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International
Criminal Tribunal
for the former
Yugoslavia

Tribunal Pénal
International pour
l'ex-Yougoslavie

ICTY WEEKLY UPDATE-65

12 February 1999

LAST MINUTE NEWS

KORDIC & CERKEZ CASE:

RULING ON DEFENCE MOTION POSTPONED

On 11 February 1999, Trial Chamber III ordered that consideration of Defendant Dario Kordic' motion of 22 January 1999 to suppress evidence (see Update nr. 63) "*is postponed until such time as any of the material seized by the Prosecution (...) is sought to be admitted to the Trial Chamber as evidence*".

JOINT DEFENCE MOTION FOR RELEASE

On 8 February 1999, Defendants in this case requested the Trial Chamber "*to release [them] from detention pending and during their trial*", asserting that "*Rule 65 of the Tribunal's Rules of Procedure and Evidence, violates settled principles of international law generally and the Tribunal's Statute specifically.*"

ORDERS FOR THE DISCLOSURE OF DOCUMENTS

On 4 February 1999, Trial Chamber III issued two orders to the Federation of Bosnia and Herzegovina, and to the Republic of Croatia, respectively, requiring them "*to disclose to the Prosecution the documents listed in the confidential Annex*".

"SIMIC & OTHERS" (Bosanski Samac) CASE:

DEFENDANT TODOROVIC FILES MOTIONS

On 10 February 1999, the Defence for Stevan Todorovic filed 10 motions. One motion concerned a request for an "*evidentiary hearing on arrest, detention and removal of Defendant Stevan Todorovic and for extension of time to move to dismiss indictment*". In five motions the Defence requested the Trial Chamber to issue orders, respectively, "*severing defendants and counts*", and "*suppressing/excluding from trial any statement attributed to the Defendant Stevan Todorovic*" and "*any out-of-court identification or anticipated in court identification by a witness, of the defendant*". The Trial Chamber was furthermore requested to issue orders "*striking testimony and excluding from admission the testimony and statements of various witnesses, pursuant to Rule 95*", and "*directing that a preliminary evidentiary hearing be had as to the facts and circumstances of civil unrest and strife in and about the vicinity of Bosanski Samac during the period 1992-1993*".

In the four other motions, the Trial Chamber was requested to compel the Prosecution to produce, respectively, "*discovery and exculpatory information*", and "*all prior statements made by a witness [and] (...) any and all drawings and handwritten notes made by perspective witnesses during their interviews*". The Trial Chamber was furthermore requested to order the Prosecution "*to elect its theory of prosecution or alternatively to dismiss the indictment*" and "*to serve upon the defendant responses to [its] demand for a Bill of Particulars.*"

PROSECUTION SUBMITS MOTION FOR JUDICIAL NOTICE

On 10 February 1999, the Prosecution submitted a motion requesting the Trial Chamber to take "*judicial notice of facts of common knowledge and adjudicated facts*".

RADIC & OTHERS (Omarska/Keraterm) CASE:

DEFENCE GRANTED LEAVE TO REPLY TO PROSECUTOR'S REPLY

On 10 February 1999, Judge Bennouna granted the Defence for Mlado Radic leave to file, by Friday 19 February 1999, "*a written response to the Prosecutor's Reply to Defence's Preliminary Motion*" (See Update nr. 62).

PROSECUTOR'S REPLY TO THE PRELIMINARY MOTION BY MIROSLAV KVOCKA

On 8 February 1999, the Prosecution filed its reply to Miroslav Kvocka's Preliminary Motion of 19 January 1999 (see Update nr. 63).

CELEBICI CASE:

MOTION TO SEVER THE APPEAL OF ZEJNIL DELALIC

On 10 February 1999, the Defence for Zejnil Delalic filed a motion requesting the Appeals Chamber to sever the Delalic appeal from the other Celebici Defendants, conditional to whether the Chamber "*is willing and able to accelerate the final disposition of the Delalic appeal ahead of that of the other Celebici defendants.*"

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

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KUNARAC CASE:

PROSECUTOR SUBMITS PRE-TRIAL BRIEF

On 8 February 1999, the Prosecution in this case submitted its pre-trial brief, “*which sets forth details of the prosecution’s case and addresses the factual and legal issues involved.*”

On the same date, the Prosecution also submitted a number of matters which are not in dispute between the parties.

KRSTIC CASE:

DEFENCE REQUEST FOR THE POSTPONEMENT OF TERM FOR PRELIMINARY MOTIONS

On 6 February 1999, the Defence for Radislav Krstic filed with the Registry an application to “*postpone the term for the submission of preliminary motions, and that such term start to be counted from the date of making available to the Defence the complete supporting material and statements as set out in Rule 66(A)(i).*”

COURTROOM SCHEDULE: MONDAY 15 FEBRUARY TO FRIDAY 19 FEBRUARY 1999*

	Monday	Tuesday	Wednesday	Thursday	Friday
Courtroom I	No proceedings	10.00, TC I Blaskic Trial	No proceedings	10.00, TC I Blaskic Trial	9.45-13.30, TC I Blaskic Trial
	14.00-18.00, TC I Blaskic Trial	14.30, TC I Blaskic Trial	14.00-18.00, TC I Blaskic Trial	14.30, TC I Blaskic Trial	No proceedings
Courtroom III	9.00-13.30, TC II Kupreskic Trial	9.00-13.30, TC II Kupreskic Trial	9.00-13.30, TC II Kupreskic Trial	No proceedings	No proceedings
	No proceedings	14.00-18.00, TC III Kordic/Cerkez Motion hearing	No proceedings	No proceedings	No proceedings

*The courtroom schedule is provisional and you are invited to check for last minute changes with the Public Information Unit. Unless otherwise indicated, the session is open.

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](#)