



EVENTS

ICTY 20th anniversary conference in Sarajevo



A two-day conference, held as part of a sequence of events that have taken place this year to mark the Tribunal's twentieth anniversary, concluded on 28 November in Sarajevo. During the conference, over 200 local and international stakeholders gathered together to debate and discuss aspects of the Tribunal's legacy in the former Yugoslavia.

In his keynote address to the conference, ICTY President Judge Theodor Meron said: "All that we have accomplished in The Hague would not have been possible without ... the tireless efforts, dedication, and courage of people here in Sarajevo and elsewhere in the countries of the former Yugoslavia. These are the people whom I wish to honour today for their contributions to the work of the ICTY over the past twenty years."

The conference included one day of working level meetings, followed by a day of public events and discussions. Themes addressed during the conference's meetings and panels ranged from the ICTY's overall accomplishments and the challenges it has encountered, to its contribution to the promotion of the rule of law in the region, the mechanisms of victim and witness protection in war crimes trials, and the importance of regional access to the Tribunal's archives.

In closing, the Tribunal's Deputy Registrar Kate Mackintosh summarised the debates by saying: "For the ICTY, this conference has been not about talking but about listening. Listening to you, the people of the former Yugoslavia, speak about how you want to move forwards and build upon the work done by the ICTY over the past 20

years. I hope and believe that the ideas shared, worked on and developed here during the conference, about witness protection, about open access to the Tribunal's judicial archive, and about the crucial issue of reparations for victims, will be taken forward here, in the region, as a basis for the work to be done over the next 20 years."

justice issues, representatives of NGOs, academics, and other stakeholders from the former Yugoslavia.

Sandra Orlović, conference participant and Executive Director of the Humanitarian Law Centre in Serbia reflected on the conference saying: "This conference provided an opportunity to discuss about what were the expectations from the ICTY, to what extent has the Tribunal brought about facing with the past and acceptance of the legacy of the crimes at the level of entire society, at the institutional level and by individuals."



'Assessing 20 years of the Tribunal' panel during the conference.

In addition to high-level representatives of the Tribunal, conference participants included Representative of the BiH Presidency Bakir Izetbegović, President of the BiH Court Medžida Kreso, Serbian War Crimes Prosecutor Vladimir Vukčević, Director of the ICMP in BiH Kathryn Bomberger, Nataša Kandić with Project RECOM, Mayor of Sarajevo Prof. Dr. Ivo Komšić as well as ambassadors, local authorities, experts on transitional

The conference was organised by the ICTY Outreach Programme and was made possible through the generous support of the European Union, the Governments of Switzerland, Luxembourg, the Netherlands, and the Republic of Korea, as well as the Open Society Justice Initiative.

IN THE COURTROOMS



Hadžić 98 bis proceedings

A scheduling order issued by Trial Chamber II has set Monday, 16 December 2013, as the date for the Defence in the Hadžić case to present its oral submissions pursuant to Rule 98 bis. The Prosecution may present oral submissions in response on Wednesday, 18 December.

Rule 98 bis of the Tribunal's Rules of Procedure and Evidence allows for a Trial Chamber to enter a judgement of acquittal on any count in the indictment by oral decision at the close of the Prosecution case if no evidence capable of supporting a conviction has been presented.

The Hadžić trial commenced on 16 October 2012, with the Prosecution concluding its case on 17 October 2013.

Đorđević appeal judgement scheduled

The appeal judgement in the case of Vlastimir Đorđević will be rendered on 27 January 2014, according to a scheduling order issued on 15 November.

From 1 June 1997 to 30 January 2001, Đorđević was assistant minister of the Serbian Ministry of Internal Affairs (MUP) and chief of the Public Security Department of the MUP. On 23 February 2011, a Trial Chamber found Đorđević guilty of deportation, murder, forcible transfer and persecutions, all relating to crimes committed against Kosovo Albanians in 1998/1999. He was sentenced to 27 years in prison. On 24 May 2011, both parties filed their notices of appeal against the judgement. The appeal hearing was held on 13 May 2013.

Šainović *et al.* appeal judgement scheduled

The appeal judgement in the Šainović *et al.* case will be pronounced on 23 January 2014, according to a scheduling order issued on 15 November.

At trial, the Šainović *et al.* case - which was then known as Milutinović *et al.* - involved six senior political, military and police officials from the Federal Republic of Yugoslavia and/or Serbia, and was the Tribunal's first concerning crimes alleged to have been perpetrated by Serbian forces against Kosovo Albanians during the 1999 conflict in Kosovo.

On 26 February 2009, the Trial Chamber convicted Nikola Šainović, Nebojša Pavković and Sreten Lukić of deportation, other inhumane acts (forcible transfer), murder, and persecutions on political, racial or religious grounds, and sentenced each of the three men to 22 years' imprisonment. By the same verdict, Dragoljub Ojdanić and Vladimir Lazarević were found guilty of deportation and other inhumane acts (forcible transfer) and each sentenced to 15 years' imprisonment. Milan Milutinović was found not guilty on all charges.

Neither the Prosecution nor the Defence filed any appeal with respect to Milutinović, whose acquittal is therefore final. Appeals were filed for Ojdanić, but they were later withdrawn, and his sentence is therefore final. The appeal hearing concerning the remaining four accused was held between 11 and 15 March 2013.

STATUS OF CASES

CASES AT TRIAL

Hadžić	<ul style="list-style-type: none"> • Trial commenced on 16 October 2012.
Karadžić	<ul style="list-style-type: none"> • The Defence case commenced on 16 October 2012.
Mladić	<ul style="list-style-type: none"> • Trial commenced on 16 May 2012.
Šešelj	<ul style="list-style-type: none"> • The parties presented their closing arguments between 5 and 20 March 2012.

CASES ON APPEAL

Đorđević	<ul style="list-style-type: none"> • The trial judgement was pronounced on 23 February 2011 (sentence: 27 years' imprisonment). • The appeal hearing was held on 13 May 2013. The judgement is scheduled to be pronounced on 27 January 2014.
Prlić <i>et al.</i>	<ul style="list-style-type: none"> • Judgement rendered on 29 May 2013. Accused given sentences ranging from 10 to 25 years' imprisonment.
Popović <i>et al.</i>	<ul style="list-style-type: none"> • The trial judgement was pronounced on 10 June 2010 (sentences: Popović - life imprisonment; Beara - life imprisonment; Nikolić - 35 years' imprisonment; Borovčanin - 17 years' imprisonment; Miletić - 19 years' imprisonment; Gvero - 5 years' imprisonment; Pandurević - 13 years' imprisonment). • Both the Prosecution and the Defence have filed their appeal briefs in respect of all accused except Borovčanin, whose sentence is therefore final. • Following his death in February 2013, on 7 March 2013 the Appeals Chamber declared proceedings against Gvero closed. • The appeal hearing is scheduled for 2 - 13 December.
Šainović <i>et al.</i>	<ul style="list-style-type: none"> • The trial judgement was pronounced on 26 February 2009 (sentences: Šainović - 22 years' imprisonment; Ojdanić - 15 years' imprisonment; Pavković - 22 years' imprisonment; Lazarević - 15 years' imprisonment; Lukić - 22 years' imprisonment; Milutinović - acquitted). • Both the Prosecution and the Defence have filed their appeal briefs in respect of all accused except Milutinović, whose acquittal is therefore final, and Ojdanić, for whom briefs were filed and later withdrawn by both parties, and whose sentence is therefore final. • The appeal hearing was held between 11 and 15 March 2013. The judgement is scheduled to be pronounced on 23 January 2014.
Stanišić & Simatović	<ul style="list-style-type: none"> • Judgement rendered on 30 May 2013. Both acquitted.
Stanišić & Župljanin	<ul style="list-style-type: none"> • Both sentenced to 22 years of imprisonment on 27 March 2013.
Tolimir	<ul style="list-style-type: none"> • Trial judgement rendered on 12 December 2012. Sentenced to life imprisonment.