

IT-96-23/2-PT  
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14 AUGUST 2007

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THE INTERNATIONAL CRIMINAL TRIBUNAL  
FOR THE FORMER YUGOSLAVIA

Case No. IT-96-23/2-PT

IN THE REFERRAL BENCH

Before Judge Alphons Orie, Presiding  
Judge O-Gon Kwon  
Judge Kevin Parker

Registrar: Mr Hans Holthuis

Date Filed: 14 August 2007

THE PROSECUTOR

v.

GOJKO JANKOVIĆ

*PUBLIC FILING*

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**PROSECUTOR'S SEVENTH PROGRESS REPORT**

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The Office of the Prosecutor

Ms. Carla Del Ponte

THE INTERNATIONAL CRIMINAL TRIBUNAL  
FOR THE FORMER YUGOSLAVIA

Case No. IT-96-23/2-PT

THE PROSECUTOR

v.

GOJKO JANKOVIĆ

**PROSECUTOR'S SEVENTH PROGRESS REPORT**

1. Pursuant to the Decision on Prosecutor's Motion for Referral of Case Under Rule 11*bis* of 22 July 2005<sup>1</sup> ("Referral Decision") the Prosecutor hereby files her seventh progress report in this case.
2. The Organization for Security and Co-operation in Europe's ("OSCE") Sixth Report in this case has not identified any issues of concern.<sup>2</sup>
3. The OSCE summarizes the proceedings in the *Janković* case to date as follows:
  - On 27 April 2007, the Prosecution filed its response to Gojko Janković's appeal against the first instance Verdict from 16 February 2007. The Prosecution proposed to the Appellate Panel to refuse the Defendant's Appeal as unfounded in its entirety and to confirm the contested Verdict. However, the prosecution did not oppose revising the Verdict concerning the repayment of the costs for the criminal proceedings.<sup>3</sup>
  - On 7 May 2007, the case file was sent to the Appellate Panel for review and deliberation on the Defence Appeal against the first instance Panel's Verdict. The decision is still pending.<sup>4</sup>

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<sup>1</sup> *Prosecutor v. Gojko Janković*, Case No. IT-96-23/2-PT, Decision on Prosecutor's Motion for Referral of Case Under Rule 11 *bis*, 22 July 2005.

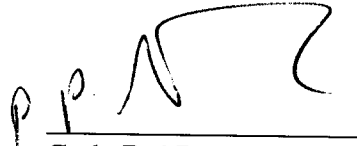
<sup>2</sup> Sixth OSCE Report in the *Gojko Janković* Case Transferred to the State Court Pursuant to Rule 11*bis*, July 2007 (hereinafter "Report").

<sup>3</sup> Report, page 2.

<sup>4</sup> Report, page 2.

4. Attached to this report and marked as Annex A is a copy of the Report.

Word count: 231



Carla Del Ponte  
Prosecutor

Dated this fourteenth day of August 2007  
At The Hague  
The Netherlands

THE INTERNATIONAL CRIMINAL TRIBUNAL  
FOR THE FORMER YUGOSLAVIA

Case No. IT-96-23/2-PT

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ANNEX A  
TO  
PROSECUTOR'S SEVENTH PROGRESS REPORT



**Organization for Security and Co-operation in Europe  
Mission to Bosnia and Herzegovina**

**Sixth Report in the  
*Gojko Janković* Case  
Transferred to the State Court pursuant to Rule 11bis**

**July 2007**

## SIXTH REPORT IN THE *GOJKO JANKOVIĆ* CASE

**OSCE note:**

**For the purpose of achieving greater efficiency, OSCE has decided to alternate between the local languages when translating reports. Thus, the present Report is translated into Croatian only, while subsequent reports will be translated into Serbian, then Bosnian, and so forth.**

The case of Gojko Janković is the second case transferred from the ICTY to the BiH State Court, pursuant to Rule 11*bis* of the ICTY Rules of Procedure and Evidence. This constitutes the sixth OSCE Report delivered to the ICTY Prosecutor, covering the period between the end of May 2007 and the beginning of August 2007.

From its monitoring activities during the reporting period, the OSCE Mission to Bosnia and Herzegovina has not identified any issues of concern that could be assessed, at this stage, as infringing upon the Defendant's right to a fair trial. Therefore, this report is limited to summarizing the developments in this case:

On 27 April 2007, the Prosecution filed its response to Gojko Janković's Appeal against the Verdict. It proposed to the Appellate Panel to refuse the Defendant's Appeal as unfounded in its entirety and to confirm the contested Verdict. However, the Prosecution did not oppose revising the first instance Verdict concerning the repayment of the costs for the criminal proceedings.

On 7 May 2007, the case file was sent to the Appellate Panel for review and deliberation on the Defence Appeal against the first instance Panel's Verdict. The Appellate Panel's decision on the Appeal is still pending.