

# President Robinson addresses UN General Assembly

On 8 October, presenting the Tribunal's 17th Annual Report to the UN General Assembly, President Patrick Robinson described how, during the reporting period, the ICTY had "faced unprecedented challenges, but also achieved unprecedented advancement in the implementation of its Completion Strategy." The President indicated that all appeals are still scheduled to be completed by the end of 2014. He warned, however, that unavoidable delays in the Karadzic case mean that this date will have to be re-assessed at an appropriate time.

The President emphasised that although in the past the UN has wound up administrative bodies such as peacekeeping operations, and had "developed a practice and a culture with regard to the exit strategy for such bodies...the Tribunal is not an administrative body". Rather it is "...a court of law, and as such it will always be prone to a certain degree of unforeseeability, which is a natural element in most kinds of judicial work, and particularly in trials as complicated as those at the Tribunal." The President once more stressed that "another factor that has impacted our work is the constant departure of the Tribunal's highly experienced staff for more secure employment elsewhere. Experienced staff continue to leave the Tribunal at an alarming rate." The President asked that more be done in future to alleviate staff attrition.

The President also reiterated his calls for the establishment of a trust fund for victims from the former Yugoslavia. "The ICC and the 113 States that have ratified the Rome Statute demonstrate by the establishment of a trust fund for victims that they accept that justice must not only be retributive, it must also be restorative if peace is to be lasting."

The President ended by asking the Member States to "…reflect for a moment upon the remarkable achievements of the Tribunal. It was not so long ago that international criminal justice was but a dream in the minds of those striving for a safer and more just world. But now the dream has been realised."

The full text of the President's address can be read on the Tribunal's website.

<u>1 October</u> Tribunal social media channels go live	In an effort to aid the Tribunal's policy of a transparent judicial process and to bring the activities of the court closer to the public, the ICTY has launched official accounts on the social media networks YouTube and Twitter. Through the Tribunal's YouTube channel and its Twitter feed, members of the media and the public can follow ongoing trials and court developments as well as access video archives. "This is another historic step taken by the Tribunal in its drive to ensure greater judicial transparency and accessibility," said Registrar John Hocking. In addition to viewing selected clips of guilty pleas, witness testimonies and short documentaries on the Tribunal and its work, online users will soon be able to view initial appearances and judgements from the Tribunal's archives. The ICTY currently tweets news on the latest court activities and developments, including court decisions and other legal documents as they are received. It is also poised to tweet live from judgements and important press conferences. Followers will likewise receive up-to- date court schedules and immediate notifications in case of schedule changes and breaking news. The public can subscribe to the Tribunal's YouTube channel at http://www.youtube.com/ICTYtv and follow its tweets at http://www.twitter.com/ICTYnews.
<u>6 October</u> <b>Prosecutor tells</b> <b>Dutch MPs that</b> <b>Serbia should be</b> <b>doing more in the</b> <b>hunt for Mladić</b>	Addressing the Dutch parliament's European Affairs Committee, Prosecutor Serge Brammertz said that failure to arrest Ratko Mladić "could have an exceptionally negative impact on possible reconciliation in the region." Only a "limited number of people" were involved in the search for the fugitive in Serbia, the Prosecutor told the assembled members of parliament. "We think that the means [to search for Mladić] must be increased." "We do not doubt that a number of people with political responsibility are pushing hard for the arrests", said the Prosecutor. "But it is also clear that there are people who see it differently. It is quite clear that there is still a so- called support network."

<u>8 October</u> ICTY delivers first transcripts in local languages to Croatia	The ICTY has delivered the first batch of trial transcripts produced in the local languages of the region to Croatian authorities. Following an urgent request from Croatia, the War Crimes Justice Project team was able to deliver six complete transcripts, from six public ICTY sessions, totalling 500 pages. Additional transcripts requested by regional counterparts will be delivered to BiH, Croatian and Serbian authorities in the near future, as a matter of priority. Transcripts of the trials held before the ICTY have to date only been available in the official languages of the Tribunal – English and French. As part of the War Crimes Justice Project, the Tribunal is producing transcripts of its key proceedings in Bosnian, Croatian or Serbian. This is expected to improve the ability of legal practitioners in the region to access and utilise testimony given before the ICTY that is relevant to their domestic proceedings. The production of such transcripts under the War Crimes Justice project commenced in July of this year and will continue until November 2011.
<u>12 October</u> ICTY's first Review Hearing held	On 12 October, a Review Hearing was held in the case of Veselin Šljivančanin. On 14 July 2010, the Appeals Chamber granted Šljivančanin's application for review of the Appeals judgement against him of 5 May 2009. In the original appeals judgement, the Chamber entered an additional conviction for aiding and abetting murder and raised Šljivančanin's sentence from 5 years to 17 years in prison. The Appeals Chamber's July decision represented the first time in ICTY history that a request for review of a judgement had been granted.
<u>15 October</u> Haradin Bala denied sentence remission	<ul> <li>President Robinson last Friday issued a decision denying sentence remission to Haradin Bala.</li> <li>The Tribunal had been advised by authorities in the France, where Bala is serving his sentence of 13 years' imprisonment, that the prisoner is eligible for reductions in his sentence pursuant to the <i>Code de procédure pénale</i>. Article 721 of the <i>Code</i> states that a convicted person is entitled to three months remission of sentence in their first year of imprisonment and two months in the following years, providing they behave well in custody.</li> <li>In his decision, President Robinson stated that although he would have been willing "as a matter of law, to provisionally recognise the sentence remissions of Mr Bala, his very limited demonstration of rehabilitation and the high gravity of his crimes lead me to the conclusion that such remissionsare not appropriate".</li> <li><i>The full text of President Robinson's decision can be read on the Tribunal's website.</i></li> </ul>

# COURTROOM SCHEDULE: 19 OCTOBER – 29 OCTOBER

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

## TUESDAY 19 OCTOBER

Courtroom I	14:15 – 19:00, <b>Karadžić,</b> Trial
Courtroom III	09:00 – 13:45, Stanišić & Župljanin, Trial
	14:15 – 19:00, <b>Tolimir,</b> Trial

### WEDNESDAY 20 OCTOBER

Courtroom I	14:15 – 19:00, <b>Karadžić,</b> Trial
Courtroom III	09:00 – 13:45, Stanišić & Župljanin, Trial
	14:15 – 19:00, <b>Tolimir,</b> Trial

### THURSDAY 21 OCTOBER

Courtroom I	09:00 – 13:45, <b>Stanišić &amp; Župljanin,</b> Trial
	14:15 – 19:00, <b>Karadžić,</b> Trial
Courtroom III	09:00 – 13:45, <b>Tolimir,</b> Trial

## FRIDAY 22 OCTOBER

Courtroom I 09:00 – 13:45, **Stanišić & Župljanin**, Trial

## MONDAY 25 OCTOBER

UN HOLIDAY: UN DAY

#### **TUESDAY 26 OCTOBER**

Courtroom I	09:00 – 13:45, <b>Karadžić,</b> Trial
	14:15 – 19:00, <b>Stanišić &amp; Župljanin,</b> Trial
Courtroom II	09:00 – 13:45, <b>Perišić,</b> Trial
	14:15 – 19:00, Stanišić & Simatović, Trial
Courtroom III	10:00 – 11:30, Haradinaj et al, Status Conference
	14:15 – 19:00, <b>Tolimir,</b> Trial

#### WEDNESDAY 27 OCTOBER

Courtroom I	09:00 – 13:45, <b>Karadžić,</b> Trial
	14:15 – 19:00, <b>Stanišić &amp; Župljanin,</b> Trial
Courtroom II	09:00 – 13:45, <b>Perišić,</b> Trial
	14:15 – 19:00, Stanišić & Simatović, Trial
Courtroom III	09:00 – 13:45, <b>Tolimir,</b> Trial

#### THURSDAY 28 OCTOBER

Courtroom I	09:00 – 13:45, <b>Karadžić,</b> Trial
	14:15 – 19:00, <b>Stanišić &amp; Župljanin,</b> Trial
Courtroom II	09:00 – 13:45, <b>Perišić,</b> Trial
	14:15 – 19:00, Stanišić & Simatović, Trial
Courtroom III	09:00 – 13:45, <b>Tolimir,</b> Trial

#### FRIDAY 29 OCTOBER

Courtroom I	09:00 – 13:45, <b>Karadžić,</b> Trial
Courtroom II	09:00 – 13:45, Stanišić & Župljanin, Trial
	14:15 – 19:00, <b>Perišić,</b> Trial
Courtroom III	09:00 – 13:45, <b>Tolimir,</b> Trial

#### The ICTY winter recess has been scheduled. The recess will take place between Monday 20 December 2010 and Friday 07 January 2011

### PROCEEDINGS COMPLETED WITH REGARD TO 124 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 124 of them: 12 have been acquitted, 63 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. 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 37 accused: 14 are at the appeals stage, 18 are currently on trial, and three are at the pre-retrial stage. Two fugitives are still at large.

A further 31 individuals have been or are the subject of contempt proceedings.

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

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