



Monday 21 May 2007

Highlights of 07/05/2007 through 18/05/2007 - Nr. 14

7 May**Delegation from
Bosnia and
Herzegovina at
the Tribunal**

The Minister of Foreign Affairs of Bosnia and Herzegovina (BiH), Sven Alkalaj, and the BiH Ambassador to the Netherlands, Fuad Sabeta, visit President Pocar and Prosecutor Del Ponte.

At today's meeting, President Pocar underlined his position that any decision made by the UN Security Council on closing down the ICTY should leave in place residual judicial mechanisms to ensure that any remaining fugitives are tried in The Hague. President Pocar also stressed the satisfactory cooperation between the ICTY and the Court of Bosnia and Herzegovina, and stated that the international community should continue supporting this institution and its work.

9 May**Srebrenica:
Blagojević and
Jokić sentenced
by the Appeals
Chamber**

Reversing Vidoje Blagojević's conviction for complicity in genocide, the Appeals Chamber confirms the other convictions against him and his co-accused Dragan Jokić for crimes against humanity and war crimes committed in Srebrenica in July 1995. Vidoje Blagojević's sentence was reduced from 18 to 15 years' imprisonment, while Dragan Jokić's sentence of nine years was confirmed.

The full text of the summary of the Judgement can be found on the ICTY website at: <http://www.un.org/icty/pressreal/2007/pr1158e-summary.htm>

10 May**Limaj *et al.* case:
appeals hearing
on 5 and 6 June**

The Appeals Chamber issues its scheduling order with regard to the Lapušnik Camp case, a prison camp run by the Kosovo Liberation Army (KLA) where Serbian civilians were illegally imprisoned for prolonged periods of time under inhumane conditions, and routinely subjected to assaults, beatings and torture. The three accused in this case stood trial between 15 November 2004 and 1 September 2005.

In its Judgement of 30 November 2005, the Trial Chamber acquitted Fatmir Limaj and Isak Musliu, allegedly Commander of the Lapušnik area and Commander of the camp, respectively. Haradin Bala, a guard at the Lapušnik camp, was found guilty of torture, cruel treatment and murder; he was sentenced to 13 years' imprisonment. Appeals were lodged by both the Defence for Bala and the Prosecution.

11 May**Carla Del Ponte
protests the
Serbian
presidency of the
Council of Europe**

As Serbia takes on the chair of the Committee of Ministers, the Prosecutor's spokesperson, Olga Kavran, says that Carla Del Ponte "on 19 April, sent a letter to the Presidency of the Council of Europe, and asked for this letter to be distributed to all member states. In her letter, the Prosecutor stated that when she thinks about the victims of the genocide committed by Mladić and Karadžić, she finds it rather embarrassing that a state which is harbouring these fugitives and is currently in violation of the Statute of the ICTY, several UN Security Council resolutions and the Genocide Convention should preside over the Council of Europe, an institution that is a pioneer in the promotion and defense of human rights in Europe."

11 May**The Appeals
Chamber
establishes an
accused's right to
self-represent...**

Ruling on a request by Momčilo Krajišnik, the Appeals Chamber issues an important Decision in which it "concludes that Mr. Krajišnik has a right to represent himself on his appeal."

However, states the Appeals Chamber, "as at trial, this right is not unqualified. Should Mr. Krajišnik's self-representation substantially and persistently obstruct the proper and expeditious conduct of his appeal, then counsel may be imposed upon him."

The Appeals Chamber also grants a request by the Counsel previously assigned to Mr. Krajišnik, and rules that "since Mr. Krajišnik is the first defendant seeking to self-represent on appeal, the Appeals Chamber deems it prudent to appoint *amicus curiae* to keep an eye on his [Mr. Krajišnik's] interests."

....and confirms reduction of time for Prosecution case in Prlić *et al.*

The Appeals Chamber issues a Decision dismissing two appeals by the Prosecution against Decisions by the Trial Chamber "to reduce the allocated time for the presentation of its case by 107 hours" (from 400 hours to 293).

11 May
NGO establishes an Internship Program shared between The Hague and Belgrade

The Youth Initiative for Human Rights (YIHR) announces that eight law school students from Serbia have been granted scholarships to serve an internship at the ICTY and the War Crimes Chamber in Belgrade. In a press release, the organisation stresses that this program "is the first to combine practical experience at an international criminal tribunal with that at a domestic war crimes court" in which the "candidates will serve a six-month internship ... in The Hague, followed by a two-month internship ... in Belgrade." The YIHR's initiative is supported by the Swiss government.

14 May
ICTY experts to assess Cambodia Tribunal

At the request of UNHQ, ICTY Chief of Administration Kevin St. Louis, and Robin Vincent, former Acting Deputy Registrar of the ICTY and former Registrar of the Sierra Leone Court, travel to Cambodia to conduct an assessment of operations at UNAKRT (the UN branch of the Cambodia/Khmer Rouge Tribunal).

14 May
Macedonian judges and prosecutors at ICTY for study visit

A group of judges and prosecutors from the Former Yugoslav Republic of Macedonia (FYRM) are at the ICTY this week as part of a six-month program aimed at assisting the judiciary in handling international humanitarian law issues. This visit is particularly relevant as the OTP is waiting for the Macedonian authorities to accept four local cases which date from the 2001 conflict. The judges and prosecutors will be especially focused on these issues as they learn more about the workings of the ICTY and international humanitarian law in general. The program is supported by the OSCE Spillover Mission to Skopje, OPDAT of the US Department of State, The Ministry of Justice of Macedonia and the Academy of Judicial Training in Skopje.

14 May
International Justice officials gathered in Torino

At the invitation of the President of the Military Tribunal of Torino (Italy), President Pocar, Prosecutor Del Ponte and Registrar Holthuis will participate, as of today, in a three-day conference on "International Criminal Justice." A number of other ICTY representatives, as well as officials and staff from other international courts, are present at this "stocktaking exercise, which will draw on the practice and case-law of international and internationalized jurisdictions." Through their contributions, the conference "will enhance understanding of international criminal justice and further preparation for the settlement of Legacy issues, and for the Review Conference of the Rome Statute." The Registrars, Prosecutors and Presidents of the ICTY, ICTR, ICC and Special Court of Sierra Leone are taking the opportunity of this gathering to hold separate meetings in the view of discussing issues of cooperation and common interest.

16 May
OTP was behind Tuesday's Mladić operation

At today's press briefing, OTP spokesperson Olga Kavran confirms "that the search carried out yesterday was conducted on the basis of information shared with the Belgrade authorities and that the OTP was trying to re-start co-operation and relations with the authorities working on the action plan [to arrest Ratko Mladić]." Olga Kavran explains that "the OTP received information about the possible whereabouts of Mladić and immediately passed it on to the local authorities who decided to act."

She concludes as follows: "It appeared that this particular search did not lead to results but the OTP would keep trying. (...) The Prosecutor welcomed any and all activities which formed part of the search for Mladić and other fugitives and that the Prosecutor was still waiting for results – their arrest and transfer to the Tribunal. The Office of the Prosecutor was eager to work together with the Belgrade authorities on this issue."

18 May

**Milutinović *et al.*:
motions for
acquittal
dismissed**

The Trial Chamber denies the motions for acquittal with respect to all six accused.

The trial in the Milutinović *et al.* case began on 10 July 2006.

After the conclusion of the presentation of Prosecution evidence, the Trial Chamber can rule whether there is a case to answer. If the Chamber believes that the Prosecution has not presented sufficient evidence to prove certain charge(s), it can dismiss those charges and enter a judgement of acquittal before the beginning of the presentation of defence evidence.

THE NEXT ISSUE OF « THE ICTY DIGEST »
WILL BE PUBLISHED ON AN EXCEPTIONAL BASIS ON MONDAY 11 JUNE

Miroslav Deronjić dies from cancer while serving his sentence in Sweden

The Tribunal learnt on Saturday 19 May of the death of one of the 52 accused it has convicted, Miroslav Deronjić. He had been transferred on 24 November 2005 to Sweden to serve the remainder of the sentence of 10 years' imprisonment imposed upon him for persecutions on political, racial and religious grounds, as a crime against humanity.

A nationalist political leader of Radovan Karadžić's Serbian Democratic Party in Bratunac (eastern Bosnia and Herzegovina), Miroslav Deronjić had pleaded guilty on 30 September 2003, admitting that on the evening of 8 May 1992, in his capacity as President of the Crisis Staff in the municipality of Bratunac, he had given the orders to the Bratunac Territorial Defence (TO), including the police forces in Bratunac, to attack and partially burn the nearby undefended village of Glogova. As a result, 65 Muslim civilians from the village were killed, Bosnian Muslim homes, private property, and the mosque were destroyed, and a substantial part of Glogova was razed to the ground.

A Trial Chamber sentenced him on 30 March 2004 to 10 years' imprisonment, and the Appeals Chamber affirmed this sentence on 20 July 2005.

ICTY PROCEEDINGS COMPLETED WITH REGARD TO 107 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 107 of them: five have been acquitted, 52 sentenced (eight are awaiting transfer, 26 have been transferred and are serving their sentence, 16 have served their term, and two died while serving their sentence), 14 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 54 accused: 10 are at the appeals stage, four are awaiting judgement by a Trial Chamber, 25 are currently on trial, nine are at 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.

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

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