



United Nations



International Criminal Tribunal for the former Yugoslavia

The ICTY Digest

Monday 1 December 2008

Highlights of 17/11/2008 through 28/11/2008 - Nr. 48

[17 November](#)

President Patrick Robinson says that he is confident the Tribunal will successfully complete its work in the near future

Taking his office as President of the Tribunal, Judge Patrick Robinson says that “it is an honour to be appointed as the sixth President of the International Criminal Tribunal for the former Yugoslavia. Fully aware that this is a key stage of the Tribunal’s life, I look forward to bringing this institution closer to the successful completion of its mandate.

Having served as a judge at the Tribunal for a decade, its many achievements - but also key challenges ahead - are well known to me. This is an exceptionally busy time for the Tribunal with the largest number of accused on trial ever, six trials running simultaneously and a seventh case due to commence shortly.

While the Tribunal is close to completing its mandate, the continued evasion from arrest by the remaining fugitives, Ratko Mladić and Goran Hadžić, does cast a shadow over the Tribunal’s achievements. As President of the Tribunal, I will continue to insist that the Tribunal must not close its doors before trying these fugitives who fall within the category of the most senior persons accused.

The Tribunal has set the course of international justice on an irreversible path forward and has played a pioneering role in the development of international substantive and procedural humanitarian law.

The Tribunal has also assisted in entrenching the rule of law in the states of the former Yugoslavia. Recognising that its role was to take up the work that local judiciaries were unable to do at the time of its establishment, the Tribunal has expended much energy in building partnerships with the judiciary in the region. This cooperation must continue and intensify as the Tribunal nears the completion of its mandate.

I am confident the Tribunal will successfully complete its work in the near future, and I hope that under my leadership the international community will continue to provide the strong support it has provided in the past.”

[20 November](#)

Judge Flügge sworn in

The swearing in of Judge Flügge (Germany) as a permanent judge takes place in Courtroom I. The Secretary-General appointed Christoph Flügge, an expert on criminal law and a former criminal court judge, as a permanent judge on the Tribunal to replace Judge Schomburg, who resigned effective 18 November.

The following press release was issued: CVO/MOW/1291e at <http://www.un.org/icty/latest-e/index.htm>

[20 November](#)

Stanišić and Župljanin make their further appearance

Mičo Stanišić and Stojan Župljanin enter a plea of not guilty on the new charges in the consolidated indictment. Mičo Stanišić enters his plea by video-link from Belgrade, where he is on provisional release.

Mičo Stanišić was Minister of Interior of Republika Srpska between 1992 and 1993, and Stojan Župljanin was the most senior police officer in the so-called Autonomous Region of Krajina (ARK) in northwestern Bosnia and Herzegovina during the 1992-1995 conflict. The two cases were joined on 23 September 2008. Mičo Stanišić and Stojan Župljanin are charged with 7 counts of crimes against humanity (persecutions, extermination, murder, torture, inhumane acts including forcible transfer, and deportation) and 3 counts of violations of the laws or customs of war (murder, torture, cruel treatment).

[21 November](#)

Haraqija & Morina recalled from provisional release: contempt judgement on 17 December...

...at 2.15 p.m. in courtroom 1. On 25 April, Astrit Haraqija, former Kosovo Minister for Culture, Youth and Sport, and Bajrush Morina, former political advisor to the Deputy Minister at the Ministry of Culture, Youth and Sport, were both indicted for contempt of court after allegedly trying to persuade a protected witness not to testify against Ramush Haradinaj.

Their trial took place from 8 to 11 September. The two accused, who were provisionally released after their trial, must return to the Detention Unit on 15 December.

[24 November](#)

ICTY reaches out to media from south and south-western Serbia

Visiting the Tribunal this week are eight senior print and broadcast media representatives from south and south-western Serbia. Sponsored by the Organisation for Security and Co-operation in Europe (OSCE) and coordinated by the Outreach Programme, the week-long visit aims to bring international justice closer to the public of these specific regions.

The two geographic areas were specially selected as they are regions with mixed populations - ethnic Albanians, Bosnians and Serbs. The organisers and participants recognise that the media in Serbia have a crucial role in the process of facing the past and raising the issues of responsibilities for war crimes.

The participants met with senior Tribunal staff and journalists who cover the Tribunal regularly, attended trials, and held a roundtable with the Tribunal and the OTP spokespersons.

[24 November](#)

Judge Bonomy, new Presiding Judge of Trial Chamber III

Judge Iain Bonomy is elected Presiding Judge of Trial Chamber III, effective 24 November 2008. He replaces Judge Patrick Robinson, who was elected President of the Tribunal on 4 November.

Trial Chamber III also consists of Judge Jean-Claude Antonetti and Judge Christoph Flügge.

[25 November](#)

Vukovar Hospital case: appeals hearing on 21 and 23 January 2009,...

... the Appeals Chamber (Judge Meron, Presiding; Judge Güney, Judge Pocar, Judge Liu and Judge Vaz) announces.

Both Parties appealed against the Judgement of 27 September 2007 in which Trial Chamber II (Judge Parker, Presiding; Judge Van den Wyngaert and Judge Thelin), after dismissing all counts charging the three accused with crimes against humanity, acquitted Miroslav Radić and sentenced Mile Mrkšić and Veselin Šljivančanin to 20 and five years' imprisonment, respectively.

M. Radić was released shortly after the judgement hearing. On 11 December 2007, the Appeals Chamber granted V. Šljivančanin provisional release pending the appeals hearing. The decision was reached after the Appeals Chamber considered that among other factors, he had already served nearly 90% of his sentence.

[26 November](#)

Prlić et al. trial adjourned until 12 January

The Defence for Jadranko Prlić completes the examination of all their witnesses, apart from an expert witness who will appear on Monday 12 January.

The first to be presented in this multiple accused (six) case, Prlić's Defence opened their case on 6 May 2008, and have called 19 witnesses so far. The second Defence case, for Bruno Stojić, will commence the week of 19 January.

[28 November](#)

Hartmann contempt trial: February 2009

The Specially Appointed Chamber issues an order today scheduling the contempt trial of Florence Hartmann.

The trial will take place on Thursday 5 February and Friday 6 February from 9 a.m. to 1:45 p.m. and from 2:15 p.m. to 7 p.m. in Courtroom I.

**THE NEXT ISSUE OF THE ICTY DIGEST WILL BE PUBLISHED ON MONDAY
22 DECEMBER, THE FIRST DAY OF THE JUDICIAL RECESS WHICH WILL LAST
UNTIL MONDAY 12 JANUARY 2009.
PLEASE FIND BELOW THE COURTROOM SCHEDULE THROUGH FRIDAY 19 DECEMBER.**

COURTROOM SCHEDULE: 1 DECEMBER – 19 DECEMBER 2008*

MONDAY 1 DECEMBER

Courtroom I 08:50 – 13:45, **Lukić&Lukić**, Trial
14:15 – 19:00, **Gotovina et al**, Trial
Courtroom II 12:00 – 13:00, **Boškoski & Tarčulovski**, Status Conference
14:15 – 19:00, **Momčilo Perišić**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, Trial

TUESDAY 2 DECEMBER

Courtroom I 08:50 – 13:45, **Lukić&Lukić**, Trial
14:15 – 19:00, **Gotovina et al**, Trial
Courtroom II 08:30 – 13:15, **Šešelj**, Trial
14:15 – 19:00, **Momčilo Perišić**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, Trial

WEDNESDAY 3 DECEMBER

Courtroom I 08:50 – 13:45, **Lukić&Lukić**, Trial
14:15 – 19:00, **Gotovina et al**, Trial
Courtroom II 08:30 – 13:15, **Šešelj**, Trial
14:15 – 19:00, **Momčilo Perišić**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, Trial

THURSDAY 4 DECEMBER

Courtroom I 08:50 – 13:45, **Lukić&Lukić**, Trial
14:15 – 19:00, **Gotovina et al**, Trial
Courtroom II 08:30 – 13:15, **Šešelj**, Trial
14:15 – 19:00, **Momčilo Perišić**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, Trial

FRIDAY 5 DECEMBER

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

MONDAY 8 DECEMBER

Holiday – Eid-al Adha

TUESDAY 9 DECEMBER

Courtroom I 08:30 – 13:15, **Šešelj**, Trial
14:15 – 19:00, **Momčilo Perišić**, Trial
Courtroom II 08:50 – 13:45, **Lukić&Lukić**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, Trial
14:15 – 19:00, **Gotovina et al**, Trial

WEDNESDAY 10 DECEMBER

Courtroom I 08:30 – 13:15, **Šešelj**, Trial
14:15 – 19:10, **Lukić&Lukić**, Trial
Courtroom II 09:00 – 13:45, **Momčilo Perišić**, Trial
Courtroom III 09:00 – 13:45, **Gotovina et al**, Trial
14:15 – 19:00, **Popović et al**, Trial

THURSDAY 11 DECEMBER

Courtroom I 08:30 – 13:15, **Šešelj**, Trial
14:15 – 19:10, **Lukić&Lukić**, Trial
Courtroom II 09:00 – 13:45, **Momčilo Perišić**, Trial
Courtroom III 09:00 – 13:45, **Gotovina et al**, Trial
14:15 – 19:00, **Popović et al**, Trial

FRIDAY 12 DECEMBER

Courtroom I 09:00 – 13:45, **Gotovina et al**, Trial
Courtroom II 08:50 – 13:45, **Lukić&Lukić**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, Trial

MONDAY 15 DECEMBER

Courtroom I 09:00 – 13:45, **Gotovina et al**, Trial
14:15 – 19:00, **Momčilo Perišić**, Trial
Courtroom II 08:50 – 13:45, **Lukić&Lukić**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, Trial

TUESDAY 16 DECEMBER

Courtroom I 09:00 – 13:45, **Gotovina et al**, Trial
14:15 – 19:00, **Momčilo Perišić**, Trial
Courtroom II 08:50 – 13:45, **Lukić&Lukić**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, Trial

WEDNESDAY 17 DECEMBER

Courtroom I 09:00 – 13:45, **Gotovina et al**, Trial
14:15 – 15:15, **Haračija & Morina**, Judgement
15:45 – 19:00, **Momčilo Perišić**, Trial
Courtroom II 08:50 – 13:45, **Lukić&Lukić**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, Trial

THURSDAY 18 DECEMBER

Courtroom I 09:00 – 13:45, **Gotovina et al**, Trial
14:15 – 19:00, **Momčilo Perišić**, Trial
Courtroom II 08:50 – 13:45, **Lukić&Lukić**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, Trial

FRIDAY 19 DECEMBER

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

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

PROCEEDINGS COMPLETED WITH REGARD TO 116 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 116 of them: 10 have been acquitted, 57 sentenced (four are awaiting transfer, 27 have been transferred, 24 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 45 accused: ten are at the appeals stage, six are awaiting the Trial Chamber's judgement, 20 are currently on trial, seven are at the pre-trial stage. Two fugitives are still at large.

A further 29 individuals have been or are the subject of contempt proceedings.

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