



Monday 1 September 2008

Highlights of 28/07/2008 through 29/08/2008 - Nr. 42

[30 July, 31 July, 22 August and 29 August](#)

Radovan Karadžić is transferred to The Hague and a plea of not guilty is entered on his behalf after he refuses to plead

Following his arrest in Serbia on 21 July, Radovan Karadžić is transferred into the custody of the International Tribunal on 30 July.

During his first initial appearance before Judge Alfons Orije (Trial Chamber I), on 31 July, he uses the option provided by Rule 62 (iii) and postpones his plea by 30 days.

On 22 August, following the re-assignment of the Karadžić case from Trial Chamber I to Trial Chamber III, the latter announces the composition of the pre-trial bench: Judge Patrick Robinson (Presiding), Judge Ian Bonomy (also designated as pre-trial Judge), and Judge Michèle Picard.

On 29 August, making a further initial appearance in front of Judge Ian Bonomy, Radovan Karadžić refuses again to enter a plea. In accordance with Rule 62 A (iv), Judge Bonomy enters a plea of not guilty on his behalf.

A Status Conference has been scheduled for 17 September, at 2:15 p.m.

[6 and 8 August](#)

Appeals lodged against the Boškoski & Tarčulovski judgement.

On 6 August, the Prosecution files its notice of appeal against the acquittal of Ljube Boškoski, the former Interior Minister of Macedonia. Two days later, the Defense for Johan Tarčulovski, convicted and sentenced to 12 years' imprisonment, also files its appeal.

On 10 July 2008, Trial Chamber II (Judge Parker, presiding, Judge Thelin and Judge Van den Wyngaert) acquitted Ljube Boškoski, but convicted and sentenced his co-accused, police officer Johan Tarčulovski, to 12 years' imprisonment for crimes committed against ethnic Albanians in village of Ljuboten, near Skopje, on 12 August 2001.

Boškoski was charged with command responsibility for failing to investigate the crimes and to ensure that those responsible be punished. However, the Trial Chamber found that "it has not been established that Ljube Boškoski failed to take the necessary and reasonable measures for the punishment of the police."

With regard to Johan Tarčulovski, the Chamber found that he played a "prominent role in the events of 12 August 2001", and found him guilty for ordering, planning and instigating the crimes committed in Ljuboten.

[21 August](#)

Appeals hearing in the Krajišnik case

Both parties had appealed against the judgement of 27 September 2006 when Trial Chamber I (Judge Orije, Presiding, Judge Canivell and Judge Hanoteau) found Momčilo Krajišnik, a former member of the Bosnian Serb leadership, guilty of persecutions, extermination, murder, deportation and forced transfer of non-Serb civilians during the conflict in Bosnia and Herzegovina. The Trial Chamber acquitted him of genocide, complicity in genocide and one count of murder as a violation of the laws or customs of war.

Momčilo Krajišnik was sentenced to 27 years' imprisonment.

[26 August](#)

Trial of Vojislav Šešelj suspended

The Trial Chamber presided over by Judge Antonetti adjourns the Šešelj trial until the Appeals Chamber has ruled on a Prosecution's appeal against the Trial Chamber's decision not to stay the proceedings and until the Trial Chamber itself has ruled on a Prosecution's Motion challenging the accused's self-representation.

On 28 July, the Prosecution files a confidential *ex parte* Motion alleging that the accused was orchestrating a campaign of obstruction of the trial with the assistance of his associates, requesting that the accused no longer be allowed to represent himself and asking for a stay of the proceedings until the Trial Chamber has disposed of the Motion.

On 15 August, the Trial Chamber dismisses the Prosecution's Motion for a stay, ordering instead that the Prosecution file its witness list in the view of resuming the trial. On 22 August, the Prosecution seeks leave to appeal the Trial Chamber's Decision and renew its request for a stay.

On 26 August, the Trial Chamber grants the Prosecution leave to appeal its decision to continue with the trial, considering that this issue "may jeopardize the fairness of the trial or its outcome". It accordingly stays its own decision of 15 August until the Appeals Chamber's ruling.

27 August

Author Florence Hartmann indicted for contempt of court

Florence Hartmann, who authored a book on international justice and numerous articles over the ICTY following her departure from the Tribunal, is indicted on two counts of contempt for having "knowingly and willfully interfered with the administration of justice by disclosing information in violation of an order of the Appeals Chamber."

Florence Hartmann has been summoned to appear before the Tribunal at 3:00 p.m. on 15 September 2008.

The following press release was issued: LM/MOW/1279e at <http://www.un.org/icty/latest-e/index.htm>

27 August

Completion of the trial in the case Milutinović et al.

The parties finish presenting their closing arguments, which they have been doing since Tuesday 19 August.

Milan Milutinović, Nikola Sainović, Dragoljub Ojdanić, Vladimir Lazarević, Nebojša Pavković and Sreten Lukić were on trial for their alleged role in the campaign of terror and violence directed against Kosovo Albanians and other non-Serbs living in Kosovo in 1999.

The trial commenced on 10 July 2006. The Prosecution, who called 112 'viva voce' witnesses, completed its case-in-chief on 1 May 2007. The Defense case, which commenced on 6 May 2007, was wrapped up on 16 May 2008, after 120 witnesses gave live testimony. However, the evidence phase of the trial was extended in June and July when two witnesses were called by the Chamber.

COURTROOM SCHEDULE: 1 SEPTEMBER – 12 SEPTEMBER 2008

MONDAY 1 SEPTEMBER

Courtroom I 09:00 – 13:45, **Gotovina et al.**, Trial
14:15 – 19:00, **Prlić et al.**, Trial
Courtroom II 14:15 – 19:00, **Lukić&Lukić**, Trial
Courtroom III 09:00 – 13:45, **Popović et al.**, Trial

TUESDAY 2 SEPTEMBER

Courtroom I 09:00 – 13:45, **Prlić et al.**, Trial
Courtroom II 09:00 – 13:45, **Lukić&Lukić**, Trial
14:15 – 19:00, **Perišić, Momčilo**, Status Conference
Courtroom III 09:00 – 13:45, **Gotovina et al.**, Trial
14:15 – 19:00, **Popović et al.**, Trial

WEDNESDAY 3 SEPTEMBER

Courtroom I 09:00 – 13:45, **Prlić et al.**, Trial
Courtroom II 09:00 – 13:45, **Lukić&Lukić**, Trial
14:15 – 19:00, **Ljubiša Petković**, Trial for Contempt of Court
Courtroom III 09:00 – 13:45, **Gotovina et al.**, Trial
14:15 – 19:00, **Popović et al.**, Trial

THURSDAY 4 SEPTEMBER

Courtroom I 09:00 – 13:45, **Prlić et al.**, Trial
Courtroom II 09:00 – 13:45, **Lukić&Lukić**, Trial
Courtroom III 09:00 – 13:45, **Gotovina et al.**, Trial
14:15 – 19:00, **Popović et al.**, Trial

FRIDAY 5 SEPTEMBER

Courtroom I 09:00 – 13:45, **Gotovina et al.**, Trial
Courtroom II 09:00 – 13:45, **Lukić&Lukić**, Trial
Courtroom III 09:00 – 13:45, **Popović et al.**, Trial

MONDAY 8 SEPTEMBER

Courtroom I 09:00 – 13:45, **Haraqija & Morina**, Trial for Contempt of Court
14:15 – 19:00, **Prlić et al**, Trial
Courtroom II 14:15 – 19:00, **Lukić&Lukić**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, Trial
14:15 – 19:00, **Gotovina et al**, Trial

TUESDAY 9 SEPTEMBER

Courtroom I 14:15 – 19:00, **Prlić et al**, Trial
Courtroom II 09:00 – 13:45, **Haraqija & Morina**, Trial
14:15 – 19:00, **Lukić &Lukić**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, Trial
14:15 – 19:00, **Gotovina et al**, Trial

WEDNESDAY 10 SEPTEMBER

Courtroom I 14:15 – 19:00, **Prlić et al**, Trial,
Courtroom II 09:00 – 13:45, **Haraqija & Morina**, Trial
14:15 – 19:00, **Lukić &Lukić**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, Trial
14:15 – 19:00, **Gotovina et al**, Trial

THURSDAY 11 SEPTEMBER

Courtroom I 14:15 – 19:00, **Prlić et al**, Trial
Courtroom II 09:00 – 13:45, **Haraqija & Morina**, Trial
14:15 – 19:00, **Lukić &Lukić**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, Trial
14:15 – 19:00, **Gotovina et al**, Trial

FRIDAY 12 SEPTEMBER

Courtroom I 09:00 – 13:45, **Gotovina et al**, Trial
Courtroom II 09:00 – 13:45, **Lukić &Lukić**, Trial
14:15 – 19:00, **Haraqija & Morina**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, Trial

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

PROCEEDINGS COMPLETED WITH REGARD TO 115 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 115 of them: 10 have been acquitted, 56 sentenced (three are awaiting transfer, 29 have been transferred, 22 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 46 accused: ten are at the appeals stage, seven are awaiting the Trial Chamber's judgement, 21 are currently on trial, six are at the pre-trial stage. Two fugitives are still at large.

A further 29 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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