

WEEKLY ACTIVITIES OF THE COURT OF BiH
Section I and II
(31 August 2009 – 4 September 2009)

MONDAY, 31 August 2009

Friday 28 August 2009¹

- The Court dispatched the final Verdict in the **Zijad Kurtović (X-KRŽ-06/299)** case. The Appellate Panel of the Section I for War Crimes of the Court deciding upon the appeals of the defense counsel for the accused and the Prosecutor's Office, refused as unfounded the appeal filed by the Prosecutor's Office while the appeal of the defense counsel for the accused Kurtović was partially granted and the first-instance Verdict was modified in terms of the legal assessment and qualification of the offence. In that regard the Court found the accused Zijad Kurtović guilty of the criminal offence of War Crimes against Civilians and the criminal offence of Destruction of Cultural and Historic Monuments of the Criminal Code of SFRY and imposed upon him a compound sentence of 11 years of imprisonment.
- The Court issued a Decision in the **Petar Čivčić and Another (X-KRN-09/772)** case ordering the suspects Petar Čivčić and Branko Topola into one-month custody. Pursuant to the Decision custody may last until 27 September 2009. Petar Čivčić and Branko Topola are suspected of the criminal offence of Crimes against Humanity.
- The Court confirmed the Indictment in the **Radovan Novaković and Another (X-K-08/614)** case, charging the accused Radovan Novaković and the legal entity "Profit" d.o.o. Modriča with the continued criminal offence of Tax Evasion.
- The Court issued a Decision in the **Željko Smoljan et al. (X-KRN 08/645)** case extending custody of Željko Smoljan, Aleksandar Todorović and Vesko Grubač to two months. Pursuant to the Decision custody may last until 28 October 2009. Željko Smoljan, Aleksandar Todorović and Vesko Grubač are suspected of the criminal offence of Organized crime in conjunction with the criminal offence of Illicit Trafficking in Narcotic Drugs.

Monday 31 August 2009

- The Court confirmed the Indictment in the **Đorđe Ždrale (X-K-08/540-1)** case, charging the accused Đorđe Ždrale with the criminal offence of First Degree Murder under Article 149, paragraph 1, subparagraphs 1, 2, 4 and paragraph 2 of the Criminal Code of Republika Srpska.

Case	Trial panel	Hearing
Section I Zoran Babić et al. X-KR-08/549	<i>Minka Kreho</i> <i>Marjan Pogačnik</i> <i>Željka Marenić</i>	Consideration of a plea agreement and the Prosecutor presented its material evidences
Section I Predrag Bastah et al. X-KR-05/122	<i>Zoran Božić</i> <i>Jasmina Kosović</i> <i>Mitja Kozamernik</i>	Continuation of trial Two Prosecutor's witnesses heard
Section I Marko Adamović et al. X-KR-05/119	<i>Jasmina Kosović</i> <i>Mitja Kozamernik</i> <i>Zoran Božić</i>	Continuation of trial postponed

Section I Ratko Bundalo et al. X-KR-07/419	<i>Staniša Gluhajić</i> <i>Mira Smajlović</i> <i>Carol Peralta</i>	Continuation of trial One Court's expert and one Defence witness heard
Section I Ljubo Tomić and Another X-KR-07/346	<i>Vesna Jesenković</i> <i>Staniša Gluhajić</i> <i>Šaban Maksumić</i>	Commencement of trial

TUESDAY, 1 September 2009

Case	Trial panel	Hearing
Section I Ljubo Tomić and Another X-KR-07/346	<i>Vesna Jesenković</i> <i>Staniša Gluhajić</i> <i>Šaban Maksumić</i>	Continuation of trial One Prosecutor's witness heard
Section I Ratko Bundalo et al. X-KR-07/419	<i>Staniša Gluhajić</i> <i>Mira Smajlović</i> <i>Carol Peralta</i>	Continuation of trial
Section I Momčilo Mandić X-KRŽ-05/58	<i>Dragomir Vukoje</i> <i>Azra Miletić</i> <i>Marie Tuma</i>	Hearing before the Appellate Panel

WEDNESDAY, 2 September 2009

Case	Trial panel	Hearing
Section II Paško Sušac et al. KPV-04/07	<i>Hasija Mašović</i> <i>Nenad Šešeda</i> <i>Izo Tankić</i>	Continuation of trial Defence presented its material evidences

THURSDAY, 3 September 2009

- At the plea hearing before the Section II for Organized Crime, Economic Crime and Corruption of the Court, in the **Agan Kadušić et al. (X-K-08/596-1)** case, the accused Agan Kadušić, Daver Morina, Abedin Vesnić and Ante Bašić pleaded not guilty. Plea hearing in relation to the accused Fuad Dizdarević, Zoran Bašić and Marinko Bašić has been postponed for 8 September 2009. Agan Kadušić, Zoran Bašić, Marinko Bašić and Daver Morina are charged with the criminal offence of Organized Crime in conjunction with the criminal offence of Smuggling of Persons while the accused Abedin Vesnić, Fuad Dizdarević and Ante Bašić are charged with the criminal offence of Smuggling of Persons.
- The Court reviewed justification of custody in the cases:
 - Ante Tomas and Another (X-K-08/566-1)** for the accused Ante Tomas and Mario Jukić;
 - Salih Alibašić et al. (X-K-07/436)** for the accused Salih Alibašić.
 The Court found that the reasons for custody still remain. The next review will be on 3 November 2009.
- The Court issued a decision in the **Milinko Čeranić et al. (X-KRN-07/351)** case ordering suspects: Bosiljka Erić, Lidija Stević, Bojo Tomić, Vojislav Zelenović, Marko Ikić, Slaviša Tekić and Rajko Katanović into one-month custody. Pursuant to the Decision, custody may last until 1 October 2009. Bosiljka Erić, Lidija Stević, Bojo Tomić and Vojislav Zelenović are suspected of

the criminal offense of Organized Crime in conjunction with the criminal offense of Abuse of Office or Official Authority while Marko Ikić, Slaviša Tekić and Rajko Katanović are suspected of the criminal offence of Organized crime in conjunction with the criminal offence of Incitement to Abuse of Office or Official Authority.

- The Court rendered a Decision in the **Bojan Cvijan et al. (X-KRN-09/707)** ordering into one-month custody Bojan Cvijan, Davor Mandić, Muhamed Ramić, Marko Krajišnik, Admir Hodžić, Vladan Parađina, Davor Dabić, Saša Vladičić, Vladimir Taušan, Dragan Jevtović, Marko Božičković, Ljubiša Lalović and Blaško Furtula, suspected of the criminal offence of Organized Crime in conjunction with the criminal offence of Illicit Trafficking in Narcotic Drugs. Pursuant to the Decision custody may last until 1 October 2009.

Case	Trial panel	Hearing
Section I Predrag Kujundžić X-KR-07/442	<i>Šaban Maksumić</i> <i>Marie Tuma</i> <i>Carol Peralta</i>	Continuation of trial Prosecution and Defence presented their material evidences
Section II Đorđe Ždrale X-K-08/540-1	<i>Ljubomir Kitić</i>	Hearing regarding Prosecutor's motion for extension of custody
Section II Agan Kadušić et al. X-K-08/596-1	<i>Senadin Begtašević</i>	Plea hearing
Section II Ante Tomas and Another X-K-08/566-1	<i>Nenad Šeleda</i> <i>Hasija Mašović</i> <i>Izo Tankić</i>	Continuation of trial Two Prosecutor's witness heard and Prosecutor presented its material evidences
Section II Milinko Čeranić et al. X-KRN-07/351	<i>Izo Tankić</i>	Hearing regarding Prosecutor's motion for order of custody
Section II Bojan Cvijan et al. X-KRN-09/707	<i>Hasija Mašović</i>	Hearing regarding Prosecutor's motion for order of custody

FRIDAY, 4 September 2009

- The Court issued a Decision in the **Đorđe Ždrale (X-K-08/540-1)** case extending custody of the accused Đorđe Ždrale. Pursuant to the Decision custody may last up to three years or until the Court renders a new Decision. The next review will be on 4 November 2009.

Case	Trial panel	Hearing
Section I Željko Ivanović X-KR-06/180-3	<i>Darko Samardžić</i> <i>Davorin Jukić</i> <i>Jasmina Kosović</i>	Continuation of trial
Section I Suad Kapić X-KRŽ-07/431	<i>Dragomir Vukoje</i> <i>Hilmo Vučinić</i> <i>John Fields</i>	Closing arguments
Section II Goran Bilić et al. X-K-07/383	<i>Hasija Mašović</i> <i>Davor Žilić</i> <i>Nenad Šeleda</i>	Continuation of trial Two Prosecutor's witnesses heard

Section II Sulejma Klopić X-K-05/64-1	<i>Vesna Jesenković</i> <i>Željka Marenić</i> <i>Senadin Begtašević</i>	Continuation of trial
Section II Aleksandar Matković et al. X-K-08/649-1	<i>Mira Smajlović</i>	Hearing postponed

NEXT WEEK

- Hearing before the Appellate Panel of the Section I for War Crimes of the Court in the **Petar Mitrović (X-KRŽ-05/24-1)** case, has been scheduled for Monday 7 September 2009, starting at 10:00a.m. in courtroom 5. On 29 July 2008 the Court delivered the first-instance Verdict by which Petar Mitrović was found guilty of the criminal offence of Genocide and sentenced to 38 years of long-term imprisonment.
- For Tuesday 8 September 2009 scheduled in the cases:
 - **Miloš Stupar et al. (Kravica) (X-KRŽ-05/24)** hearing before the Appellate Panel of the Section I for War Crimes, starting at 10:00a.m. in courtroom 6. On 29 July 2008 the Court delivered the first-instance Verdict by which Miloš Stupar, Milenko Trifunović, Brane Džinić, Aleksandar Radovanović, Slobodan Jakovljević and Branislav Medan were found guilty of the criminal offence of Genocide and sentenced as follows: accused Milenko Trifunović, Brane Džinić and Aleksandar Radovanović to 42 years of long-term imprisonment, accused Miloš Stupar, Slobodan Jakovljević and Branislav Medan to 40 years of long-term imprisonment while the accused Velibor Maksimović, Dragiša Živanović and Milovan Matić were acquitted of all charges.
 - **Edhem Bičakčić and Another (X-K-09/702)** commencement of trial, starting at 9:00a.m. in courtroom 3. Edhem Bičakčić and Dragan Čović are charged with the continued criminal offence of Abuse of Office or Official Authority under Article 358 (3) of the Criminal Code of the Federation of BiH.
 - **Agan Kadušić et al. (X-K-08/596-1)** plea hearing in relation to the accused Fuad Dizdarević, Zoran Bašić and Marinko Bašić, starting at 9:00a.m. in courtroom 7. Other accused in this case pleaded not guilty at the plea hearing held on 3 September 2009. Agan Kadušić, Zoran Bašić, Marinko Bašić and Daver Morina are charged with the criminal offence of Organized crime in conjunction with the criminal offence of Smuggling of Persons while the accused Abedin Vesnić, Fuad Dizdarević and Ante Bašić are charged with the criminal offence of Smuggling of Persons.
- Status conference before the Section I for War Crimes of the Court in the **Zoran Marić (X-KR-05/96-3)** case, has been scheduled for Wednesday 9 September 2009, starting at 8:45a.m. in courtroom 6. Zoran Marić is charged with the criminal offence of War Crimes against Civilians.
- Pronouncement of the Verdict before the Appellate Panel of the Section I for War Crimes of the Court in the **Suad Kapić (X-KRŽ-07/431)** case, has been scheduled for Friday 11 September 2009, starting at 1:00p.m. in courtroom 8. On 29 April 2008 the Court pronounced the first-instance Verdict by which the accused Suad Kapić was acquitted of charges that he committed criminal offence of War Crimes against Prisoners of War, and the Court also terminated previously imposed prohibitive measures upon the accused. On 2 October 2008 the Appellate Panel of the Section I for War Crimes of the Court issued a Decision by which the first-instance Verdict was revoked and a new trial before the Appellate Panel was ordered.

STATISTICS

WITNESS SUPPORT SECTION		
Section	No. of cases	No. of witnesses
War crimes	4	6
Organized crime, Economic crime and Corruption	0	0

Number of hearings held in courtrooms 1-8	34
Number of requests for AV materials (Public Information Section)	16

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¹ The weekly review of the Court's activities contains activities from previous week which were not contained in previous weekly review.