



## COMPLETION STRATEGY REPORTS

7 June 2012

## President Meron highlights period of 'great productivity'

The Tribunal's President, Judge Theodor Meron, addressed the United Nations Security Council to provide an update on the work and achievements of the Tribunal over the past six months.



President Meron reported on steps taken in the implementation of the Tribunal's Completion Strategy, the transition to the International Residual Mechanism for Criminal Tribunals and the positive impact of recent reforms on the pace of the Tribunal's work. President Meron also spoke of the challenges still faced by the Tribunal during the final years of its mandate, highlighting in particular the issue of staff attrition.

President Meron applauded the "exceptional efforts" of the Tribunal's judges and staff and the implementation of management reforms which together had ensured that "this reporting period has been one of great productivity on the part of the Tribunal, leading to substantial progress toward the completion of its mandate".

With regard to the Tribunal's current caseload, the President informed the Security Council that of the eight cases currently before the Trial Chamber, five are expected to be completed by December 2012.

The President also pointed to the "innovative measures" adopted by the Appeals Chamber to ensure the cases before it are completed as soon as possible, while fully protecting the rights of the accused.

Highlighting staff attrition as one of the principal challenges facing the Tribunal, the President informed the Security Council that delays in several ongoing cases could be directly attributed to this issue. President Meron emphasised the importance of ensuring that staff departures "do not place too onerous a burden on the remaining staff, whose extraordinary commitment, diligence, and talents are fundamental to the Tribunal's continuing success".

Updating the Security Council on progress in preparing for the transition to the Residual Mechanism, President Meron praised the "stellar work of all those involved in facilitating a seamless transition to and smooth commencement of the Mechanism".

In conclusion, President Meron observed that, by establishing the Residual Mechanism, the Security Council has helped to guarantee that "the closure of the two pioneering ad hoc tribunals does not open the way for impunity to reign once more". President Meron stressed that the establishment of the Residual Mechanism "is crucial to safeguarding the Tribunal's own invaluable legacy", and thanked the Security Council for ensuring that "the very best traditions of international criminal justice - which the Tribunal has helped to define for nearly two decades - live on".

The full text of [President Meron's speech](#) can be found on the ICTY website.

## Prosecutor Brammertz lauds progress in ongoing cases

In his address to the Security Council, the Prosecutor covered the status of trials and appeals, co-operation with States of the former Yugoslavia and the support provided by the Office of the Prosecutor (OTP) to national war crimes prosecutions.



The Prosecutor highlighted progress in two of the Tribunal's most significant cases: Karadžić and Mladić. In Karadžić, the Prosecution completed its evidence presentation in just under the allocated 300 hours. The Mladić trial started on 16 May with the Prosecution's opening statement, less than one year after his arrest. The Prosecutor said that "after Mladić's 16 year run from justice, the start of his trial was a significant day for the Tribunal and for the many victims of the alleged crimes". By October this year, only three cases will remain in the trial evidence presentation stage and five trial judgements are expected by the end of this year.

The Prosecutor also said that the OTP continues to face unprecedented demands on its resources and high rates of staff departure at critical times. As the Office is approaching completion of its mandate, it is increasingly important to make flexible use of resources and strategies must be put in place to promote the continued availability of staff.

According to the Prosecutor, day-to-day co-operation provided to the OTP by States of the former Yugoslavia fully met expectations during the reporting period. However, the Prosecutor remains concerned about Serbia's lack of progress towards investigating and prosecuting individuals who assisted ICTY fugitives while they remained at large.

The Prosecutor underlined the importance of a successful transition from the OTP's work and expertise to national war crimes prosecutions in the former Yugoslavia. In this regard, the Prosecutor referred to the successful integration of liaison prosecutors from Serbia, Croatia and Bosnia and Herzegovina into the OTP to facilitate co-operation.

The Prosecutor also stated that there are grave problems in the implementation of national war crimes strategies, particularly in Bosnia and Herzegovina, where thousands of serious crimes still require follow-up. He said that unless it is made a top priority and more resources are allocated, the National War Crimes strategy in Bosnia and Herzegovina will fail.

The Prosecutor concluded by stating that "recent comments made by the newly elected President of Serbia, who denied that genocide occurred in Srebrenica in July 1995, are not acceptable" and "contravene the legal and factual findings of the ICTY and the International Court of Justice". According to the Prosecutor "such rhetoric is a backwards step, aggravates the victims' suffering, and jeopardises the fragile process of reconciliation in the former Yugoslavia".

The full text of [Prosecutor Brammertz's speech](#) can be found on the ICTY website.

## IN THE COURTROOMS

29 May 2012



### Šešelj third contempt trial scheduled

The trial in the third contempt of Tribunal case of Vojislav Šešelj has been scheduled to start on Tuesday, 12 June, with the pre-trial conference directly preceding it.

Šešelj, the leader of the Serb Radical Party currently standing trial at the Tribunal for alleged war crimes committed in Bosnia and Herzegovina, Croatia and Vojvodina, Serbia between 1991 and 1994, is accused of failing to remove confidential information from his personal website in violation of orders from a Chamber.

The confidential information published by Šešelj on his site includes four books written by him and six confidential filings submitted by him as part of his war crimes trial and one previous trial for contempt of court. These books and filings reveal confidential information about a number of protected witnesses who testified in his war crimes trial.

## IN THE COURTROOMS

29 May 2012



### Stanišić and Župljanin: closing arguments held

The closing arguments in the case of Mićo Stanišić and Stojan Župljanin were heard on four consecutive days, beginning 29 May.

Stanišić was, from April 1992, the Minister in the Serbian Ministry of Internal Affairs in Bosnia and Herzegovina (RS MUP), and Župljanin was Chief of the Regional Security Services Centre (CSB) of Banja Luka, as well as a member of the Autonomous

Region of Krajina (ARK) Crisis Staff, and an advisor on internal affairs to the President of Republika Srpska. They stand accused of involvement in a campaign to eliminate and permanently remove Bosnian Muslims and Bosnian Croats from the areas over which they presided between April and December 1992.

The trial of the two men commenced on 14 September 2009.

## IN THE COURTROOMS

4 June 2012



### Karadžić case: Trial Chamber conducts site visit in and around Srebrenica

On 4 June, the Trial Chamber in the case of Radovan Karadžić began a five-day site visit to locations relevant to the indictment in Srebrenica, and its environs.

The visiting delegation consisted of Trial Chamber III Judges Kwon (presiding), Morrison, Baird and Lattanzi, representatives of both the Prosecution and Defence, and various support staff from the Tribunal.

The visit took place under Rule 4 of the Tribunal's Rules of Procedure and Evidence which says that a 'Chamber may exercise its functions at a place other than the seat of the Tribunal, if so authorised by the President in the interests of justice'.

Karadžić is charged with participating in a joint criminal enterprise to eliminate Bosnian Muslims by killing the men and

boys of Srebrenica and forcibly removing the women, young children and some elderly men from the area.

Karadžić, former President of Republika Srpska, head of the Serb Democratic Party (SDS) and Supreme Commander of the Bosnian Serb Army (VRS), is charged with genocide, crimes against humanity and violations of the laws or customs of war committed in Bosnia and Herzegovina between 1992 and 1995.

He was indicted on 25 July 1995, and was transferred into the Tribunal's custody on 30 July 2008 after more than 13 years on the run. The trial began on 26 October 2009. The Prosecution rested its case on 25 May 2012 and the Defence case is scheduled to commence on 16 October 2012.

## OUTREACH

4 June 2012



### Over 2,000 students benefit from Outreach's schools project

The Tribunal's Outreach Programme recently concluded its groundbreaking effort to engage with young people at high schools across the former Yugoslavia, with the 50th presentation in its schools project taking place at Gymnasium 'Eqrem Çabej in Vucitrn/Vushtrri, Kosovo.

Since last December, over 2,000 students from Bosnia and Herzegovina, Croatia, Serbia and Kosovo have been introduced to the work and achievements of the Tribunal. Participating students learned about cases relevant to their countries and communities, the way in which such cases have contributed to the establishment of facts, and the influence the ICTY has had on the development of the rule of law in the region. Presentations took place in some of the communities most affected by the wars of the 1990s, including Foča, Srebrenica, Višegrad, Prijedor, Mostar, Vukovar, Zadar, Petrinja, Kačanik and Glogovac/Glogoc.

Commenting on the value of high schools project, Head of Outreach Nerma Jelačić said: "Through this project, young people have been encouraged to examine the relevance of the Tribunal's work and achievements to the recovery of their communities and to place their own experiences within the

context of wider issues of justice, dealing with the past and post-conflict social recovery. We are grateful to the European Union and the government of Finland as well as those governments in the countries of the former Yugoslavia that supported the project."

A concise report about the project, which will include the students' opinions about the Tribunal and the process of dealing with the past, will be published in the near future.

As the ICTY moves towards the completion of its mandate, the Outreach Programme is intensifying its efforts to increase the access of local communities to information on the Tribunal's work. In doing so, the Outreach Programme seeks to cement the Tribunal's legacy throughout the region of the former Yugoslavia.

The Outreach Programme benefits from the continuous support of the European Union and its work with the youth of the former Yugoslavia is generously supported by the Finnish government.

More information about the Outreach Programme can be found on the Tribunal's [website](#).



## STATUS OF CASES

### CASES IN PRE TRIAL

Hadžić	<ul style="list-style-type: none"> <li>• Pleded not guilty on 24 August 2011</li> </ul>
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### CASES AT TRIAL

Haradinaj <i>et al.</i>	<ul style="list-style-type: none"> <li>• Closing arguments are scheduled to take place on 25 and 26 June 2012</li> </ul>
Karadžić	<ul style="list-style-type: none"> <li>• The Defence case is scheduled to commence on 16 October 2012</li> </ul>
Mladić	<ul style="list-style-type: none"> <li>• The trial commenced on 16 May 2012</li> </ul>
Prlić <i>et al.</i>	<ul style="list-style-type: none"> <li>• Closing arguments took place between 7 February and 2 March 2011</li> </ul>
Šešelj	<ul style="list-style-type: none"> <li>• The parties presented their closing arguments between 5 and 20 March 2012</li> </ul>
Stanišić & Simatović	<ul style="list-style-type: none"> <li>• The Defence case commenced on 15 June 2011</li> </ul>
Stanišić & Župljanin	<ul style="list-style-type: none"> <li>• Closing arguments took place from 29 May until 1 June 2012</li> </ul>
Tolimir	<ul style="list-style-type: none"> <li>• Closing arguments are scheduled to take place on 21 and 22 August 2012</li> </ul>

### CASES ON APPEAL

Đorđević	<ul style="list-style-type: none"> <li>• The trial judgement was pronounced on 23 February 2011 (sentence: 27 years' imprisonment)</li> <li>• Both the Prosecution and the Defence have filed their appeal briefs</li> </ul>
Gotovina <i>et al.</i>	<ul style="list-style-type: none"> <li>• The trial judgement was pronounced on 15 April 2011 (sentences: Gotovina - 24 years' imprisonment; Markač - 18 years' imprisonment)</li> <li>• The appeal hearing took place on 14 May 2012</li> </ul>
Lukić & Lukić	<ul style="list-style-type: none"> <li>• The trial judgement was pronounced on 20 July 2009 (sentences: Milan Lukić - life imprisonment; Sredoje Lukić - 30 years' imprisonment)</li> <li>• The appeals hearing took place on 14 and 15 September 2011</li> </ul>
Perišić	<ul style="list-style-type: none"> <li>• The trial judgement was pronounced on 6 September 2011 (sentence: 27 years' imprisonment)</li> <li>• Both the Prosecution and the Defence have filed their appeal briefs</li> </ul>
Popović <i>et al.</i>	<ul style="list-style-type: none"> <li>• The trial judgement was pronounced on 10 June 2010 (sentences: Popović - life imprisonment; Beara - life imprisonment; Nikolić - 35 years' imprisonment; Borovčanin - 17 years' imprisonment; Miletić - 19 years' imprisonment; Gvero - 5 years' imprisonment; Pandurević - 13 years' imprisonment)</li> <li>• Both the Prosecution and the Defence have filed their appeal briefs in respect of all accused except Borovčanin, whose sentence is therefore final</li> </ul>
Šainović <i>et al.</i>	<ul style="list-style-type: none"> <li>• The trial judgement was pronounced on 26 February 2009 (sentences: Šainović - 22 years' imprisonment; Ojdanić - 15 years' imprisonment; Pavković - 22 years' imprisonment; Lazarević - 15 years' imprisonment; Lukić - 22 years' imprisonment; Milutinović - acquitted)</li> <li>• Both the Prosecution and the Defence have filed their appeal briefs in respect of all accused except Milutinović, whose acquittal is therefore final</li> </ul>

### CONTEMPT CASES

Rašić	<ul style="list-style-type: none"> <li>• The trial judgement was pronounced on 7 February 2012 (sentence: 12 months' imprisonment)</li> <li>• Both the Prosecution and the Defence have filed their appeal briefs</li> </ul>
Šešelj	<ul style="list-style-type: none"> <li>• Second contempt case - the trial judgement was pronounced on 31 October 2011 (sentence: 18 months' imprisonment)</li> <li>• On 14 November 2011, the Amicus Curiae Prosecutor filed his notice of appeal</li> </ul>
Šešelj	<ul style="list-style-type: none"> <li>• Third contempt case - the trial commenced on 12 June 2012</li> </ul>

## FACTS & FIGURES

### 161 INDIVIDUALS INDICTED

Since the very first hearing (a deferral request in the Tadić case) on 8 November 1994, the Tribunal has indicted a total of **161** individuals, and has already completed proceedings with regard to **126** of them:

**13** have been acquitted, **64** sentenced (**one** is awaiting transfer, **24** have been transferred, **36** have served their term, and **three** died while serving their sentence), **13** have had their cases transferred to local courts.

**126**

Total number of accused whose proceedings have been completed.

**36**

Cases terminated (either because indictments were withdrawn or because the accused died, before or after transfer to the Tribunal).

**35**

Proceedings are on-going with regard to 35 accused: 17 are at the appeals stage, 17 are currently on trial, and one is at the pre-trial stage.

**34**

A further 34 individuals have been or are the subject of contempt proceedings.

Extracts of, and/or quotes from, legal documents are not authoritative; only the Order, Decision or Judgement in its entirety reflects the opinion of the Trial Chamber and/or the Appeals Chamber.

INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

Churchillplein 1, 2517 JW The Hague, the Netherlands

[www.icty.org](http://www.icty.org)

QUERIES AND COMMENTS:

Nick Beston  
Associate Public Information Officer  
+31.70.512.89.43 | [beston@un.org](mailto:beston@un.org)

Emma Coffey  
Assistant  
+31.70.512.53.99 | [coffey@un.org](mailto:coffey@un.org)