



6 July 2001

ICTY WEEKLY UPDATE – 180

PROCEDURAL DEVELOPMENTS:

I. OVERVIEW OF COURT PROCEEDINGS:

MILOŠEVIĆ CASE (“Kosovo”)

Trial Chamber III – Judges May (Presiding), Robinson and Fassi Fihri

At the Initial appearance hearing of Slobodan Milošević, on Tuesday 3 July, the Trial Chamber entered a “not guilty” plea on behalf of the accused. The following day, Judge May was appointed pre-trial Judge in this case. A status conference has been scheduled to take place during the week commencing 27 August 2001.

KRNOJELAC CASE (“Foča – KP Dom Camp”)

Trial Chamber II – Judges Hunt (Presiding), Mumba and Liu

The Trial Chamber reconvened this week to hear the eighth week of the defence case-in-chief and the conclusion of the testimony of the accused, Milorad Krnojelac.

The Trial Chamber has now adjourned until 19 July 2001 when it is due to hear the parties’ closing arguments. The parties have been ordered to file their closing briefs by 13 July 2001.

SIKIRICA, DOŠEN & KOLUNDŽIJA CASE (“Keraterm Camp”)

Trial Chamber III – Judges Robinson (Presiding), May and Fassi Fihri

The Trial Chamber this week to hear the second week of the Sikirica defence case-in-chief.

On Monday 2 July, the Trial Chamber first ordered that the rebuttal and rejoinder cases will be heard from 19 September to 21 September 2001, closing briefs are to be filed by 26 September 2001 and the closing arguments are scheduled to be held on 4 and 5 October 2001. In addition, the Trial Chamber granted oral defence requests for a report from the commandant of the UN Detention Unit concerning the conduct and behaviour of the accused Duško Sikirica, Damir Došen and Dragan Kolundžija during their detention. (A written order confirming this decision was issued by the Trial Chamber the following day).

The Trial Chamber then heard the testimony of protected defence witness, DF, a character witness for Sikirica. The next witness, DG, a former detainee at the Omarska and Keraterm camps, testified about his arrest and detention on 31 May 1992. Witness DG told the court about the conditions at Keraterm and testified that he did not observe anybody being ill-treated by guards during his detention at Keraterm neither did he see or hear of Sikirica.

The next witness, DH, testified about visiting Keraterm in July 1992 to take food to a friend. The Trial Chamber then heard the testimony of Witness DI, a detainee at the Omarska camp from 26 May to 5 August 1992.

The Trial Chamber reconvened on Wednesday 4 July in closed session, going into open session in order to hear the testimony of witness DI. Witness DI testified that he served with the reserve police force assigned to the Prijedor II police station from April 1992 working with Sikirica. Witness DI told the court that Sikirica was assigned as deputy shift leader to Witness DI before being transferred to another duty.

JELISIĆ CASE (“Luka Camp”)

Appeals Chamber – Judges Shahabuddeen (Presiding), Vohrah, Nieto-Navia, Wald and Pocar

On Thursday 5 July the Appeals Chamber rendered its judgement affirming the sentence of 40 years’ imprisonment handed down by the Trial Chamber on 14 December 1999 (see *Press Release* 601).

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II. OVERVIEW OF COURT DOCUMENTS:

KUPREŠKIĆ & OTHERS CASE (“Lašva Valley”)

MOTION FOR PROVISIONAL RELEASE OF VLATKO KUPREŠKIĆ DENIED

On 29 June 2001, the Appeals Chamber (Judges Wald (Presiding), Vohrah, Nieto-Navia, Pocar and Liu) issued its decision on a confidential motion for provisional release, filed by Vlatko Kupreškić on 31 May 2001.

Considering that the Appellant’s appeal hearing has been set for 23 to 25 July 2001 and that “*a judgement on appeal is expected to be rendered shortly thereafter*”, the Appeals Chamber found that it is “*not satisfied that the Appellant has demonstrated that special circumstances exist to warrant his release pending appeal.*”

ORDER TO FILE PUBLIC VERSIONS OF BRIEFS AND SUPPLEMENTAL DOCUMENTS

On 3 July 2001, Judge Wald, the pre-appeal Judge, ordered that relevant parties to file public versions of each of the following documents no later than 17 July 2001:

- 1) Zoran Kupreškić:
 - a) “Motion of the Counsel of Zoran Kupreškić with which he Ammend[sic] the letter of Appeal based on the Court [sic] Acceptance of new proofs [sic]”, filed on 13 June 2001; and
 - b) “Appeal Reasons of Counsels [sic] of Zoran Kupreškić against the ICTY Verdict from 15.1.00 IT-95-16-T, filed on 3 July 2000”;
- 2) Mirjan Kupreškić:
 - a) Supplementary Brief by Mirjan Kupreškić, filed on 13 June 2001; and
 - b) “Defendant’s Appellate Brief”, filed on 3 July 2000
- 3) Drago Josipović’s appeal brief, filed on 3 July 2000;
- 4) The Motion of the Appellant Vladimir Šantić according to the Order of the Appeals Chamber dated 30 May 2001, filed on 12 June 2001;
- 5) Mirjan Kupreškić’s appeal brief and motion, filed on 5 September 2000.

MUCIĆ, DELIĆ & LANDŽO CASE (“Čelebići Camp”)

SCHEDULING ORDER ISSUED

On 29 June 2001, Trial Chamber III (Judges May (Presiding), Robinson and Fassi Fihri) denied Delić’s motion for a report on his behaviour and adjustments in confinement, filed on 22 June 2001 and rejected Delić’s offer of proof on re-sentencing, filed on 25 June 2001.

Restating that further evidence including reports or statements will not be admitted, the Trial Chamber ordered that in order to promote “*the efficient and expeditious conduct of the oral hearing scheduled for 27 July 2001, that each party will have up to 45 minutes to make oral submission at the hearing, the Prosecution going first.*”

KORDIĆ & ČERKEZ CASE (“Lašva Valley”)

DECISION ON SECOND MOTION TO EXTEND TIME FOR FILING APPELLANTS’ BRIEFS

On 2 July 2001, Judge Hunt, the pre-Appeal Judge, refused motions filed by Kordić and Čerkez on 21 and 25 June 2001 respectively, for a further delay in the filing of their Appellant briefs.

In reaching his decision, Judge Hunt held that “*it is inappropriate that both the Appeals Chamber and the prosecution should remain ignorant of the issues to be raised in appeals until and absolutely perfect Appellant’s Brief can be completed.*” The Appeal Briefs are due to be filed by 9 August 2001.

BLAŠKIĆ CASE (“Lašva Valley”)

DECISION ON APPELLANT’S MOTION REQUESTING ASSISTANCE OF THE APPEALS CHAMBER IN GAINING ACCESS TO NON-PUBLIC TRANSCRIPTS AND EXHIBITS

On 4 July 2001, the Appeals Chamber (Judges Vohrah (Presiding), Nieto-Navia, Wald, Pocar and Liu) issued its decision on Blaškić’s motion, dated 28 December 2000, requesting the assistance of the Appeals Chamber in gaining access to non-public transcripts and exhibits.

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Considering that the “*Appeals Chamber is not the proper forum to deal with requests with respect to protective measures ordered by other Chamber*”, the Appeals Chamber invited the Registrar to transfer the motion to the President of the Tribunal.

A comprehensive summary of the status of all cases currently before the Tribunal can be found on the Tribunal’s web site: <http://www.un.org/icty/glance/casestatus.htm>

COURTROOM SCHEDULE: 9 JULY – 13 JULY*

MONDAY 9 JULY

Courtroom III 10:00, Kupreškić et al., Status Conference

TUESDAY 10 JULY

Courtroom I 14:30, Krajisnik/Plavšić, Status Conference

WEDNESDAY 11 JULY

Plenary

THURSDAY 12 JULY

Plenary

FRIDAY 13 JULY

Plenary

*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.

Public proceedings are also broadcast with a 30 minute delay on the ICTY’s web site:

<http://www.un.org/icty/schedule/week-e.htm> (in English);

<http://www.un.org/icty/bhs/week-b.htm> (na bosanskom/hrvatskom/srpskom).

PRESS RELEASES ISSUED SINCE 29 JUNE:

DATE	NO.	TITLE	E	F	A	B/C/S
29/06/2001	598	STATEMENT OF THE PROSECUTOR, CARLA DEL PONTE	E	F	A	B/C/S
03/07/2001	599	THE APPEALS CHAMBER WILL DELIVER ITS JUDGEMENT ON 5 JULY 2001 IN THE JELISIC CASE	E	F	A	B/C/S
04/07/2001	600	REPUBLIKA SRPSKA PRIME MINISTER, MR. MLADEN IVANIĆ TO VISIT THE TRIBUNAL	E		A	B/C/S
05/07/2001	601	JELISIC JUDGEMENT	E	F	A	B/C/S

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