



3 September 1999

ICTY WEEKLY UPDATE – 91

PROCEDURAL DEVELOPMENTS: 30 JULY – 3 AUGUST

I. OVERVIEW OF COURT PROCEEDINGS

TADIĆ CASE

Appeals Chamber – Judges Shahabuddeen (Presiding), Cassese, Hunt, Nieto-Navia and Mumba

On Monday 30 August 1999, the Appeals Chamber heard oral arguments on the appropriate forum for sentencing the accused on the addition counts on which he was found guilty (see Update No. 90 of 27 August). The Appeals Chamber is currently deliberating.

Then, as earlier decided, the Appeals Chamber (with Judge Hunt replacing Judge Wang due to illness) resumed the contempt of court proceedings against Tadić's former Counsel, Milan Vujin. Five witnesses called by the Appeals Chamber were heard, partially in open sessions and partially in sessions closed to the public.

JELISIĆ CASE

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

As scheduled, on Monday 30 August, Trial Chamber I resumed the trial of the Accused, Goran Jelisić on one count of genocide. Following the dismissal of a Defence Motion for adjournment, the Judges heard four Prosecution witnesses.

TALIĆ CASE

Trial Chamber II – Judge Hunt

During his initial appearance on Tuesday 31 August 1999, the accused Momir Talić pleaded not guilty to all the charges in the indictment against him (see Press Release No. 432).

II. OVERVIEW OF COURT DOCUMENTS

FURUNDŽIJA CASE

LEAVE TO AMEND THE APPELLATE BRIEF

On 2 September 1999, the Appeals Chamber (Judges Shahabuddeen (Presiding), Vohrah, Wang, Nieto-Navia and Robinson) granted a Defence motion to amend the Appellate Brief. The Amended Appellate Brief is now due by 13 September, with the Prosecution responding by 27 September and the Appellant replying by 12 October.

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

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KUPREŠKIĆ & OTHERS CASE / KORDIĆ & ČERKEZ CASE

REQUEST FOR REVIEW OF THE REGISTRAR'S DECISION TO WITHDRAW ASSIGNED COUNSEL

On 1 September 1999, Defendant Mario Čerkez filed a Motion for the review of the Decision of the Registrar to withdraw the assignment of his Counsel (see Press release No.428). With Mario Čerkez's request, all seven accused whom Defence Counsel's assignments were terminated have now filed for a review of the Registrar's Decision.

SIMIĆ & OTHERS CASE ("Bosanski Samac")

SIMO ZARIĆ'S MOTION FOR A SEPARATE TRIAL

Following the Prosecution's Response to his request for a separate trial, Simo Zarić's Defence Counsel filed on 1 September 1999 a Motion responding to "*the Prosecutor's allegations*" and supplementing "*his motion for a separate trial*".

STEVAN TODOROVIĆ'S MOTION FOR A STAY OF TRIAL

On 27 August 1999, defendant Todorović filed a Motion for a "*stay of trial*" until the Appeals Chamber has ruled on his appeal on the alleged illegality of his arrest ("*criminal abduction from the territory of the Federal Republic of Yugoslavia*").

"FOČA" CASE

PROSECUTION MOTION FOR JOINING THE INDICTMENTS AGAINST DRAGOLJUB KUNARAC AND RADOMIR KOVAČ

Following the detention of Radomir Kovač on 2 August 1999 (see Press Release No 426), the Prosecutor filed on 30 August a Motion for leave to file an amended joint indictment against the accused and one of his co-accused, namely Dragoljub Kunarac.

The two defendants were initially charged with six other men in the "Foča" indictment confirmed on 26 June 1996 by Judge Vohrah. On 4 March 1998, Dragoljub Kunarac surrendered voluntarily to the Tribunal's jurisdiction and the specific charges against him were severed in an amended indictment issued on 19 August 1998. Now that his co-accused Kovač is arrested and placed in the custody of the Tribunal, the Prosecutor envisions the two Defendants to be tried jointly.

The Prosecutor's Motion aims at severing Kunarac and Kovač from their co-accused in the initial indictment and at being granted leave to file an amended Kunarac/Kovač indictment. In relation to the accused Kovac, initially charged with two counts of crimes against humanity for rape and enslavement, the Prosecutor seeks leave to add two counts of violations of the laws or customs of war for rape and outrages upon personal dignity. With regard to Dragoljub Kunarac, the Prosecutor seeks a minor alteration, namely the deletion of a reference to Additional Protocol II Art.4 of the Geneva Conventions.

COURTROOM SCHEDULE: 6 SEPTEMBER – 10 SEPTEMBER

	Monday	Tuesday	Wednesday	Thursday	Friday
Courtroom I	10.00, Appeals Ch. Tadic/Vujin R77 hearing	10.00, Appeals Ch. Tadic/Vujin R77 hearing	10.00, Appeals Ch. Tadic/Vujin R77 hearing	10.00, Appeals Ch. Tadic/Vujin R77 hearing	10.00, Appeals Ch. Tadic/Vujin R77 hearing
	14.30, Appeals Ch. Tadic/Vujin R77 hearing	14.30 Appeals Ch. Tadic/Vujin R77 hearing	14.30 Appeals Ch. Tadic/Vujin R77 hearing	14.30 Appeals Ch. Tadic/Vujin R77 hearing	14.30 Appeals Ch. Tadic/Vujin R77 hearing
Courtroom III	No proceedings	10.00, TCI Jelusic Trial	No Proceedings	10.00, TCI Jelusic Trial	9.00-13.30, TCI Jelusic Trial
	14.00-18.00, TCI Jelusic Trial	14.30, TCI Jelusic Trial	14.00-18.00, TCI Jelusic Trial	14.30, TCI Jelusic Trial	No proceedings

*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.

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](#)