



Tuesday 14 June 2011

Highlights of 30/05/2011 through 10/06/2011 – Nr. 97

6 June: President Robinson and Prosecutor Brammertz address the Security Council

President asks Council to keep faith with the Tribunal

In his address to the Security Council, President Robinson highlighted the recent arrest of Ratko Mladić as ‘a milestone in the Tribunal’s history’. He went on to outline the issue of staff retention and enforcement of sentences as areas requiring the support of the Security Council and reiterated his call for the creation of a trust fund for victims of war crimes.

The President said that, during the reporting period, “The Tribunal faced unprecedented challenges, but also achieved unprecedented advancement in the implementation of its completion strategy.” President Robinson highlighted staff attrition as one of the areas in which the Tribunal needs the support of the Security Council. He described the staffing problem as “chronic, systemic and endemic” and urged member states to support meaningful steps to address this issue. “The Security Council, the Tribunal’s parent body, must heed the call for action. We need your influence and support if we are to complete the work with which you have tasked us. And I must be blunt: if something is not done to alleviate the staffing crisis, the Tribunal will be forever reporting slippages in its work schedule,” the President said.

Discussing the proposed trust fund for victims, the President underlined that “victims of the conflicts of the former Yugoslavia have a right to compensation under international law for the crimes committed against them”, and on the subject of enforcement of sentences he highlighted the fact that “up to 40 additional sentences may have to be enforced over the next few years, depending on the outcome of trials and appeals, and that the Tribunal’s current enforcement capacity is rapidly approaching its limit.”

In closing, the President stressed that the Tribunal has: “kept faith with the vision of the Security Council. And now we need the Council to reciprocate that faith and to give us the support that we desperately need to complete the work that the Security Council started.”

The full text of the President’s address can found here: <http://www.icty.org/sid/10690>

Prosecutor tells Council accountability for war crimes is 'an enduring value'

Addressing the Security Council in New York, the Prosecutor stated that the arrest of Ratko Mladić: “was significant on many levels. For the victims, it is a long overdue opportunity for redress. For the Tribunal, it removes one of the last obstacles to holding accountable those most responsible for the wartime atrocities in the former Yugoslavia. For international criminal justice, it confirms that accountability for war crimes is not a fleeting interest, but an enduring value”.

The Prosecutor also said that “Serbia now has an important opportunity to help the public understand why Ratko Mladić has been arrested and why justice demands that he stand trial”. The Prosecutor thanked the Serbian authorities for making the arrest. He particularly acknowledged the role played by the National Security Council, the Action Team established to track the fugitives and the operatives from the security services. He also welcomed the Serbian government’s statement that it would investigate and prosecute the networks that supported Mladić during his time in hiding.

Elsewhere in his address, the Prosecutor said that as the Tribunal approaches the completion of its mandate, remaining staff members are “shouldering unrealistically heavy burdens due to staff attrition”. Retaining key staff will become an increasing problem in the next reporting period, the Prosecutor said.

The Prosecutor went on to say that he was intensifying the focus on supporting national war crimes prosecutions, stressing that co-operation between prosecutors in the region must be a priority to resolve problems such as parallel investigations.

The Prosecutor concluded his presentation by saying that his office is committed to moving ahead expeditiously with the Mladić trial. He asked the international community to ensure that necessary resources to complete the work are made available. He also called upon governments in the former Yugoslavia to “support the work of the OTP to use it as a platform for promoting reconciliation in the region”.

The full text of the Prosecutor’s address can found here: <http://www.icty.org/sid/10691>

30 May**ICTY delivers transcripts to BiH and Serbia**

On 30 May, the Tribunal delivered approximately 3,900 pages of transcripts produced in local languages to the authorities in Bosnia and Herzegovina and Serbia.

Under the auspices of the War Crimes Justice Project (WCJP), the transcripts are being produced in the region's local languages from the audio recordings of ICTY court hearings. Until October 2010, the trial transcripts were available only in English and French, the official languages of the ICTY.

Commenting on this aspect of the WCJP, the office of the War Crimes Prosecutor in Serbia said: *"These transcripts are of precious assistance and will speed up the process of determining the full individual responsibility for war crimes committed during the 1990s. We are aware that transcribing court proceedings is a lengthy task, and therefore the War Crimes Prosecutor's Office is actively engaged in prioritising these documents. The continuation and expansion of this project will be one of the key elements of gradual transfer of responsibility for adjudication of war crimes from the international to national level."*

Approximately 9,500 pages of B/C/S transcripts, out of 34,000 already produced as part of the project, are now available on the Tribunal's Internet Court Records database (ICR). Additional transcripts will be uploaded on the ICR in the coming months, with the aim of publishing the targeted 60,000 pages of transcripts by the end of 2011. Transcripts can be accessed via the following link on the ICTY's website: <http://icr.icty.org>.

The War Crimes Justice Project is a 4-million euro regional project funded by the European Union and carried out by the OSCE Office for Democratic Institutions and Human Rights (ODIHR), in partnership with the ICTY, the UN Interregional Crime and Justice Research Institute, and OSCE field operations.

30 May & 3 June**Mladić case**

On 30 May, a Trial Chamber was composed to hear the case of Ratko Mladić. The Chamber comprises Judge Alphons Orie (presiding), Judge Christoph Flügge, and Judge Bakone Justice Moloto.

At his initial appearance on 3 June, Mladić did not enter a plea to what he described as the "obnoxious charges" levelled against him. Referring to the indictment, he said, "I want to read this carefully to give it some proper thought together with my lawyers because I need more than a month for these monstrous words."

Adjourning the hearing, Judge Orie announced that a further initial appearance will be held on 4 July at 10.00 a.m. If Mladić does not enter a plea at that time, a plea of not guilty will be entered on his behalf.

6 June**Šešelj: second contempt trial**

The second contempt case against Vojislav Šešelj resumed on 6 June, when the accused opened and completed his Defence case.

Šešelj was charged with contempt for having disclosed in three books he authored information which may identify 11 protected witnesses in violation of orders of a Chamber.

The trial commenced on 22 February 2011, and the Amicus Curiae Prosecutor rested his case on the same day. The trial was then adjourned pending an Appeals Chamber decision on funding for the accused. A judgement will be rendered in due course.

COURTROOM SCHEDULE: 14 JUNE – 24 JUNE

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

TUESDAY 14 JUNE	Courtroom I	09:00 – 13:45 14:15 – 19:00	Karadžić, Tolimir	Trial Trial
	Courtroom II	14:15 – 19:00	Stanišić & Simatović	Pre-Defence conference
WEDNESDAY 15 JUNE	Courtroom I	09:00 – 14:30	Karadžić,	Trial
	Courtroom II	09:00 – 13:45	Stanišić & Simatović	Trial
	Courtroom III	09:00 – 13:45 14:15 – 19:00	Tolimir Stanišić & Župljanin	Trial Trial
THURSDAY 16 JUNE	Courtroom I	14:15 – 19:00	Tolimir	Trial
	Courtroom II	14:15 – 19:00	Stanišić & Simatović	Trial
	Courtroom III	14:15 – 19:00	Stanišić & Župljanin	Trial
FRIDAY 17 JUNE	Courtroom I	09:00 – 14:30	Karadžić	Trial
	Courtroom III	14:15 – 19:00	Stanišić & Župljanin	Trial
MONDAY 20 JUNE	Courtroom I	09:00 – 14:30	Karadžić	Trial
	Courtroom II	14:15 – 19:00	Stanišić & Župljanin	Trial
	Courtroom III	14:15 – 19:00	Tolimir	Trial
TUESDAY 21 JUNE	Courtroom I	09:00 – 14:30	Karadžić	Trial
	Courtroom II	14:15 – 19:00	Stanišić & Simatović	Trial
	Courtroom III	09:00 – 13:45 14:15 – 19:00	Stanišić & Župljanin Tolimir	Trial Trial
		Courtroom I	09:00 – 14:30	Karadžić
WEDNESDAY 22 JUNE	Courtroom II	14:15 – 19:00	Stanišić & Simatović	Trial
	Courtroom III	09:00 – 13:45 14:15 – 19:00	Stanišić & Župljanin Tolimir	Trial Trial
	Courtroom I	09:00 – 14:30	Karadžić	Trial
	Courtroom II	09:00 – 13:45	Stanišić & Simatović	Trial
THURSDAY 23 JUNE	Courtroom III	09:00 – 13:45	Stanišić & Župljanin	Trial
	Courtroom I	09:00 – 14:30	Karadžić	Trial
	Courtroom II	09:00 – 13:45 14:15 – 19:00	Tolimir Stanišić & Simatović	Trial Trial
		Courtroom III	09:00 – 13:45	Stanišić & Župljanin
FRIDAY 24 JUNE	Courtroom I	09:00 – 14:30	Karadžić	Trial
	Courtroom III	09:00 – 13:45	Stanišić & Župljanin	Trial

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 (four are awaiting transfer, 25 have been transferred, 31 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** Another 36 cases have been 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: 16 are at the appeals stage, 14 are currently on trial, and four are at the pre-trial stage. One fugitive is still at large.
- 33** A further 33 individuals have been or are the subject of contempt proceedings.

THE WAR CRIMES JUSTICE PROJECT

aims to facilitate the transfer of knowledge and materials from the ICTY to legal professionals in the former Yugoslavia, thereby enhancing the capacity of judiciaries in the region to handle complex war crimes cases.

The project is funded by the European Union and implemented by the ICTY in partnership with the Organisation for Security and Cooperation in Europe's Office for Democratic Institutions and Human Rights (OSCE/ODIHR), the United Nations Interregional Crime and Justice Research Institute (UNICRI), and OSCE field operations in the region.

www.icty.org/sections/Outreach/CapacityBuilding

- 34,000** Total number of pages of ICTY court hearing audio material transcribed into B/C/S to date.
- 12,900** Total number of transcript pages delivered to the regional judiciaries between October 2010 and June 2011.
- 13,000** Total number of pages publicly available on the ICTY Court Records Database to date: <http://icr.icty.org/>
- 130** Total number of legal professionals from regional judiciaries who have so far received training on searching and accessing publicly available ICTY material.

The ICTY Digest is a publication of the Registry, prepared and produced by the LPTV Section.
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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.

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