

6 December: President Robinson and Prosecutor Brammertz address the Security Council

President asks Council to support Tribunal as it implements a “vision of a world that is ruled not by might, but by right”

Addressing the Security Council as part of his report on the status of the Tribunal’s completion strategy, President Patrick Robinson highlighted the pressures placed on staff and resources at the Tribunal and called for action to reduce loss of staff. He also reiterated his call for the creation of a trust fund for victims of war crimes. On the issue of what he called the Tribunal’s “debilitating staff attrition”, President Robinson said that useful recommendations on fixed-term appointments and priority consideration for conversion to permanent contracts made by the Staff Management Coordination Committee had been “rendered meaningless” by subsequent OHRM decisions.

The President repeated his call to create a trust fund for victims of crimes within the Tribunal’s jurisdiction. He stated that “to build a lasting peace, justice must not only be retributive—it must also be restorative”. In making this proposal, the President said, “the Tribunal is extremely sensitive to the financial difficulties being experienced by Member States. And it has not escaped our notice that, lately, the importance of the concept of justice has come under fire. But it is precisely in difficult times that we must be the most vigilant in safeguarding the role of justice in our society. We must not lose sight of the reason why the Security Council created the Tribunal in the first place.”

In closing, the President remarked: “Justice matters because in a world without justice, right would be determined by might, and the weak would be at the mercy of the strong. None of us would want to live in a world where people do not get what they deserve but what they are able to take. All of our lives would be much darker without the light of justice to guide us on our way. I know I speak for all of us at the Tribunal when I say that, no matter what we do in our future professional lives, we will always look back with a bit of nostalgia tinged with gratitude and pride at the ICTY, as a time when we were able to make a modest difference in the world—as a time when we were privileged to be a positive force in the universe.”

For a comprehensive press release, which includes links to the full text of the President’s address in both English and French, please click on the following link: <http://www.icty.org/sid/10559>

Prosecutor says that the Tribunal must not be allowed to “falter at the final hurdle”

Delivering his Office’s 14th report on the progress of the ICTY’s completion strategy, Prosecutor Brammertz provided the Security Council members with updates on the progress of the Tribunal’s trials and appeals proceedings, issues of State co-operation, judicial capacity-building in the former Yugoslavia, and the current plans for the closure of the Tribunal.

The Prosecutor said that the challenge now facing the Tribunal was “to finalise our work expeditiously while at the same time preserving the integrity of our proceedings and the overall interests of justice.” Stressing that the OTP was working at “maximum capacity”, the Prosecutor paid tribute to the “dedication of staff in our Office” and said that “through their efforts we have been able to proceed with our cases as required. Our loyal staff members deserve recognition.”

Turning to the co-operation of States, the Prosecutor began with Serbia, where, he said, “co-operation in our ongoing cases is proceeding well...However, Serbia’s failure to capture the two remaining fugitives – Ratko Mladić and Goran Hadžić – is one of our foremost concerns.” Serbia, the Prosecutor said, had more to do “and the progress must be faster.”

As for Croatia, “the authorities are generally responsive to our requests for assistance. The key outstanding issue remains our request for important military documents relating to Operation Storm.”

And as far as the co-operation of Bosnia and Herzegovina was concerned: “we have seen satisfactory responses to our requests for assistance. However, we ask that the authorities redouble their efforts against fugitive networks.”

The Prosecutor then turned to capacity building in the former Yugoslavia. He stated that his Office “is doing everything possible to transfer information and expertise to courts” in the region, and continued to support “the full implementation of the Bosnia and Herzegovina National War Crimes Strategy”. The Prosecutor also encouraged courts dealing with war crimes cases at all levels of the judicial system to further improve their working relationships.

In conclusion, the Prosecutor told the Council members: “We are unquestionably focused on the end of our activities but, at the same time, we need the international community’s support more than ever. We need your commitment to ensuring that we have the resources necessary to complete our mandate. After 17 years of ground-breaking work and important accomplishments, we must not falter at the final hurdle.”

For a comprehensive press release, which includes links to the full text of the Prosecutor’s address in both English and French, please click on the following link: <http://www.icty.org/sid/10560>

[19 November](#)

**Former ICTY
judge Ole Bjørn
Støle passes away**

It is with deep regret that we have to announce the death of former ICTY judge Ole Bjørn Støle. Judge Støle passed away during a medical procedure on Friday, 19 November. Judge Støle was sworn in as an ad litem judge of the Tribunal on 13 July 2006. During his time at the Tribunal he worked on both the Haradinaj et al and Popovic et al cases. He officially left the Tribunal on 10 June 2010 (the date of the Popovic trial judgement).

Ole Bjørn Støle was born in Bergen, Norway, in 1950, and graduated as Candidata juris from the University of Bergen in 1976. He worked in the Norwegian Ministry of Justice from 1976, was a deputy judge in Kristiansand City Court from 1978, and worked in the Office of the Attorney General of Norway from 1980. He was then a private lawyer from 1985 until 2002, aside from the period between 1990 and 1993, during which he was a judge on the bench of the Gulating appeal court. He was appointed as a Supreme Court Justice in Norway from 2002, a position from which he took a leave of absence following his appointment at the Tribunal.

[22 - 23 November](#)

**ICTY conducts
training for
Serbian legal
professionals**

On 22 & 23 November, the Tribunal began a training session for legal professionals from the Serbian War Crimes Prosecutor's Office and the Higher and Appellate Court, as part of the War Crimes Justice Project (WCJP). The goal of the training is to transfer the Tribunal's institutional knowledge and specialised skills to jurisdictions in the region, thereby enhancing their capacity to handle complex war crimes cases. The two-day session at the Judicial Academy in Belgrade targeted legal professionals of all levels, from assistants to judges, and selected individuals from various state courts who are engaged in war crimes proceedings in Serbia. The training also targeted eight support staff who recently joined the Higher and Appellate Courts as part of the WCJP to assist local judges in adjudicating war crimes cases. Similar training sessions with staff from the local war crimes courts are scheduled to be held in Bosnia and Herzegovina (as below) and Croatia in the course of December 2010 and January 2011.

[24 November](#)

**Prosecutor visits
the UK**

Prosecutor Serge Brammertz recently paid a visit to London, where he met with David Lidington, Minister of State for Europe, and other senior officials in the Foreign and Commonwealth Office of the United Kingdom. The purpose of the visit was to discuss progress in the trials and appeals, the completion strategy, and co-operation of States, in particular Bosnia and Herzegovina, Croatia and Serbia, with the Office of the Prosecutor. Prosecutor Brammertz submitted his biannual report to the UN Security Council in late November and, as noted above, addressed the Council on 6 December.

[26 November – 1
December](#)

**ICTY football
team goes on tour**

The UN Workers Football team is fighting against HIV discrimination in sport, and they recently headed to the UK for a five-day tour during which they played a series of friendly matches in an effort to help eradicate the stigma many people living with HIV/AIDS face when they play sport.

The UN team began training in October 2010; it is made up of players from 14 countries - representing all organs of the Tribunal as well as the Defence - who have come together, volunteering their own time and money, for a common cause. It is supported by HIVsport, Educational Sports Forum, FIFPro and the Professional Footballers Association. The team played matches against UK Members of Parliament, the Trades Union Congress team, and teams from Oxford and Cambridge Universities. The tour is part of the ICTY Staff Union's recently launched social campaign S'porting Lives. The campaign concluded on World AIDS Day, 1 December, in Cape Town, where S'porting Lives has collaborated with Treatment Action Campaign (TAC), a leading HIV/AIDS organisation in South Africa. The TAC team played a local team to support S'porting Lives' international cause.

[29 November](#)

**ICTY delegation
heads to New
York to conclude
budget
discussions**

ICTY officials including President Robinson and Registrar Hocking spent several days in New York in order to conclude the discussions surrounding the revised estimates for the Tribunal's 2010-2011 budget. President Robinson held various high-level meetings in order to enlist support for the ICTY among the Member States.

Meanwhile, a team led by the Registrar, and including CAO David Falces, Chief Budget Officer Jorge Benito and Chief of Operations Bob Reid, spent their time conferring with, among others, the individual members of the Advisory Committee on Administrative and Budgetary Questions (ACABQ), and laying out for them the ICTY's financial requirements for the upcoming year. Following this they formally presented the budget estimates to the ACABQ. Once the ACABQ's review has been completed, the budget will go before the General Assembly's Fifth Committee for examination prior to being submitted for approval to the General Assembly in plenary session.

[30 November](#)

Amnesty International asks Security Council to support the ICTY and the ICTR

Amnesty International recently released an extensive public statement calling for the ICTY and the ICTR to be given the time, resources and co-operation they need in order to successfully complete their mandates. In the statement, Amnesty says it is "particularly concerned that the ICTY appears to be functioning well beyond its capacity with 10 parallel trials and judges having to sit on more than one case at the same time. As the June report to the Security Council indicates, this rate is not only exhausting the judges (and presumably the Tribunal's staff involved with and supporting the cases – who are notably leaving the ICTY at an alarming rate), it also highlights that the extremely high work rate is also counter-productive resulting often in delays in scheduling cases and other judicial work. Similar approaches appear to be being taken by the ICTR which reported in June that some judges are working on three cases in parallel."

The statement also lays out Amnesty's serious concerns that the premature closing of the Tribunals would mean that "impunity for the thousands of other crimes not addressed by the Tribunals would continue in the vast majority of cases due to the inability and/or unwillingness of the relevant national authorities to address the crimes. Such an outcome would be a significant failure for the legacy of both Tribunal legacy and the overall effort of the international community to address impunity for crimes committed in the former Yugoslavia and Rwanda." The statement continues by saying that: "Clearly more time, resources and co-operation by states are required to ensure that both Tribunals complete their cases effectively. More capacity building and efforts to demand that national authorities fully investigate and prosecute other crimes must be undertaken. More progress must be made in establishing a mechanism(s) to ensure that the continuing functions of the Tribunals are conducted effectively."

The full text of the statement can be read by clicking on the following link:

<http://www.amnesty.org/en/library/asset/REG01/005/2010/en/boce3178-73fe-45e5-9a98-36afb6b4f665/reg010052010en.html>

[1 December](#)

New information platform for international legal assistance

Judicial and State authorities requesting assistance from the Tribunal can now make use of a specialised information platform on the ICTY website. The new page offers detailed guidance to parties seeking the assistance of the Tribunal in relation to proceedings carried out before the Tribunal or investigations and judicial proceedings pending in a foreign State. It provides a list of guidelines on how to request assistance from the Office of the Prosecutor, the Registry, or the relevant authorities of the Netherlands on a number of issues, such as the receipt of ICTY court documents or the taking of statements from ICTY accused. Victims and witnesses can also use the platform for guidance on how to seek variation of their protective measures. This information platform furthers the Tribunal's efforts to assist judiciaries in the Balkans and globally in conducting war crimes cases relating to the former Yugoslavia. The new feature will likewise help clarify the avenues for seeking assistance in general criminal, civil and administrative cases.

The new page can be viewed by clicking on the following link: <http://www.icty.org/sid/10184>

[1 December](#)

Šljivančanin review judgement date announced

The Appeals Chamber will render their review judgement in the case of Veselin Šljivančanin on 8 December at 15.30, according to a scheduling order issued on 1 December.

On 14 July 2010, the Appeals Chamber granted Šljivančanin's application for review of the Appeals judgement against him of 5 May 2009. In that judgement, the Chamber entered an additional conviction for aiding and abetting murder and raised Šljivančanin's sentence from 5 years to 17 years in prison. The 14 July decision represents the first time in ICTY history that a request for review of a judgement has been granted. There have been eleven previous applications filed by convicted persons or the Prosecution (one case) and each has been rejected.

[2 - 3 December](#)

ICTY conducts training session for Bosnian legal professionals

On 2 & 3 December, the ICTY held a two-day training session in Sarajevo for legal professionals from the Cantonal Prosecutor's Offices of Mostar, Orašje, Goražde, Zenica, Livno, Široki Brijeg, Travnik, Sarajevo and Tuzla, as part of the War Crimes Justice Project (WCJP). The goal of the training is to transfer the Tribunal's institutional knowledge and specialised skills to jurisdictions in the region, thereby enhancing their capacity to handle complex war crimes cases. The training is intended to strengthen the ability of the Tribunal's local counterparts to locate and seek ICTY information and materials relevant to their work and will cover the use of the website and databases such as the ICTY Court Records Database and the Appeals Chambers Case Law Research Tool. It will also cover making requests to the ICTY for legal assistance and for variation of protective measures under the Tribunal's Rules of Procedure and Evidence. The project envisages similar training sessions with staff of the local war crimes courts and prosecutors' offices from throughout the region of the former Yugoslavia.

The WCJP is a 4-million euro regional project funded by the European Union and carried out by the OSCE Office for Democratic Institutions and Human Rights (ODIHR), in partnership with the ICTY, the UN Interregional Crime and Justice Research Institute and OSCE field operations.

COURTROOM SCHEDULE: 7 DECEMBER – 17 DECEMBER

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

TUESDAY 7 DECEMBER

Courtroom I 09:00 – 14:30, **Karadžić**, Trial
Courtroom II 14:15 – 19:00, **Stanišić & Simatović**, Trial
Courtroom III 09:00 – 13:45, **Tolimir**, Trial
14:15 – 19:00, **Stanišić & Župljanin**, Trial

WEDNESDAY 8 DECEMBER

Courtroom I 11:00 – 14:45, **Karadžić**, Trial
15:30 – 17:00, **Šljivančanin**, Judgement
Courtroom II 14:15 – 19:00, **Stanišić & Simatović**, Trial
Courtroom III 14:15 – 19:00, **Stanišić & Župljanin**, Trial

THURSDAY 9 DECEMBER

Courtroom I 09:00 – 14:30, **Karadžić**, Trial
Courtroom II 14:15 – 19:00, **Stanišić & Simatović**, Trial
Courtroom III 09:00 – 13:45, **Tolimir**, Trial
14:15 – 19:00, **Stanišić & Župljanin**, Trial

FRIDAY 10 DECEMBER

Courtroom I 09:00 – 14:30, **Karadžić**, Trial
Courtroom II 09:00 – 13:45, **Stanišić & Simatović**, Trial
Courtroom III 09:00 – 13:45, **Stanišić & Župljanin**, Trial
14:15 – 19:00, **Tolimir**, Trial

MONDAY 13 DECEMBER

Courtroom I 09:00 – 14:30, **Karadžić**, Trial
Courtroom II 09:00 – 13:45, **Perišić**, Trial
14:15 – 19:00, **Stanišić & Simatović**, Trial
Courtroom III 09:00 – 13:45, **Stanišić & Župljanin**, Trial
14:15 – 19:00, **Tolimir**, Trial

TUESDAY 14 DECEMBER

Courtroom I 09:00 – 14:30, **Karadžić**, Trial
15:00 – 17:30, **Šešelj**, Status conference
Courtroom II 09:00 – 13:45, **Perišić**, Trial
14:15 – 19:00, **Stanišić & Simatović**, Trial
Courtroom III 09:00 – 13:45, **Stanišić & Župljanin**, Trial
14:15 – 19:00, **Tolimir**, Trial

WEDNESDAY 15 DECEMBER

Courtroom I 09:00 – 14:30, **Karadžić**, Trial
Courtroom II 09:00 – 13:45, **Perišić**, Trial
14:15 – 19:00, **Stanišić & Simatović**, Trial
Courtroom III 09:00 – 13:45, **Stanišić & Župljanin**, Trial
14:15 – 19:00, **Tolimir**, Trial

THURSDAY 16 DECEMBER

Courtroom I 09:00 – 14:30, **Karadžić**, Trial
Courtroom II 09:00 – 13:45, **Perišić**, Trial
14:15 – 19:00, **Stanišić & Simatović**, Trial
Courtroom III 09:00 – 13:45, **Stanišić & Župljanin**, Trial
14:15 – 19:00, **Tolimir**, Trial

FRIDAY 17 DECEMBER

Courtroom II 09:00 – 13:45, **Perišić**, Trial
Courtroom III 09:00 – 13:45, **Stanišić & Župljanin**, Trial

The ICTY winter recess has been scheduled. The recess will take place between Monday 20 December 2010 and Friday 07 January 2011

PROCEEDINGS COMPLETED WITH REGARD TO 124 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 124 of them: 12 have been acquitted, 63 sentenced (four are awaiting transfer, 25 have been transferred, 31 have served their term, and three 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 37 accused: 14 are at the appeals stage, 18 are currently on trial, and three are at the pre-retrial stage. Two fugitives are still at large.

A further 31 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.
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