



TRIAL CHAMBER JUDGEMENT

27 March 2013

Stanišić and Župljanin found guilty

ICTY Trial Chamber II has found Mićo Stanišić and Stojan Župljanin guilty of war crimes and crimes against humanity, and sentenced each of them to 22 years of imprisonment.

The Chamber was satisfied that a number of crimes had been committed in 20 municipalities in BiH, including Prijedor, Sanski Most, Banja Luka, Zvornik, Donji Vakuf, Bijeljina, Brčko, and Pale. Many of the findings related to the crimes that took place in more than 50 different detention facilities set up by Bosnian Serb forces, including the Omarska, Keraterm, and Trnopolje camps, where captives were beaten, tortured, mutilated, sexually assaulted, humiliated, and psychologically abused. Many detainees were killed or died as a consequence of the mistreatment. Across the municipalities, thousands of non-Serbs were either killed or forcibly displaced from their homes.

The Chamber was satisfied beyond reasonable doubt that both Stanišić and Župljanin participated in a joint criminal enterprise with the objective of permanently removing non-Serbs from the territory of a planned Serbian state and that many of the crimes committed in the municipalities were foreseeable to the accused.

Stanišić, a former minister of the interior of Republika Srpska, was convicted of crimes committed in all 20 municipalities. He was found guilty of persecution, a crime against humanity, and murder and torture as violations of the laws or customs of war. Župljanin, during the indictment period, was the chief of the Regional Security Services Centre of Banja Luka, and from May to July 1992 also a member of the Crisis Staff of the Autonomous Region of Krajina. The Chamber found him guilty of crimes committed in eight municipalities. He was convicted



of persecution and extermination (crimes against humanity) and murder and torture (violations of the laws or customs of war).

The full text of the [judgement](#) can be found on the ICTY website.

IN THE COURTROOMS



Đorđević case: appeal hearing scheduled

The appeal hearing in the case of Vlastimir Đorđević will be held on Monday, 13 May, according to a [scheduling order](#) issued by the Appeals Chamber.

On 23 February 2011, a Trial Chamber found Đorđević, formerly the assistant minister in the Serbian Ministry of Internal Affairs, guilty of the crimes of deportation, murder, forcible transfer and persecutions, committed against the ethnic Albanian population of Kosovo, and sentenced him to 27 years in prison. On 24 May 2011, both parties filed notices of appeal against the judgement.



Karadžić case: 98bis appeal hearing

The Appeals Chamber has announced that a hearing will be held on Wednesday, 17 April, in relation to Radovan Karadžić's acquittal under rule 98bis on one count of the indictment against him. On 28 June 2012, in an oral judgement, Trial Chamber III acquitted Karadžić of count 1 of the indictment, in which he was charged with genocide for crimes committed between March and December 1992 in several municipalities of Bosnia and Herzegovina. The Prosecution appealed against this judgement.

A timetable for the hearing is included in the [scheduling order](#).

CONVICTED PERSONS

26 March 2013



Naletilić granted early release

A public redacted version of President Meron's 29 November 2012 decision granting early release to Mladen Naletilić has been issued.

On 31 March 2003, Trial Chamber I convicted Naletilić for crimes committed while he served as the commander of the Convicts' Battalion, a unit of the Croatian army fighting against Serb forces in BiH. He was sentenced to 20 years imprisonment. On 3 May 2006, the Appeals Chamber allowed, in part, three of Naletilić's grounds of appeal, but affirmed his 20 year sentence.

In his decision, the President writes that the high gravity of Naletilić's crimes weighs against granting early release, but the fact that Naletilić has now served two-thirds of his sentence combined with a positive assessment of his conduct in prison and submissions suggesting he feels some remorse towards the victims ultimately weigh in his favour.

The public version of the President's [decision](#) can be found on the Tribunal's website.

CONTEMPT PROCEEDINGS

4 April 2013



Krstić charged with contempt of court

Radislav Krstić, former commander of the Drina Corps of the Bosnian Serb Army, has been charged with contempt of the Tribunal for failing to comply with, or to show good cause why he could not comply with, a subpoena in which he was ordered to testify in the case of Radovan Karadžić. His initial appearance was held on 4 April 2013.

On 23 October 2012, the Chamber issued a subpoena ordering Krstić to appear and testify in the Karadžić case on 15 January 2013. On 7 February 2013 in response to Krstić's urgent motion requesting the Chamber to stay the enforcement of the subpoena on medical grounds, the Chamber ruled that Krstić's mental and physical health was such that he was able to testify. Following Krstić's continued refusal to testify on 7 February, the Chamber ordered a more detailed report on the Krstić's physical and mental health. On 13 March 2013, having reviewed the medical report, the Chamber found that there were no medical reasons which would amount to good cause for Krstić not to comply with the subpoena.

Following Krstić's renewed refusal to testify on Monday, 25 March, the Chamber issued an [order in lieu of an indictment](#) for contempt.

On 19 April 2004, the ICTY Appeals Chamber found Krstić guilty of aiding and abetting the genocide at Srebrenica, and sentenced him to 35 years in jail.