



06 July 2007

## ICTY WEEKLY UPDATE – 452

### PROCEDURAL DEVELOPMENTS

#### I. OVERVIEW OF COURT PROCEEDINGS

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

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

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

From 18 June until 19 June 2007, the following witness was cross-examined by the Defence and subsequently re-examined by the Prosecution:

- *Miodrag Dragutinović* (officer of the Republika Srpska Army during the relevant period)

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

- *Dobrisav Stanojević* (police officer in Republika Srpska during the relevant period)

From 20 June until 22 June 2007, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- *Srećko Aćimović* (officer of the Republika Srpska Army during the relevant period)

From 25 June until 26 June 2007, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- *Kathryn Jean Barr* (forensic document examiner)

On 26 June 2007, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- *Marko Milošević* (officer of the Republika Srpska Army during the relevant period)

From 26 June until 27 June 2007, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- *Mitar Lazarević* (officer of the Republika Srpska Army during the relevant period)

On 28 June 2007, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- *Predrag Čelić* (police officer in Republika Srpska during the relevant period)

##### **MILUTINOVIĆ et al. Case**

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

#### **Pre-Defence Conference**

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

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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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On 22 June 2007, the parties met before the Trial Chamber for a pre-defence Conference.

The Defence case will commence on 6 August 2007.

### **PRLIĆ et al. Case**

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

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

From 18 June until 21 June 2007, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- *Azra Krajšek* (member of the BiH Directorate for displaced persons and refugees during the relevant period)

From 25 June until 27 June 2007, the following witness was examined by the Prosecution, subsequently cross-examined by the Defence and then re-examined by the Prosecution:

- *Klaus Johann Nissen* (member of the European Community Monitoring Mission-ECMM during the relevant period)

From 3 July until 5 July 2007, the following witness testified in closed session:

- *Witness BD*

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

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

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

On 18 June 2007, the following witnesses were examined by the Prosecution and subsequently cross-examined by the Defence:

- *Jose Quiroz* (former staff member of the ICTY/Office of the Prosecution)
- *Vesel Dizdari* (eye witness from the municipality of Peć/Peje, Kosovo)-*he was only examined by the Prosecution*

On 19 June 2007, the parties met before the Trial Chamber to discuss procedural matters.

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

- *Faton Sefa* (eye-witness from the municipality of Đakovica/Gjakove, Kosovo)

On 25 June 2007, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- *Barney Kelly* (former staff member of the ICTY/Office of the Prosecution)

From 25 June until 26 June 2007, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- *Bogdan Tomas* (member of the Serbian State Security Service during the relevant period)

On 27 June 2007, the following witness was examined by the Prosecution, subsequently cross-examined by the Defence and then re-examined by the Prosecution:

- *Pekka Haverinen* (former staff member of the ICTY/Office of the Prosecution)

From 27 June until 2 July 2007, the following witness was examined by the Prosecution, subsequently cross-examined by the Defence and then re-examined by the Prosecution:

- *Žarko Bajčetić* (member of the Serbian State Security Service during the relevant period)

From 3 July until 4 July 2007, the following witness was examined by the Prosecution, subsequently cross-examined by the Defence and then re-examined by the Prosecution:

- *Nebojša Avramović* (police officer in Kosovo during the relevant period)

From 4 July until 5 July 2007, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- *Branimir Aleksandrić* (forensic medicine expert)

On 5 July 2007, the following witness was examined by the Prosecution:

- *Dušan Dunjić* (forensic medicine expert)

### **Dragomir MILOŠEVIĆ Case**

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

#### **Continuation of the Defence case**

On 18 June 2007, the following witnesses were examined by the Defence and subsequently cross-examined by the Prosecution:

- *Luka Jović* (eye-witness from Sarajevo)-*he was only cross-examined by the Prosecution*
- *Branislav Dukić* (prisoner in Sarajevo throughout the war)

From 18 June until 19 June 2007, the following witness was examined by the Defence, subsequently cross-examined by the Prosecution and then re-examined by the Defence:

- *Witness T-7*

On 19 June 2007, the following witness was examined by the Defence, subsequently cross-examined by the Prosecution and then re-examined by the Defence:

- *Predrag Čarkić* (prisoner in Sarajevo during the war)

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

- *Witness T-2*

On 21 June 2007, the following witnesses were examined by the Defence, subsequently cross-examined by the Prosecution and then re-examined by the Defence:

- *Witness T-39*
- *Milan Pejić* (doctor, former director of a clinic in Sarajevo)

On 22 June 2007, the following witness was examined by the Defence, subsequently cross-examined by the Prosecution and then re-examined by the Defence:

- *Andelko Dragaš* (member of the Republika Srpska Army during the relevant period)

From 22 June until 25 June 2007, the following witness was examined by the Defence, subsequently cross-examined by the Prosecution and then re-examined by the Defence:

- *Witness T-48*

On 25 June 2007, the following witness was examined by the Defence:

- *Witness T-5*

From 25 June until 26 June 2007, the following witness was examined by the Defence, subsequently cross-examined by the Prosecution and then re-examined by the Defence:

- *Radomir Višnjić* (officer of the Republika Srpska Army during the relevant period)

On 26 June 2007, the following witness was examined by the Defence, subsequently cross-examined by the Prosecution and then re-examined by the Defence:

- *Zoran Trapara* (member of the Republika Srpska Army during the relevant period)

On 26 June and then again on 28 June and 3 July 2007, the following witness was examined by the Defence, subsequently cross-examined by the Prosecution and then re-examined by the Defence:

- *Stjepan Đukić* (member of the Republika Srpska Army during the relevant period)

On 27 June 2007, the following witness was examined by the Defence, subsequently cross-examined by the Prosecution and then re-examined by the Defence:

- *Predrag Trapara* (member of the Republika Srpska Army during the relevant period)

On 28 June 2007, the following witness was examined by the Defence, subsequently cross-examined by the Prosecution and then re-examined by the Defence:

- *Witness T-52*

From 3 July until 4 July 2007, the following witness was examined by the Defence, subsequently cross-examined by the Prosecution and then re-examined by the Defence:

- *Milan Mandić* (wounded in Sarajevo and then member of the Republika Srpska Army during the relevant period)

On 4 July and then again on 6 July 2007, the following witness was examined by the Defence and subsequently cross-examined by the Prosecution:

- *Rade Ivanović* (police officer during the relevant period)

From 5 July until 6 July 2007, the following witness was examined by the Defence and subsequently cross-examined by the Prosecution:

- *Andrei Demurenko* (UNPROFOR Chief of Staff in Sarajevo during the relevant period)

## **BOŠKOSKI & TARČULOVSKI Case**

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

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

On 18 June 2007, the following witness was cross-examined by the Defence and subsequently re-examined by the Prosecution:

- *Witness M-056*

From 18 June until 20 June 2007, the following witness was examined by the Prosecution, subsequently cross-examined by the Defence and then re-examined by the Prosecution:

- *Zlatko Jakovski* (forensic medicine expert)

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On 21 June 2007, the following witness was cross-examined by the Defence and subsequently re-examined by the Prosecution (continuation from 14 June):

- *Farush Memedi* (eye-witness from Ljuboten, Macedonia)

On 21 June and then again from 26 June until 28 June 2007, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- *Franz-Josef Hutsch* (war journalist in Macedonia during the relevant period)

From 25 June until 26 June 2007, the following witness was examined by the Prosecution, subsequently cross-examined by the Defence and then re-examined by the Prosecution:

- *Mitre Despodov* (officer of the Macedonian Army during the relevant period)

On 29 June 2007, the parties met before the Trial Chamber to discuss procedural matters.

From 2 July until 5 July 2007, the following witness was examined by the Prosecution, subsequently cross-examined by the Defence and then re-examined by the Prosecution:

- *Peter Bouckaert* (Human Rights Watch researcher in Macedonia during the relevant period)

From 5 July until 6 July 2007, the following witness was examined by the Prosecution and subsequently cross-examined by the Defence:

- *Mario Jurišić* (officer of the Macedonian Army during the relevant period)

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### **Vlastimir ĐORĐEVIĆ Case**

*Judge Harhoff*

On 19 June 2007, the parties met before Judge Harhoff for the initial appearance of Vlastimir Đorđević. The accused chose not to enter a plea.

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### **DELIĆ Case**

*Trial Chamber I – Judges Moloto (Presiding), Harhoff and Lattanzi*  
*Referral Bench – Judges Orić (Presiding), Parker and Kwon*

On 2 July 2007, the parties met before the Trial Chamber for a pre-trial Conference.

On 6 July 2007, the parties met before the Referral Bench for a Rule 11*bis* hearing regarding the Prosecution motion, filed a day before, to refer the case to Bosnia and Herzegovina.

The Prosecution will make its opening statement on 9 July 2007.

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### **TOLIMIR Case**

*Judge Prost*

On 3 July 2007, the parties met before Judge Prost for the initial appearance of Zdravko Tolimir. The accused chose again not to enter a plea, so a plea of “not guilty” was entered on his behalf in accordance with Rule 62 (iv).

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### **ŠEŠELJ Case**

*Judge Antonetti*

On 4 July 2007, the parties met before Judge Antonetti for a Status Conference pursuant to Rule 65bis. The accused was present.

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**KRAJIŠNIK Case**

*Judge Meron*

On 5 July 2007, the parties met before Judge Meron for a Status Conference pursuant to Rule 65bis. The appellant was present.

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**GOTOVINA et al. Case**

*Judge Moloto*

On 6 July 2007, the parties met before Judge Moloto for a Status Conference pursuant to Rule 65bis. The accused Gotovina was present in the courtroom while Čermak and Markač participated via video-link from Zagreb.

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**II. OVERVIEW OF SELECTED COURT DOCUMENTS**

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**MILUTINOVIĆ et al. Case**

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

**DECISIONS ON MOTIONS FOR PROVISIONAL RELEASE**

On 18 June 2007, Trial Chamber III granted a motion by the accused and ordered that Vladimir Lazarević be provisionally released from 26 June until 2 July 2007. On the same day, the Chamber also granted a motion by Nebojša Pavković and ordered that he be provisionally released from 4 July until 10 July 2007.

On 25 June 2007, the Trial Chamber denied a motion for provisional release of Sreten Lukić.

On 4 July 2007, the Trial Chamber denied a motion for provisional release of Milan Milutinović.

On 4 July 2007, the Trial Chamber denied the “Motion to reconsider denial of Sreten Lukić’s renewed motion for provisional release”, filed confidentially by the Defence of the accused Lukić on 27 June 2007.

On 4 July 2007, the Trial Chamber granted a motion by the accused and ordered that Dragoljub Ojdanić be provisionally released from 12 July until 18 July 2007 – *See Press Release, number 1173, dated 5 July 2007.*

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**HADŽIHASANOVIĆ & KUBURA Case**

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

**DECISION ON MOTION ON BEHALF OF ENVER HADŽIHASANOVIĆ FOR PROVISIONAL RELEASE**

On 20 June 2007, the Appeals Chamber granted a motion by the accused and ordered that Enver Hadžihasanović shall be provisionally released pending the hearing of his appeal.

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

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

**DECISION ON POPOVIĆ MOTION FOR RELIEF FROM SEARCHES CONDUCTED WITH EXCESSIVE FORCE**

On 25 June 2007, pursuant to Rule 73 of the Rules, the Trial Chamber dismissed a motion by Vujadin Popović for relief from searches conducted with excessive force by the ICTY security officers.

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**DORĐEVIĆ Case**

*Pre-trial Judge Harhoff*

**SCHEDULING ORDER FOR FURTHER INITIAL APPEARANCE**

On 25 June 2007, pursuant to Rule 62(A) of the Rules, Judge Harhoff scheduled the further initial appearance of the accused Đorđević to be held on 16 July 2007, at 09:00 in courtroom III.

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**GOTOVINA et al. Case**

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

**DECISION ON IVAN ČERMAK'S INTERLOCUTORY APPEAL AGAINST TRIAL CHAMBER'S DECISION ON CONFLICT OF INTEREST OF ATTORNEYS ČEDO PRODANOVIĆ AND JADRANKA SLOKOVIĆ**

On 29 June 2007, the Appeals Chamber dismissed an interlocutory appeal by Ivan Čermak against the Trial Chamber decision confirming the existence of a conflict of interest and ordering the accused to find a new Defence team.

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**DELIĆ Case**

*Trial Chamber I – Judges Moloto (Presiding), Harhoff and Lattanzi*

**DECISION ON PROSECUTION MOTION FOR SUSPENSION OF THE COMMENCEMENT OF TRIAL AND ALL RELATED PROCEEDINGS**

On 5 July 2007, pursuant to Articles 20 and 21 of the Statute and Rule 54 of the Rules, the Trial Chamber denied the Prosecution motion for suspension of the commencement of trial and all related proceedings.

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**COURTROOM SCHEDULE: 9 JULY – 13 JULY 2007\***

**MONDAY 9 JULY**

Courtroom I 14:15 – 19:00, **Delić**, Trial  
Courtroom II 09:00 – 13:45, **D.Milošević**, Trial  
15:00 – 16:00, **Limaj et al.**, Status Conference  
Courtroom III 09:00 – 13:45, **Popović et al.**, Trial

**TUESDAY 10 JULY**

Courtroom I 14:15 – 17:45, **Halilović**, Appeal hearing  
Courtroom II 09:00 – 13:45, **D.Milošević**, Trial  
14:15 – 19:00, **Delić**, Trial  
Courtroom III 09:00 – 13:45, **Popović et al.**, Trial  
14:15 – 19:00, **Prlić et al.**, Trial

**WEDNESDAY 11 JULY**

Courtroom I 14:15 – 17:00, **Halilović**, Appeal hearing  
Courtroom II 09:00 – 13:45, **D.Milošević**, Trial  
14:15 – 19:00, **Delić**, Trial  
Courtroom III 09:00 – 13:45, **Popović et al.**, Trial  
14:15 – 19:00, **Prlić et al.**, Trial

**THURSDAY 12 JULY**

Courtroom I 09:00 – 13:45, **Boškoski&Tarčulovski**, Trial  
14:15 – 16:00, **Delić**, Trial  
Courtroom II 09:00 – 13:45, **D.Milošević**, Trial

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Courtroom III 09:00 – 13:45, **Popović et al.**, Trial  
14:15 – 16:15, **Prlić et al.**, Trial

**FRIDAY 13 JULY**

Courtroom I 09:00 – 13:45, **Boškoski&Tarčulovski**, Trial  
14:15 – 19:00, **Delić**, Trial  
Courtroom II 09:00 – 17:00, **D.Milošević**, 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).

LATEST PRESS RELEASES

Date	Number	Title	E	F	B/C/S
17/06/2007	1164	VLASTIMIR ĐORĐEVIĆ IN TRIBUNAL CUSTODY	E		B/C/S
18/06/2007	1165	PRESIDENT POCAR'S ADDRESS BEFORE SECURITY COUNCIL	E		B/C/S
18/06/2007	1166	PROSECUTOR DEL PONTE'S ADDRESS BEFORE THE SECURITY COUNCIL	E		B/C/S
20/06/2007	1167	JUDGE MERON HONOURED WITH FRENCH LEGION OF HONOUR	E		B/C/S
22/06/2007	1168	PROVISIONAL RELEASE GRANTED TO NINE ACCUSED	E		B/C/S
28/06/2007	1169	ADDRESS OF CARLA DEL PONTE, CHIEF PROSECUTOR, AT THE PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE	E		B/C/S
02/07/2007	1170	SERBIAN STUDENTS BEGIN INTERNSHIP	E		B/C/S
02/07/2007	1171	<i>AD LITEM</i> JUDGE LATTANZI SWORN IN	E		B/C/S
03/07/2007	1172	CARLA DEL PONTE, CHIEF PROSECUTOR, IN BRUSSELS	E		B/C/S
05/07/2007	1173	TEMPORARY PROVISIONAL RELEASE GRANTED FOR DRAGOLJUB OJDANIĆ	E		B/C/S

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