



[Monday 26 October: Karadžić trial commences](#)

The trial of Radovan Karadžić began this morning in courtroom I, although the accused refused to attend the opening of his trial. Presiding Judge Kwon concluded the hearing as follows: "In light of the absence of the accused and of counsel to represent him, the Chamber will adjourn these proceedings today. However, we will reconvene tomorrow at 2.15 p.m., at which time we will hear the Prosecution's opening statement. We request Mr Karadžić to attend so that the trial is not further obstructed."

[09 October](#)

Hartmann case: Appeals Chamber stays the payment of fines

Following a Defence Motion, the Appeals Chamber decided that "the payment of a fine, if any, shall not be due before the Appeals Chamber has rendered its decision on the Appeals."

On 14 September 2009, a Specially Appointed Chamber found Florence Hartmann guilty on two counts of contempt for "having knowingly and wilfully interfered with the administration of justice by disclosing confidential information in knowing violation of orders" issued by the Appeals Chamber in the course of the Milošević case. She was sentenced to pay a fine of 7,000 euros, in two instalments, before the end of the year. She has appealed against the judgement.

[13 October](#)

Karadžić case: Appeals Chamber dismisses Holbrooke Agreement appeal

The Appeals Chamber dismissed in its entirety Radovan Karadžić's appeal of the Trial Chamber's Decision on the alleged Holbrooke Agreement.

On 27 July, Karadžić filed his Appeal against the Trial Chamber's 8 July decision denying his motion requesting that the Tribunal dismiss the indictment against him on the ground that as a result of the alleged Holbrooke Agreement the Tribunal lacked jurisdiction, or, alternatively, that the Trial Chamber exercise its discretion and decline to exercise jurisdiction under the abuse of process doctrine. Karadžić also requested the Trial Chamber hold an evidentiary hearing and make findings of fact on the existence of alleged Agreement.

The Appeals Chamber found that there is no provision of the ICTY Statute which "excludes any specific individual from the jurisdiction of the Tribunal", and that the Statue of the Tribunal can only be amended or derogated by means of a Security Council resolution. Therefore the Appeals Chamber found that "under no circumstance would the alleged Agreement in and of itself, even if its existence were proved, limit the jurisdiction of the Tribunal." In considering Karadžić's abuse of process argument, the Appeal Chamber found that individuals accused of the sort of universally condemned crimes contained in the Karadžić indictment "can have no legitimate expectation of immunity from prosecution", and that Karadžić's allegations "even if proved, would not trigger the doctrine of abuse of process justifying a stay of the proceedings against the Appellant."

Karadžić's request for an evidentiary hearing was found to be moot.

[15 October](#)

The Appeal Judgement in the Dragomir Milošević case...

...will be rendered on 12 November at 9:00 a.m., a Scheduling Order issued by Judge Pocar announced.

On 12 December 2007, Milošević, the commander of the Sarajevo Romanija Corps (SRK) of the Bosnian Serb Army (VRS), was found guilty of crimes against humanity and violations of the laws or customs of war. He was convicted of five counts of terror, murder and inhumane acts committed during a campaign of sniping and shelling during the 1992-1995 siege of Sarajevo which resulted in the injury and death of a great number of civilians. He was sentenced to 33 years in prison. Milošević took over the command of the SRK from Stanislav Galić who on 30 November 2006 was sentenced to life imprisonment by the Appeals Chamber. Galić is now serving his sentence in Germany where he was transferred on 15 January 2009.

[16 October](#)

**Stanišić and
Simatović trial
adjourned**

"Hearings in the present case shall recommence during the week of 30 November", reads the Decision issued by the Trial Chamber. Following the adjournment, Franko Simatović was granted provisional release from 19 October until 25 November.

Indicted on 1 May 2003, Jovica Stanišić and Franko Simatović were the Chief of the State Security Service (DB) and the Commander of the DB's Special Operations Unit, respectively. The DB belonged to Serbia's Ministry of Internal Affairs (MUP). Stanišić and Simatović are accused of crimes committed between 1991 and 1995 throughout Croatia and Bosnia and Herzegovina: murder, persecutions on political, racial and religious grounds, deportation and forcible transfers.

[16 October](#)

**Court of BiH finds
Milorad Trbić
guilty of genocide**

The War Crimes Section of the Court of Bosnia and Herzegovina found Milorad Trbić guilty of genocide and sentenced him to 30 years in prison. The court found that Trbić participated in a joint criminal enterprise the common purpose of which was to "capture, detain, summarily execute and bury all able bodied Bosniak (Muslim) males from Srebrenica enclave", according to a press release issued by the Court.

Originally indicted by the ICTY, Trbić's case was referred to the authorities in BiH in accordance with Rule 11bis, and he was transferred on 11 June 2007; his trial began on 8 November of the same year.

[19 October](#)

**BiH judges visit
the Tribunal**

The Tribunal's Vice-President, Judge O-Gon Kwon welcomed a group of 12 judges from Bosnia and Herzegovina (State Court of BiH, Supreme Court of Republika Srpska, Supreme Court of Federation of BiH and Sarajevo Cantonal Court) on a visit to the ICTY to exchange views and experience on a number of issues key for the BiH judiciary to be more effective in the prosecution and adjudication of war crimes cases.

In his welcoming words, Judge Kwon stressed the importance of the Tribunal's partnership with the Bosnian judiciary and acknowledged that the continuation of the Tribunal's work through the proceedings of national jurisdictions is a key legacy goal for the ICTY.

The visitors held separate meetings with ICTY judges on a variety of topics, including effective trial management, admissibility of adjudicated facts, testimony of vulnerable witnesses, sentencing and the doctrine of joint criminal enterprise.

The project has been generously supported by the US Department of Justice's Office for Overseas Prosecutorial Development, Assistance and Training (OPDAT).

[20 October](#)

**ICTY judges and
senior staff in
Argentina for a
roundtable about
Crimes against
Humanity**

The Argentinean Ministry of Justice held a Roundtable discussion on "Crimes against Humanity and their Judgement" in Buenos Aires yesterday. The Attorney General Julio Alak gave the opening speech, and Hector Masquelet, the Secretary of Justice, closed the discussions which involved Human Rights experts from around the World.

Those from the ICTY in attendance included Judge Pocar, Judge David, Senior Trial Attorney Mark Harmon and CMSS Chief Linda Murnane.

COURTROOM SCHEDULE: 27 OCTOBER – 6 NOVEMBER

TUESDAY 27 OCTOBER

Courtroom I	09:00 – 13:45, Gotovina et al , Trial 14:15 – 19:00, Karadžić , Trial
Courtroom II	09:00 – 13:45, Dorđević , Trial 14:15 – 19:00, Stanišić & Župljanin , Trial
Courtroom III	09:00 – 13:45, Prlić , Trial 14:15 – 19:00, Perišić , Trial

WEDNESDAY 28 OCTOBER

Courtroom I 09:00 – 12:45, **Haradinaj, Balaj & Brahimaj**, Appeals hearing
13:45 – 19:00, **Haradinaj, Balaj & Brahimaj**, Appeals hearing
Courtroom II 09:00 – 13:45, **Stanišić & Župljanin**, Trial
14:15 – 19:00, **Đorđević**, Trial
Courtroom III 09:00 – 13:45, **Prlić**, Trial
14:15 – 19:00, **Gotovina et al**, Trial

THURSDAY 29 OCTOBER

Courtroom I 09:00 – 12:45, **Boškoski & Tarčulovski**, Appeals hearing
13:45 – 17:00, **Boškoski & Tarčulovski**, Appeals hearing
Courtroom II 09:00 – 13:45, **Stanišić & Župljanin**, Trial
14:15 – 19:00, **Đorđević**, Trial
Courtroom III 09:00 – 13:45, **Prlić**, Trial
14:15 – 19:00, **Gotovina et al**, Trial

FRIDAY 30 OCTOBER

Courtroom I 09:00 – 13:45, **Stanišić & Župljanin**, Trial
Courtroom II 09:00 – 13:45, **Đorđević**, Trial
14:15 – 19:00, **Perišić**, Trial
Courtroom III 09:00 – 13:45, **Gotovina et al**, Trial

MONDAY 2 NOVEMBER

Courtroom I 09:00 – 13:45, **Đorđević**, Trial
14:15 – 19:00, **Karadžić**, Trial
Courtroom II 09:00 – 13:45, **Perišić**, Trial
14:15 – 19:00, **Stanišić & Župljanin**, Trial
Courtroom III 09:00 – 13:45, **Gotovina et al**, Trial
14:15 – 19:00, **Prlić**, Trial

TUESDAY 3 NOVEMBER

Courtroom I 09:00 – 13:45, **Đorđević**, Trial
14:15 – 19:00, **Karadžić**, Trial
Courtroom II 09:00 – 13:45, **Perišić**, Trial
14:15 – 19:00, **Stanišić & Župljanin**, Trial
Courtroom III 09:00 – 13:45, **Gotovina et al**, Trial
14:15 – 19:00, **Prlić**, Trial

WEDNESDAY 4 NOVEMBER

Courtroom I 09:00 – 13:45, **Karadzic**, Trial
14:15 – 19:00, **Đorđević**, Trial
Courtroom II 09:00 – 13:45, **Perišić**, Trial
14:15 – 19:00, **Stanišić & Župljanin**, Trial
Courtroom III 09:00 – 13:45, **Gotovina et al**, Trial
14:15 – 19:00, **Prlić**, Trial

THURSDAY 5 NOVEMBER

Courtroom I 09:00 – 13:45, **Đorđević**, Trial
Courtroom II 09:00 – 13:45, **Perišić**, Trial
14:15 – 19:00, **Stanišić & Župljanin**, Trial
Courtroom III 09:00 – 13:45, **Gotovina et al**, Trial
14:15 – 19:00, **Prlić**, Trial

FRIDAY 6 NOVEMBER

Courtroom I 09:00 – 13:45, **Đorđević**, Trial
Courtroom II 09:00 – 13:45, **Perišić**, Trial
14:15 – 19:00, **Stanišić & Župljanin**, Trial
Courtroom III 09:00 – 13:45, **Gotovina et al**, Trial

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

PROCEEDINGS COMPLETED WITH REGARD TO 120 ACCUSED

Since the very first hearing (deferral 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 120 of them: 11 have been acquitted, 60 sentenced (two are awaiting transfer, 29 have been transferred, 27 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 41 accused: 14 are at the appeals stage, 24 are currently on trial, and one is at the pre-trial stage. Two fugitives are still at large.

A further 30 individuals have been or are the subject of contempt proceedings.

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*Extracts of, and/or quotes from, legal documents are not authoritative;
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