



## IN THE COURTROOM

23 October 2014

# Mladić Prosecution allowed to reopen its case-in-chief to present evidence from Tomašica mass grave



In the case of Ratko Mladić, the Trial Chamber granted the Prosecution's motion to reopen its case. The Prosecution will now be able to present recently discovered evidence regarding the Tomašica mass grave in the Prijedor municipality, Bosnia and Herzegovina (BiH).

The Prosecution will tender the evidence of six expert and seven fact witnesses, as well as additional documentary evidence. The time of re-opening will be determined by the Trial Chamber in due course.

The Chamber ruled that the Prosecution was unable to present the Tomašica evidence earlier, since the grave was discovered in September 2013, at a time when the OTP case-in-chief was ongoing. They also considered the time needed to analyse the grave and compile witness statements and expert reports. The Judges also found that the fresh evidence was relevant to the case, and had

probative value. They noted especially the Prosecution's submission "that the Material clarifies the organised and large-scale nature of killings in Prijedor, and the VRS's [Army of Republika Srpska] role therein". The Chamber conceded that the re-opening will prolong the trial, but that the delay will not be undue.

Ratko Mladić, former Commander of the Bosnian Serb Army Main Staff, stands accused of genocide and a multitude of other crimes committed against Bosnian Muslim, Bosnian Croat and other non-Serb civilians in BiH from May 1992 to late 1995. He was initially indicted on 25 July 1995. After having been at large for almost sixteen years, he was arrested on 26 May 2011 and transferred to the Tribunal on 31 May 2011. His trial started on 16 May 2012.

## OFFICE OF THE PRESIDENT

13 October 2014

# President Meron's address before the United Nations General Assembly



On 13 October 2014, ICTY President Theodor Meron presented the Tribunal's twenty-first annual report to the UN General Assembly. President Meron reported on the Tribunal's progress in completing its last remaining cases, noting that fewer than ten trials and appeals remain unfinished, and that by the end of the year, the Tribunal will have delivered three appeal judgements. He observed that according to current forecasts, only one trial and one appeal will still be ongoing by the end of 2015, namely the Mladić and Plić *et al.* cases.

President Meron observed that despite the challenges it continues to face, the Tribunal has "outpaced the expectations of even the most optimistic observers" serving as "a testament to the international community's dedication to the rule of law, and a symbol of Member States' common commitment to ending impunity.

## IN THE COURTROOM

7 October 2014

# Closing arguments completed in the Radovan Karadžić case



The closing arguments in the trial of Radovan Karadžić concluded on 7 October 2014 with the presentation of rebuttal and rejoinder arguments by the Office of the Prosecutor and the Defence.

Prosecutor Serge Brammertz expressed his satisfaction with the completion of closing arguments in this case. He noted that within the limitations set by the Trial Chamber, the trial team, led by Senior Trial Attorneys Alan Tieger and Hildegard Uertz-Retzlaff, had put forward a strong case supported by a tremendous amount of evidence. The Prosecutor recognised that this positive result was due to the hard work of OTP staff members, and thanked them for their loyalty and dedication.

## ICTY PRINCIPALS

30 September 2014

### Representatives of Victims' Associations held meetings with the President and the Prosecutor



On 30 September 2014, Murat Tahirović, President of the Association of Victims and Witnesses of Genocide, and Munira Subašić, Kada Hotić and Zumra Šehomerović, of the Movement of Mothers of Srebrenica and Žepa Enclaves, visited the Tribunal to attend the closing arguments in the Radovan Karadžić case. During the visit, they also held separate meetings with President Meron and Prosecutor Serge Brammertz to discuss issues of common interest.

President Meron informed the representatives about the progress of the Tribunal's cases and the gradual handover to the MICT. Victims associations' representatives informed the President about their plans for the marking of the 20 anniversary of the Srebrenica

genocide. They expressed their appreciation for his efforts to make the public in Bosnia and Herzegovina aware of the facts established in Tribunal's judgements regarding crimes committed during the war.

Discussing the closing arguments in the Karadžić case, Prosecutor Serge Brammertz, on behalf of the entire OTP, thanked the witnesses who testified in the trial, without whom this trial would not have been possible. He further expressed his concern that denial of the Srebrenica genocide continues today, stating: "genocide denial causes immense suffering to the victims and their families, inhibits reconciliation and reinforces communal divisions."

## OFFICE OF THE PROSECUTOR

8 October 2014

### Prosecutor Serge Brammertz's Mission to Podgorica



Prosecutor Serge Brammertz made an official visit to Montenegro from 9 to 10 October 2014, on the invitation of Deputy Prime Minister and Minister of Justice Duško Marković. He met with President Filip Vujanović, Prime Minister Milo Đukanović, and Deputy Speaker of the Parliament Suljo Mustafić, as well as Duško Marković, Deputy Prime Minister and Minister of Justice, Vesna Medenica, President of the Supreme Court and Ivica Stanković, the State Supreme Prosecutor.

Topics discussed included cooperation with the ICTY and domestic war crimes prosecutions in Montenegro, as well as progress and challenges in the European Union accession process. The Prosecutor noted that cooperation by Montenegrin authorities had always been positive and that there were no outstanding issues in that respect. He also recognised,

however, that criticisms had been made of the domestic handling of war crimes cases, including in the latest European Union progress report, and that the rule of law remains a key area where further progress is expected.

The Prosecutor strongly encouraged Montenegrin judicial authorities to continue investigating and prosecuting war crimes cases, including by making use of the cooperation agreements that had been signed with other prosecutor offices in the region. He further offered the support and assistance of the Office of the Prosecutor to improve the capacities of Montenegrin prosecutors and address technical deficiencies.

## OUTREACH

29 October 2014

### Youth Outreach: Lecture in Split, Croatia



As part of the current round of university lectures in the former Yugoslavia as part of the Outreach Youth Project, OTP Legal Officer for the MICT (The Hague branch) Elena Martina Salgado visited the Law Faculty in Split, Croatia, to give a lecture on the ICTY's achievements and lessons learned during proceedings pertaining to sexual violence during the war. The group of 65 students discussed the challenges in proving such crimes in court as well as related issues, including protective measures given to victims in court.

This is the third round of the Youth Project which is targeting high schools and universities in the region of the former Yugoslavia. The Youth Project is generously supported by the Finnish Government.

## FACTS & FIGURES

### 161 INDIVIDUALS INDICTED

The Tribunal has indicted a total of 161 individuals, and has already completed proceedings with regard to 141 of them. 18 have been acquitted, 74 sentenced (19 have been transferred to serve their sentence, 2 are awaiting transfer, 50 have served their term, and 3 died while serving their sentence), and 13 have had their cases transferred to local courts.

141	Total number of accused whose proceedings have been completed.
36	Cases terminated (either because indictments were withdrawn or because the accused died, before or after transfer to the Tribunal).
20	Proceedings are on-going with regard to 20 accused: 4 are currently on trial, and 16 are at the appeals stage.
25	25 individuals were the subject of contempt proceedings before the ICTY.