



24 September 1999

## ICTY WEEKLY UPDATE – 94 Updated Version

### PROCEDURAL DEVELOPMENTS: 20 – 24 SEPTEMBER

#### I. OVERVIEW OF COURT PROCEEDINGS

##### ***JELISIĆ CASE***

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

The Trial Chamber reconvened on Tuesday with Prosecution witness, Mr. Bernard O'Donnell, an investigator in the Office of the Prosecutor of ICTY.

Mr. O'Donnell testified regarding a total of nine interviews he conducted with Goran Jelisić at the Tribunal between 25 February 1998 and 24 July 1998. He completed his testimony on Wednesday.

This testimony completed the presentation of the Prosecution's case. The Trial Chamber will reconvene at a time to be set, to hear the Defence case.

##### ***KORDIĆ & ČERKEZ CASE***

*Trial Chamber III – Judges May (Presiding), Bennouna and Robinson*

The Trial Chamber reconvened on Monday with the testimony of Witness N, a member of the coordinating board for the protection of the interests of Muslims. The witness gave evidence regarding meetings where Anto Valenta, Mario Čerkez and Pero Skopljak were present and press conferences attended by, amongst others, Dario Kordić. The afternoon hearing took place in closed session.

The hearing began in closed session on Tuesday, after which the Trial Chamber heard the examination-in-chief of protected Prosecution witness P.

Witness P gave evidence that after the 1990 elections and until June 1992, when the HVO attacked certain institutions within the city of Novi Travnik, the working relations between the Croats and Muslims within the municipal institutions in Novi Travnik were good. However, after this time, the Muslim authorities of the municipality received instructions from the HVO, according to which they were to subordinate themselves to the Herceg-Bosna authorities. The witness gave evidence regarding the ensuing negotiations between the two authorities.

Witness P went on to testify regarding the situation for Muslims in Novi Travnik in early 1993, particularly that there were two distinct areas in the city, one under the control of the HVO and another area where the Muslims lived. The latter were subject to mistreatment, evictions, persecution and killings in that period. His cross-examination by the Defence concluded on Wednesday.

*(For technical reasons, the redaction could not include the summary of the proceedings held on Thursday and Friday. They will be covered in next week's issue).*

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## II. OVERVIEW OF COURT DOCUMENTS

### TADIĆ CASE

#### **SENTENCING HEARING SCHEDULED FOR ADDITIONAL COUNTS**

On 16 September 1999, the Trial Chamber (composed, as announced last week, of Judges Kirk McDonald (Presiding), Vohrah and Robinson), ordered that the parties file written briefs by 30 September 1999 identifying the relevant information and factors which may assist the Trial Chamber to determine an appropriate sentence for Duško Tadić in respect of the additional counts of which he was convicted by the Appeals Chamber on 15 July 1999 (see Press Release No. 419).

The Trial Chamber also ordered that a sentencing hearing in respect of the additional counts shall be held on 15 October 1999, commencing at 10 a.m.

### KOLUNDŽIJA CASE

#### **FURTHER INITIAL APPEARANCE ORDERED**

Noting that the indictment against Dragan Kolundžija has been amended by leave of the confirming Judge on 30 August to include new charges, on 17 September 1999, Trial Chamber III (Judges May (Presiding), Bennouna and Robinson) ordered that a further appearance of Kolundžija be held on 27 September 1999, commencing at 2 p.m.

### KORDIĆ & ČERKEZ CASE

#### **CROATIA GRANTED EXTENSION OF TIME TO COMPLY WITH BINDING ORDER**

On 21 September 1999, Trial Chamber III (Judges May (Presiding), Bennouna and Robinson) granted a motion filed by the Republic of Croatia on 17 September 1999 for an extension of time to comply with the Trial Chamber's order for the production of documents of 4 February 1999. This order was subsequently affirmed and reinstated by the Appeals Chamber on 9 September 1999 (see Update No. 92).

Considering that good cause was shown that an extension of time is reasonable, the Trial Chamber ordered that Croatia must now comply with the terms of the Binding Order by 18 October 1999.

### KUPREŠKIĆ & OTHERS CASE

#### **MIRJAN KUPREŠKIĆ AND ZORAN KUPREŠKIĆ SEEK LEAVE TO APPEAL**

On 23 September 1999, the President of the Tribunal, Judge Gabrielle Kirk McDonald assigned Judges Nieto-Navia, Bennouna and Robinson to the Bench of the Appeals Chamber for the purpose of deciding the Application for Leave to Appeal filed on 21 September by Mirjan Kupreskic and Zoran Kupreskic.

The accused seek leave to appeal against the Decision of Trial Chamber II of 13 September to deny their request for provisional release (see Update No.93).

### PRESS RELEASES ISSUED SINCE 9 SEPTEMBER

DATE	NUMBER	TITLE
23/09/99	436	MARIO CERKEZ RETURNS FROM PROVISIONAL RELEASE GRANTED BY TRIAL CHAMBER III

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## COURTROOM SCHEDULE: 27 SEPTEMBER – 1 OCTOBER\*

	<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
<b>Courtroom I</b>	14.15-16.00, TC III <b>Kolundzija</b> Further app. followed by <b>Kvocka &amp; Kolundzija</b> Status Conf. & Joint Motion hearing	14.30 TC III <b>Kvocka &amp; Kolundzija</b> Status Conf. followed by <b>Kordic/Cerkez</b> Trial	14.30-16.15, TC III <b>Kordic/Cerkez</b> Trial	14.30-16.15, TC III <b>Kordic/Cerkez</b> Trial	
<b>Courtroom III</b>	9.00-13.30, TC II <b>Kupreskic</b> Trial	9.00-13.30, TC II <b>Kupreskic</b> Trial	9.00-13.30, TC II <b>Kupreskic</b> Trial	9.00-13.30, TC II <b>Kupreskic</b> Trial	9.00-13.30, TC II <b>Kupreskic</b> Trial

\*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](#)

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