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**The next issue will be published on 19 January 2009.  
On behalf of the Tribunal, our very best season's greetings.**

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2 December

## **Diplomatic Seminar**

Some 70 representatives of the international community attend the second Diplomatic Seminar of the year to hear President Robinson, Prosecutor Brammertz and Registrar Holthuis brief them on the Tribunal's state of affairs, progress and plans.

Addressing the Diplomatic Seminar for the first time as President of the ICTY, President Robinson stresses that staff attrition "is a real danger if measures are not taken now to provide staff with incentives to remain at the Tribunal." He therefore asks the diplomats "to continue to provide strong support to the Tribunal as it moves closer to the completion of its mandate and to support staff retention incentives to ensure that we maintain our high standards." President Robinson also reports on the unprecedented level of trial activity during the second half of 2008, as well as the Tribunal's continued commitment to building the capacity of judiciaries in the region of the former Yugoslavia and steps being taken to preserve the Tribunal's legacy.

Prosecutor Brammertz also raises the issue of staff retention in his address to the Diplomatic Seminar: "I believe it is crucial to find ways to enable staff to stay at the Tribunal until the cases they work on are completed. The premature departure of staff, due to the completion strategy and uncertainties with regard to their professional future, would have a negative impact on our work and could affect our ability to adhere to the strict court schedule." The Prosecutor outlines progress achieved in respect of the completion of trials and appeals, cooperation of States and interaction with national prosecutors. He highlights the important arrests of Stojan Župljanin and Radovan Karadžić and stresses that the arrest of the two remaining fugitives (Mladić and Hadžić) is today the highest priority for his Office. Emphasising the importance and complexity of all ongoing and remaining cases, Prosecutor Brammertz says that trials will continue in 2009 and 2010, and calls on the international community to maintain its support by providing the resources necessary for the Tribunal to successfully complete its mandate.

The last ICTY official to address the Diplomatic Seminar, Registrar Hans Holthuis details the "challenges faced by the Registry in relation to support of the trials of self-represented accused," namely, to promote equal access to the court process for self-represented accused, to ensure that the necessary facilities are made available to them, including at the Detention Unit, and the question of the legal assistance provided to them. The Registrar concludes by pointing out that "the Registry remains committed to providing as much assistance to self-represented accused as possible within the framework of the Tribunal's rules and regulations, security concerns, Tribunal resources, and the consideration of other detainees' rights, to ensure that self-represented accused have adequate facilities to prepare and present their case in order to have a fair trial."

*A copy of the full text of the addresses by the President, the Prosecutor and the Registrar can be obtained from Gea van der Werf, at 512-8599, or [vanderwerf@un.org](mailto:vanderwerf@un.org)*

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[6 December](#)

**Vukovar Hospital case: Sljivančanin recalled from provisional release measures**

Following its Order of 25 November 2008, scheduling the appeals hearing in this case on 21 and 23 January 2009, the Appeals Chamber (Judge Meron, Presiding, Judge Güney, Judge Pocar, Judge Liu and Judge Vaz) ordered "Mr. Sljivančanin to return to the United Nations Detention Unit in The Hague for the duration of the appeals hearing in this case".

*Both the Prosecution and the Defence have lodged appeals against the Judgement of 27 September 2007 in which Trial Chamber II (Judge Parker, Presiding, Judge Van den Wyngaert and Judge Thelin), after dismissing all counts charging the three accused with crimes against humanity, acquitted Miroslav Radić and sentenced Mile Mrkšić and Veselin Sljivančanin to 20 and 5 years' imprisonment, respectively. Radić was released shortly after the judgement hearing. On 11 December 2007, the Appeals Chamber granted Sljivančanin provisional release pending the appeals hearing. The decision was reached after the Appeals Chamber considered that among other factors, Sljivančanin had already served nearly 90% of his sentence.*

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[8 December](#)

**ICTY Staff demonstrate for improved rights...and get TV coverage!**

On the UN official holiday, a group of concerned ICTY staff members and their children demonstrate outside the Headquarters of the Ministry of Social Affairs in The Hague, at the initiative of the UN Staff Union-ICTY. The staff express their concern about the exclusion of Dutch staff and permanent residents, together with their dependents, from the Dutch social security system.

*A crew from the Dutch news programme, Een Vandaag, was there to film the demonstration as part of a report they have filmed about the retention of staff at the Tribunal.*

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[10 December](#)

**www.icty.org : new website is launched**

The Tribunal's new website is launched! The new look and greatly expanded content are designed to showcase the Tribunal's work and achievements to a global audience. The site is much more multi-lingual than ever before. However, this is just the beginning. Over the course of the next months, the Media-Web-Outreach branch of the Communication Services aims to develop and include new areas and features.

In addition to providing a valuable archive of more than 35,000 legal documents from cases heard at the Tribunal, the site also now holds a broad range of background information and material on the organisation.

Dozens of staff, present and past, have been involved in the redesign and upgrade of the site.

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[12 December](#)

**President Robinson calls on the Security Council to support a proactive retention policy**

Addressing the Security Council today, President Robinson "confirms that the Tribunal is on track to complete the majority of its trials during 2009, although some trials will continue into 2010." As regards appeals, the President reports that while it is possible that most appeals will be completed in 2011, it is likely that a number of appeals will continue into 2012. In order to keep this schedule, President Robinson stresses the need for the Tribunal to retain its key staff and judges and urges "the international community to support a proactive retention policy so as to guarantee the timely completion of the Tribunal's mandate."

*The following press release was issued: MOW/1294e at:*  
<http://www.icty.org/sid/10028>

*The full text of the President's speech can be found at:*  
<http://www.icty.org/sid/10030>

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[12 December](#)

**Prosecutor  
Brammertz also  
asks for measures  
necessary to  
retain the staff  
needed to  
complete the  
cases**

In his address to the UN Security Council on the occasion of the presentation of his progress report on the completion strategy, Prosecutor Brammertz focuses “on the ongoing judicial proceedings, the cooperation of States, the interaction with prosecution services in the former Yugoslavia and organizational matters.” Discussing the latter, he asks “for support for measures necessary to retain the staff needed to complete all cases.”

*The following press release was issued: MOW/1295e at:*  
<http://www.icty.org/sid/10031>

*The full text of the Prosecutor’s speech can be found at:*  
<http://www.icty.org/sid/10029>

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[15 December](#)

**Judge Melville  
Baird sworn in**

Judge Melville Baird of Trinidad and Tobago is sworn in as an *ad litem* judge of the Tribunal. Judge Baird is assigned to the Vlastimir Đorđević case.

*The following press release was issued: MOW/1296e at:*  
<http://www.icty.org/sid/10032>

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[17 December](#)

**Haraqija and  
Morina found  
guilty of contemp**

Trial Chamber I found Astrit Haraqija and Bajrush Morina guilty of contempt of the Tribunal and sentenced them to five months’ and three months’ imprisonment, respectively.

*On 25 April 2008, Astrit Haraqija, former Kosovo Minister for Culture, Youth and Sport, and Bajrush Morina, former political advisor to the Deputy Minister at the Ministry of Culture, Youth and Sport, were both indicted for contempt of court after allegedly trying to persuade a protected witness not to testify against Ramush Haradinaj. Their trial took place from 8 to 11 September 2008.*

*The following press release was issued: MOW/1297e at:*  
<http://www.icty.org/sid/10033>

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[22 December](#)

**Dragan Jokić  
transferred to  
Austria to serve  
the remainder of  
his sentence...**

... of nine years’ imprisonment for his role in the 1995 Srebrenica genocide. A former Bosnian Serb Army officer, Jokić was found guilty by the Trial Chamber on 17 January 2005, of aiding and abetting extermination, murder and persecutions of Bosnian Muslims committed in the eastern Bosnian enclave in July 1995. His sentence of nine years’ imprisonment was affirmed by the Appeals Chamber on 9 May 2007.

*The transfer of Jokić brings the number of convicted persons transferred and currently serving their sentence to 28; 24 others have finished serving their sentence and two died while serving their sentence. Three convicted persons are awaiting their transfer: Stanislav Galić, Milan Martić, and Pavle Strugar.*

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## **TRIALS WILL RESUME IN THE WEEK OF 5 JANUARY 2009**

Proceedings adjourned on Friday 19 December. The winter court recess will last through Thursday 8 January 2009.

The trials will then resume according to the following schedule:

- Thursday 08 January: Šešelj, at 9:00 in courtroom II
- Monday 12 January: Popović *et al.*, at 9:00 in courtroom III
- Monday 12 January: Prlić *et al.*, at 14:15 in courtroom I
- Monday 12 January: Gotovina *et al.*, at 14:15 in courtroom I
- Tuesday 13 January: Perišić, at 9:00 in courtroom I
- Wednesday 14 January: Lukić & Lukić, at 14:15 in courtroom II

## 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 (three are awaiting transfer, 28 have been transferred, 24 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, six are awaiting the Trial Chamber's judgement, 20 are currently on trial, seven 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.

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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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