



Monday 12 November 2007

Highlights of 29/10/2007 through 09/11/2007 - Nr. 25

HISTORICAL WEEK AT THE ICTY: EIGHT COURT CASES HANDLED SIMULTANEOUSLY!

The beginning of the trial of Vojislav Šešelj on 7 November brought the number of accused appearing in court in the course of last week to 26, and the number of different cases heard in the three courtrooms to seven. But one should not forget the Dragomir Milošević case, which is at the judgement-drafting phase. A total of eight different cases are thus being handled at the trial stage -- an unprecedented number!

29 October

Downsized ICTY and ICTR are the best successors to ... ICTY and ICTR

Meeting with Legal Advisers of the Member States of the United Nations in New York, President Fausto Pocar emphasizes that "radically downsized Tribunals" are the most "desired residual mechanism" in order to "deal with the 12 essential functions that will outlast the close" of the proceedings at the ICTY and ICTR.

After briefing the audience on "developments that have emerged in recent Appeal Judgements with regard to the crime of persecution," the President addresses the issue of the current proliferation of international jurisdictions. It "is in fact a positive development in spite of the possibility of conflicts of jurisdictions," President Pocar notes.

The following press release was issued: MH/MOW/ PR1194e at
<http://www.un.org/icty/latest-e/index.htm>

The full text of the President's speech is available at:
<http://www.un.org/icty/pressreal/2007/pr1194e-annex.htm>

29 October

Members of the judiciary of the FYROM visit the Tribunal

Members of the judiciary of the Former Yugoslav Republic of Macedonia pay a three-day visit to the ICTY, where they will learn about handling appellate hearings, working with witnesses, and the transfer of cases from the ICTY to local judiciaries. The group is comprised of judges from the Skopje Appellate Court, the Macedonian Supreme Court, and representatives of the Public Prosecutor's Office, Higher Public Prosecution Skopje, Ministry of Justice, and the Academy for Training of Judges and Public Prosecutors.

The visit was sponsored by the OSCE Spillover Mission to FYROM and OPDAT (Overseas Prosecutorial Development Assistance and Training – an office in the US State Department).

31 October

Zelenović: sentence of 15 years affirmed by Appeals Chamber

This Judgement is the fastest ever rendered by the Appeals Chamber (less than three weeks after the hearing), and marks the completion of the 111th ICTY case (out of 161 accused, see details on page 2).

Dragan Zelenović pleaded guilty on 17 January 2007 to seven counts of rape and torture, crimes committed in Foča in 1992. On 4 April 2007, the Trial Chamber sentenced him to 15 years' imprisonment.

The following press release was issued: MH/MOW/ PR1195e at
<http://www.un.org/icty/latest-e/index.htm>

The summary of the judgement can be found on the Tribunal's website at:
<http://www.un.org/icty/pressreal/2007/pr1195e-summary.htm>

1 November

Dragan Jokić, a convicted person held in contempt of court, will

The Trial Chamber on the Popović *et al.* (Srebrenica) case, issues an Order instituting contempt proceedings against Dragan Jokić who, called to testify on 31 October and 1 November, "knowingly and willfully interfered with the administration of justice by contumaciously refusing to testify."

Chief of Engineering of the Zvornik Brigade of the VRS (Bosnian Serb Army) at the

**appear in court
again on 19
November**

time of the Srebrenica genocide, Dragan Jokić was convicted by the Tribunal of aiding and abetting extermination, persecutions on political, racial and religious grounds and murder. He was sentenced on 17 January 2005 to nine years' imprisonment. The conviction and the sentence were upheld by the Appeals Chamber on 9 May 2007.

On 9 November, the Trial Chamber issued an order for Dragan Jokić to appear in court on 19 November 2007.

**5 November
ICTY Staff Union
President and
Vice-President at
UNHQ in New
York**

Rick Cottam and Kristina Carey, ICTY Staff Union President and Vice-President, respectively, meet with Alicia Barcena, Under-Secretary-General for Management and Jan Beagle, Assistant Secretary-General. The meeting arises from efforts on the part of the ICTY Staff Union to have serious and substantive discussions regarding topics related to staff issues in view of the Tribunal's Completion Strategy.

**7-8 November
Šešelj trial opens**

The trial in the Šešelj case opens with the Prosecution presenting its opening statement. On Thursday 8 November, the accused makes a Declaration.

The trial then adjourns until 11 December 2007, when the Prosecution will start with the presentation of evidence.

**9 November
Haradinaj *et al.*
case: witness
arrested today for
contempt will
make his initial
appearance on
Monday**

Avni Krasniqi was arrested today following his indictment for contempt of court. The indictment was issued confidentially on 5 November 2007, and released publicly today following Krasniqi's arrest.

It is alleged that Krasniqi committed contempt of court on 29 October 2007 by failing to comply with an order to appear before the Trial Chamber. The initial appearance of Krasniqi will take place at 1 pm on Monday 12 November.

The following press release was issued: CT/MOW/ PR1196e at <http://www.un.org/icty/latest-e/index.htm>

ICTY PROCEEDINGS COMPLETED WITH REGARD TO **111 ACCUSED**

Since the very first hearing (referral 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 111 of them: nine have been acquitted, 53 sentenced (nine are awaiting transfer, 26 have been transferred, 16 have served their term, and two died while serving their sentence), 13 have had their cases transferred to local courts. Another 36 cases have been terminated (either because indictments were withdrawn or because the accused died, before or after transfer to the Tribunal).

Proceedings are on-going with regard to 50 accused: eight are at the appeals stage, 27 are currently in the trial phase, 11 are at pre-trial and four are still at large.

The figure of the accused at the appeals stage includes Amir Kubura and Naser Orić. These two accused have been sentenced and granted early release (Kubura) and release (Orić), but the OTP has appealed against the Trial Chamber's Judgements.

A further 22 individuals are or have been the subject of contempt proceedings.

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