



## **3 December: President Robinson and Prosecutor Brammertz address the Security Council**

### **President says that staff departures inhibit the Tribunal's ability to conduct its work expeditiously and fairly, and calls for meaningful staff retention measures**

Addressing the Security Council as part of his report on the status of the Tribunal's completion strategy, President Patrick Robinson highlighted the organisation's successes and key challenges ahead.

He urged the Council members to exercise foresight by assisting the Tribunal with measures to retain its qualified staff. The Tribunal loses, on average, one staff member per working day to more secure employment, he stressed. "The reality of the situation is that there is a very real risk to the Tribunal's ability to conduct its work as expeditiously and fairly as possible during the remaining years of its mandate," President Robinson said.

The President reiterated his call for a claims commission by which the victims of crimes in the former Yugoslavia could seek compensation. "Justice is not only about punishing perpetrators, but also about restoring dignity to victims by ensuring that they have concrete means to rebuild their lives," he said.

### **Prosecutor says that an amended indictment against Ratko Mladić will be filed shortly**

During the presentation of his bi-yearly progress report on the Completion Strategy to the Security Council, Prosecutor Serge Brammertz said that "the arrest of Ratko Mladić, and the other remaining fugitive Goran Hadžić, remains one of my Office's foremost priorities. Prosecution lawyers are currently reviewing the Mladić indictment and I expect to file a proposed amended indictment shortly."

He also provided an update on the status of trials and appeals, the capacity building efforts throughout the region of the former Yugoslavia, and the cooperation between the Office of the Prosecutor (OTP) and States. The latter remains "a key condition to the successful accomplishment of the Tribunal's mandate", he said prior to reporting on the cooperation by Serbia, Croatia and Bosnia and Herzegovina.

Finally, the Prosecutor informed the Security Council of the imminent downsizing of his Office, with a planned reduction of 60% of staff positions over the next two years.

*Two press releases were issued on Thursday; they include a link to the full text of the Addresses and Completion Strategy Reports by the President and the Prosecutor. They are available on the Tribunal's website in BCS, English and French.*

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#### **24 November**

#### **Šešelj trial will resume on 12 January 2010**

The Trial Chamber issued a decision disposing of various motions and issues. Decisions included the resumption of the trial proceedings on 12 January 2010.

*The trial of Vojislav Šešelj was suspended on 11 February 2009.*

Vojislav Šešelj, the leader of the Serbian Radical Party, is on trial before the Tribunal for alleged crimes committed in Bosnia and Herzegovina and Croatia between 1991 and 1994.

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#### **26 November**

#### **Gotovina et al. trial: Croatia requested to appear ...**

... at an additional hearing on 16 December, at 9am.

*The scheduling order issued by the Trial Chamber states that there is "an ongoing dispute between the Republic and Croatia and the Prosecution about several issues related to documents sought by the latter," and that the Chamber has "the responsibility to assess a state's compliance with its obligations under Article 29 of the Statute".*

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#### **30 November**

#### **Dorđević trial: Defence starts**

Following the pre-Defence conference, the Defence of Vlastimir Đorđević commenced on 30 November. The accused, testifying in his own defence, was the first Defence witness.

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*A former senior Serbian police official, Vlastimir Đorđević faces charges of crimes against humanity and war crimes allegedly committed against Kosovo Albanian civilians in 1999.*

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**Judge Nyambe sworn in**

Judge Prisca Matimba Nyambe, from Zambia, was sworn in as an ad litem judge of the Tribunal. She will sit on the trial of Zdravko Tolimir, scheduled to start on 17 December.

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**Delić case: Appeal hearing on 19 January 2010...**

...reads a scheduling order issued by the Appeals Chamber (Judge Vaz, Presiding, Judge Gunej, Judge Pocar, Judge Liu and Judge Meron).

*On 15 September 2008, Rasim Delić, the former Commander of the Main Staff of the Army of the Republic of Bosnia and Herzegovina (ABiH), was found guilty by a majority of the Trial Chamber of failing to prevent and punish one instance of cruel treatment committed by the El Mujahed Detachment (EMD), part of the 3rd Corps of the ABiH. The Trial Chamber unanimously acquitted Delić of three other counts of murder and cruel treatment for crimes committed by EMD members in the villages of Maline and Bikoši in the Travnik municipality, in the village of Kesten and at the Kamenica Camp.*

*Delić was sentenced to three years' imprisonment. Both parties appealed against the judgement. On 11 May 2009, Delić was granted provisional release.*

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**Registrar Hocking leads an ICTY delegation to New York to discuss the budget**

The ICTY delegation recently traveled to New York to defend the Tribunal's budget for 2010-2011 before the Advisory Committee on Administrative and Budgetary Questions (ACABQ).

The ACABQ, which is an advisory body of the General Assembly, has finalised its recommendations, and the ICTY delegation has returned to UNHQ to complete the budget discussions with the Fifth Committee of the General Assembly.

*It is expected that the Fifth Committee will consider the ICTY budget during the week of 7 December 2009.*

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## **COURTROOM SCHEDULE: 7 DECEMBER – 18 DECEMBER**

### **MONDAY 7 DECEMBER**

Courtroom I	10:00 – 16:30, <b>Đorđević</b> , Trial
Courtroom II	09:00 – 13:45, <b>Stanišić &amp; Župljanin</b> , Trial
Courtroom III	09:00 – 13:45, <b>Gotovina et al</b> , Trial 14:15 – 19:00, <b>Prlić</b> , Trial

### **TUESDAY 8 DECEMBER**

Courtroom I	09:00 – 13:45, <b>Gotovina et al</b> , Trial 14:15 – 19:00, <b>Đorđević</b> , Trial
Courtroom II	09:00 – 13:45, <b>Stanišić &amp; Župljanin</b> , Trial 14:15 – 19:00, <b>Stanišić &amp; Simatović</b> , Trial
Courtroom III	09:00 – 13:45, <b>Prlić</b> , Trial

### **WEDNESDAY 9 DECEMBER**

Courtroom I	09:00 – 13:45, <b>Gotovina et al</b> , Trial 14:15 – 19:00, <b>Đorđević</b> , Trial
Courtroom II	09:00 – 13:45, <b>Stanišić &amp; Župljanin</b> , Trial 14:15 – 19:00, <b>Stanišić &amp; Simatović</b> , Trial
Courtroom III	09:00 – 13:45, <b>Prlić</b> , Trial

### **THURSDAY 10 DECEMBER**

Courtroom I	14:15 – 19:00, <b>Đorđević</b> , Trial
Courtroom II	14:15 – 19:00, <b>Stanišić &amp; Župljanin</b> , Trial
Courtroom III	14:15 – 19:00, <b>Gotovina et al</b> , Trial

### **FRIDAY 11 DECEMBER**

Courtroom I 09:00 – 13:45, **Stanišić & Župljanin**, Trial  
Courtroom II 09:00 – 13:45, **Dorđević**, Trial  
Courtroom III 09:00 – 13:45, **Gotovina et al**, Trial

### **MONDAY 14 DECEMBER**

Courtroom I 14:15 – 19:00, **Stanišić & Župljanin**, Trial  
Courtroom II 09:00 – 13:45, **Dorđević**, Trial  
14:15 – 19:00, **Stanišić & Simatović**, Trial  
Courtroom III 09:00 – 13:45, **Gotovina et al**, Trial  
14:15 – 19:00, **Prlić**, Trial

### **TUESDAY 15 DECEMBER**

Courtroom I 09:00 – 13:45, **Stanišić & Župljanin**, Trial  
Courtroom II 09:00 – 13:45, **Dorđević**, Trial  
14:15 – 19:00, **Stanišić & Simatović**, Trial  
Courtroom III 09:00 – 13:45, **Gotovina et al**, Trial  
14:15 – 19:00, **Prlić**, Trial

### **WEDNESDAY 16 DECEMBER**

Courtroom I 09:00 – 13:45, **Stanišić & Župljanin**, Trial  
14:15 – 19:00, **Tolimir**, Pre-trial Conference  
Courtroom III 09:00 – 13:45, **Gotovina et al**, Trial  
14:15 – 19:00, **Prlić**, Trial

### **THURSDAY 17 DECEMBER**

Courtroom I 09:00 – 13:45, **Tolimir**, Trial  
Courtroom II 09:00 – 13:45, **Stanišić & Župljanin**, Trial  
Courtroom III 09:00 – 13:45, **Gotovina et al**, Trial  
14:15 – 19:00, **Prlić**, Trial

### **FRIDAY 18 DECEMBER**

Courtroom I 09:00 – 13:45, **Tolimir**, Trial  
Courtroom III 09:00 – 13:45, **Gotovina et al**, Trial

### **PROCEEDINGS COMPLETED WITH REGARD TO 121 ACCUSED**

**Since the very first hearing (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 121 of them: 11 have been acquitted, 61 sentenced (three are awaiting transfer, 28 have been transferred, 28 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 40 accused: 13 are at the appeals stage, 24 are currently on trial, and one is at the pre-trial stage. Two fugitives are still at large.**

**A further 30 individuals have been or are the subject of contempt proceedings.**

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