

II. INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

(a) ICTY List of Current Proceedings: Update*

1. BLAŠKIĆ

Indictment of 10 November 1995.¹

Decision of the President of 3 April 1996 on the Defence Motion Filed Pursuant to Rule 64.²

Decision of the President of 17 April 1996 on the Second Motion Seeking Modification to the Conditions of Detention of General Blaškić.³

Decision of Trial Chamber I of 24 April 1996 Rejecting a Request for Provisional Release.⁴

Decision of the President of 9 May 1996 on the Motion of the Defence Seeking Modification to the Conditions of Detention of General Blaškić.⁵

Decision of 2 October 1996 on Protection of Witnesses and Start of the Trial.⁶

Decision of Appeals Bench of 14 October 1996 on Application for Leave to Appeal (Protection of Victims and Witness).⁷

Decision of 5 November 1996 on the Application of the Prosecutor Requesting Protective Measures for Victims and Witnesses.⁸

Amended Indictment of 22 November 1996.⁹

Order of 20 December 1996 Denying Motion for Provisional Release.¹⁰

Decision of 9 January 1997 on the Motion of the Defence Seeking Modification of the Conditions of Detention of General Blaškić.¹¹

Decision of Trial Chamber I of 27 January 1997 on the Production of Discovery Materials.¹²

* This *List of Current Proceedings: Update* covers cases pending from 1 May 1998 onwards that merit attention because of a new procedural event. It describes the course of proceedings in these cases up to 1 September 1998.

1. Note that this indictment concerns Tihomir Blaškić.

2. ICTY, Press Release, 3 April 1996.

3. ICTY, Press Release, 22 April 1996.

4. ICTY, Bulletin, 21 June 1996.

5. *Id.*

6. ICTY, Bulletin, 17 October 1996.

7. *Id.*

8. ICTY, Bulletin, 15 November 1996.

9. ICTY, Bulletin, 18 December 1996.

10. ICTY, Bulletin, 27 January 1997.

11. *Id.*

- Order of 14 February 1997 to Croatia to Comply With a Subpoena.¹³
- Order of 14 February 1997 to Bosnia and Herzegovina to Comply With a Subpoena.¹⁴
- Order of a Judge of 20 February 1997 Suspending Subpoena *Duces Tecum* (addressed to the Republic of Croatia).¹⁵
- Order of a Judge of 20 February 1997 to Ensure Compliance With a Subpoena *Duces Tecum* (addressed to Bosnia and Herzegovina).¹⁶
- Order of a Judge of 24 February 1997 to Ensure Compliance With a Subpoena *Duces Tecum* (addressed to Bosnia and Herzegovina).¹⁷
- Order of a Judge of 28 February 1997 to Ensure Compliance With a Subpoena *Duces Tecum* (addressed to Bosnia and Herzegovina and to Mr Ante Jelavić).¹⁸
- Order of 7 March 1997 Regarding Subpoena *Duces Tecum* Addressed to the Office of the Prosecutor; Bosnia and Herzegovina, and to Mr Ante Jelavić; the Republic of Croatia, and to Mr. Gojko Šušak.¹⁹
- Order of 14 March 1997 Submitting the Matter to Trial Chamber II and Inviting *Amicus Curiae* Addressed to: the Office of the Prosecutor; Bosnia and Herzegovina, and to Mr Ante Jelavić; the Republic of Croatia, and to Mr Gojko Šušak.²⁰
- Decision of 18 March 1997 on Referral to a Judge of the Defence Motion for Issuance of a Subpoena *Duces Tecum*.²¹
- Order of 27 March 1997 Denying Application in Respect of the Issues Regarding Subpoena *Duces Tecum* Addressed to the Office of the Prosecutor; Bosnia and Herzegovina, and to Mr Ante Jelavić; the Republic of Croatia, and to Mr Gojko Šušak.²²
- Order of 1 April 1997 Inviting Defence to Participate on Hearing in Respect of the Issues Regarding Subpoena *Duces Tecum* Addressed to the Office of the Prosecutor; Bosnia and Herzegovina, and to Mr Ante Jelavić; the Republic of Croatia, and to Mr Gojko Šušak.²³

12. ICTY, Bulletin, 10 March 1997.

13. *Id.*

14. *Id.*

15. *Id.*

16. *Id.*

17. *Id.*

18. *Id.*

19. ICTY, Bulletin, 22 April 1997.

20. *Id.*

21. *Id.*

22. *Id.*

23. *Id.*

Decision of Trial Chamber I of 4 April 1997 Rejecting a Motion of the Defence to Dismiss Counts 4, 7, 10, 14, 16, and 18 Based on the Failure to Adequately Plead the Existence of an International Armed Conflict.²⁴

Decision of Trial Chamber I of 4 April 1997 on the Defence Motion to Strike Portions of the Amended Indictment Alleging "Failure to Punish" Liability.²⁵

Decision of Trial Chamber I of 4 April 1997 Rejecting the Defence Motion *in Limine* Regarding *Mens Rea* Required for Charges Alleging Command Responsibility and for Bills of Particulars.²⁶

Decision of Trial Chamber I of 4 April 1997 on the Defence Motion to Dismiss the Indictment Based Upon Defects in the Form Thereof (Vagueness/Lack of Adequate Notice of Charges).²⁷

Order of 8 April 1997 Concerning the Prosecutor's Request for Reinstatement of Subpoena *Duces Tecum*.²⁸

Orders of 1 and 12 May 1997 Regarding Subpoena *Duces Tecum* Addressed to the Office of the Prosecutor, and the Republic of Croatia and Objection of the Republic of Croatia in Respect of Procedures Used by the ICTY on the Issue of Subpoena *Duces Tecum*.²⁹

Decision of 23 May 1997 on the Defence Request for Enforcement of an Order of the Trial Chamber.³⁰

Scheduling Order, With Subpoena *Duces Tecum* of 30 April 1997, and Order to Give Evidence of 29 May 1997 on 27 May 1997.³¹

Order to Give Evidence of 29 May 1997.³²

Decision of 6 June 1997 on the Request of the Prosecutor of 12 and 14 May 1997 in Respect of the Protection of Witnesses.³³

Order of the President of 16 June 1997 Assigning a Judge to a Trial Chamber.³⁴

Decision of 18 July 1997 on the Request of the Objection of the Republic of Croatia to the Issuance of Subpoena *Duces Tecum*.³⁵

Decision of Appeals Chamber of 29 July 1997 on the Right to Appeal the Decision on the Objection of the Republic of Croatia to the Issuance of

24. *Id.*

25. *Id.*

26. *Id.*

27. *Id.*

28. *Id.*

29. ICTY Bulletin, 20 June 1997.

30. *Id.*

31. *Id.*

32. *Id.*

33. *Id.*

34. *Id.*

35. ICTY, Bulletin, 4 August 1997.

Subpoena *Duces Tecum* Rendered by Trial Chamber II on 18 July 1997.³⁶

Decision of Trial Chamber I of 25 August 1997 on the Defence Motion to Preclude Testimony of Certain Prosecution Witnesses.³⁷

Decision of Appeals Chamber of 29 October 1997 on the Appeal Lodged by Croatia Against the Decision on the Subpoena Issued to Croatia and its Defence Minister Rendered by Trial Chamber I on 18 July 1997.³⁸

Decision of Trial Chamber I of 21 January 1998 on the Defence Motion Objecting to the Admission of Hearsay Evidence.³⁹

Decision of Trial Chamber I of 6 May 1998 allowing the Prosecution's request to order additional protective measures for witnesses.⁴⁰

2. DOKMANOVIĆ

Indictment of 7 November 1995.⁴¹

Amended Indictment of 3 April 1996.⁴²

Order of the President of 1 July 1997 Assigning Judges of the Tribunal to a Trial Chamber.⁴³

Order of Trial Chamber II of 4 July 1997 for Detention on Remand.⁴⁴

Decision of Trial Chamber II of 27 August 1997 Regarding Defence Motion to Protect Witness.⁴⁵

Decision of Trial Chamber II of 22 September 1997 Concerning Preliminary Motions by the Defence.⁴⁶

Decision of Trial Chamber II of 22 October 1997 on the Motion for Release by the Accused.⁴⁷

Decision by the Appeals Chamber of 11 November 1997 on the Motion for Release of the Accused.⁴⁸

Order of Trial Chamber II of 15 July 1998 terminating the proceedings against Slavko Dokmanović.⁴⁹

36. ICTY, Press Release, 1 August 1997.

37. ICTY, Press Release, 3 September 1997.

38. ICTY, Press Release, 29 October 1997.

39. ICTY, Press Release, 23 January 1998.

40. ICTY, Bulletin, 27 July 1998.

41. Report of the ICTY of 18 September 1997, UN Doc. A/52/375 and UN Doc. S/1997/729, at 49.

42. [Http://www.un.org/icty/summary/vukovar.htm](http://www.un.org/icty/summary/vukovar.htm).

43. *Id.*

44. *Id.*

45. ICYY, Bulletin, 20 March 1998.

46. [Http://www.un.org/icty/summary/vukovar.htm](http://www.un.org/icty/summary/vukovar.htm).

47. ICTY, Bulletin, 20 March 1998.

48. ICTY, Press Release, 12 November 1997.

49. ICTY, Bulletin, 27 July 1998.

3. FURUNDŽIJA

Indictment of 10 November 1995.⁵⁰

Order of Trial Chamber II-*bis* of 13 March 1998 Granting Leave to the Prosecutor to Withdraw Count 12 of the Indictment.⁵¹

Decision of Trial Chamber II of 29 May 1998 on the Motion of the Defence Seeking the Dismissal of Counts 13 and 14 of the Indictment.⁵²

Order of Trial Chamber II of 12 June 1998 Allowing the Motion of the Defence to Disregard Evidence.⁵³

Order of Trial Chamber II of 14 July 1998 Ordering the Reopening of the Trial.⁵⁴

4. JELISIĆ

Indictment of 21 July 1995.⁵⁵

Amended Indictment of 12 May 1998.⁵⁶

Order of Trial Chamber I of 12 May 1998 Authorising the Prosecutor to Amend the Indictment (Jelisić).⁵⁷

5. KORDIĆ

Indictment of 2 November 1995.⁵⁸

Decision of Trial Chamber II of 21 May 1998 Denying the Application of the Accused Dario Kordić and Mario Čerkez for disqualification of Judges Jorda and Riad.⁵⁹

6. KOVAČEVIĆ

Indictment of 13 March 1997.⁶⁰

50. ICTY, Bulletin, 20 March 1998.

51. ICTY, Press Release, 27 May 1998.

52. *Id.*

53. *Id.*

54. ICTY, Press Release, 14 July 1998.

55. ICTY, Bulletin, 27 July 1998.

56. *Id.*

57. ICTY, Bulletin, 27 July 1998.

58. Report of the ICTY of 18 September 1997. UN Doc. A/S2/375 and UN Doc. S/1997/129, at 50.

59. *Id.*

60. ICTY, Bulletin, 27 July 1998.

- Decision by Trial Chamber II-*bis* of 16 January 1998 on the Defence Motion for Provisional Release of the Accused.⁶¹
- Decision of Trial Chamber II of 27 February 1998 on the Request of the Prosecution for Leave to Amend the Indictment.⁶²
- Decision of Trial Chamber II of 5 March 1998 on the Prosecutor's Motion to Amend the Indictment.⁶³
- Decision of Appeal Chamber of 29 May 1998 on the Prosecutor's Motion to Amend the Indictment.⁶⁴
- Amended Indictment of 23 June 1998.⁶⁵
- Decision of Trial Chamber II of 4 May 1998 on the Prosecutor's Motion for Joinder of Accused and Concurrent Presentation of Evidence (Kovačević).⁶⁶
- Order of Trial Chamber II of 8 June 1998 Re-scheduling Appearance of the Accused to Plead to New Charges in the Amended Indictment.⁶⁷
- Decision of Appeals Chamber of 2 July 1998 Granting Leave to the Prosecutor to Amend the Indictment by the Addition of Charges.⁶⁸

7. KUNARAC

- Indictment of 26 June 1996.⁶⁹
- Decision of Trial Chamber II of 13 March 1998 Entering a Not-guilty Plea on Behalf of the Defendant.⁷⁰
- Decision of Trial II of 18 June 1998 Appointing a Pre-trial Judge (Kunarac).⁷¹

8. KUPREŠKIĆ & OTHERS

- Confirmation of a Judge of 10 November 1995 of the Indictment.⁷²
- Decision of Trial Chamber II of 15 December 1997 on Motions for Provisional Release.⁷³

61. ICTY, Bulletin, 20 March 1998.

62. *Id.*

63. *Id.*

64. *Id.*

65. *Id.*

66. ICTY, Press Release, 15 May 1998.

67. ICTY, Press Release, 9 June 1998.

68. ICTY, Bulletin, 27 July 1998.

69. Report of the ICTY of 18 September 1997. UN Doc. A/52/375 and UN Doc. S/1997/729, at 51.

70. ICTY, Press Release, 13 March 1998.

71. ICTY, Press Release, 19 June 1998.

72. ICTY, Press Release, 27 June 1996. The indictment was not disclosed at the date of the confirmation of the indictment to safeguard the safety of the victims and witnesses. As their safety was now assured, the indictment was made public on 27 June 1997.

Decision by Trial Chamber II of 15 December 1997 on the Motions for Provisional Release Filed by the Six Accused.⁷⁴

Decision of Trial Chamber II of 10 March 1998 Granting Leave to the Prosecutor to Amend the Indictment.⁷⁵

Decision of Trial Chamber II of 15 May 1998 Dismissing Motions on the Form of the Indictment (Vlatko Kupreškić, Dragan Papić, Zoran Kupreškić, Vladimir Santić, Drago Jovipović, and Mirjan Kupreškić).⁷⁶

Decision of Trial Chamber II of 15 May 1998 Dismissing the Motions for Separate Trials (Vlatko Kupreškić and Zoran Kupreškić).⁷⁷

Decision of Trial Chamber II of 15 May 1998 Denying the Motion of the Defence for Provisional Release (Vlatko Kupreškić).⁷⁸

9. MEAKIĆ & OTHERS (OMARSKA CAMP)

Indictment of 13 February 1995.⁷⁹

Decision of a Judge of 5 May 1998 granting leave to the Prosecutor to Withdraw the Charges Against Zravko Goveradica, Gruban, Predrag Kostić, Nedeljko Paspalj, Milan Pavlić, Milutin Popović, Drazenko Predojević, Seljko Savić, Mirko Babić, Nikica Janjić and Dragomir Šaponja.⁸⁰

Order of Trial Chamber II of 1 May 1998 Rejecting the Prosecutor's Motion for Joinder of Accused in the Kovačević Case, the Meakić Case and the Sikirica Case.⁸¹

10. SIKIRICA AND OTHERS (KERATERM CAMP)

Indictment of 21 July 1995.⁸²

Decision by a Judge of 8 May 1998 Granting Leave to the Prosecutor to Withdraw the Charges Against Nikica Janjić, Dragan Kondić, Goran Lajić, Dragomir Šaponja, and Nedjeljko Timarac.⁸³

73. ICTY, Press Release, 17 December 1997.

74. ICTY, Press Release, 17 December 1997.

75. ICTY, Bulletin, 20 March 1998.

76. ICTY, Press Release, 18 May 1998.

77. *Id.*

78. *Id.*

79. Report of the ICTY of 18 September 1997. UN Doc. A/52/375 and UN Doc. S/1997/729, at 49.

80. ICTY, Bulletin, 27 July 1998.

81. *Id.*

82. Report of the ICTY of 18 September 1997. UN Doc. A/52/375 and UN Doc. S/1997/729, at 49.

83. *Id.*