



## Completion Strategy Reports

7 December 2011

### President calls for ‘can do’ solutions to staff retention problem

Addressing the Security Council on 8 December, President Theodor Meron highlighted the support required by the Tribunal to ensure the successful completion of its work, and further brought a number of pressing matters, including staff retention, to the Council’s attention.



The President told the Council members that he was “acutely aware of Security Council Resolution 1966’s requirement that the Tribunals do all in their power to ensure the completion of all cases by December 2014.” In line with this commitment, the President informed the Security Council of specific measures he has adopted to accelerate the work of the Tribunal, especially with regards to appeals.

Turning to the critical matter of staff retention, the President said that despite the matter being repeatedly raised by former president Judge Robinson, “no progress was made in the meetings in November with the Secretariat by President Robinson and separately by Registrar Hocking for our modest proposals for a retention bonus in the form of a small termination indemnity.”

“I would have hoped that even at this late hour the United Nations Secretariat would develop a business model for addressing the vital sui generis needs of institutions facing an approaching closing, one based on flexibility and “can do” solutions,” the President said.

The full text of [President Meron’s speech](#) can be found on the ICTY website.

### Prosecutor calls on Security Council to help secure the Tribunal’s legacy

Delivering his Office’s 16th completion strategy report to the Security Council, the Prosecutor began by highlighting the arrests, during the reporting period, of the Tribunal’s two remaining war crimes fugitives.



“Over the past two decades, international justice has spread to more and more parts of the globe, but difficulties in arresting key suspects are all too common. It is worth reflecting on the ICTY’s success and applying the lessons we have learned to other courts and tribunals”, the Prosecutor said.

Turning to the co-operation of States, the Prosecutor began with Serbia, where, he said, “the arrest of the final two fugitives has put our cooperative relationship on a new, more positive, footing.” However, the Prosecutor stressed that in the next reporting period, “we want to see results from Serbia’s investigation into how ICTY fugitives, including Ratko Mladic and Goran Hadzic, managed to evade justice for so many years.”

With regard to Croatia, the Prosecutor said that requests for assistance over the reporting period had been dealt with adequately and that the largest area for concern was that “state officials at the highest level in Croatia continue to glorify illegal war-time conduct and question the impartiality of the ICTY’s judgements.” In relation to Bosnia and Herzegovina, “I can report that day-to-day cooperation with my Office is proceeding well,” the Prosecutor said. “However, we see troubling signs that the National War Crimes Strategy is struggling and urgent action is required to turn the situation around.”

The full text of [Prosecutor Brammertz’s speech](#) can be found on the ICTY website.

## MLADIĆ case

2 December 2011



### Chamber adopts proposal to reduce Mladić indictment

On 2 December, ICTY Trial Chamber I adopted the Prosecution’s proposal to limit the presentation of evidence in the Mladić case to a selection of 106 crimes, instead of the 196 initially scheduled crimes in the indictment.

“In the interests of a fair and expeditious trial, the Chamber fixes the number of crime sites or incidents of the charges in respect of which evidence may be presented by the Prosecution in accordance with the Prosecution Submission”, ruled the Chamber.

The Prosecution is to file an amended indictment and amended lists of victims within two weeks of the date of this decision.

At a status conference on 9 December, pre-trial judge Orić announced that the Chamber expects that the opening statements in the trial of Ratko Mladic will be heard on 27 March 2012, with the pre-trial conference to be held the day before. The OTP’s pre-trial brief must be filed by 10 February 2012, and the Defence’s brief is due on or before 2 March 2012.

## Trial transcripts

6 December 2011



### Set of transcripts delivered to Bosnia and Herzegovina

The Tribunal recently delivered approximately 700 pages of trial transcripts in the local languages of the region to judicial authorities in Bosnia and Herzegovina. The transcripts were produced by the Tribunal’s Bosnian/Croatian/Serbian transcription team. This delivery of transcripts will be followed by a second delivery on 16 December.

The provision of transcripts in the local languages is intended

to enhance the ability of national legal practitioners to access and utilise testimony given before the ICTY.

Until October 2010, the transcripts were available only in English and French, the official languages of the ICTY. However, under the auspices of the recently completed War Crimes Justice Project, the Tribunal was able to produce more than 60,000 pages of ICTY trial transcripts in the local languages.



PEĆANAC contempt case

9 December 2011



Pećanac guilty of contempt

On 9 December, Trial Chamber II by majority convicted Dragomir Pećanac of contempt of the Tribunal and sentenced him to three months of imprisonment. Pećanac, former Security and Intelligence Officer of the Main Staff of the Army of the Republika Srpska, was found guilty of having knowingly and wilfully interfered with the administration of justice by failing to appear before the Chamber as ordered to appear as a witness in the case against Zdravko Tolimir.

In rendering its judgement, the Chamber found that “contempt of the Tribunal is a serious offence, which goes to the essence of the administration of justice. By his failure to comply with the subpoena and to appear at the seat of the Tribunal and testify, the accused has acted against the interests of justice. His failure to testify has deprived the Chamber of relevant evidence.”

VISITS

12 December 2011



Tribunal hosts a study visit of Bosnian journalists

In the week beginning 12 December, the Tribunal’s Outreach Programme played host to a group of 13 journalists from Bosnian mainstream print and broadcast media on a five-day visit to the ICTY. This is the second five-day study visit of journalists from Bosnia and Herzegovina (BiH) organised by the Balkan Investigative Reporting Network (BIRN), following a successful visit that took place in early July this year. The visit is taking place as part of the Tribunal’s ongoing ef-

orts to strengthen cooperation with members of the press from the former Yugoslavia and promote better understanding of the ICTY’s mandate, practices and legacy. Anisa Sućeska Vekić, Director of BIRN BiH, said about the visit: “We welcome this opportunity to bring another group of BiH journalists to the Tribunal, as this kind of training will certainly help to improve the quality of reporting about the work of the ICTY in BiH mainstream media”.

OUTREACH

14 December 2011



Tribunal reaches out to students across the former Yugoslavia

The Tribunal’s Outreach Programme recently launched a region-wide effort to reach out to young people at high schools in the former Yugoslavia. Through a series of multi-media presentations, the Tribunal is seeking to support the process of reconciliation in the region by encouraging young people to take an active interest in issues of justice, transitional justice mechanisms, post-conflict social recovery and the ICTY’s mission. A presentation today at the 1st Gymnasium in Sarajevo will mark the beginning of the series in Bosnia and Herzegovina which, with the backing of the relevant ministries of education, will comprise presentations at 15 high schools during the winter and spring terms of this academic year. Presentations

will follow at high schools in Kosovo this winter term and it is hoped that arrangements will be finalised to enable the roll-out of the project in Serbia and Croatia this academic year. In tandem, the Outreach Programme will also organise lectures and workshops given by ICTY representatives in universities across the region. The Outreach Programme benefits from the continuous support of the European Union and its work with young people is generously supported by the Finnish government.

More information about the [Outreach Programme](#) can be found on the [Tribunal’s website](#).

TUPAJIĆ contempt case

14 December 2011



New contempt indictment

Milan Tupajić, former president of the Serb municipality of Sokolac and chief of the municipal Crisis Staff, has been charged with contempt of the Tribunal for failing to comply with, or to show good cause why he could not comply with, two subpoenas in which he was ordered to testify in the case of Radovan Karadžić. Tupajic was arrested on 13 December and was transferred to the custody of the UNDU on 15 December. An [order in lieu of an indictment](#) for contempt was issued confidentially by the Trial Chamber on 30 November 2011. This

set out that Tupajic was informed on 5 October 2011 and 8 November 2011, respectively, of the contents of two subpoenas dated 23 September 2011 and 3 November 2011, and of his obligation to appear before the Chamber or to show good cause why he could not do so. He is accused of knowingly and wilfully interfering with the administration of justice by refusing to comply with the Chamber’s subpoenas. The date of Tupajić’s initial appearance will be announced in due course.

FACTS & FIGURES

161 INDIVIDUALS INDICTED

Since the very first hearing (a 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 126 of them: 13 have been acquitted, 64 sentenced (one is awaiting transfer, 26 have been transferred, 34 have served their term, and three died while serving their sentence), 13 have had their cases transferred to local courts.

126

Total number of accused whose proceedings have been completed.

36

Cases terminated (either because indictments were withdrawn or because the accused died, before or after transfer to the Tribunal).

35

Proceedings are on-going with regard to 35 accused: 17 are at the appeals stage, 16 are currently on trial, and two are at the pre-trial stage.

34

A further 34 individuals have been or are the subject of contempt proceedings.