



## Prime Minister of The Netherlands visits Tribunal

President Theodor Meron welcomes the Dutch Prime Minister, Mr. Mark Rutte.

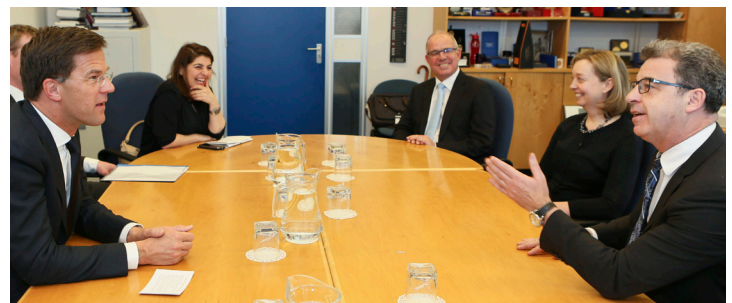
The Prime Minister of The Netherlands, Mr. Mark Rutte, visited the International Criminal Tribunal for the former Yugoslavia this month. On this occasion, he held meetings with the Tribunal President Theodor Meron, Prosecutor Serge Brammertz, Registrar John Hocking, Judges and staff.

During the visit, the Prime Minister met with the President and Vice-President Carmel Agius to discuss issues of mutual interest, including the transition of the institution to the Mechanism for International Criminal Tribunals. The Prime Minister also took part in a roundtable discussion with the Tribunal's judges to consider topics ranging from the ICTY's contribution to the adjudication of gender-based crimes to The Hague as the City of Peace and Justice.

Speaking about the visit, President Meron said: *"The Tribunal is honoured to welcome Prime Minister Rutte. Today I took the opportunity to express to him my deepest gratitude to the Netherlands, our Host State, for their steadfast commitment to the fight against impunity and their invaluable and ongoing assistance in ensuring the smooth operation of the ICTY and helping in the transition to the Mechanism"*.

Prosecutor Brammertz met with Prime Minister Rutte to discuss the final work of the Office of the Prosecutor. The Prosecutor thanked the Netherlands for its essential role in generating cooperation with the ICTY and promoting the rule of law in the Western Balkans, saying, *"In European and international fora, the Netherlands' unwavering support to the Office of the Prosecutor's mandate was crucial to securing the arrest of all our fugitives and the evidence needed to bring war criminals to justice."*

The Registrar commented on the Prime Minister's visit, saying: *"The Prime Minister experienced one day in the life of the Tribunal: he trod the same path to the courtroom as our 5,000 witnesses, consulted exhibits*



Prosecutor Serge Brammertz and members of his Immediate Office meet the Dutch Prime Minister.



Registrar John Hocking meets with Mr. Rutte.

*preserved in our archives, and was briefed on the rights of our accused in the defence rooms. To me, this visit wonderfully symbolises the two decades of cooperation of the Netherlands' Government with the ICTY and its support to the growing operations of the Mechanism in The Hague."*

During his visit, Prime Minister Rutte was also introduced to various Tribunal staff members.

This visit continued the tradition of high level visitors from the Host State to the Tribunal including the former Queen, Her Royal Highness Princess Beatrix, in 2004, and His Majesty King Willem-Alexander in 2013.

## OFFICE OF THE PROSECUTOR

16-18 March 2015

### Prosecutor's Mission to BiH



Prosecutor Serge Brammertz undertook an interim working visit to Bosnia and Herzegovina on 16-18 March 2015.

The main purpose of the Prosecutor's mission was to meet with entity-level judicial authorities to discuss their processing of war crimes cases and issues of mutual interest. Under the National War Crimes Strategy, the entity-level judiciary has an important role to play in processing thousands of war crimes cases. From the Federation of Bosnia and Herzegovina, the Prosecutor met with President Amir Jaganjac of the Supreme Court and Chief Prosecutor Zdravko Knežević. From the Republika Srpska, the Prosecutor met with President Željimir Barić of the Supreme Court and Deputy Chief Prosecutor Svetlana Brković. In addition to discussing the support that the OTP already provides, including access to its evidence databases, all Presidents and Chief Prosecutors raised the challenges the

entity-level judiciaries will face if political authorities do not adopt the Judicial Reform Strategy and the next tranche of Instrument for Pre-Accession Assistance funding cannot be disbursed.

In furtherance of the OTP's commitment to transfer knowledge and skills to the judiciary in the region, the Prosecutor also met with the Directors of the Federation and Republika Srpska Judicial and Prosecutorial Training Centers, Mr. Ismet Trumić and Mr. Drago Ševa.

Finally, the Prosecutor met with victims and representatives of victims' associations in Banja Luka and Nova Bila. He also accepted invitations to visit the organizations "Medica Zenica" and "Vive Žene Tuzla" and learn more about the support and care they have provided to victims for over 20 years.

## OFFICE OF THE PROSECUTOR

16-17 March 2015



### Prosecutor's Lectures at the Universities of Sarajevo and Zenica

On 16 and 17 March 2015, Prosecutor Serge Brammertz gave lectures to students at the law faculties of the Universities of Sarajevo and Zenica in Bosnia and Herzegovina.

The Prosecutor spoke about contemporary challenges facing international criminal justice and the lessons that can be learned from accountability efforts in the former Yugoslavia. While recognizing that international justice mechanisms are not without faults, the Prosecutor underscored his view that "we need more justice, not less."

The Prosecutor concluded his lecture by encouraging the students to embrace their responsibility to promote justice and the rule of law in Bosnia and Herzegovina, stating, "Whether there will be accountability or impunity depends on the choices you make."

## OUTREACH

23-26 March 2015



### Outreach: Central Bosnia documentary screenings in Belgrade, Zagreb, Sarajevo and Vitez

'Crimes before the ICTY: Central Bosnia' is the fourth feature-length documentary produced by the Outreach Programme, as part of its efforts to bring the work of the ICTY closer to communities in the former Yugoslavia.

The film talks about some of the gravest crimes committed against civilians during the Croat - Muslim conflict in Central Bosnia between early 1993 and early 1994. Investigations into alleged crimes committed by both sides began while the conflict was still ongoing, and led to the issuance of some of the Tribunal's first indictments. Screenings of the film were held in Belgrade (Serbia), Zagreb (Croatia), Sarajevo and Vitez (Bosnia and Herzegovina) followed by Q&A sessions with representatives of the ICTY.

Among those attending the screening in Zagreb, was Ms Marijana Senjak, a psychologist who worked with victims in the area of Central Bosnia during the conflict, and who thanked the ICTY for producing this documentary: 'The film is very valuable as it provides an insight into the horrific experiences of the victims and also gives an excellent overview of the events in this part of Bosnia and Herzegovina during the war', she said.

More than 8,000 students from across the region have benefited from the Youth Outreach Project, launched in December 2011, and which is generously supported by the Finnish government.



## KEY FILINGS: FEBRUARY - MARCH 2015

### MLADIĆ

11 March 2015	The <a href="#">Mladić Defence estimated it will need slightly more than 3 months</a> to prepare for the Prosecution's reopening of its case, comprising an estimated 10 weeks for the investigation and 4 weeks for the preparation.
19 March 2015	The <a href="#">Prosecution opposed the Defence's request for a three-month adjournment</a> in order to prepare for the OTP's reopening of its case and its presentation of the Tomašica evidence.
27 March 2015	The <a href="#">Chamber granted in part the Defence's request</a> to adjourn the trial in order to prepare for the Prosecution reopening (Tomašica evidence). As a consequence of this decision, there will be no court hearings between 22 May and 22 June, when the Prosecution will reopen its case.

### HADŽIĆ

13 March 2015	The <a href="#">Chamber denied the Accused's urgent request for provisional release</a> , filed on 22 January 2015. The Chamber concluded that the Defence had failed to provide sufficiently compelling humanitarian reasons for provisional release given that the detention conditions at the UNDU are "sufficiently compatible with Hadžić's current treatment needs".
17 March 2015	Goran Hadžić filed a <a href="#">public redacted version of his appeal</a> against the Chamber's decision denying the motion for provisional release. The Defence claims that the Trial Chamber's decision has a number of legal and factual errors. The remedy sought from the Appeals Chamber is the immediate provisional release of the accused until early May, when Hadžić is due to take an MRI scan in The Hague.

### POPOVIĆ ET AL.

2 February 2015	ICTY <a href="#">President Meron denied Vinko Pandurević's motion for early release</a> due to a lack of jurisdiction. Since 1 July 2013, the MICT assumed responsibility for enforcement of final sentences, consequently, the President of the ICTY does not have jurisdiction to consider this motion.
3 February 2015	Vinko <a href="#">Pandurević filed a motion for early release</a> before MICT President Meron, stating that as of 30 January 2015, he has served over 75 percent of his sentence.

### PRLIĆ ET AL.

2 February 2015	A public redacted version of Milivoj Petković's appeal brief was filed, presenting 7 grounds of appeal and requesting the Appeals Chamber to quash all Joint Criminal Enterprise convictions) and enter a judgement of acquittal on all counts.
5 February 2015	Slobodan Praljak filed a public redacted version of his appeal brief against the Trial Judgement. He presented 55 grounds of appeal, asking for full acquittal or, alternatively, for the Trial Judgement to be quashed and remanded to the Trial Chamber for a new trial.
13 February 2015	Bruno Stojić filed a public redacted version of his appeal brief against the Trial Judgement asking for acquittal on all counts or alternatively, a reduction in sentence.
20 March 2015	Berislav Pušić filed a public redacted version of his appeal brief against the Trial Judgement. He presented 8 grounds of appeal requesting the reversal of the Trial Judgement or alternatively, a reduction of his ten-year sentence.

### STANIŠIĆ & ŽUPLJANIN

11 February 2015	ICTY <a href="#">President Meron ordered</a> that Judge Tuzmukhamedov replace Judge Robinson on the Appeal Bench in this case. The new Chamber will therefore be composed of Judges Agius (Presiding), Ramaroson, Khan, Tuzmukhamedov and Afande.
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### ŠEŠELJ

30 March 2015	The <a href="#">Appeals Chamber granted in part the Prosecution's appeal</a> and ordered the Trial Chamber to revoke Šešelj's provisional release and order his return to the UN Detention Unit. The Appeals Chamber, two Judges dissenting, found that the Trial Chamber failed to address the Prosecution's argument that Šešelj's statements (issued after he was released) that he would never return to the ICTY eroded the essential pre-condition for his release. Subsequently, the Appeals Chamber found that the Trial Chamber failed to determine whether the requirement for provisional release, set forth in the Rules, remained fulfilled in the light of the new information.
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## STATUS OF CASES

### CASES AT TRIAL

<b>Hadžić</b>	Trial proceedings are in the defence phase, but have been adjourned since October 2014 due to the poor health of the accused. The trial started on 16 October 2012. The Prosecution concluded its case on 28 November 2013. The defence case began on 3 July 2014. To date, 11 defence witnesses have been heard.
<b>Karadžić</b>	The evidentiary phase of the trial is closed. The trial started on 26 October 2009. The prosecution case officially closed on 25 May 2012. The defence case started on 16 October 2012 and closed on 1 May 2014. Closing arguments took place from 29 September - 7 October 2014. The Trial Judgement is expected in October 2015.
<b>Mladić</b>	The evidentiary phase of the trial is ongoing, with the Defence presenting its case. The trial started on 16 May 2012. The Prosecution rested its case on 26 February 2014. The defence case commenced on 19 May last year and so far 144 witnesses have been heard. The Trial Judgement is expected in March 2017 with a possibility of a delay due to the reopening of the prosecution case.
<b>Šešelj</b>	The evidentiary phase of the trial is closed. The trial started on 7 November 2007. The prosecution case was completed on 13 January 2010. There was no defence case. Newly-appointed Judge Niang is currently familiarising himself with the case, and indicated that he would need at least until June 2015 to become fully familiar with the case records. On 6 November 2014, the Chamber ordered the provisional release of Šešelj due his poor health. He was transferred to Serbia on 12 November 2014. Following the Prosecution's appeal, on 30 March 2015 the Appeals Chamber ordered the Trial Chamber to revoke Šešelj's provisional release and order his return to the UN Detention Unit. The Trial Chamber's subsequent order is pending. The Trial Judgement date is to be determined.

### CASES ON APPEAL

<b>Prlić <i>et al.</i></b>	All Accused filed their appeals against the Trial Judgement which was rendered on 29 May 2013. The last Status Conference took place on 21 January 2015. The Appeal Judgement is expected in mid-2017.
<b>Stanišić &amp; Simatović</b>	The Prosecution filed a public redacted version of its appeal brief in September 2013, requesting the overturning of the judgement of acquittal for both accused. The Appeal Judgement is expected in June 2015.
<b>Stanišić &amp; Župljanin</b>	The last Status Conference in this case took place on 9 March 2015. The Appeal Hearing is expected to take place later this year. The Appeal Judgement is expected to be rendered next year.
<b>Tolimir</b>	The last Status Conference was held on 11 February 2015. The Appeal Hearing took place on 12 November 2014. The Appeal Judgement is scheduled to be pronounced on 8 April this year.

## FACTS & FIGURES

<b>161 INDIVIDUALS INDICTED</b> The Tribunal has indicted a total of <b>161</b> individuals, and has already completed proceedings with regard to <b>146</b> of them. <b>18</b> have been acquitted, <b>79</b> sentenced ( <b>18</b> have been transferred to serve their sentence, <b>7</b> are awaiting transfer, <b>51</b> have served their term, and <b>3</b> died while serving their sentence), and <b>13</b> have had their cases transferred to local courts.	<b>146</b>	Total number of accused whose proceedings have been completed.
	<b>36</b>	Cases terminated (either because indictments were withdrawn or because the accused died, before or after transfer to the Tribunal).
	<b>15</b>	Proceedings are on-going with regard to 15 accused: 4 are currently on trial, and 11 are at the appeals stage.
	<b>25</b>	25 individuals were the subject of contempt proceedings before the ICTY.

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.