



Monday 26 February 2007

Highlights of 12/02/2007 through 23/02/2007 - Nr. 08

[14 February](#)**Vukovar Hospital case: closing arguments by mid-March**

The Trial Chamber issues an Order postponing until 14, 15 and 16 March the presentation by the Parties of their closing arguments, initially scheduled for 28 February, 1 and 2 March.

The Chamber considered that the parties could not file their final briefs before it has decided upon a Prosecution's Motion to Reopen the Case, filed on Tuesday 13 February. This Motion was denied on Friday 23 February.

[16 February](#)**Janković sentenced to 34 years by the BiH State Court**

Gojko Janković is pronounced guilty of crimes against humanity and sentenced to 34 years' imprisonment by a trial panel of the Section for War Crimes of the State Court of Bosnia and Herzegovina (BiH). Janković was acquitted of participating in the rape of a female person in the period between 7 April and May 1992.

This judgement is the second following the referral of an ICTY case pursuant to Rule 11bis, with the judgement in the case against Radovan Stanković being the first. Initially indicted by the Tribunal in relation to crimes allegedly committed in Foča, Gojko Janković was referred to the Court of BiH in accordance with Rule 11bis, and the accused was transferred on 8 December 2005.

[19 - 20 February](#)**Visit of Judges from the BiH State Court**

The Tribunal welcomes Judges from the State Court of Bosnia and Herzegovina for a visit to participate in round-table discussions with ICTY Judges on a number of procedural issues, especially in light of the referral of cases by the ICTY to the BiH Court.

[20 and 22 February](#)**Šešelj case reassigned to Trial Chamber III**

The President issues on Tuesday, 20 February, an Order reassigning the Šešelj case to Trial Chamber III, which consists of Judges Robinson, Antonetti and Bonomy. On Thursday 22 February, an additional Order is filed designating Judge Antonetti as the pre-trial Judge in the case.

The Status Conference initially scheduled to take place on Wednesday 28 February is postponed.

[21 February](#)**President and Registrar to attend expert group**

The ICTY spokesman announces that on 26 and 27 February, President Fausto Pocar and Registrar Hans Holthuis will attend an expert group meeting in New York entitled "Planning for residual issues and mechanisms for international and hybrid criminal tribunals." This meeting, organized by the International Centre for Transitional Justice (ICTJ) and the law faculty of the University of Western Ontario, will discuss archive and legacy issues related to the ICTY, ICTR, the Special Court for Sierra Leone and the Extraordinary Chambers in the Courts of Cambodia. It will be attended by representatives of the four courts, UN officials, government representatives, the ICTJ and other NGOs and universities.

[21 February](#)**OTP to reduce scope of Gotovina et al. indictment**

Trial Chamber I issues an Order to the Prosecution to reduce the scope of the indictment.

This written order affirms an oral order made during the Status Conference of 9 February.

[22 February](#)

**Haradinaj *et al.*
case: no
reduction in
scope of
indictment**

Trial Chamber I issues a Decision pursuant to Rule 73bis not to reduce the scope of the indictment against Ramush Haradinaj, Idriz Bala and Lahi Brahimaj. Their trial is scheduled to begin on 5 March.

On 6 February, the Prosecution had been invited by the Chamber to consider revising the indictment but declined to do so. The Trial Chamber said it was "persuaded by the Prosecution's submissions. Particularly, the Chamber is persuaded that the removal of counts or incidents (...) may (i) result in an indictment that is no longer representative of the case as a whole and (ii) may affect the Prosecutor's ability to present evidence on the scope of the alleged widespread and systematic attack and joint criminal enterprise."

[23 February](#)

**Zelenović:
sentencing
hearing and
submissions**

Trial Chamber II holds a sentencing hearing in the case against Dragan Zelenović. The Prosecution asks for a sentence of 10-15 years, while the Defence asks for a 7-10 years' imprisonment term.

Indicted in 1996 for crimes allegedly committed in Foča where he was a sub-commander of the military police and a paramilitary leader, Dragan Zelenović pleaded guilty on 17 January 2007 to seven counts of rape and torture.

ICTY PROCEEDINGS COMPLETED WITH REGARD TO 100 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 100 of them: five have been acquitted, 48 sentenced (seven are awaiting transfer, 24 have been transferred, 16 have served their term, and one died while serving his sentence), 11 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 61 accused: 13 are at the appeals stage, two are awaiting judgement by a Trial Chamber, 23 are currently on trial, 17 are on pre-trial and six are still at large.

The figure of the accused at the appeals stage includes Sefer Halilović, Fatmir Limaj and Isak Musliu (who have been acquitted and released but against whom an appeal by the Office of the Prosecutor is running), as well as 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 (Kubura and Orić).

A further 19 individuals have also been the subject of contempt proceedings.

The ICTY Digest is a publication of the Registry, prepared and produced by the PTV Section.
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