



9 June 2000

ICTY WEEKLY UPDATE – 129

Update 130 will be issued on 23 June 2000

PROCEDURAL DEVELOPMENTS:

I. OVERVIEW OF COURT PROCEEDINGS

KVOČKA, KOS, RADIĆ, ŽIGIĆ & PRCAČ CASE (“OMARSKA & KERATERM CAMPS”)

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

Having adjourned on Friday 19 May, the Trial Chamber reconvened on Monday 5 June entering its fifth week of hearings.

The first Prosecution witness to be called this week, Mr. Mirsad Alisić, testified that he was taken to the Omarska camp on 30 May 1992. Mr. Alisić told the court that he, and the other detainees, were beaten in a manner he described as an “ordinary” occurrence, that is when the detainees went to lunch or went out to use the lavatory and also “special” beatings when they were individually singled out and taken out to be beaten. Mr. Alisić was transferred to the Trnopolje camp on 28 July 1992 where he was detained for two days before being helped to escape by a Serb Soldier who added his name to the list of dead detainees. Mr. Alisić told the court that he was able to leave Bosnia on 17 November 1992 by handing over all his possession to the Serbs.

The next witness, Mr. Jasmir Okić, testified that he was taken to the Omarska camp on 30 May 1992, subsequently being transferred to the Trnopolje camp on 6 August 1992.

Mr. Okić told the court that he was released from Trnopolje on 14 August 1992 on the condition that he produce a certificate leaving all his property to the Republika Srpska. Mr. Okić left Bosnia on the 12 January 1993. His testimony concluded on Tuesday 6 June.

The Trial Chamber then heard the testimony of a protected Prosecution witness in closed session.

After the conclusion of the testimony of the protected Prosecution witness on Wednesday 7 June, the Prosecution called Mr. Edin Mrkalj.

Mr. Mrkalj, who worked in the Prijedor police station until April 1992, testified that, on 31 May 1992, he was given an order to turn in his police weapons to the Prijedor police station the next day. When he surrendered the weapons he was held in the police department overnight and taken to the Omarska camp the following day. He was detained at Omarska until the camp was disbanded in August 1992 and was then taken to Manjača where he was held until that camp was disbanded. Mr. Mrkalj's testimony continued on Friday 9 June.

GALIĆ CASE (“SARAJEVO”)

Trial Chamber I – Judges Rodrigues (Presiding) and Wald

On Thursday 8 June, the Trial Chamber, sitting in the absence of Judge Riad who was hearing the appeal submissions in the Delalić, Mucić, Delić and Landžo case, held a hearing on the defence motion for provisional release, filed on 7 April 2000, followed by a status conference.

KORDIĆ & ČERKEZ CASE (“LAŠVA VALLEY”)

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

The Trial Chamber reconvened this week continuing to hear Kordić's defence case-in-chief.

The Trial Chamber began the week's hearings on Monday 5 June in closed session with the testimony of a protected Defence witness.

On Tuesday 6 June the Trial Chamber heard the testimony of Mr. Zoran Perković.

Mr. Perković told the court that he was appointed as Deputy Minister for Administration in the government of Bosnia and Herzegovina in 1990. In 1992 he worked for the Department of Justice for the Croat Defense Council (HVO), working on legal matters drafting various legal regulations in the “HZ HB” and the “HR HB” during the remainder of the war and became Deputy Minister of Justice and Administration for Bosnia-Herzegovina in Sarajevo in 1996.

Mr. Perković testified about the functioning of the civil government of the Republic of Bosnia-Herzegovina, the banks and the monetary institutions, the nature of the “HZ HB”, the HVO and the “HR HB”, the application of international humanitarian law in the territory covered by the “HZ HB” and “HR HB” and the organisation of the military justice system.

His testimony concluded on Wednesday 7 June.

DELALIĆ, MUCIĆ, DELIĆ & LANDŽO CASE (“ČELEBIĆI CAMP”)

Appeals Chamber -Judges Hunt (Presiding), Riad, Nieto-Navia, Bennouna and Pocar

From Monday 5 to Thursday 8 June, the Appeals Chamber heard oral submissions on the parties’ appeal briefs. The Appeals Chamber has now adjourned to consider its judgement which will be issued in due course.

II. OVERVIEW OF COURT DOCUMENTS

SIMIĆ & OTHERS CASE (“BOSANSKI ŠAMAC”)

DECISION ON TODOROVIĆ’S REQUEST FOR ASSISTANCE IN SECURING DOCUMENTS AND WITNESSES FROM THE ICRC

On 7 June 2000, Trial Chamber III (Judges Robinson (Presiding), Hunt and Bennouna) denied Todorović’s motion for an order requesting judicial assistance in securing documents and witnesses from the International Committee of the Red Cross (ICRC), filed on 23 September 1999.

On 28 February 2000, the Trial Chamber had directed that Todorović be provided with access, on a confidential basis, to material which the ICRC had put before the Trial Chamber when it had argued against a prosecution motion, filed on 10 February 1999, which sought a ruling from the Trial Chamber as to whether a former ICRC employee could be called to give evidence of facts that came to his knowledge by virtue of his employment. The Trial Chamber denied the motion on 27 July 1999 (see Press Release 439).

In his motion Todorović asserted that the ICRC took the position that its reports are “*confidential and privileged and not available*” and therefore requested the Trial Chamber to repeat the request on his behalf.

In reaching its decision, the Trial Chamber considered that “*the ICRC has the right under the Geneva Conventions and Additional Protocols to insist upon non-disclosure in judicial proceedings of information relating to the work of the ICRC in the possession of an ICRC employee and, further, that the ICRC has a right under customary international law to non-disclosure of certain information*”.

The Trial Chamber also considered that it was not satisfied that either the findings of the decision of 27 July 1999 are wrong, or that the material the defence sought was of so different in nature to that at issue in the decision that it should be distinguished.

COURTROOM SCHEDULE: 12 JUNE – 23 JUNE *

MONDAY 12 JUNE

U.N. Holiday

TUESDAY 13 JUNE

Courtroom I 09:30, **Kunarac/Kovac/Vukovic**, Trial
14:30, **Kunarac/Kovac/Vukovic**, Trial
Courtroom III 09:30, **Kvočka et al./Prcac**, Trial

WEDNESDAY 14 JUNE

Courtroom I 09:30, **Kunarac/Kovac/Vukovic**, Trial
14:30, **Kunarac/Kovac/Vukovic**, Trial
Courtroom III 09:30, **Kvočka et al./Prcac**, Trial

THURSDAY 15 JUNE

Courtroom I 09:30, **Kunarac/Kovac/Vukovic**, Trial
14:30, **Kunarac/Kovac/Vukovic**, Trial

MONDAY 19 JUNE

Courtroom I 09:30, **Krstic**, Trial
Courtroom III 09:30, **Kunarac/Kovac/Vukovic**, Trial
14:30, **Kunarac/Kovac/Vukovic**, Trial

TUESDAY 20 JUNE

Courtroom I 09:30, **Krstic**, Trial
Courtroom II 09:30, **Kordic/Cerkez**, Trial
14:30, **Kordic/Cerkez**, Trial
Courtroom III 09:30, **Kunarac/Kovac/Vukovic**, Trial
14:30, **Kunarac/Kovac/Vukovic**, Trial

WEDNESDAY 21 JUNE

Courtroom I 09:30, **Krstic**, Trial
Courtroom II 09:30, **Kordic/Cerkez**, Trial
14:30, **Kordic/Cerkez**, Trial
Courtroom III 09:30, **Kunarac/Kovac/Vukovic**, Trial
14:30, **Kunarac/Kovac/Vukovic**, Trial

THURSDAY 22 JUNE

Courtroom I 09:30, **Krstic**, Trial
Courtroom II 09:30, **Kordic/Cerkez**, Trial
14:30, **Kordic/Cerkez**, Trial
Courtroom III 09:30, **Kunarac/Kovac/Vukovic**, Trial
14:30, **Kunarac/Kovac/Vukovic**, Trial

FRIDAY 23 JUNE

Courtroom I 09:30, **Krstic**, Trial
Courtroom II 09:30, **Kordic/Cerkez**, Trial
09.30, **Todorovic**, motion hearing (*Courtroom to be confirmed*)

Coverage of the proceedings in Courtroom II will be broadcast in the viewing area in the lobby.

*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.

PRESS RELEASES ISSUED SINCE 29 MAY

DATE	NUMBER	TITLE	E	F	B/C/S
6/6/2000	507	VISIT BY MRS. HERTA DÄUBLER- GMELIN, MINISTER OF JUSTICE OF THE FEDERAL REPUBLIC OF GERMANY TO THE ICTY	E		B/C/S
7/6/2000	508	SIMIĆ DEPARTS THE HAGUE ON PROVISIONAL RELEASE	E		B/C/S
7/6/2000	509	CROATIAN JUSTICE MINISTER VISITS THE INTERNATIONAL TRIBUNAL	E		B/C/S

For the latest list of all court filings, please visit the [ICTY Court Records](#)

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