




CASE INFORMATION SHEET

(IT-95-5/18)

RADOVAN KARADŽIĆ

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	Founding member of the Serbian Democratic Party (SDS); President of the SDS until his resignation on 19 July 1996; Chairman of the National Security Council of the so-called Serbian Republic of Bosnia and Herzegovina (later Republika Srpska - "RS"); President of the three-member Presidency of RS from its creation on 12 May 1992 until 17 December 1992, and thereafter sole President of Republika Srpska and Supreme Commander of its armed forces until July 1996
Indictment	Initial: 25 July 1995; operational indictment: 19 October 2009
Arrested	21 July 2008
Transferred to ICTY	30 July 2008
Plea	3 March 2009, failed to enter a plea, a plea of not guilty was entered on his behalf
Commencement of Trial	26 October 2009
Closing arguments	29 September – 7 October 2014
Trial Chamber Judgement	24 March 2016, convicted of genocide, crimes against humanity and violations of the laws or customs of war
Sentence	40 years' imprisonment

INDICTMENT**Two counts of genocide** (Counts 1 and 2)**Five counts of crimes against humanity**

- Persecutions (Count 3)
- Extermination (Count 4)
- Murder (Count 5)
- Deportation (Count 7)
- Inhumane acts (forcible transfer) (Count 8)

Four counts of violations of the laws or customs of war

- Murder (Count 6)
- Terror (Count 9)
- Unlawful attacks on civilians (Count 10)
- Taking of hostages (Count 11)

Alleged responsibility of the Accused

In the indictment, it is alleged that Radovan Karadžić is individually criminally responsible pursuant to Article 7(1) of the Tribunal's Statute for the counts set out above, *inter alia*, through his participation in a number of Joint Criminal Enterprises (JCEs).

It is alleged that, from at least October 1991 until 30 November 1995, Karadžić participated in a JCE to permanently remove Bosnian Muslim and Bosnian Croat inhabitants from the areas of Bosnia and Herzegovina, which were claimed as Bosnian Serb territory.

It is further alleged that, between April 1992 and November 1995, Karadžić participated in a JCE to establish and carry out a campaign of sniping and shelling against the civilian population of Sarajevo, aimed to spread terror amongst them.

In addition, it is alleged that, during the period immediately preceding 11 July and until 1 November 1995, Karadžić participated in a JCE to eliminate Bosnian Muslims in Srebrenica by killing men and boys and forcibly removing women, young children and the elderly from the area.

Lastly, it is alleged that during May and June 1995, Karadžić participated in a JCE to take United Nations personnel hostage in order to compel NATO to abstain from conducting air strikes against Bosnian Serb military targets.

Karadžić was also charged as a superior pursuant to Article 7(3) of the Statute for the crimes in the indictment, for, *inter alia*, knowing or having reason to know that crimes were about to be committed or had been committed by forces under his effective control and failing to prevent the crimes or punish the perpetrators.

THE TRIAL

The trial commenced on 26 October 2009. Following Karadžić's refusal to be present in court, on 5 November 2009, the Trial Chamber issued a decision in which it was found that the Accused had "substantially and persistently obstructed the proper and expeditious conduct of his trial", meeting the test for appointment of counsel set out by the Appeals Chamber in the Milošević case. The Chamber therefore ordered the Registrar to appoint a counsel to prepare to represent the interests of Karadžić at trial, and ordered the trial to resume on Monday, 1 March 2010. The Trial Chamber further stated that Karadžić would continue to represent himself, including by dealing with day-to-day matters and by preparing for trial, but that "should the Accused continue to absent himself from the resumed trial proceedings in March, or should he engage in any other conduct that obstructs the proper and expeditious conduct of the trial, he will forfeit his right to self-representation, no longer be entitled to assistance from his assigned defence team, and the appointed counsel will take over as an assigned counsel to represent him."

On 19 November 2009, Richard Harvey was appointed as counsel to the Accused.

On 1 and 2 March 2010, the Accused made his opening statement.

The Prosecution started presenting evidence on 13 April 2010. Its case was rested on 25 May 2012.

On 28 June 2012, the Trial Chamber issued an oral decision pursuant to Rule 98*bis* dismissing the motion for acquittal on ten counts of the indictment but granting it in relation to count one, in which the Accused was charged with genocide for crimes committed in several municipalities in Bosnia and Herzegovina between March and December 1992.

The Prosecution appealed the judgement of acquittal in relation to count one and the appeal hearing was held on 17 April 2013. On 11 July 2013, the Appeals Chamber reversed the Trial Chamber's decision and reinstated the charge of genocide under count one against the Accused.

The Defence case commenced on 16 October 2012 and was declared closed on 1 May 2014.

The closing arguments took place from 29 September until 7 October 2014.

TRIAL CHAMBER JUDGEMENT

The judgement was pronounced on 24 March 2016. Radovan Karadžić was found guilty of genocide, crimes against humanity and violations of the laws or customs of war committed by Serb forces during the armed conflict in Bosnia and Herzegovina (BiH), from 1992 until 1995. He was convicted of genocide in the area of Srebrenica in 1995, of persecution, extermination, murder, deportation, inhumane acts (forcible transfer), terror, unlawful attacks on civilians and hostage-taking.

He was acquitted of the charge of genocide in other municipalities in BiH in 1992.

More in detail, on the basis of individual criminal responsibility (Article 7(1) of the Statute of the Tribunal), Radovan Karadžić

was found guilty of:

- Genocide
- Persecutions (crimes against humanity)
- Extermination (crimes against humanity)
- Murder (crimes against humanity)
- Murder (violations of the laws or customs of war)
- Deportation (crimes against humanity)
- Inhumane acts – forcible transfer (crimes against humanity)
- Terror (violations of the laws or customs of war)
- Unlawful attacks on civilians (violations of the laws or customs of war)
- Hostage-taking (violations of the laws or customs of war)

Sentence: 40 years' imprisonment

STATISTICS

Trial days	499
Prosecution witnesses	337
Prosecution exhibits	6671
Defence witnesses	248
Defence exhibits	4807
Chamber witnesses	1
Chamber exhibits	3

International Criminal Tribunal for the former Yugoslavia
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