom I 09:00 – 13:45, **Milutinović et al.**, Trial  
Courtroom II 09:00 – 13:45, **D. Milošević**, 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).

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