



United Nations



International Criminal Tribunal for the former Yugoslavia

The ICTY Digest



Monday 20 April 2009

Highlights of 06/04/2009 through 17/04/2009 - Nr. 56

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160,000 legal documents publicly available through the ICTY Court Records Database accessible from the website

This important resource contains all the Tribunal's public court records, from the first filing submitted in 1994 through to today. It launched at noon on 06 April, and is accessible from the ICTY home page. "As a global leader in judicial transparency, the Tribunal is dedicated to ensuring its work and public court records are accessible," said a press release announcing the event. Fully searchable and available in five languages, the ICTY Court Records (ICR) service is an extension of the ICTY's ground-breaking Judicial Database (JDB). It comprises nearly 160,000 documents and 1.8 million pages. It is hoped that the release of these materials will provide substantial benefit to national courts, researchers, media and the general public around the world. The press release points out that the service is "a key legacy product" and "a vital research tool", and says that "it is anticipated that it will benefit agencies and legal professionals working to ensure judicial accountability for those persons suspected of serious violations of international law."

Related press releases can be read on the Tribunal website: www.icty.org

[06 April](#)

Karadžić case: pre-trial conference tentatively scheduled

The Trial Chamber in the Karadžić case, comprising Judge Bonomy, Presiding, Judge Flügge and Judge Picard, issues a Work Plan, which tentatively schedules the pre-trial conference for Monday 20 July.

The Work Plan was issued "so that this case can proceed expeditiously to trial."

[07 April](#)

Further ICTY website updates online

The updating of the ICTY website continues with the addition of three new features: a map showing the Global Spread of International Criminal Justice (accessible from the 'About' section); a comprehensive chronological list of all ICTY judgements from 1996 up to Krajišnik Appeal judgement (accessible from the 'Cases' section); and a list showing the dates of Courtroom Recesses and UN Holidays (also accessible from the 'Cases' section).

The usage statistics for the new-look site remain encouraging: there have more than one million page views since the launch.

[07 April](#)

Milutinović et al. case: no charges pending against the six accused

Trial Chamber III, consisting of Judges Bonomy, Presiding, Antonetti and Flügge, issues an Order declaring that "there remain no outstanding charges against Milan Milutinović, Nikola Šainović, Dragoljub Ojdanić, Nebojša Pavković, Vladimir Lazarević, and Sreten Lukić." The Milutinović et al. case, which involves six senior political, military and police officials from the RFY and/or Serbia, was the first concerning crimes alleged to have been perpetrated by Serbian forces against Kosovo Albanians during the 1999 conflict in Kosovo.

On 26 February 2009, Milan Milutinović, the former Serbian President, was acquitted of all charges. Nikola Šainović, the former Yugoslav Deputy Prime Minister, Nebojša Pavković, a former General of the Yugoslav Army, and Sreten Lukić, the former Serbian police General, were found guilty of crimes against humanity and violation of the laws or customs of war, and sentenced to 22 years' imprisonment each. Dragoljub Ojdanić, the former Yugoslav Army Chief of Staff, and Vladimir Lazarević, a former General of the Yugoslav Army, were found guilty of aiding and abetting the commission of a number of charges of deportation and forcible transfer of the ethnic Albanian population of Kosovo and were each

sentenced to 15 years' imprisonment.

In the Judgement, the Trial Chamber also invited the Parties to file submissions with regard to three alleged crime sites which the Prosecution was instructed in July 2006, in accordance with rule 73 bis(D), not to present evidence on during the trial, namely Racak/Recek, Padaliste/Padalishte, and Dubrava/Dubrave Prison. Only the Prosecution filed a submission, which triggered today's Order.

[08 April](#)

**Karadžić case:
Appeals Chamber
dismisses the
accused's appeal
against the
Decision on the
alleged Holbrooke
Agreement**

The Appeals Chamber (Judge Güney, Presiding, Judge Pocar, Judge Liu, Judge Vaz and Judge Meron) dismisses the appeal lodged by Radovan Karadžić against part of the Trial Chamber's Decision of 17 December 2008 ordering the Prosecution to disclose to the accused materials in their possession relating to the alleged immunity deal better known as the Holbrooke Agreement. In this Decision, the Trial Chamber had considered that "any immunity agreement in respect of an accused...before the International Tribunal would be invalid under international law," and that "pursuant to the Statute and the Rules of the Tribunal, neither its own mandate nor that of the Prosecutor is affected by any alleged undertaking made by Mr. Holbrooke."

Noting that all grounds of appeal "relate to the above-referenced specifications with respect to the status of immunity agreements", but that the Prosecution was also ordered by the Trial Chamber to disclose "all material these specifications related to," the Appeals Chamber declared the appeal moot.

[08 April](#)

**Astrid Haraqija
on provisional
release pending
appeal**

The Appeals Chamber orders the provisional release of Astrit Haraqija who has completed the five-month sentence imposed upon him on 17 December 2008 for contempt of court. Haraqija, former Kosovo Minister for Culture, Youth and Sport, was convicted of trying to persuade a Prosecution witness not to testify in the trial of former Kosovo Albanian military leader Ramush Haradinaj. Haraqija's co-accused, Bajrush Morina, former political advisor to the Deputy Minister for Culture, Youth and Sport of Kosovo and part-time editor of the Kosovo newspaper "Bota Sot", was sentenced on the same day to three months' imprisonment. Morina was granted provisional release pending appeal after completing his sentence on 9 February 2009.

The appeals hearing has yet to be scheduled. Haraqija's release is subject to a number of terms set down in the Decision.

[14 April](#)

**Vukovar Hospital
case: Appeals
Chamber will
deliver its
Judgement on 5
May**

The Appeals Chamber (Judge Meron, Presiding, Judge Güney, Judge Pocar, Judge Liu and Judge Vaz) will deliver its Judgement on Tuesday 5 May, at 2:15 pm in courtroom 1. The Chamber heard the parties on 21 and 22 January 2009 on the merits of their 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 Radic, and sentenced Mile Mrksic and Veselin Sljivancanin to 20 and 5 years' imprisonment, respectively.

M. Radic was released shortly after the judgement hearing and no appeal was lodged against his acquittal.

The Appeals Chamber also ordered Veselin Slijvancanin, who has been on provisional release since 11 December 2007, to return to the Detention Unit "in time for the delivery of the Appeals Judgement".

[16 April](#)

**Serge Brammertz
in Bratislava**

At the invitation of Miroslav Lajcak, Foreign Minister of the Slovak Republic and formerly the High Representative in Bosnia and Herzegovina (BiH), the Prosecutor travels to Bratislava on a two-day long working visit.

The Prosecutor held working meetings with Government officials. The meetings focused on the work of the Office of the Prosecutor of the ICTY, the Tribunal's Completion Strategy, and the cooperation of states with the Office of the Prosecutor.

COURTROOM SCHEDULE: 20 APRIL – 01 MAY

MONDAY 20 APRIL

Courtroom I Nothing scheduled
Courtroom II Nothing scheduled
Courtroom III 14:15 – 19:00, **Prlić**, Trial

TUESDAY 21 APRIL

Courtroom I 09:00 – 13:45, **Perišić**, Trial
14:15 – 19:10, **Lukić & Lukić**, Trial
Courtroom II 11:00 – 12:30, **Djordević**, Trial
13:15 – 16:45, **Djordević**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, Trial
14:15 – 19:00, **Prlić**, Trial

WEDNESDAY 22 APRIL

Courtroom I 09:00 – 13:45, **Perišić**, Trial
14:15 – 19:00, **Prlić**, Trial
Courtroom II 09:00 – 13:45, **Djordević**, Trial
14:15 – 16:15, **Karadžić**, Status Conference
Courtroom III 14:15 – 19:00, **Popović et al**, Trial

THURSDAY 23 APRIL

Courtroom I 09:00 – 13:45, **Perišić**, Trial
Courtroom II 09:00 – 13:45, **Djordević**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, Trial
14:15 – 18:30, **Prlić**, Trial

FRIDAY 24 APRIL

Courtroom I Nothing scheduled
Courtroom II 09:00 – 13:45, **Djordević**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, Trial

MONDAY 27 APRIL

Courtroom I 09:00 – 13:45, **Djordević**, Trial
14:15 – 19:10, **Lukić & Lukić**, Trial, Closing Arguments
Courtroom II 09:00 – 13:45, **Perišić**, Trial
Courtroom III 09:00 – 13:45, **Popović et al**, Trial
14:15 – 19:00, **Prlić**, Trial

TUESDAY 28 APRIL

Courtroom I 09:00 – 13:45, **Djordević**, Trial
Courtroom II 09:00 – 13:45, **Perišić**, Trial
Courtroom III 09:00 – 13:45, **Prlić**, Trial
14:15 – 19:00, **Popović et al**, Trial

WEDNESDAY 29 APRIL

Courtroom I 09:00 – 13:45, **Djordević**, Trial
Courtroom II 09:00 – 13:45, **Perišić**, Trial
Courtroom III 09:00 – 13:45, **Prlić**, Trial
14:15 – 19:00, **Popović et al**, Trial

THURSDAY 30 APRIL

Nothing scheduled – Queen’s Day

FRIDAY 1 MAY

Courtroom I 09:00 – 13:45, **Djordjević**, Trial, *to be confirmed*
Courtroom II Nothing scheduled
Courtroom III 09:00 – 13:45, **Popović et al**, Trial

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

PROCEEDINGS COMPLETED WITH REGARD TO 117 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 117 of them: 10 have been acquitted, 58 sentenced (two are awaiting transfer, 28 have been transferred, 26 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 44 accused: nine are at the appeals stage, a Trial Chamber has passed judgement on six accused (but an appeal is still possible), 21 are currently on trial, and six 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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*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.*