



United Nations



International Criminal Tribunal for the former Yugoslavia

The ICTY Digest

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DIPLOMATIC SEMINAR TO BE HELD ON 10 JUNE TO MARK THE 15TH ANNIVERSARY OF THE TRIBUNAL

On the occasion of the 15th anniversary of the International Criminal Tribunal for the former Yugoslavia, the President, Judge Fausto Pocar, the Prosecutor, Serge Brammertz, and the Registrar, Hans Holthuis, will address the diplomatic community during a DIPLOMATIC SEMINAR.

The Seminar will take place on Tuesday 10 June 2008, from 10:00 to 12:00 and will be followed by a reception.

Invitations to the Seminar were sent last week. Should you not have received it, please do not hesitate to contact Gea van der Werf, at +31.72.512.85.99 or at vanderwerf@un.org.

13 May and 20 May

Astrit Haraqija and Bajrush Morina on provisional release until the beginning of their trial on 16 June

Both charged on 25 April with contempt for allegedly trying to persuade a protected witness not to testify against Ramush Haradinaj, Astrit Haraqija and Bajrush Molina are granted provisional release by Trial Chamber I.

The latter issued on 20 May an Order scheduling the trial of A. Haraqija and B. Molina. It will take place between Monday 16 and Friday 20 June.

Astrit Haraqija is a former Kosovo Minister for Culture, Youth and Sport, and Bajrush Morina a former political advisor to the Deputy Minister at the Ministry of Culture, Youth and Sport.

14 -16 May

ICTY Prosecutor participates in a conference of national Prosecutors

Upon arriving in Zagreb, Prosecutor Serge Brammertz meets with the Deputy Prime Minister, Jadranka Kosor, and the Minister of Justice, Ana Lovrin, to discuss pending issues related to the cooperation of Croatia with the Office of the Prosecutor.

The Prosecutor then travels to Brijuni to participate in a conference of national prosecutors, organised by the Office of the Chief State Attorney of Croatia but also attended by prosecutors from Bosnia and Herzegovina, Croatia, the Former Yugoslav Republic of Montenegro, Macedonia and Serbia. The title of the conference is "Cooperation of National Prosecutors' Offices in the prosecuting war crimes cases".

On behalf of Serge Brammertz, the spokesperson for the Office of the Prosecutor recalled that "the cooperation between this Office and the prosecution authorities in the former Yugoslavia remains crucial to the continued prosecution of war crimes in the region. The Office of the Prosecutor also encourages efforts to strengthen cooperation between national prosecutors in the countries of the former Yugoslavia and to eliminate all the remaining obstacles to effective inter-state cooperation so as to avoid the possibility of a judicial vacuum that would allow alleged war criminals to evade justice."

14 May

Haradin Bala transferred to France to serve the remainder of his sentence...

... of thirteen (13) years' imprisonment for crimes committed against Serb and Kosovo Albanian civilians in the Kosovo Liberation Army-run Lapušnik/Llapushnik prison camp between May and July 1998.

Thirty-two (32) persons convicted by the Tribunal are currently serving sentence in one of the fifteen (15) States who have signed an Enforcement Agreement. Only two individuals definitively sentenced by the Tribunal are awaiting their transfer: Stanislav Galić and Dragan Jokić.

15 May

Milan Martić: appeals hearing scheduled

It will take place on Wednesday 25 and Thursday 26 June. A former senior political leader of Croatian Serbs, Milan Martić on 12 June 2007 was sentenced to thirty-five (35) years' imprisonment for crimes committed during the early nineties against Croats and other non-Serbs in Croatia.

Milan Martić was convicted on 16 counts including persecutions, murder, torture, deportation, attacks on civilians, wanton destruction of civilian areas and other crimes against humanity and violations of laws and customs of war. He was acquitted on one count of the indictment charging him with extermination.

[16 May](#)

Appeals Chamber adjourns the trial of Jovica Stanišić and Franko Simatović for three months

The Appeals Chamber issued its Decision on a Motion filed by the defence for Jovica Stanišić.

Considering that "adjournment [of the trial] is the best solution insofar as it would more fully respect the fundamental right of an accused to be present at trial," it adjourns the trial for a minimum of three months and orders a reassessment of the accused's state of health before determining when the trial should resume.

[19 – 21 May](#)

President Pocar in Sarajevo and Foča

In Sarajevo, the Tribunal's President, Judge Fausto Pocar, discusses Bosnia and Herzegovina's cooperation with the ICTY, as well as issues related to the Tribunal's legacy with a number of interlocutors, including State representatives, members of the judiciary and victim associations.

Addressing the media at the end of the first day of his visit to Bosnia and Herzegovina, Judge Fausto Pocar stresses that "Karadžić, Mladić, Župljanin and Hadžić must be arrested," adding that their flight is "a major obstacle to the successful completion of the Tribunal's mandate" and a "challenge to the credibility of the international community's commitment to justice."

After his visit to the Foča prison, from where Radovan Stanković escaped almost one year ago, President Pocar states that "it is a disgrace that a man found guilty beyond any reasonable doubt of systematic rape, torture and enslavement of women and underage girls managed to escape from prison. His continuing liberty is a stain on the reputation of Republika Srpska."

The first accused that was transferred from the Tribunal to Court of BiH, Radovan Stanković escaped from the Foča prison while serving a 20-year sentence.

Acknowledging "the assistance provided by the Republika Srpska Minister of Justice for the opportunity to visit the prison," Judge Fausto Pocar announces also that he "will draw the attention of the international community to the importance of supporting the process of improving the security of prison facilities not only in Foča but also elsewhere in Bosnia and Herzegovina."

The President concluded his three-day stay with a visit to the State Court of Bosnia and Herzegovina, where he met with Judge Meddžida Kreso, President of the Court.

[20 , 21 and 23 May](#)

THIRD KOSOVO ALBANIAN CHARGED WITH ALLEGED CONTEMPT DURING THE TRIAL OF RAMUSH HARADINAJ

On 20 May, Trial Chamber I unseals an indictment raised on 1 April by Prosecutor Serge Brammertz against Baton Haxhiu, a renowned journalist in Kosovo, charged with contempt for having revealed in his publication the identity of a protected witness.

Arrested and transferred to the Tribunal on the same day, Baton Haxhiu pleaded not guilty on Wednesday 21 May. On 23 May, Baxton Haxhiu was granted provisional release until the beginning of his trial.

Haxhiu is the third Kosovo Albanian to be charged with contempt of court in as many weeks. On 25 April 2008 Astrit Haraqija and Bajrush Morina were indicted for their alleged attempt to persuade a protected witness not to testify against Ramush Haradinaj (see article on page 1 for the latest developments in this case.) At the time of rendering its Judgement in the case against Ramush Haradinaj, Idriz Balaj and Lahi Brahimaj, the Trial Chamber noted "the significant difficulties encountered by the Chamber in securing testimony of a large number of witnesses" during the trial.

[21 - 22 May](#)

BiH Prosecutors on a two-day visit to the ICTY

A joint effort of OSCE Mission to Bosnia and Herzegovina and the Tribunal's Outreach Programme, the visit by a group Prosecutors from six Cantons and Districts of Bosnia and Herzegovina is designed to acquaint them with the functioning of the Tribunal and provide an opportunity for exchange of experiences.

The Prosecutors are accompanied by the OSCE Head of Mission, Ambassador Douglas Davidson who will use this opportunity to have bilateral meetings with the Tribunal's President and Prosecutor and discuss issues relevant to cooperation of the two institutions.

23 May

...at 9 am.

**Naser Orić:
Appeals
Judgement on
Tuesday 3 July...**

Trial Chamber II on 30 June 2006 convicted Naser Orić, a former senior commander of Bosnian Muslim forces in and around Srebrenica, for failing to take steps to prevent the murder and cruel treatment of a number of Serb prisoners in 1992 and 1993. The accused was sentenced to two years' imprisonment. However, as Naser Orić was entitled to credit for the period of time he had spent in custody since 10 April 2003, he was released on 1 June 2006.

Both parties appealed against the Trial Chamber's Judgement. The appeals hearing took place on 1 and 2 April 2008.

THE COURTROOM SCHEDULE FOR THE PERIOD 26 MAY – 6 JUNE...

...reads as follows:

MONDAY 26 MAY

Courtroom I 09:00 – 13:45, **Gotovina et al**, Trial
Courtroom III 14:15 – 19:00, **Prlić et al**, Trial

TUESDAY 27 MAY

Courtroom II 09:00 – 13:45, **Gotovina et al**, Trial
Courtroom III 09:00 – 13:45, **Prlić et al**, Trial
14:15 – 19:00, **Šešelj**, Trial

WEDNESDAY 28 MAY

Courtroom I 09:00 – 13:45, **Gotovina et al**, Trial
14:15 – 19:00, **Momcilo Perisic**, Motion hearing
Courtroom II 14:30 – 17:30, **S. Lukic & M. Lukic**
Courtroom III 09:00 – 13:45, **Prlić et al**, Trial
14:15 – 19:00, **Šešelj**, Trial

THURSDAY 29 MAY

Courtroom II 09:00 – 13:45, **Gotovina et al**, Trial
Courtroom III 09:00 – 13:45, **Prlić et al**, Trial
14:15 – 18:30, **Šešelj**, Trial

FRIDAY 30 MAY

Nothing scheduled

MONDAY 2 JUNE

Courtroom I 14:15 – 19:00, **Gotovina et al**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, Trial
14:15 – 19:00, **Prlić et al**, Trial

TUESDAY 3 JUNE

Courtroom I 08:30 – 13:15, **Šešelj**, Trial
Courtroom II 09:00 – 13:45, **Gotovina et al**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, Trial
14:15 – 19:00, **Prlić et al**, Trial

WEDNESDAY 4 JUNE

Courtroom I 08:30 – 13:15, **Šešelj**, Trial
14:15 – 19:00, **Prlić et al**, Trial
Courtroom II 09:00 – 13:45, **Gotovina et al**, Trial
Courtroom III 14:15 – 19:00, **Popović et al**, Trial

THURSDAY 5 JUNE

Courtroom I 08:30 – 13:15, **Šešelj**, Trial
Courtroom II 09:00 – 13:45, **Gotovina et al**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, Trial
14:15 – 19:00, **Prlić et al**, Trial

FRIDAY 6 JUNE

Courtroom I 09:00 – 13:45, **Gotovina et al**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, Trial

Public proceedings are also broadcast with a 30 minute delay on the ICTY's website.

PROCEEDINGS COMPLETED WITH REGARD TO 113 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 113 of them: nine have been acquitted, 55 sentenced (two are awaiting transfer, 32 have been transferred, 19 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 48 accused: 10 are at the appeals stage, two are awaiting the Trial Chamber's judgement, 26 are currently on trial, six are at the pre-trial stage, and four are still at large.

A further 24 individuals have been or are the subject of contempt proceedings.

The ICTY Digest is a publication of the Registry, prepared and produced by the LPTV Section.
Registrar: Hans Holthuis. Chief LPTV: Christian Chartier
Assistant: Gea van der Werf

Have assisted in preparing this issue: Estelle Jeanmart and Lisette Planellas Juda

Queries and comments:

Christian Chartier, Editor: +31.70.512.52.40, chartier.icty@un.org
Denise Gustin-Gardella, Assistant Editor: +31.70.512.53.49, gustin.icty@un.org

International Criminal Tribunal for the former Yugoslavia, Churchillplein 1, 2517 JW The Hague, the Netherlands
www.un.org/icty

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