



20 YEARS OF INTERNATIONAL JUSTICE

27 May 2013

ICTY commemorates 20th anniversary

The ICTY marked the 20th anniversary of its establishment by the United Nations Security Council on Monday, 27 May, with an event held at the seat of the Tribunal.

The event was held in the presence of His Majesty King Willem-Alexander of the Netherlands and attended by senior Tribunal officials, including President Theodor Meron, Prosecutor Serge Brammertz, and Registrar John Hocking, along with The Hague's Mayor Jozias van Aartsen and Secretary-General of the Ministry of Foreign Affairs Renee Jones-Bos.

The ceremony featured a keynote speech by United Nations Under-Secretary-General for Legal Affairs Patricia O'Brien, as well as reflections from past and current Tribunal officials on the history and achievements of the ICTY.



The speeches given by the [President](#), [Prosecutor](#) and [Registrar](#) at the anniversary event can be found on the ICTY website.

Following the event at the Tribunal, President Meron and Mayor van Aarsten opened an exhibition in The Hague's City Hall Atrium.

The exhibition commemorates the

Tribunal's 20 years of efforts to end impunity for the crimes committed in the former Yugoslavia. It highlights significant moments from the ICTY's two decades of existence, including the apprehension of the fugitives, the Tribunal's role in establishing the facts about the crimes, and the outreach efforts towards the communities of the former Yugoslavia.

The exhibition will be on display in the Atrium until 14 June 2013.



IN THE COURTROOMS

29 May 2013



Prlić *et al.* judgement

On 29 May, ICTY Trial Chamber III found six former high-ranking officials from the wartime Croat entity of Herceg-Bosna guilty of crimes against humanity, violations of the laws or customs of war, and grave breaches of the Geneva Conventions committed between 1992 and 1994.

The six men were found guilty for their participation in a joint criminal enterprise with the objective of removing the Muslim population from territories on which the Bosnian Croat leadership, acting in concert with the leadership of Croatia, wanted to establish Croat domination.

Jadranko Prlić, former president of the Croatian Defence Council (HVO), and later of the government of the Croatian Republic of Herceg-Bosna, was sentenced to 25 years of imprisonment; Bruno Stojić, former head of the HVO department of Defence, was sentenced to 20 years in prison; Slobodan Praljak, former Croatian assistant minister of defence and later commander of the Main Staff of the HVO, and Milivoj Petković, chief of the HVO Main Staff and later deputy commander of the HVO forces, also both received 20 year sentences. Valentin Ćorić, chief of the Military Police Administration and later minister of the interior was sentenced to 16 years'; and Berislav Pušić, former president of the HVO commission in charge of the exchange of prisoners and other persons and head of the HVO commission in charge of detention facilities, was sentenced to 10 years in prison.

The Prlić *et al.* trial was one of the Tribunal's largest and most intricate. Proceedings began on 26 April 2006. The Prosecution completed its case on 24 January 2008 after calling 145 witnesses. The Defence case started on 5 May 2008 and closed on 17 May 2010 after the testimony of 61 witnesses. Closing arguments were held between 7 February and 2 March 2011. The total number of trial days amounted to 465, and the judgement comprises over 2,600 pages.

A [summary of the judgement](#) can be found on the ICTY website.

IN THE COURTROOMS

30 May 2013



Stanišić and Simatović acquitted

On 30 May, ICTY Trial Chamber I acquitted Jovica Stanišić and Franko Simatović of all charges laid against them, and ordered the two men be immediately released.

Stanišić and Simatović, the former chief of the Serbian State Security Service (DB) and a former employee of the DB, respectively, had been charged with having directed, organised, equipped, trained, armed and financed special units of the DB which murdered, persecuted, deported and forcibly transferred non-Serb civilians from Bosnia and Herzegovina (BiH) and Croatia between 1991 and 1995.



The Prosecution alleged that the two accused participated in a joint criminal enterprise (JCE), the objective of which was the forcible and permanent removal of the majority of non-Serbs from large areas in SAO Krajina and the SAO Slavonia, Baranja, Western Srem in Croatia, and the municipalities of Bijeljina, Bosanski Šamac, Dobojo, Sanski Most, Zvornik and Trnovo in BiH. Stanišić and Simatović were further charged with planning, ordering, and otherwise aiding and abetting the crimes committed by the special units.

In its judgement, the Chamber that, while the special units undoubtedly committed the crimes of deportation, forcible transfer and murder at numerous locations in the two countries, neither Stanišić nor Simatović could be held criminally responsible for the crimes.

The Chamber was also unable to conclude that the accused shared the intent to further the common criminal purpose of the JCE. Furthermore, the Chamber found that it was not proven beyond reasonable doubt that Stanišić or Simatović planned or ordered the crimes. With regard to the allegations of aiding and abetting, the Chamber determined that in the instances that the two accused rendered assistance to the special units, the assistance was not specifically directed towards the commission of crimes.

The full text of the judgement ([part I](#), [part II](#)) can be found on the ICTY website.

IN THE COURTROOMS

13 May 2013



Đorđević case appeal hearing

The appeal hearing in the case of Vlastimir Đorđević was held on Monday, 13 May.

On 23 February 2011, a Trial Chamber found Đorđević, a former assistant minister in the Serbian Ministry of Internal Affairs, guilty of participating in a joint criminal enterprise in 1999, whose aim was to change the ethnic balance of Kosovo to ensure Serbian dominance in the territory. Đorđević was convicted of deportation, murder, forcible transfer and persecutions, and sentenced to 27 years in prison.

An appeal judgement will be rendered in due course.

IN THE COURTROOMS

28 May 2013



Krstić contempt trial

The trial for contempt of the Tribunal of Radislav Krstić, former commander of the Drina Corps of the Bosnian Serb Army, took place on Tuesday, 28 May. Krstić has charged with contempt of the Tribunal for failing to comply with, or to show good cause why he could not comply with, a subpoena in which he was ordered to testify in the case of Radovan Karadžić.

A judgement will be rendered in due course.

Krstić is currently serving a 35 year jail term, after the ICTY Appeals Chamber found him guilty of aiding and abetting the genocide at Srebrenica.



Appeals Chamber affirms Šešelj's contempt conviction

The ICTY Appeals Chamber has affirmed Vojislav Šešelj's third conviction for contempt of the Tribunal and his sentence of two years' imprisonment for failure to remove confidential information from his website in violation of orders of a Chamber.

Šešelj, the leader of the Serbian Radical Party, is on trial before the Tribunal for alleged war crimes and crimes against humanity committed between 1991 and 1994 against the non-Serb population from large parts of Bosnia and Herzegovina, Croatia and Vojvodina, Serbia.

On 9 May 2011, Trial Chamber II issued an order in lieu of an indictment which initiated contempt proceedings against Šešelj for failing to remove confidential information from his personal website in violation of orders of a Chamber. On 17 April 2012, Šešelj pleaded not guilty to the charge, the trial ran from 12 June to 18 June 2012. The trial judgement was issued on 28 June 2012, and Šešelj filed his appeal on 18 July.

This was the third trial for contempt of the Tribunal against Šešelj. In the first contempt case against him, completed on 19 May 2010, Šešelj was convicted to 15 months of imprisonment for disclosing the personal details of protected witnesses in a book he authored. In the second contempt case, completed on 31 October 2011, Šešelj was sentenced to 18 months' imprisonment for disclosing confidential information pertaining to protected witnesses in another book he wrote. Both books were among those at issue in the third contempt case.

The full text of the [judgement](#) can be found on the ICTY website.

ICTY PRINCIPALS



Prosecutor Brammertz in Belgrade and Sarajevo

Prior to submitting his latest report to the United Nations Security Council, Prosecutor Serge Brammertz travelled to the region to discuss cooperation with state and judicial authorities in Sarajevo and Belgrade.

On 15 and 16 April, the Prosecutor was in Sarajevo, where he met with members of the presidency of Bosnia and Herzegovina and representatives of the State Prosecutor's Office. Prosecutor Brammertz used this opportunity to once more meet with victims' organisations and hear their views about the trials that are currently taking place before the ICTY. In addition, the Prosecutor met with representatives of the international community.

From 7 to 9 May, the Prosecutor was in Belgrade where he met with members of the Serbian government and Serbian War Crimes Prosecutor Vladimir Vukcevic.

The Prosecutor's six-month report has now been submitted to the Security Council.

Prosecutor and OTP analysts on mission to Bogotá

Prosecutor Brammertz was invited by the Colombian attorney general, Eduardo Montealegre, and his deputy Jorge Perdomo, to give the keynote address at a conference focusing on transitional justice issues in Colombia, as part of the launch of an initiative to investigate contexts and patterns of criminal activity.

The conference took place from 14 to 15 May in Bogotá and was attended by prosecutors, Supreme Court justices, and directors and officials from public entities in charge of the transitional justice process, as well as professors and students from major law schools in Colombia. In his speech, Prosecutor Brammertz addressed the challenges and lessons learned at the ICTY in investigating and successfully prosecuting complex, large-scale crimes.

In conjunction with the conference, three analysts from the Office of the Prosecutor (OTP) gave a two-day training course to approximately one hundred Colombian prosecutors and analysts in which they shared their experiences investigating serious violations of international law in unprecedentedly large cases. They gave insight into investigative approaches used by the OTP which could also prove useful in gaining a wider understanding of criminal activity in Colombia's decades-long conflict. Particular emphasis was placed on the OTP's experience in combining analysts, investigators and prosecutors into multi-disciplinary teams in which different skills and methods complement one another. Specific topics included modes of criminal liability, methods used by the OTP in acquisition, organisation and analysis of large amounts of documentary evidence, the role of military analysts and use of expert testimony in trials.

The Colombian analysts and prosecutors are members of a newly founded team which will conduct contextual investigations into their country's long-standing armed conflict.

OUTREACH

23 May 2013



Outreach concludes high school presentation series

The Tribunal's Outreach Programme has successfully concluded its second round of high school presentations in Bosnia and Herzegovina (BiH) and Croatia, having engaged more than 900 students in 26 high schools.

The students were introduced to the Tribunal's work, its achievements, factual findings from selected cases, and the contribution made by the ICTY to the development of war crimes jurisprudence. The presentations sparked lively debates among the students and encouraged them to think critically about the transitional justice issues that will shape their region for years to come.

568 students from 16 high schools in BiH and 358 students from 10 high schools in Croatia participated in the project. Presentations were held in some of the communities most affected by the conflicts, including Sarajevo, Sanski Most, Brčko and Bijeljina in BiH and Knin, Gospić and Vukovar in Croatia.

One 18-year-old student in Zenica, BiH, said: "Presentations such as this one should find their way into every elementary and high school in our country, so that young people understand that they should think about the consequences of their own actions. Those who commit evil acts must understand that they will be punished accordingly, and those who hide and don't want to talk about the past are equally responsible."

VIPs

30 May 2013



German President visits the Tribunal

The German President Joachim Gauck paid a visit to the ICTY as part of a wider tour of the international courts in The Hague.

President Gauck met with the Tribunal's Vice-President, Judge Carmel Agius, Prosecutor Serge Brammertz, and Registrar John Hocking. He was introduced to some of the Tribunal's judges, including Judge Christoph Flügge, who provided him with an update on the ongoing cases.

President Gauck also had the opportunity to meet with some of the Tribunal's German staff members.

"President Gauck's visit comes at a significant moment, as the Tribunal is celebrating its 20th anniversary. It is an honour to welcome such an auspicious guest who is a known champion of human rights," said Vice-President Agius. President Gauck underlined that "international law plays an indispensable role in the endeavour to protect, strengthen and enforce human rights. International criminal law in particular symbolises the international community's pledge that those responsible for genocide, crimes against humanity and war crimes will be brought to justice."

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 136 of them. 18 have been acquitted, 69 sentenced (21 have been transferred to serve this sentences, 3 are awaiting transfer, 42 have served their term, and 3 died while serving their sentence), and 13 have had their cases transferred to local courts.	136	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).
	25	Proceedings are on-going with regard to 25 accused: 12 are currently on trial, and 13 are at the appeals stage.
	35	A further 35 individuals have been or are the subject of contempt proceedings.