



United Nations



International Criminal Tribunal for the former Yugoslavia

The ICTY Digest



Monday 2 March 2009

Highlights of 17/02/2009 through 27/02/2009 - Nr. 53

[16, 17, 18 and 26 February](#)

Karadžić case: following the amendment of the indictment, the accused will make a further appearance this Tuesday

On 16 February Trial Chamber III (Judge Bonomy, Presiding, Judge Flügge, and Judge Picard) grants the Prosecution's motion to amend the indictment against Radovan Karadžić.

"In the Amended Indictment, Karadžić is charged with two counts of genocide instead of the initial one. The first count refers to the crimes committed in Bosnia and Herzegovina during 1992 and the second to the July 1995 massacre in Srebrenica. Two other counts have been dropped from the initial indictment, those being the charges of complicity in genocide and grave breaches of the Geneva Conventions," reads a press release, adding that "with the Amended Indictment, Karadzic is charged with criminal conduct in relation to 27 municipalities instead of the initial 41."

The Prosecution's motion is not granted with regard to three additional counts of alleged killings as the Chamber finds that the allegations are not adequately supported by evidence. However, on 17 February, the Prosecution files an Urgent Motion requesting a stay of the Chamber's Decision of 16 February; the Prosecution wants to resubmit potential evidence in support of one of the three incidents which were not accepted by the Chamber as additional counts, namely the killing of 140 prisoners at the Sušica Camp in September 1992.

On 18 February, the Trial Chamber dismisses the Prosecution's Motion for a stay, confirms its order that an amended indictment be filed on the same day, and says that it will consider at a later stage the request for reconsideration of a possible additional count.

On 26 February, the Chamber grants the Prosecution's Motion for reconsideration and orders a further amendment to the indictment to include an additional count relating to the Sušica killings.

In order for Radovan Karadžić to enter a plea on the new charges brought against him, a further appearance hearing will take place on Tuesday 3 March at 2.15 pm.

Related press releases can be read on the Tribunal website: www.icty.org

[19 February](#)

Hartmann contempt case: President Robinson appoints a Panel of three Judges

Consisting of Judge Kwon, Judge Bonomy and Judge Flügge, this Panel will consider the merits of the Defence's application for disqualification of two Judges and of the Chamber's Senior Legal Officer.

[20 February](#)

Pavle Strugar on early release

Pavle Strugar, a former General of the Yugoslav People's Army convicted of crimes in the Croatian coastal town of Dubrovnik in 1991 and sentenced to seven and a half years' imprisonment, is released. He has been in the Tribunal's detention facility for more than two-thirds of his sentence. His early release follows a Decision on 16 January 2009 by the Tribunal's President, Judge Patrick Robinson.

Related press releases can be read on the Tribunal website: www.icty.org

[26 February](#)

Milutinović et al. Case: a Trial

The case involves six senior political, military, and police officials from Serbia and the former Federal Republic of Yugoslavia: Milan Milutinović, Nikola Šainović, Dragoljub Ojdanić, Vladimir Lazarević, Nebojša Pavković and Sreten Lukić. They were on trial between July 2006 and August 2008 for their alleged role in the

Chamber hands down the first Judgement for crimes alleged to have been perpetrated by Serbian forces against Kosovo Albanians in 1999

campaign of terror and violence directed against Kosovo Albanians and other non-Serbs living in Kosovo in 1999.

The Trial Chamber, consisting of Judge Bonomy (Presiding), Judge Chowhan, Judge Kamenova and Judge Nosworthy (Reserve Judge), made the following findings: Milan Milutinović, the former Serbian President, was found not guilty on all charges, and acquitted. Nikola Šainović, the former Yugoslav Deputy Prime Minister, Nebojša Pavković, a former General of the Yugoslav Army, and Sreten Lukić, the former Serbian police General, were found guilty of crimes against humanity and violation of the laws or customs of war; each of them was sentenced to 22 years' imprisonment. Dragoljub Ojdanić, the former Yugoslav Army Chief of Staff, and Vladimir Lazarević, a former General of the Yugoslav Army, were found guilty of aiding and abetting the commission of a number of charges of deportation and forcible transfer of the ethnic Albanian population of Kosovo and each sentenced to 15 years' imprisonment.

In a related development, the Trial Chamber also invited the Parties to file submissions within 14 days with regard to three alleged crime sites (Racak/Reçek, Padalište/Padalishte, and Dubrava/Dubravë Prison) which the Prosecution in July 2006 was instructed, in accordance with rule 73 bis(D), not to present evidence on during the trial. This Decision was then made "pending any further Order".

A detailed press release, as well as the full text of the summary read out in court by Presiding Judge Bonomy, is available in Albanian, BCS and Shqip on the Tribunal's website.

[26 February](#)

Appeals Judgement on 17 March for Momčilo Krajišnik...

... at 12.30 p.m. in Courtroom I.

Momčilo Krajišnik was found guilty, on 27 September 2006, of persecutions, extermination, murder, deportation and forced transfer of non-Serb civilians during the conflict in Bosnia and Herzegovina, and was sentenced to 27 years' imprisonment. 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.

The Appeals hearing took place on 21 August 2008.

[26 February](#)

Šešelj contempt case: initial appearance of the accused this Friday

The hearing will take place at 2.30pm in courtroom 1, before Judge Carmel Agius. On 21 January, Vojislav Šešelj was indicted for contempt following the alleged disclosure, in a book, of the name and other personal details of three protected witnesses in his separate trial for crimes allegedly committed in Croatia and in Bosnia and Herzegovina.

COURTROOM SCHEDULE: 2 MARCH – 13 MARCH

MONDAY 2 MARCH

Trial Chamber I 09:00 – 13:45, **Gotovina et al**, Trial
14:15 – 19:00, **Djordević**, Trial
Trial Chamber II 08:50 – 13:45,
14:15 – 19:00, **Perišić**, Trial
Trial Chamber III 09:00 – 13:45, **Popović et al**, Trial
14:15 – 19:00, **Prlić**, Trial

TUESDAY 3 MARCH

Trial Chamber I 09:00 – 13:45, **Gotovina et al**, Trial
14:15 – 15:15, **Karadžić**, Further appearance
15:15 – 19:00, **Djordević**, Trial
Trial Chamber II 08:50 – 13:45, **Lukić & Lukić**, Trial
14:15 – 19:00, **Perišić**, Trial
Trial Chamber III 09:00 – 13:45, **Prlić**, Trial
14:15 – 19:00, **Popović et al**, Trial

WEDNESDAY 4 MARCH

Trial Chamber I 09:00 – 13:45, **Gotovina et al**, Trial
14:15 – 19:00, **Djordjević**, Trial
Trial Chamber II 09:00 – 13:45, **Perišić**, Trial
14:15 – 19:10, **Lukić & Lukić**, Trial
Trial Chamber III 09:00 – 13:45, **Prlić**, Trial
14:15 – 19:10, **Popović et al**, Trial

THURSDAY 5 MARCH

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

FRIDAY 6 MARCH

Trial Chamber I 09:00 – 13:45, **Gotovina et al**, Trial
14:15 – 16:00, **Šešelj**, Contempt of court
Trial Chamber II 09:00 – 13:45, **Djordjević**, Trial
14:15 – 19:10, **Lukić & Lukić**, Trial
Trial Chamber III 09:00 – 13:45, **Popović et al**, Trial

MONDAY 9 MARCH

Trial Chamber I 09:00 – 13:45, **Perišić**, Trial
14:15 – 19:00, **Gotovina et al**, Trial
Trial Chamber II 09:00 – 13:45, **Djordjević**, Trial
14:15 – 19:10,
Trial Chamber III 09:00 – 13:45, **Popović et al**, Trial
14:15 – 19:00, **Prlić**, Trial

TUESDAY 10 MARCH

Trial Chamber I 08:30 – 13:15, **Perišić**, Trial
14:15 – 19:00, **Gotovina et al**, Trial
Trial Chamber II 09:00 – 13:45, **Djordjević**, Trial
14:15 – 19:10, **Lukić & Lukić**, Trial
Trial Chamber III 09:00 – 13:45, **Popović et al**, Trial
14:15 – 19:00, **Prlić**, Trial

WEDNESDAY 11 MARCH

Trial Chamber I 09:00 – 13:45, **Perišić**, Trial
14:15 – 19:00,
Trial Chamber II 09:00 – 13:45, **Djordjević**, Trial
14:15 – 19:10, **Lukić & Lukić**, Trial
Trial Chamber III 09:00 – 13:45, **Popović et al**, Trial
14:15 – 19:00, **Prlić**, Trial

THURSDAY 12 MARCH

Trial Chamber I 08:30 – 13:15, **Perišić**, Trial
14:15 – 19:00, **Djordjević**, Trial
Trial Chamber II 08:30 – 13:15, **Šešelj**, Status conference
14:15 – 19:10, **Lukić & Lukić**, Trial
Trial Chamber III 09:00 – 13:45, **Popović et al**, Trial
14:15 – 19:00, **Prlić**, Trial

FRIDAY 13 MARCH

Trial Chamber I 09:00 – 13:45, **Djordjević**, Trial
14:15 – 15:30,

Trial Chamber II 09:00 – 13:45, **Lukić & Lukić**, Trial
14:15 – 19:10,
Trial Chamber III 09:00 – 13:45, **Popović et al**, Trial

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

PROCEEDINGS COMPLETED WITH REGARD TO 116 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 116 of them: 10 have been acquitted, 57 sentenced (one is awaiting transfer, 28 have been transferred, 26 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 45 accused: ten are at the appeals stage, a Trial Chamber has passed judgement on six accused (but an appeal is still possible), 21 are currently on trial, and 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.

The ICTY Digest is a publication of the Registry, prepared and produced by the LPTV Section.
Acting Registrar: John Hockling. Chief LPTV: Christian Chartier

Queries and comments:

Christian Chartier, Editor: +31.70.512.52.40, chartier.icty@un.org
Nicholas Beston, Deputy Editor: +31/70.512. 89.43, beston@un.org
Assistant: Gea van der Werf, + 31.70. 512. 85.99, vanderwerf@un.org

International Criminal Tribunal for the former Yugoslavia, Churchillplein 1, 2517 JW The Hague, the Netherlands
www.icty.org

*Extracts of, and/or quotes from, legal documents are not authoritative;
only the Order, Decision or Judgement in its entirety reflects the opinion of the Trial Chamber and/or the Appeals Chamber.*