



30 JULY 1999

ICTY WEEKLY UPDATE – 88

PROCEDURAL DEVELOPMENTS: 26 - 30 JULY

I. OVERVIEW OF COURT PROCEEDINGS

BLAŠKIĆ CASE

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

This week the Trial Chamber heard the closing arguments of the Prosecution and the Defence. The court has now adjourned to deliberate its Judgement.

KORDIĆ & ČERKEZ CASE

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

This week the Trial Chamber continued to hear the testimony of witnesses called by the Prosecution.

The court reconvened on Monday with the testimony of Stjepan Kljuić, former President of the HZ HB. Mr Kljuić gave evidence regarding the discussions of the division of Bosnia and Herzegovina and his subsequent removal from office in February 1992.

On Tuesday, the Trial Chamber heard the testimony of Major Alistair Rule who testified regarding the situation in Bosnia during the time he was stationed with the British Armed Forces in Bosnia, namely, between October 1992 and January 1993.

David Pinder-Koehn gave evidence on Wednesday. As the Head of UNPROFOR Public Affairs based in Bosnia between October 1992 and March 1993, Major Pinder testified regarding press conferences and meetings attended by Kordić.

On Thursday, and continuing on Friday, the Trial Chamber heard the evidence of Colonel Bryan Watters regarding the strategic goals of the ABiH and HVO between February and May 1993.

SIMIĆ & OTHERS CASE

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

Further to a scheduling order issued by the Trial Chamber on 20 July 1999. On Friday, the court convened for a closed session status conference.

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Public Information Services, Legal Unit

Churchillplein 1, 2517 JW The Hague. P.O. Box 13888, 2501 EW The Hague, Netherlands
Tel.: +31 70 416-8750; or 416-5024 Fax: +31 70 416 5355 or 416-8668

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II. OVERVIEW OF COURT DOCUMENTS

KORDIĆ & ČERKEZ CASE

APPEALS CHAMBER ASSIGNED AND SCHEDULING ORDER ISSUED

On 26 July 1999, the President of the Tribunal, Judge Gabrielle Kirk McDonald, assigned Judges Kirk McDonald (Presiding), Vohrah and Wang to a Bench of the Appeals Chamber for the purpose of deciding on Kordić's application for leave to pursue an interlocutory appeal of the Trial Chamber's Decision in which it rejected the Defence Motion to suppress evidence, filed on 2 July 1999 (see Update No. 84).

Subsequently, on 26 July 1999, the above mentioned Bench ordered that the Prosecution submit a written brief in response by 5 August 1999, the appellant may submit a written brief in reply within four days of the Prosecution filing its brief, and the Bench may thereafter decide on the application without further submissions from the parties.

DELALIĆ & OTHERS CASE

MUCIĆ FILES PARTICULARS OF GROUNDS OF APPEAL

On 26 July 1999, further to an order issued by the Appeals Chamber (Judges Hunt (Presiding), Riad, Wang, Nieto-Navia and Bennouna) on 19 July 1999 (see Update No. 87), Zdravko Mucić filed the particulars of his grounds of appeal.

Subsequently, on 29 July 1999, the Appeals Chamber granted Mucić's Motion to amend by substitution his appellant brief, filed on 15 July 1999, to include submissions in relation to his conviction upon Count 48 in the indictment.

DELALIĆ'S MOTION TO SEVER DISMISSED

Further to the Order of the Appeals Chamber of 15 June 1999 reserving its decision on Delalić's Motion to sever (see Update No. 82). On 29 July 1999, the Appeals Chamber dismissed the Motion, considering that the issue of command responsibility raised in the Prosecution's appeal against Delalić's acquittal is raised in two other appeals filed, and thus, severance would not expedite the Judgement in that appeal.

LANDŽO'S MOTION FOR EXTENSION OF TIME GRANTED

On 29 July 1999, the Appeals Chamber granted Landžo's Motion for extension of time in which to file his supplementary appellant brief, filed on 21 July 1999, on the ground that access to the videotapes at issue was not provided until 5 July 1999, notwithstanding the Appeals Chamber's order of 15 June 1999 (see Update No. 82).

The Appeals Chamber ordered that, viewing of the videotapes by Counsel is extended until 15 October 1999; Landžo shall file a notice providing details of dates and times of the passages of the videotapes on which he will rely and file his supplementary appellate brief by 15 October 1999; and the Prosecution shall file a reply by 21 October 1999.

FURUNDŽIJA CASE

ORDER EXTENDING BRIEFING SCHEDULE

Considering the Prosecution request for an extension of time in which to file the Respondent's appellant brief in the appeal against the Judgement rendered by Trial Chamber II (Judges Mumba (Presiding), Cassese and May) on 10 December 1998 (see Press Release JL/PIU/372-e), and considering that the Appellant Furundžija has not objected. On 26 July 1999, the Appeals Chamber (Judges Shahabudeen (Presiding), Vohrah, Wang, Nieto-Navia and Robinson) ordered that the

Cont.

Prosecution shall file its brief by 6 September 1999, and the Appellant may file his brief in reply by 21 September 1999.

TADIĆ CASE

SCHEDULING ORDER ISSUED

Noting that, in its Judgement filed on 15 July 1999 (see Press Release No. TH/PIS/419-e), the Appeals Chamber (Judges Shahabuddeen (Presiding), Cassese, Wang, Nieto-Navia and Mumba) deferred sentencing on the counts for which the Appellant was found guilty. On 27 July 1999, the Appeals Chamber ordered that the parties address the issue of whether the Appeals Chamber should remit the question of sentencing to a Trial Chamber, and, if so, which Trial Chamber, by 25 August 1999.

KUPREŠKIĆ & OTHERS CASE

MOTION OF VLATKO KUPREŠKIĆ FOR JUDGEMENT OF ACQUITTAL DENIED

On 28 July 1999, Trial Chamber II (Judges Cassese (Presiding), May and Mumba) denied the Motion for judgement of acquittal filed by Counsel for Vlatko Kupreškić on 23 July 1999.

The Trial Chamber held *inter alia* that the Prosecution has reserved its right to call rebuttal witnesses with regard to this accused, therefore there is no certainty that all the relevant evidence has been heard.

COURTROOM SCHEDULE: 2 - 6 JULY

	Monday	Tuesday	Wednesday	Thursday	Friday
Courtroom I	No proceedings	No proceedings	No proceedings	No proceedings	No proceedings
	No proceedings	No proceedings	No proceedings	No proceedings	No proceedings
Courtroom II	No proceedings	No proceedings	No proceedings	No proceedings	No proceedings
	No proceedings	No proceedings	No proceedings	No proceedings	No proceedings
Courtroom III	9.30-13.00, TC III Kordic/Cerkez Trial	9.30-13.00, TC III Kordic/Cerkez Trial	9.30-13.00, TC III Kordic/Cerkez Trial	9.30-13.00, TC III Kordic/Cerkez Status Conference	No proceedings
	14.30-16.15 TC III Kordic/Cerkez Trial	No proceedings	14.30-16.15, TC III Kordic/Cerkez Trial	14.30-16.15, TC III Kordic/Cerkez Status Conference	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.

PRESS RELEASES ISSUED SINCE 24 JULY

DATE	NUMBER	TITLE
24/07/99	422	STATEMENT ON BEHALF OF LOUISE ARBOUR, PROSECUTOR OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA
28/07/99	423	STATEMENT BY JUSTICE LOUISE ARBOUR PROSECUTOR OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA ON HER REQUEST TO THE PRESIDENT OF THE TRIBUNAL ASKING HER TO REPORT CROATIA'S NON-COOPERATION TO THE SECURITY COUNCIL
30/07/99	424	BELGIUM AN GERMANY SIGN AGREEMENTS WITH THE UNITED NATIONS TO PROVIDE EXPERTS TO ASSIST WITH THE KOSOVO INVESTIGATIONS CONDUCTED BY THE OFFICE OF THE PROSECUTOR

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

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