United Nations
Nations Unies

International Criminal Tribunal for the former Yugoslavia
Tribunal Pénal International pour l'ex-Yougoslavie

"RSK" (IT-95-11)

MILAN MARTIĆ



MILAN MARTIĆ	***Convicted of murder, persecutions on political, racial and religious grounds, cruel treatment, imprisonment, deportation, plunder of public or private property, wanton destruction of villages or devastation not justified by military necessity, torture, inhumane acts, attacks on civilians***
	From 4 January 1991 until August 1995, held various leadership positions, such as President, Minister of Defence, Minister of Internal Affairs, in the so-called "Serbian Autonomous District (SAO) Krajina," and the so-called "Republic of Serbian Krajina" (RSK). - Sentenced to **35 years' imprisonment** - The case is pending before the Appeals Chamber

Crimes convicted of (examples):

Persecutions on political, racial and religious grounds, murder, imprisonment, torture, inhumane acts, deportation, inhumane acts (forcible transfers) (crimes against humanity)

Murder, torture, cruel treatment, wanton destruction of villages or devastation not justified by military necessity, destruction or wilful damage done to institutions dedicated to education or religion, plunder of public or private property, attacks on civilians (violations of the laws or customs of war)

- Milan Martić intended to forcibly displace the Croat and other non-Serb population from the SAO Krajina and the RSK, and he actively participated in the furtherance of the common purpose of the joint criminal enterprise (JCE). He actively worked together with the other JCE participants to fulfil the objective of a united Serb state, something which he expressed publicly on several occasions between 1991 and 1995.

- He was aware that the non-Serb population was being driven out as a result of the coercive atmosphere in the SAO Krajina and the RSK but he deliberately refrained from intervening against perpetrators who committed crimes against the non-Serb population ;

- He ordered the shelling of Zagreb on the 2nd and the 3rd of May 1995 causing the death of seven persons and injuries to 214 others.

Born	18 November 1954 near Knin, Croatia
Indictment	Initial indictment: 25 July 1995; amended indictment: 13 December 2002; second amended indictment: 5 September 2003
Surrendered	15 May 2002
Transferred to ICTY	15 May 2002
Initial and further appearances	21 May 2002, pleaded not guilty to all charges ; 28 January 2003, pleaded not guilty
Trial Chamber Judgement	12 June 2007, sentenced to 35 years' imprisonment

STATISTICS

Trial days	**143**
Witnesses called by Prosecution	**45**
Prosecution exhibits	**901**
Witnesses called by Defence	**22**
Defence exhibits	**90**
Chamber exhibits	**24**

TRIAL	
Commenced	13 December 2005
Closing arguments	10-12 January 2007
Trial Chamber I	Judge Bakone Justice Moloto (presiding), Judge Janet Nosworthy, Judge Frank Höpfel
Counsel for the Prosecution	Alex Whiting, Ana Richterova, Colin Black, Nisha Valabhji
Counsel for the Defence	Predrag Milovančević, Nikola Perović
Trial Chamber Judgement	12 June 2007

APPEALS	
Appeals Chamber	Judge Fausto Pocar (presiding), Judge Mohamed Shahabuddeen, Judge Mehmet Güney, Judge Andrèsia Vaz, Judge Wolfgang Schomburg
Counsel for the Prosecution	Michelle Jarvis
Counsel for the Defence	Predrag Milovančević, Nikola Perović

RELATED CASES
MILAN BABIĆ (IT-03-72)
GORAN HADŽIĆ (IT-04-75)
SLOBODAN MILOŠEVIĆ (IT-02-54) "KOSOVO, CROATIA & BOSNIA"
VOJISLAV ŠEŠELJ (IT-03-67)
STANIŠIĆ & SIMATOVIĆ (IT-03-69)

INDICTMENT AND CHARGES

The initial indictment against Milan Martić was confirmed and made public on 25 July 1995. An amended indictment was filed on 18 December 2002, pursuant to the Trial Chamber decision of 13 December 2002. The second amended indictment was filed on 9 September 2003 (the indictment has a signature date of 14 July 2003) pursuant to the Trial Chamber decision of 5 September 2003. The second amended indictment was re-filed by the Prosecution on 9 December 2005 to correct an error in pagination.

The second amended indictment alleged that from 4 January 1991 until August 1995, Milan Martić held various leadership positions in the so-called Serbian Autonomous District (SAO) Krajina located in north-eastern Croatia, which was later re-named the Republic of Serbian Krajina (RSK) and that, as such, Milan Martić participated in a joint criminal enterprise as a co-perpetrator. According to the indictment, the purpose of this joint criminal enterprise was the forcible removal of a majority of the Croat, Muslim and other non-Serb population from approximately one-third of the territory of the Republic of Croatia, and large parts of the Republic of Bosnia and Herzegovina, in order to make them part of a new Serb-dominated state through the commission of crimes. Specifically, this occurred in the SAO Krajina and the city of Zagreb in northern Croatia, and in the Autonomous Region of Krajina (ARK) in northern Bosnia and Herzegovina, in particular in Bosanski Novi, Bosanska Gradiška, Prnjavor, and Šipovo.

It is alleged that this joint criminal enterprise came into existence before 1 August 1991 and continued until at least August 1995, and that individuals participating in this joint criminal enterprise included Slobodan Milošević; Borisav Jović; Branko Kostić; Veljko Kadijević; Blagoje Adžić; Milan Babić; Goran Hadžić; Jovica Stanišić; Franko Simatović, also known as "Frenki"; Tomislav Simović; Vojislav Šešelj; Momir Bulatović; Radovan Stojičić, also known as "Badža"; Željko Ražnjatović, also known as "Arkan"; Radovan Karadžić; Momčilo Krajišnik; Biljana Plavšić; Momir Talić; Ratko Mladić and other members of the Yugoslav People's Army (JNA), later the Yugoslav Army (VJ); the army of the RSK (SVK); the army of the Republika Srpska (VRS); the Serb Territorial Defence (TO) of Croatia, Bosnia and Herzegovina, Serbia and Montenegro; local and Serbian police forces (MUP forces), including the State Security Service (DB) of the Republic of Serbia, and Serb police forces of the SAO Krajina and the RSK commonly referred to as "Martić's Police," "Martićevci," "SAO Krajina Police" or "SAO Krajina Milicija"; and members of Serbian, Montenegrin and Bosnian Serb paramilitary forces and volunteer units, including the "Wolves of Vučjak" who were trained by Milan Martić and Martić's Police, and other political figures from the (Socialist) Federal Republic of Yugoslavia, the Republic of Serbia, the Republic of Montenegro and the Bosnian Serb leadership.

In order for the joint criminal enterprise to succeed in its objective, Milan Martić worked in concert with or through several individuals named above. Each participant or co-perpetrator within the joint criminal enterprise played his role or roles that significantly contributed to the overall objective of the enterprise.

Among other things, the indictment alleges that Milan Martić, acting individually or in concert with others, participated in the joint criminal enterprise in the following ways:

• He participated in the creation, financing, supply, training and direction of "Martić's Police". These police forces were created and supported to assist in the execution of the joint criminal enterprise through the commission of crimes in violation of Articles 3 and 5 of the Statute of the Tribunal.

• He commanded, controlled, directed and otherwise exercised effective control over these special police forces, which participated in the crimes described in the indictment.

• He participated in the creation, financing, supply, training and direction of Territorial Defence forces (TO) of the SAO Krajina and subsequently the RSK which participated in the crimes described in the indictment.

• He participated in the creation, training and direction of special police forces of the Serbian State Security Service which participated in the crimes described in this indictment.

• He personally participated in the military actions and subsequent crimes of these police and military forces.

• He participated in the planning, preparation and execution of the take-over of territories in the Croatian SAO's and parts of Bosnia and Herzegovina and the subsequent forcible removal of the Croat, Muslim and other non-Serb population.

• He openly espoused and encouraged the creation of a homogenous Serbian State encompassing the territories specified in the indictment by violence and actively participated with his troops to achieve this end.

• He planned and ordered the shelling attacks on Zagreb in May 1995.

Milan Martić was charged on the basis of individual criminal responsibility (Article 7(1) and 7 (3) of the Statute of the Tribunal) with:

• **Persecutions on political, racial and religious grounds; extermination; murder; imprisonment; torture; inhumane acts; deportation; inhumane acts (forcible transfers)** (crimes against humanity, Article 5)

• **Murder; torture; cruel treatment; wanton destruction of villages or devastation not justified by military necessity; destruction or wilful damage done to institutions dedicated to education or religion; plunder of public or private property; attacks on civilians** (violations of the laws or customs of war, Article 3)

PRE-TRIAL PROCEEDINGS - Rule 61:

In certain instances, like the Milan Martić case, where the Tribunal has been unable to obtain custody of an accused, it has proceeded under Rule 61 of its Rules of Procedure and Evidence. In such proceedings a full Trial Chamber examines an indictment and the supporting evidence in public and, if it determines that there are reasonable grounds for believing that the accused committed any or all of the crimes charged, confirms the indictment and issues an international arrest warrant. The latter is intended to ensure that the accused will be arrested if he crosses international borders. In addition, the Chamber may certify, upon proof by the Prosecutor, that the failure to service the arrest warrant on the accused was due to the failure to execute an arrest warrant or refusal of a State to co-operate with the Tribunal. The President of the Tribunal, in consultation with the presiding Judges of the Trial Chambers, may then notify the Security Council of such failure or refusal by a State. A Rule 61 hearing is not a trial *in absentia* and does not provide for a finding of guilt.

A Rule 61 hearing in the Milan Martić case was held on 27 February 1996, with Judge Jorda presiding. In addition to written evidence, the Prosecutor presented live testimony from four witnesses. On 8 March 1996, the Trial Chamber issued a decision confirming the initial indictment and issuing an international arrest warrant for Milan Martić which was sent to all States and to the NATO-led Implementation Force (IFOR) that was in Bosnia and Herzegovina at the time.

Only four other Rule 61 hearings have been held at the Tribunal to date in the cases against Radovan Karadžić, Ratko Mladić, Ivica Rajić and Dragan Nikolić.

JOINDER PROCEEDINGS

On 30 May, 1 June and 19 July 2005, the Office of the Prosecutor submitted three identical motions to join its cases against Milan Martić, Jovica Stanišić and Franko Simatović and Vojislav Šešelj. All four accused filed responses to the motions.

Rule 48 of the Tribunal's Rules of Procedure and Evidence provides that "[p]ersons accused of the same or different crimes committed in the course of the same transaction may be jointly charged and tried." A "transaction" is defined in Rule 2 of the Rules as a "number of acts or omissions whether occurring as one event or a number of events, at the same or different locations and being part of a common scheme, strategy or plan."

If a Chamber decides that these requirements have been met, it may grant joinder or leave the cases to be tried separately. According to the Tribunal's case law, the following factors may be taken into account in making this determination: (i) promoting judicial economy; (ii) avoiding conflicts of interest that might cause serious prejudice to the accused; (iii) protecting the interests of justice, *inter alia*, by safeguarding the rights of the accused to a fair and expeditious trial; (iv) minimising hardship to witnesses, and (v) ensuring consistency of verdicts.

In its decision of 10 November 2005, the Trial Chamber decided that the crimes alleged in the indictments of Milan Martić, Jovica Stanišić and Franko Simatović and Vojislav Šešelj were indeed committed in the course of the "same transaction" and were therefore eligible to be "jointly charged and tried." However, they also ruled that none of the other factors can be evaluated in favour of joining the three cases. The judges concluded that the factors of judicial economy and rights of the accused argued strongly against such a joinder because it would substantially increase the length of each accused's trial and in Milan Martić's case further delay its commencement. Accordingly, the Trial Chamber decided to refuse the request for joinder and to leave the three cases to be tried separately.

THE TRIAL

The Milan Martić trial commenced on 13 December 2005. The Prosecution completed its case-in-chief on 20 June 2006. On 3 July 2006, the Trial Chamber issued an oral decision pursuant to Rule 98*bis*. The defence began presenting its case on 11 July 2006 and concluded on 16 November 2006. The closing arguments of the Prosecution were presented on 10 January 2007 and of the Defence on 10, 11 and 12 January 2007.

RULE 98*bis* DECISION

After the conclusion of the presentation of Prosecution evidence, the Trial Chamber can rule whether there is a case to answer. If the Chamber believes that the Prosecution has not presented sufficient evidence to prove certain charge(s), it can dismiss those charges before the beginning of the presentation of defence evidence.

On 3 July 2006, the Trial Chamber in the Milan Martić case issued an oral decision in which it stated the following: "...the Chamber is therefore of the view that there is no basis on which it can enter judgement of acquittal pursuant to Rule 98*bis*..."

TRIAL CHAMBER JUDGEMENT

Milan Martić was sentenced to 35 years' imprisonment for crimes committed during the early nineties against Croats and other non-Serbs in Croatia. He was convicted on 16 counts of the indictment including persecutions, murder, torture, deportation, attacks on civilians, wanton destruction of civilian areas and other crimes against humanity and violations of laws and customs of war. He was acquitted on one count of the indictment charging him with extermination.

On 21 December 1990 in Knin, the Serbian Autonomous Region (SAO) of Krajina was proclaimed by municipalities in the regions of Northern Dalmatia and Lika, in south-western Croatia. On the 22nd of December 1990, the Croatian constitution was amended to define Croatia as a "national state of the Croatian nation and a state of members of other nations or minorities who are citizens". In January 1991, the SAO Krajina established a "Regional Secretariat for Internal Affairs" in Knin and Milan Martić was appointed Secretary for Internal Affairs. The government of Croatia was informed that the Croatian MUP would no longer be considered as having authority within the SAO Krajina. On the 27th of June 1991, Milan Martić was appointed Minister of the Interior of the SAO Krajina. On the 19th of December 1991, the SAO Krajina was replaced by the Republic of Serbian Krajina. Milan Martić continued as Minister of the Interior.

The Trial Chamber found that the evidence showed that the President of Serbia, Slobodan Milošević, openly supported the preservation of Yugoslavia as a federation of which the SAO Krajina would form part. However, the evidence established that Slobodan Milošević *covertly* intended the creation of a Serb state. This state was to be created through the establishment of paramilitary forces and the provocation of incidents in order to create a situation where the JNA could intervene. Initially, the JNA would intervene to separate the parties but subsequently the JNA would intervene to secure the territories envisaged to be part of a future Serb state.

During the spring and summer of 1991, armed clashes took place between SAO Krajina and Croatian police in several areas. There were also raids and attacks by SAO Krajina police and other forces on several Croat-majority areas, including Lovinac, Ljubovo, and Glina.

The evidence showed that the JNA intervened during these clashes in order to separate the two sides. However, this changed on the 26th of August 1991. On this date, the JNA 9th Corps participated on the side of the SAO Krajina's *Milicija Krajine* and TO forces in an attack on the Croat-majority village of Kijevo, near Knin. The attack followed an ultimatum issued by Milan Martić, in which he stated that:

> "You and your leadership have brought relations between the Serbian and Croatian populations to such a state that further co-existence in *our Serbian territories* of the SAO Krajina is impossible […] "

The attack on Kijevo marked a turning point in the JNA's role in the conflict in Croatia, and from that point, the JNA *participated* in attacks on majority-Croat areas and villages together with SAO Krajina MUP and TO forces. From August 1991 and into early 1992, these combined forces attacked several Croat-majority villages and areas, including Hrvatska Kostajnica, Cerovljani, Hrvatska Dubica, Baćin, Saborsko, Poljanak, Lipovača, Škabrnja and Nadin. The evidence showed that the attacks were carried out in order to connect Serb villages and areas across non-Serb areas. During these attacks, the crimes of murder, destruction, plunder, detention, torture, and cruel treatment were committed against the non-Serb population.

The Trial Chamber found the evidence was clear that the SAO Krajina and the RSK leadership, including Milan Martić, endorsed Slobodan Milošević's vision to create a Serb-dominated state.

This plan to link up Serb villages and areas continued throughout 1992 with various armed clashes and attacks, including the so-called "Operation Corridor", which was a military operation aimed at linking the Croatian and Bosnian Krajinas with Serbia. RSK forces under the command of among others Milan Martić participated in this operation.

The Trial Chamber was presented with considerable evidence of acts of persecution carried out against the non-Serb population. Widespread acts of murder and violence, detention and intimidation became pervasive throughout the RSK territory from 1992 to 1995. These acts were committed by RSK TO and MUP forces, and by the JNA, as well as by members of the local Serb population, and created such a coercive atmosphere that the Croat and other non-Serb inhabitants of the RSK were left with no option but to flee or to be deported by force by RSK forces. In this respect, the Trial Chamber took particular note of the evidence that the RSK MUP forces directed the non-Serb population to collection points from which transport was organised to areas under Croatian control. By 1994, the RSK was virtually entirely Serb.

The Trial Chamber found that all crimes charged in the Indictment, with the exception of extermination under Count 2, were committed in the SAO Krajina and the RSK from August 1991 through 1995, including murder, imprisonment, torture, cruel treatment, destruction, including of buildings dedicated to religion, as well as plunder. However, the Trial Chamber stressed that there were incidents underlying the crimes charged for which the Trial Chamber did not find Milan Martić guilty.

In relation to extermination, the Trial Chamber recalled that a minimum number of victims was not required and that the crime might be established by an accumulation of separate and unrelated killings. The Trial Chamber in particular considered the evidence that the killings charged were committed within a limited period of time and within a limited territory. However, having considered these factors, as well as the totality of the evidence surrounding the killing incidents charged as extermination, the Trial Chamber found that the crime of extermination was not committed on an accumulated basis in this case.

The Trial Chamber found that with regard to Counts 3 to 14, and Count 1, Persecution, insofar as it related to these counts, Milan Martić's individual criminal responsibility was one of participation in a joint criminal enterprise pursuant to Article 7(1) of the Statute.

The Trial Chamber found that from at least August 1991 the political objective to unite Serb areas in Croatia and in BiH with Serbia in order to establish a unified Serb territory was implemented through widespread and systematic armed attacks on predominantly Croat and other non-Serb areas and through the commission of acts of violence and intimidation. In the SAO Krajina and the RSK, this campaign of violence and intimidation against the Croat and non-Serb population was a consequence of the position taken by the leadership that co-existence with the Croat and other non-Serbs, in Milan Martić's own words, "in our Serbian territories of the SAO Krajina [was] impossible". The implementation of the political objective to establish a unified Serb territory in these circumstances necessitated the forcible removal of the Croat and other non-Serb population from the SAO Krajina and RSK. The Trial Chamber therefore found it established beyond reasonable doubt that the common purpose of the joint criminal enterprise was the establishment of an ethnically Serb territory through the displacement of the Croat and other non-Serb population, as charged in Counts 10 and 11.

The evidence established that the SAO Krajina and RSK leadership, including in particular Milan Martić, sought and received significant financial, logistical and military support from Serbia. The support came from the MUP and the State Security Service of Serbia, from the JNA and from the Republika Srpska in Bosnia and Herzegovina. Milan Martić stated that he "personally never ceased this cooperation" and that there was "good cooperation with the leadership of Serbia, notably the [MUP]." In fact, the relationship with Serbia was so close that the SAO Krajina police was mainly financed with funds and material from Serbia. The support from Serbia continued throughout the indictment period. One witness even described the Army of the RSK and the Yugoslav Army as one and the same organisation, only located at two separate locations.

The Trial Chamber therefore found that among others Blagoje Adžić, Milan Babić, Radmilo Bogdanović, Veljko Kadijević, Radovan Karadžić, Slobodan Milošević, Ratko Mladić, Vojislav Šešelj, Franko "Frenki" Simatović, Jovica Stanišić, and Captain Dragan Vasiljković participated in the furtherance of the common purpose of the joint criminal enterprise.

The evidence showed that Milan Martić's contacts with other members of the joint criminal enterprise were close and direct. As a result, substantive financial, logistical and military support was rendered to the SAO Krajina and the RSK. Milan Martić actively worked together with the other participants to achieve the objective of a united Serb state, something which he, as noted, expressed publicly on several occasions. This objective he achieved by the forcible removal of the non-Serb population. Milan Martić was one of the most important and influential political figures in the SAO Krajina and RSK governments. As Minister of the Interior, Milan Martić exercised absolute authority over the MUP, including the power to intervene on an individual level by appointing and removing chiefs of public security stations and to disband units.

The displacement of the Croat and other non-Serb population had commenced in and around Knin by 1991. Milan Martić contributed to this displacement by fuelling the atmosphere of fear through his media speeches that he could not guarantee the safety of the Croats. Furthermore, the ultimatum issued by Milan Martić in relation to Kijevo at the end of August 1991 is indicative of Milan Martić's mindset in relation to the Croat and other non-Serb population of the SAO Krajina.

The Trial Chamber considered that the sheer scale of the widespread and pervasive crimes perpetrated against the non-Serb population must have rendered such crimes common knowledge. Crimes committed within the territory of the RSK were even discussed at RSK government sessions. The evidence also showed that Milan Martić and the MUP were informed by the United Nations Civilian Police of the multitude of crimes committed against non-Serbs. In fact, Milan Martić himself issued detailed instructions concerning the cooperation of the MUP with the United Nations Civilian Police. In addition, at a meeting in 1993 with Cedric Thornberry, the UNPROFOR Director of Civil Affairs, Milan Martić requested that Croats who wished to leave the RSK sign statements that no one had put pressure on them to leave. There was therefore absolutely no doubt that Milan Martić was aware that the non-Serb population was being driven out as a result of the coercive atmosphere and widespread acts of violence and intimidation in the SAO Krajina and the RSK.

However, despite the overwhelming evidence of crimes committed throughout SAO Krajina and RSK territory, the Trial Chamber was only presented with evidence of a few examples where Milan Martić intervened to punish members of the MUP who had behaved in a criminal manner. The Trial Chamber could not but conclude that Milan Martić deliberately refrained from intervening against perpetrators who committed such crimes.

The Trial Chamber therefore found that Milan Martić intended to forcibly displace the Croat and other non-Serb population from the SAO Krajina and the RSK, and that he actively participated in the furtherance of the common purpose of the joint criminal enterprise to create a unified Serb state by such forcible removal of the Croat and other non-Serb population.

The Trial Chamber found that the crimes perpetrated against the non-Serb population, with the exception of deportation and forcible transfer, were outside of the common purpose of the joint criminal enterprise. However, the Trial Chamber recalled that Milan Martić was aware that the non-Serb population was being subjected to widespread and systematic crimes, including murder, unlawful detentions, beatings while detained, and crimes against property, following the coercive atmosphere in the SAO Krajina and the RSK. The Trial Chamber considered that this atmosphere was created and sustained by the actions of Milan Martić and other members of the joint criminal enterprise. The Trial Chamber therefore found that these crimes were foreseeable to Milan Martić.

Furthermore, the evidence included only scarce reference to Milan Martić acting to take measures to prevent or punish such crimes. In fact, despite the overwhelming evidence of the scale and gravity of the crimes being committed against the non-Serb population, Milan Martić persisted in pursuing the common purpose of the joint criminal enterprise. Thus, the Trial Chamber considered it proven beyond reasonable doubt that Milan Martić willingly took the risk that the crimes which have been found to be outside the common purpose might be perpetrated against the non-Serb population. The Trial Chamber therefore found that Milan Martić incurred individual criminal responsibility pursuant to Article 7(1) of the Statute for Counts 3 to 14, and Count 1, Persecution, insofar as it related to these counts.

The Trial Chamber found that Milan Martić's responsibility for the attacks on Zagreb on the 2nd and the 3rd of May 1995 was most appropriately described as "ordering" pursuant to Article 7(1) of the Statute. Other modes of liability therefore were not been considered. In order to reach this finding, the Trial Chamber considered the considerable evidence that Milan Martić from 1992 onwards considered attacking Zagreb as a response to Croatian attacks on the RSK. The Trial Chamber also considered Milan Martić's repeated admissions in the media that he ordered the attacks as well as the evidence that Milan Martić and Milan Čeleketić were not in favour of a peaceful solution to Operation Flash. Milan Martić was also present when Milan Čeleketić ordered the shelling of Sisak. The Trial Chamber considered the totality of the evidence to establish that Milan Martić was involved from the beginning in the RSK's military response to Operation Flash.

On 12 June 2007, the Trial Chamber rendered its judgement, convicting Milan Martić, on the basis of individual criminal responsibility (Article 7(1) of the Statute of the Tribunal), with:
- Persecution (crime against humanity)
- Murder (crime against humanity)
- Murder (violation of the laws or customs of war)
- Imprisonment (crime against humanity)
- Torture (crime against humanity)
- Inhumane acts (crime against humanity)
- Torture (violation of the laws or customs of war)
- Cruel treatment (violation of the laws or customs of war)
- Deportation (crime against humanity)
- Forcible transfer (crime against humanity)
- Wanton destruction of villages, or devastation not justified by military necessity (violation of the laws or customs of war)
- Destruction of wilful damage done to institutions dedicated to education of religion (violation of the laws or customs of war)
- Plunder of public or private property (violation of the laws or customs of war)
- Murder (crime against humanity)
- Inhumane acts (crime against humanity)
- Attacks on civilians (violation of the laws or customs of war)

He was found not guilty of the following count:
- Extermination (crime against humanity)

Sentence: 35 years' imprisonment

Credit was given for 1855 days spent in detention.

APPEALS PROCEEDINGS

On 12 July 2007, both the Prosecution and the Defence filed their notices of appeal against the judgement. The Prosecution filed its appeal brief on 25 September 2007.

On 14 January 2008, the Defence filed a new notice of appeal whereas the final version of its appeal brief was filed on 5 May 2008.

The appeals hearing is scheduled to take place on 25 and 26 June 2008.

Document prepared by the Communications Service. All ICTY key documents are available on: www.un.org/icty
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