



## ICTY LEGACY DIALOGUES

# Legacy Conference to be held in Sarajevo in June 2017

As part of its *ICTY Legacy Dialogues* series, the Tribunal will hold a final legacy conference in Sarajevo, BiH, from 22-24 June 2017.

The conference will offer an opportunity for local, regional and international actors to discuss aspects of the Tribunal's role and legacy in several key areas in order to ensure that, even after the Tribunal closes down, the work and achievements of the ICTY remain accessible and impactful for stakeholders in the region of the former Yugoslavia and abroad.

The goal of the conference is to enable others to build on the achievements the ICTY has made over its 24-year history. The vision is for a series of dynamic dialogues with those who can take what the ICTY has developed forward into new areas, with a particular focus on the role of national actors.

The conference will explore how the work of the ICTY can feed responses to conflict-related atrocities and crimes



at a national level into a number of fields, while also benefiting from the transfer of insights gained at the national level.

The Tribunal is delighted to announce that the Keynote Speaker for the Conference will be Professor M. Cherif Bassiouni, Emeritus Professor of Law at DePaul University, Chicago, United States, and Honorary President of the Siracusa International Institute for Criminal Justice and Human Rights, Italy.

Since 1975, Professor Bassiouni has

been appointed to 22 United Nations positions, including the Chair of the Commission of Experts established pursuant to Security Council Resolution 780 (1992) to investigate violations of International Humanitarian Law in the former Yugoslavia (1993-94), and the Commission's Special Rapporteur for the Gathering and Analysis of Facts (1992-93).

To obtain the most recent updates on the Conference, please refer to the [dedicated page](#) on the ICTY website.

## TRIBUNAL

24 March 2017

# Interpol issues red notices for accused in pending ICTY contempt case



On 24 March 2017, Interpol notified the Tribunal that it has issued red notices in relation to pending arrest warrants in the *Jojić et al.* contempt case before the Tribunal. The red notices, which seek the location and arrest of the accused Petar Jojić, Jovo Ostojić and Vjerica Radeta, were issued by Interpol at the request of the Tribunal's Registry, following an order of Trial Chamber I. The red notices are effective as of 16 March 2017.

Petar Jojić, Jovo Ostojić and Vjerica Radeta have been charged with contempt of court for allegedly having threatened, intimidated, offered bribes to, or otherwise interfered with two witnesses in the trial against Vojislav Šešelj and a related contempt case against him. Since 19 January 2015, arrest warrants and orders for surrender of the accused have been pending execution by Serbia. Following Serbia's continued non-compliance with its

obligations to cooperate with the Tribunal under Article 29 of the ICTY Statute, Trial Chamber I issued international arrest warrants on 5 October 2016, which were issued publicly or in public redacted version on 29 November 2016.

The Tribunal has also repeatedly raised the matter with the UN Security Council and UN General Assembly. Most recently, in a letter dated 1 March 2017, President Agius called upon the UN Security Council to ensure accountability, to prevent impunity, and to take the measures necessary to secure Serbia's compliance with the Tribunal's orders, consistent with its obligations, and appealed to Member States to secure the arrest and transfer of the accused. The red notices issued by Interpol further underscore the urgency of transferring the accused to the Tribunal in order to complete the pending case in a fair and expeditious manner before the Tribunal closes its doors at the end of 2017.

## FROM THE COURTROOMS

20-28 March 2017

### Appeal hearing held in the *Prlić et al.* case



The appeal hearing in the Tribunal's last and biggest-ever case before the Appeals Chamber took place from 20 - 28 March 2017. During the hearing, the Defence and the Prosecution presented their appeals. At the end of the hearing on Tuesday, 28 March, each of the six Defence Appellants had the opportunity to make a personal address to the Appeals Chamber.

The case concerns six high-level leaders of the Bosnian Croat wartime entity Herceg-Bosna and the Croatian Defence Council (HVO). Jadranko Prlić, Bruno Stojić, Slobodan Praljak, Milivoj Petković, Valentin Ćorić and Berislav Pušić were convicted by the Tribunal's Trial Chamber III for crimes against humanity, violations of the laws or customs of war, and grave breaches of the Geneva Conventions committed between 1992 and 1994.

The *Prlić et al.* trial was one of the Tribunal's largest and most complicated. Trial proceedings began on 26 April 2006. The Prosecution completed its case on 24 January 2008 after presenting the evidence of 249 witnesses, while the Defence cases commenced on 5 May 2008 and closed on 17 May 2010 after presentation of the evidence of 77 witnesses. The total number of trial days amounted to 465, with closing arguments heard between 7 February and 2 March 2011. The Trial Judgement, issued on 29 May 2013, comprises over 2,600 pages, including separate and partially dissenting opinions by Judges Antonetti and Trechsel.

The Appeals Chamber Judgement will be delivered by 30 November 2017.

## OFFICE OF THE PROSECUTOR

13-14 March 2017

### Prosecutor Serge Brammertz on mission to Zagreb



ICTY and MICT Prosecutor Serge Brammertz visited Zagreb on 13 and 14 March 2017, as part of preparations for his regular biyearly report to the UN Security Council (UNSC).

The Prosecutor met with Minister of Foreign and European Affairs Davor Ivo Stier, Minister of Justice Ante Šprlje (see photo) and State Attorney General Dinko Cvitan to discuss cooperation with the ICTY and MICT, prosecutions of war crimes by the Croatian judiciary including Category II cases, and regional cooperation in war crimes justice in the Western Balkans.

It is expected that Prosecutor Brammertz will present his next report to the UNSC in June.

## OFFICE OF THE PROSECUTOR

7 March 2017

### Toronto panel discussion on prosecuting conflict-related sexual violence

On 7 March 2017, ICTY Deputy to the Prosecutor, Michelle Jarvis, took part in a panel discussion at the University of Toronto in Canada, focused on lessons learned in prosecuting conflict-related sexual violence.

Ms Jarvis presented a keynote address, drawing on the ICTY Office of the Prosecutor's legacy project that culminated in the publication of *Prosecuting Conflict-Related Sexual Violence* at the ICTY (Brammertz and Jarvis (eds), OUP 2016). The panel discussion then proceeded with remarks by Ms Linda Bianchi (concerning the ICTR experience in prosecuting conflict-related sexual violence) and by Ms Valerie Oosterveld (concerning the SCSL experience in prosecuting conflict-related sexual violence) followed by an open discussion. The dialogue underscored the importance of recording the rich experience that has emerged across the various *ad hoc* and hybrid tribunals in prosecuting conflict-related sexual violence and the value of creating fora for channeling that collective experience for the benefit of future criminal justice processes.

## ICTY LEGACY DIALOGUES

16 February 2017



### Documentary on Crimes against Cultural Heritage

The latest documentary of the Tribunal's Outreach Programme, *Dubrovnik and Crimes against Cultural Heritage*, had its English language premiere on 16 February 2017 at The Hague University of Applied Sciences, as part of the *ICTY Legacy Dialogues* series. The documentary provides an overview of the Tribunal's work in adjudicating crimes of systematic destruction of institutions dedicated to religion, education or culture. The screening was attended by more than 120 guests, including diplomats, representatives of international and non-governmental organisations, lawyers, academics and students.

Following the screening, a panel discussion was held which explored issues relating to the adjudication of crimes against cultural heritage, with a focus on the ICTY's pioneering work in clarifying the applicable law and bringing these crimes to justice. The panelists also discussed lessons to be learned for both the prevention of crimes against cultural heritage and adequate judicial responses to the commission of such crimes. *Dubrovnik and Crimes against Cultural Heritage* is the sixth in a series of documentary films produced by the ICTY's Outreach Programme, as part of its efforts to bring the work and achievements of the Tribunal closer to audiences in the former Yugoslavia and around the world.

## OFFICE OF THE PRESIDENT

13-15 February 2017



### President Agius concludes visit to Croatia

Tribunal President Judge Carmel Agius completed a three-day official visit to Zagreb, Croatia during mid-February 2017. During the visit, President Agius met with the Croatian President Kolinda Grabar-Kitarović, Prime Minister Andrej Plenković (see photo), Deputy Prime Minister and Minister of Foreign and European Affairs Davor Ivo Stier, Minister of Justice Ante Šprlje, and President of the Supreme Court Branko Hrvatin. Croatian Ambassador to the Kingdom of the Netherlands Andrea Gustović-Ercegovac also participated in the visit.

During the meetings President Agius and Croatian officials discussed a range of topics including in particular the need to intensify regional cooperation in the prosecution of war crimes. In the context of the Tribunal's closure at the end of 2017, President Agius expressed hope that the countries of the former Yugoslavia will continue the work of the Tribunal by bringing to justice those alleged to have committed war crimes and crimes against humanity. Further, President Agius recalled the initiative for the establishment of ICTY information centres, which would make the Tribunal's public records and archives available to the citizens of Croatia and throughout the region. The President posed the possibility for establishing such an information centre in Zagreb, an initiative for which the Croatian leadership expressed their interest and support.

This was the first in a series of visits that President Agius will pay to the countries of the former Yugoslavia before the ICTY closes at the end of this year.

## OFFICE OF THE PROSECUTOR

6-10 February 2017

### UN Women expert mission to Colombia



Between 6 and 10 February 2017, ICTY Deputy to the Prosecutor, Michelle Jarvis, took part in a UN Women expert mission to Bogotá to advise on the incorporation of gender perspectives into the planned transitional justice mechanism for Colombia.

Ms Jarvis formed part of a group of eight international experts with collective experience across various transitional justice mechanisms in diverse countries (Kenya, Kosovo, Peru, Philippines) and international/hybrid courts (ICTY and the ECCC). Over five days, the experts had an intensive program of meetings with key actors in the Colombian Comprehensive System for Truth, Justice, Reparation and Non-Repitition, including the Colombian Ministry of Justice, members of Congress, officials of the newly created Special Jurisdiction for Peace, government advisers, the judiciary, the international community in Colombia and representatives of civil society.

During these consultations a broad range of insights and lessons learned concerning the integration of gender into transitional justice processes were canvassed.

## ICTY LEGACY DIALOGUES

30 January 2017

### From the Tribunal to the Classroom



As part of the *ICTY Legacy Dialogues* series, the Tribunal's Outreach Programme held a public discussion on 30 January 2017 entitled *From the Tribunal to the Classroom* at the *Museon* in The Hague, in co-operation with the European Association of History Teachers (EUROCLIO).

The Tribunal Registrar John Hocking opened the event. The aim was to facilitate a discussion of the ways in which the Tribunal's legacy could be used in educational settings. Its target audience was educational professionals who are faced with the challenges of teaching students about the recent violent history of the former Yugoslavia.

This public discussion was part of a comprehensive multi-day workshop, the first two sessions taking place at the Tribunal on 28 and 29 January 2017. The workshop provided 30 history teachers and educational professionals from the countries of the former Yugoslavia a unique opportunity to discuss best practices in teaching the history of the 1990s conflicts and using the wealth of material contained in the ICTY archives.

The Tribunal considers this project to be especially important because of its potential impact on a high number of students in the region, and is committed to continuing to pass on its know-how and information resources to teachers and other educational professionals.





## STATUS OF CASES

### CASES AT TRIAL

Mladić	On 16 May 2012, the trial began. On 26 February 2014, the Prosecution closed its case. The Defence case commenced on 19 May 2014. Closing arguments in this case concluded on 15 December 2016. The Trial Judgement is expected in November 2017.
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### CASES ON APPEAL

Prljić <i>et al.</i>	The Appeal Hearing in this case took place from 20-28 March 2017. The next Status Conference will be held on 3 May 2017. The Appeal Judgement is expected in November 2017.
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## KEY FILINGS: JANUARY/FEBRUARY/MARCH 2017

### JOJIĆ *et al.*

14 February 2017	On 14 February 2017, the ICTY Registry <a href="#">requested</a> that Interpol issue the red notices on the basis of the arrest warrants for Petar Jojić, Jovo Ostojić and Vjerica Radeta - who are accused of contempt of court. The request was issued under the direction of the ICTY Trial Chamber I, stating that 'Interpol's assistance may contribute to ensuring that the course of justice is not further obstructed'.
29 March 2017	On 24 March 2017, Interpol notified the Tribunal that it has issued red notices in relation to pending arrest warrants in the <i>Jojić et al.</i> contempt of court case before the Tribunal. The red notices, which seek the location and arrest of the accused were issued by Interpol at the <a href="#">request</a> of the Tribunal's Registry, following an order of Trial Chamber I. The red notices are effective as of 16 March 2017.

### PRLIĆ *et al.*

1 March 2017	On 1 March 2017, the Appeals Chamber announced the <a href="#">Order for the Preparation of the Appeal Hearing</a> scheduled for 20-24 and 27-28 March 2017.
3 April 2017	On 3 April 2017, Judge Agius <a href="#">ordered</a> that a status conference in this case shall be held on Wednesday, 3 May 2017.

### MLADIĆ

20 March 2017	On 20 March 2017, the Defence submitted a <a href="#">motion</a> requesting the provisional release for the accused based on humanitarian and medical reasons.
30 March 2017	On 30 March 2017, the Prosecution submitted a <a href="#">motion</a> asking the Trial Chamber to dismiss the Defence motion from 20 March. According to the Prosecution, the accused fails the prerequisite requirements for provisional release.

## FACTS & FIGURES

<p><b>161 INDIVIDUALS INDICTED</b></p> <p>The Tribunal has indicted a total of <b>161</b> individuals, and has already completed proceedings with regard to <b>154</b> of them. <b>19</b> have been acquitted, <b>83</b> sentenced, <b>13</b> have had their cases transferred to local courts, and <b>2</b> Accused are to be re-tried before the MICT.</p>	<b>154</b>	Total number of Accused whose proceedings have been completed.
	<b>37</b>	Cases terminated (either because indictments were withdrawn or because the Accused died, before or after transfer to the Tribunal).
	<b>2</b>	Proceedings are on-going with regard to 7 Accused.
	<b>28</b>	Individuals have been 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.