



14 September: Florence Hartmann sentenced for contempt

The Specially Appointed Chamber (Judge Moloto, Presiding, Judge Güney and Judge Liu) today convicted Florence Hartmann of contempt of the Tribunal for disclosing confidential information in knowing violation of a court order. She was sentenced to pay a fine of 7,000 Euros, in two installments of 3,500 Euros each, to be paid by 14 October and 14 November 2009 respectively.

Florence Hartmann, a journalist who was the spokesperson for a former Tribunal Prosecutor Carla Del Ponte between 2000 and 2006, disclosed the contents, purported effect, and confidential nature of two Appeals Chamber Decisions from the Slobodan Milošević case in a both a book and an article authored by her in 2007 and 2008 respectively. Charged with two counts of contempt since 27 August 2008, Florence Hartmann went on trial on 15, 16 and 17 June and 1 July 2009. Closing arguments were heard on 3 July 2009.

The Specially Appointed Chamber dismissed the argument that the same information subject to the two Appeals Chamber Decisions was already put in the public domain by the Tribunal. Further, the Chamber underlined that “*a decision remains confidential until a Chamber explicitly decides otherwise*”. The fact that the accused spent six years in the capacity of the spokesperson of the Prosecutor meant that she was well aware of what the confidentiality of a decision entailed.

The Chamber further found the Accused’s conduct could deter sovereign states from cooperating with the Tribunal where the provision of evidentiary material is concerned. “*This...impacts upon the Tribunal’s ability to exercise its jurisdiction to prosecute and punish serious violations of humanitarian law as prescribed by its mandate,*” Judge Moloto, said. “*Public confidence in the effectiveness of protective measures, orders and decisions is vital to the success of the work of the Tribunal.*”

In determining the appropriate penalty the Chamber considered the need to deter future wrongful disclosure of confidential information by the accused or any other person but also the fact that some of the information published was already in the public domain.

2 September: Three permanent judges sworn in

Three new judges were sworn in on 2 September to replace the outgoing Judges Christine Van Den Wyngaert (Belgium), Iain Bonomy (United Kingdom), and Mohamed Shahabuddeen (Guyana).

Sir Burton Hall (The Bahamas), Howard Morrison (United Kingdom), and Guy Delvoie (Belgium) were appointed by the UN Secretary-General in accordance with Article 13bis of the ICTY Statute. Their appointments are effective as of 7 August, 31 August, and 1 September, respectively, until 31 December 2010 or until the completion of the cases to which they will be assigned if sooner.

President Patrick Robinson welcomed Judges Delvoie, Morrison and Hall and expressed his gratitude to the outgoing Judges for their important contribution to the work of the Tribunal.

1 September: Ken Roberts appointed Deputy Registrar

Effective 1 September, Ken Roberts (Canada) became Deputy to Registrar John Hocking (Australia). Ken Roberts (42 years old) came to the position following a decade-long tenure at the ICTY, and most specifically within Chambers.

Associate Legal Officer to Judge Shahabuddeen between September 1998 and September 2000, Mr. Roberts then became a Legal Officer with Trial Chamber II. Following a brief period of special leave without pay as Chief of the Legal Policy Unit in the Department of Justice of UNMIK (February - September 2002), Ken returned to Trial Chamber II prior to moving, in September 2004, to the Appeals Chambers as Senior Legal Officer. In this capacity, he worked on numerous appeals from judgement and interlocutory appeals, including certain ICTR cases, and also assisted the Head of Chambers on a number of administrative matters including staffing, recruitment and budget issues.

Before joining the ICTY, Ken articulated for the Toronto office of Baker & McKenzie and worked as an Associate Legal Officer for a Dakar-based project of the UN Food and Agriculture Organization. He is called to the Bar of Ontario (Canada).

[29 July](#)

**First ever
authorised media
interview with an
ICTY detainee**

Dutch news agency ANP released the text of a short interview with Radovan Karadžić, the first ever interview with an ICTY detainee.

According to a practice established in the course of the Karadžić case, the Registrar may authorise contact between detainees and media representatives. Only written or phone communications are possible, through monitored correspondence and phone-calls. Contact between detainees and the media can be denied if the Registrar has reason to believe that the particular contact requested could disturb the good order of the UNDU, interfere with the administration of justice, or otherwise undermine the Tribunal's mandate.

[21 August](#)

**Lukić & Lukić
judgement: all
parties have
lodged appeals...**

...against the Trial Chamber's Judgement of 20 July in which Milan Lukić and Sredoje Lukić were found guilty of crimes against humanity and war crimes in Visegrad, and sentenced them to life and 30 years' imprisonment, respectively.

The Prosecution suggests that additional convictions should be entered against Sredoje Lukić, and that his sentence should be accordingly raised.

Sredoje Lukić's Defence stated that the Trial Chamber committed various of law and fact "which occasioned a miscarriage of justice", that the accused should be found not guilty, and that he be "immediately released."

The Defence for Milan Lukić appealed "the manner in which the trial was conducted and the resultant decisions and ultimate Judgement which cumulatively constituted an error of law." It requested that the accused be found not guilty or, in the alternative, that his sentence be reduced or that a re-trial be ordered.

[21 August](#)

**OTP welcomes
Young
Professionals
from the former
Yugoslavia**

The first group of five Young Professionals, from Bosnia and Herzegovina, Croatia and Serbia, arrived in the Office of the Prosecutor (OTP). They will be joined over the next few months by another fifteen. The main purpose of the Visiting Young Professionals Program is train young legal professionals from the former Yugoslavia.

The priority is to involve people who have a special interest in war crimes cases and to invest in the "future capacity of the countries in the former Yugoslavia to effectively deal with complex war crimes cases" according to the OTP. Whilst working with the Tribunal the Young Professionals will assist the OTP "in basic case work involving evidentiary as well as legal matters" and are expected to be joined by Young Professionals from Montenegro in the future.

[25 August](#)

**Haradinaj et al.:
Appeal Hearing
on 28 October**

The hearing will last from 9 am to 7 pm, according to a scheduling order issued by the Appeals Chamber.

On 3 April 2008, Trial Chamber I acquitted Ramush Haradinaj and Idriz Balaj on all charges of alleged war crimes and crimes against humanity committed in Kosovo between March and September 1998. At the time, Haradinaj was a commander of the KLA in Dukagjin area (north-western Kosovo), and Balaj was the commander of the Black Eagles Unit within the KLA. Following the judgement, they were both released from custody.

The Appeals Chamber ordered them to inform the Registry if they will exercise their right to be present at the 28 October hearing.

Also acquitted of crimes against humanity, a third accused, Lahi Brahimaj, was convicted by the Trial Chamber for war crimes (cruel treatment and torture) against two persons at the Jablanica/Jabllanicë headquarters of the Kosovo Liberation Army (KLA). He was sentenced to six years' imprisonment. On 25 May 2009, Brahimaj was granted provisional release pending the appeal hearing.

In May 2008, both the Prosecution and the Defence for Brahimaj filed appeals against the Trial Chamber's judgement. The Prosecution asks the Appeals Chamber to remitt the case to a Trial Chamber for a new trial "to hear direct evidence of witnesses regarding the participation [of the three accused] in a joint criminal enterprise and their individual responsibility" in relation to a number of crimes. Brahimaj's Notice of Appeal includes 19 grounds, nine against conviction and ten against sentencing: the Defence seeks an acquittal or, in the alternative, a reduced sentence.

[27 August](#)

Appeals Chamber constituted in the Šešelj contempt case

The President issued an Order assigning the following judges to hear the appeal in the Vojislav Šešelj contempt case : Judge Güney, Judge Pocar, Judge Vaz, Judge Meron and Judge Flügge.

On 18 August, Vojislav Šešelj appealed against the Judgement of 24 July which convicted him of contempt of the Tribunal and sentenced him to 15 months imprisonment.

[1 September](#)

Registrar John Hocking addresses a conference on Media and Justice in Sarajevo

Registrar John Hocking delivered the key-note address of the first workshop of the conference "Judicial Transparency and Media responsibility". Organised by the Balkan Investigative Reporting Network (BIRN), the conference brings together key actors from the judiciary, media and NGOs from Bosnia and Herzegovina, Croatia and Serbia.

The Registrar said that the conference's topic is "of great importance, not only for the future of the rule of law in the region, but also for the advancement and empowerment of the notion of international criminal justice. The work of media and non-governmental organisations such as BIRN has had a great impact on the visibility and understanding of the proceedings before the ICTY. More importantly, they continue to bring to the public eye the commendable progress of our fellow courts in the region – sending a clear message that it is possible to cast an analytical, as well as critical, eye on the work of the judiciary, while upholding the principles of objectivity and accountability."

[1 September](#)

ICTY is focused on completing the trials without sacrificing due process

"The failure to arrest the two remaining fugitives remains a grave concern to the Tribunal," reads a key sentence in the executive summary of the 16th ICTY Annual Report.

Covering the period 1 August 2008 / 31 July 2009, the Report will be formally presented by President Robinson later this year. The Report "details the activities of the Tribunal during the reporting period and demonstrates the Tribunal's focus on its goal of completing its proceedings as soon as possible without sacrificing due process."

*The full text of the report can be accessed through the UN website.
<http://www.un.org/Docs/journal/asp/ws.asp?m=s/2009/394>*

[3 September](#)

Boškoski and Tarčulovski: Appeal Hearing on 29 October

The hearing will last from 9.30 am until 5 pm, according to a scheduling order issued by the Appeals Chamber.

In the Trial Chamber judgement of 10 July 2008, Johan Tarčulovski was sentenced to 12 years' imprisonment for crimes committed against ethnic Albanians in village of Ljuboten, near Skopje, on 12 August 2001. The Trial Chamber found him guilty of ordering, planning and instigating the crimes committed in Ljuboten. With regard to Ljube Boškoski, previously the Minister of Interior of the former Yugoslav Republic of Macedonia (FYROM), the Trial Chamber acquitted him, finding that "it has not been established that Ljube Boškoski failed to take the necessary and reasonable measures for the punishment of the police".

[4 September](#)

Registrar hails ICTY successes in address to The Hague Club

ICTY Registrar John Hocking addressed the 50th annual meeting of The Hague Club, an organisation made up of senior officials from around 30 major private European Foundations.

The Registrar spoke on the topic 'ICTY- A contribution to overcoming the conflict?', and offered his views on the achievements of the ICTY and the consequences of its success for the restoration and maintenance of peace in the region of the former Yugoslavia. Registrar Hocking also highlighted how, as a direct result of the success of the Tribunal, numerous successor institutions have arisen which are rolling back the culture of impunity across the entire world.

The full text of the Registrar's speech is available upon request.

[7 September](#)

Krajišnik transferred to serve his sentence in the UK

Momcilo Krajišnik, one of the highest ranking war-time members of the Bosnian Serb leadership, was transferred to the United Kingdom to serve his 20-year sentence for crimes committed against non-Serb civilians during the conflict in Bosnia and Herzegovina.

On transfer Krajišnik became the 29th convicted person currently serving his sentence. Twenty-seven others have finished serving their sentence. Two died while serving their sentence. Two persons convicted are awaiting their transfer (Mile Mrkšić and Veselin Šljivančanin).

[9 September](#)

President Robinson in New York to represent the ICTY...

...at a consultative conference on international criminal justice. The ICTY President was invited to be a participant in a discussion on the role of Regional Courts and Commissions in the international justice system.

The conference aims to enhance the delivery of justice to people all over the world through information-sharing and projects that will be further developed in September.

[11 September](#)

Prosecutor Brammertz in Paris

At the invitation of the French authorities, Prosecutor Serge Brammertz visited Paris. He met with Foreign Affairs Minister Bernard Kouchner and State Secretary for European Affairs Pierre Lellouche. He also met with Sylvie Bermann, Director of United Nations and International Organisations at the Ministry of Foreign Affairs, and Jean-Luc Florent, Deputy Director for Legal Affairs, at the same Ministry.

At a press briefing before the Prosecutor's departure OTP spokesperson Olga Kavran explained that: "Prosecutor Brammertz and his hosts will discuss the Tribunal's completion strategy, the cooperation of states with the Office of the Prosecutor as well as other issues related to the Tribunal's mandate... This working visit is a part of the Prosecutor's regular contacts with member states of the European Union. Among them, and as a permanent member of the UN Security Council, France has always been a strong supporter of the Office of the Prosecutor. The ICTY continues to rely on the assistance and support of the international community in its ability to successfully fulfill its mandate."

[14 September](#)

Mičo Stanišić and Stojan Župljanin go on trial

Mičo Stanišić was, from April 1992, the Minister in the Serbian Ministry of Internal Affairs in Bosnia and Herzegovina (RS MUP), and Stojan Župljanin was Chief of the Regional Security Services Centre (CSB) of Banja Luka, as well as a member of the Autonomous Region of Krajina (ARK) Crisis Staff, and an advisor for internal affairs to the President of Republika Srpska. They stand accused of involvement in a campaign to eliminate and permanently remove Bosnian Muslims and Bosnian Croats from the areas over which they presided between April and December 1992.

There are only four accused awaiting their trial: two are in custody (Radovan Karadžić and Zdravko Tolimir) and two are still at large (Ratko Mladić and Goran Hadžić).

COURTROOM SCHEDULE: 15 SEPTEMBER – 25 SEPTEMBER

TUESDAY 15 SEPTEMBER

Courtroom I	09:00 – 13:45, Gotovina et al , Trial 14:15 – 19:00, Stanišić & Župljanin , Trial
Courtroom II	09:00 – 13:45, Perišić , Trial 14:15 – 19:00, Stanišić & Simatović , Trial
Courtroom III	09:00 – 13:45, Prlić , Trial 14:15 – 19:00, Popović et al , closing arguments

WEDNESDAY 16 SEPTEMBER

Courtroom I 09:00 – 13:45, **Prlić**, Trial
14:15 – 19:00, **Stanišić & Župljanin**, Trial
Courtroom II 09:00 – 13:45, **Gotovina et al**, Trial
14:15 – 19:00, **Perišić**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, closing arguments

THURSDAY 17 SEPTEMBER

Courtroom I 09:00 – 13:45, **Prlić**, Trial
14:15 – 19:00, **Stanišić & Župljanin**, Trial
Courtroom II 09:00 – 13:45, **Gotovina et al**, Trial
14:15 – 19:00, **Perišić**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, closing arguments

FRIDAY 18 SEPTEMBER

Courtroom I 09:00 – 13:45, **Gotovina et al**, Trial
Courtroom II 09:00 – 13:45, **Stanišić & Župljanin**, Trial
14:15 – 19:00, **Perišić**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, closing arguments

MONDAY 21 SEPTEMBER

UN holiday

TUESDAY 22 SEPTEMBER

Courtroom I 09:00 – 13:45, **Stanišić & Župljanin**, Trial
14:15 – 19:00, **Đorđević**, Trial
Courtroom III 09:00 – 13:45, **Prlić**, Trial
14:15 – 19:00, **Popović et al**, closing arguments

WEDNESDAY 23 SEPTEMBER

Courtroom I 09:00 – 13:45, **Đorđević**, Trial
14:15 – 19:00, **Stanišić & Župljanin**, Trial
Courtroom II 14:15 – 19:00, **Stanišić & Simatović**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, closing arguments

THURSDAY 24 SEPTEMBER

Courtroom I 09:00 – 13:45, **Đorđević**, Trial
14:15 – 19:00, **Stanišić & Župljanin**, Trial
Courtroom II 14:15 – 19:00, **Stanišić & Simatović**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, closing arguments

FRIDAY 25 SEPTEMBER

Courtroom I 09:00 – 13:45, **Đorđević**, Trial
14:15 – 19:00, **Stanišić & Župljanin**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, closing arguments

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

PROCEEDINGS COMPLETED WITH REGARD TO 120 ACCUSED

Since the very first hearing (deferral 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 120 of them: 11 have been acquitted, 60 sentenced (two are awaiting transfer, 29 have been transferred, 27 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 41 accused: 14 are at the appeals stage, 23 are currently on trial, and two are at the pre-trial stage. Two fugitives are still at large.

A further 30 individuals have been or are the subject of contempt proceedings.

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