



SECURITY COUNCIL BRIEFINGS

President Meron: 'Successful conclusion of ICTY's work tremendously important'



On 5 June, acting in his dual capacity as President of both the ICTY and the MICT, Judge Theodor Meron presented the latest of his biannual reports to the United Nations Security Council.

Having updated the Council members on the status of the ICTY's nine remaining cases, the President reflected on how the different hopes and ideals that people hold for international justice can often be in tension - if not outright conflict - with each other. He expressed his belief, however, that, whatever different expectations and perceptions may exist, all would agree that "as a court, our mandate is to apply the law to the facts in a neutral manner, thereby ensuring the fair trials and appeals of those who have been accused of individual criminal responsibility for atrocities."

The President went on to stress that "the mere existence of the law cannot stop all conflict or all brutality ... but it is through the law ... and through our respect for the rule of law that our shared values are expressed and our moral imperatives articulated ... that we affirm our own expectations about the kind of world in which we wish to live."

With regard to the MICT, the President highlighted the many duties now carried out by the Mechanism, including providing services to victims and witnesses, supervising the enforcement of sentences across two continents, and addressing a wide array of requests for assistance from national jurisdictions, among other tasks. He also informed the Council that the Mechanism has handled a variety of judicial work during the reporting period, ranging from allegations of false testimony to requests for review and the variation of witness protection measures.

The President also underscored the importance of Member States' continued support and cooperation, particularly in relation to the enforcement of sentences handed down by the ICTR, the ICTY, and the MICT, and the apprehension of the remaining fugitives.

The full texts of the [President's speech](#) and the [completion strategy report](#) can be found on the ICTY website.

Prosecutor Brammertz: 'Foundations for holding senior officials accountable strengthened'



On 5 June, Prosecutor Serge Brammertz addressed the United Nations Security Council, presenting the 21st report by his Office on the progress being made towards the completion of its mandate.

Prosecutor Brammertz provided the Council members with an update on the current status of trials and appeals, cooperation between the Office of the Prosecutor (OTP) and the countries in the former Yugoslavia, and the implementation of the National War Crimes Strategy in Bosnia and Herzegovina. The Prosecutor also spoke about the OTP's efforts to make available in-house experience gained over the past 21 years on the investigation and prosecution of international crimes, including crimes of sexual violence.

Turning to case law, Prosecutor Brammertz pointed to two legal precedents "with a broad and positive significance for both the Tribunal and for international criminal law", established by the appeals judgements in the *Šainović et al.* and *Đorđević* cases. First, the Appeals Chamber in both cases "has strengthened the foundations for holding senior officials accountable for sexual violence crimes in the midst of a violent criminal campaign". "Second, in the *Šainović et al.* case, the Appeals Chamber confirmed that "specific direction" is not a requirement of aiding and abetting, bringing the Tribunal's case law back in line with customary international law," the Prosecutor said.

The Prosecutor also discussed the OTP's experiences "with respect to investigating and prosecuting sexual violence crimes". He said that the OTP "is in the process of finalising the first edition of a paper recording our best practices and lessons learned" on the investigation and prosecution of such crimes, which "occurred in shockingly high numbers during the conflict in the former Yugoslavia".

The Prosecutor also talked about cooperation between the OTP and the countries in the former Yugoslavia and the implementation of the National War Crimes Strategy in Bosnia and Herzegovina.

The full text of the [Prosecutor's speech](#) and the [completion strategy report](#) can be found on the ICTY website.

OUTREACH



‘Through their Eyes: Witnesses to Justice’ screened in The Hague

The third feature-length documentary produced by the Tribunal’s Outreach Programme - Through their Eyes: Witnesses to Justice - was screened at the Tribunal on 26 June to an audience of ambassadors, government officials and judges. The documentary tells the story of five victims and witnesses who provided testimony before the ICTY, highlighting their courage and focusing on the importance of live testimony in the context of international justice.

Speaking to guests at the screening, Tribunal President Theodor Meron said: “This documentary (...) offers valuable insights into the personal and deeply affecting experiences of several of the thousands of witnesses who have travelled to The Hague from afar to testify in proceedings before this Tribunal. I need not tell you how critically important witness evidence has been to the work of this Tribunal over the past twenty years.”

The screening was followed by a panel discussion and an opportunity for guests to ask questions. Panelists included Petar Finci, co-producer of the documentary, Nerma Jelačić, Head of the Tribunal’s Communications Service, and Helena Vranov Schoorl, Head of Victims and Witnesses Support and Operations at the ICTY. The panelists spoke about the creation of the film, the importance of this project in regard to Outreach and the legacy of the Tribunal, and the support mechanisms provided to victims and witnesses in order to ensure their wellbeing while testifying before the court.

Following the discussion, H.E. Ahmet Halilović, Ambassador of Bosnia and Herzegovina to the Netherlands, emphasised the importance of the message that the film conveys, which is that one should not be afraid to talk about crimes, and that justice always prevails in the end. “It is important to talk about what happened and ensure that those who are guilty do not escape unpunished,” he said.

The Tribunal’s Outreach Programme is generously supported by the European Union.

STATUS OF CASES

CASES AT TRIAL

Hadžić	<ul style="list-style-type: none"> • Trial commenced on 16 October 2012. The Prosecution concluded its case on 17 October 2013. The Defence case commenced on 3 July 2014.
Karadžić	<ul style="list-style-type: none"> • Trial commenced on 26 October 2009. The Defence case commenced on 16 October 2012.
Mladić	<ul style="list-style-type: none"> • Trial commenced on 16 May 2012. The Prosecution case was rested on 26 February 2014. The Defence case commenced on 19 May 2014.
Šešelj	<ul style="list-style-type: none"> • The parties presented their closing arguments between 5 and 20 March 2012.

CASES ON APPEAL

Prlić <i>et al.</i>	<ul style="list-style-type: none"> • Judgement rendered on 29 May 2013. Accused given sentences ranging from 10 to 25 years’ imprisonment.
Popović <i>et al.</i>	<ul style="list-style-type: none"> • The trial judgement was pronounced on 10 June 2010 (sentences: Popović - life imprisonment; Beara - life imprisonment; Nikolić - 35 years’ imprisonment; Borovčanin - 17 years’ imprisonment; Miletić - 19 years’ imprisonment; Gvero - 5 years’ imprisonment; Pandurević - 13 years’ imprisonment). • Both the Prosecution and the Defence have filed their appeal briefs in respect of all accused except Borovčanin, whose sentence is therefore final. • Following his death in February 2013, on 7 March 2013 the Appeals Chamber declared proceedings against Gvero closed. • The appeal hearing was held between 2 and 13 December 2013.
Stanišić & Simatović	<ul style="list-style-type: none"> • Judgement rendered on 30 May 2013. Both acquitted.
Stanišić & Župljanin	<ul style="list-style-type: none"> • Both sentenced to 22 years of imprisonment on 27 March 2013.
Tolimir	<ul style="list-style-type: none"> • Trial judgement rendered on 12 December 2012. Sentenced to life imprisonment.