



Monday 17 December 2007

Highlights of 03/12/2007 through 14/12/2007 - Nr. 27

**The next issue will be published on 14 January 2008.
On behalf of the Tribunal, our very best season's greetings.**

5 December

**Vladimir
Kovačević
deemed unfit to
stand trial**

Despite the fact that the trial of Vladimir Kovačević is due to commence, Serbia's war crimes prosecutor decides to drop the charges against him because he has been declared "permanently" unfit to stand trial. Kovačević was charged with shelling Dubrovnik, killing at least two and wounding three civilians, and destroying six sites from the UNESCO heritage list.

The Kovačević case was referred by the ICTY's Referral Bench to the authorities in Serbia in November last year in accordance with Rule 11bis. The appeal lodged by the accused against this decision was dismissed on 17 April 2007.

6 December

**Boškoski &
Tarčulovski trial:
OTP case closed**

The Prosecution closes its case. The trial adjourns until 28 January 2008, when a pre-Defence Conference will be held. The Defence for Boškoski will start with the presentation of their case on 29 January.

7 December and
14 December

**Five more
accused on
provisional
release**

On 7 December, Milan Gvero and Radivoje Miletić (Popović *et al.* case), as well as Milan Milutinović (Kosovo case) are granted temporary provisional release during the upcoming winter recess.

On 14 December, Ramush Haradinaj and Lahi Brahimaj are also granted temporary provisional release.

The following press releases were issued: CVO/MOW/PR1201e at

<http://www.un.org/icty/latest-e/index.htm>

and RC/MOW/PR1207e at <http://www.un.org/icty/latest-e/index.htm>

10 December

**President Pocar
underscores the
Tribunal's
commitment to
successfully
implement the
Completion
Strategy**

Addressing the UN Security Council, President Pocar highlights the Tribunal's unprecedented efficiency and calls for the Security Council to continue its support for a successful implementation of the Completion Strategy. In this regard, he stresses once again the necessity to retain qualified Judges and staff, recalls that he has already urged the Security Council on several occasions to take action to immediately arrest the remaining fugitives, and suggests ways to maintain the same level of productivity during most of 2008 and 2009.

The following press release was issued: FP/1203e at:

<http://www.un.org/icty/latest-e/index.htm>

The full text of the President's speech can be found at:

<http://www.un.org/icty/pressreal/2007/pr1203e-pres.htm>

10 December

**Serbia has no
clear roadmap to
arrest fugitives,
says the
Prosecutor in her
last address to the
UN Security
Council**

Carla Del Ponte presents her last progress report in her capacity as Prosecutor of the ICTY to the UN Security Council. The Prosecutor describes the fact that Radovan Karadžić and Ratko Mladić remain at large as "a stain" on the Tribunal's work and says it undermines the very idea of international justice.

The focus of the Carla Del Ponte's speech is on the cooperation of Serbia with the Tribunal to search for the remaining fugitives. While acknowledging some progress, the Prosecutor points out that there was no sign that serious efforts have been made to arrest the fugitives. She calls upon the EU Member States and EU Commission to insist on Serbia's full cooperation with the Tribunal as a condition to their EU membership process, stressing that "full cooperation" means the arrest and transfer

of Ratko Mladić.

The following press release was issued: CdP/OTP/ PR1202e at <http://www.un.org/icty/latest-e/index.htm>

The full text of the Prosecutor's speech can be found at: <http://www.un.org/icty/pressreal/2007/pr1202e-annex.htm>

[11 December](#)

Vukovar Hospital case: Šljivančanin granted provisional release

The Appeals Chamber grants Veselin Šljivančanin provisional release pending the hearing of his appeal. The decision was taken after the Appeals Chamber considered that, among other factors, Šljivančanin has already served nearly 90% of his sentence imposed by Trial Chamber II.

On 27 September 2007, Veselin Šljivančanin, one of the three accused in the Vukovar Hospital case, was found guilty of one count of aiding and abetting torture and sentenced to five years' imprisonment.

The following press release was issued: MH/MOW/1206e at: <http://www.un.org/icty/latest-e/index.htm>

[11-12 December](#)

Serge Brammertz visits his future Office

The incoming Prosecutor, who will take up his duties on 1 January 2008, pays a two-day visit to the Tribunal. He first meets with the Prosecutor and the Registrar, and their senior aides. On his second day, in addition to attending a number of regular internal meetings, Serge Brammertz meets with the Chief of Investigations, the Chief of Prosecutions, the Senior Trial Attorneys and the Investigation Team's leaders.

[12 December](#)

Dragomir Milošević sentenced to 33 years...

...for the terror inflicted on the Sarajevo population during the siege of the city. The Trial Chamber finds him guilty of crimes against humanity and violation of the laws and customs of war. He is convicted on five counts of terror, murder and inhumane acts conducted during a campaign of sniping and shelling which resulted in the injury and death of a great number of civilians in Sarajevo. Two counts of unlawful attacks against civilians are dismissed.

Dragomir Milošević became in August 1994 the commander of the Sarajevo Romanija Corps (SRK) of the Bosnian Serb Army (VRS). He took over from Stanislav Galić who in November 2006 was sentenced to life imprisonment by the Appeals Chamber.

The following press release was issued: JP/MOW/1205e at: <http://www.un.org/icty/latest-e/index.htm>

The summary of the judgement can be found at: <http://www.un.org/icty/pressreal/2007/pr1205e-summary.htm>

[12 December](#)

Deputy Prosecutor to leave in early January

"Around 10 January," says David Tolbert (USA), from New York where he attends meetings with the 5th Committee (the budget committee of the UN General Assembly).

Senior Legal Counsel (Registry) as of September 1996, David Tolbert left the ICTY in March 2001. He returned in August 2003 as Deputy Registrar. On 1 August 2004, he was appointed Deputy Prosecutor.

[13 December](#)

Prosecutor meets the press one more time

"The Tribunal must not close its doors before all remaining fugitives are brought to justice," reiterates the Prosecutor. "It pains me" to still have to talk about Radovan Karadžić and Ratko Mladić; not having them in custody is "a stain on our work," she adds. Carla Del Ponte also regrets that a number of persons in custody of the Tribunal were granted provisional release during the court recess, calling it "a most unusual Christmas present". Her gratitude goes out to the victims. "We thank the victims for appearing as witnesses in court. They gave us the necessary energy and power to continue our work."

TRIALS WILL RESUME IN THE WEEK OF 7 JANUARY 2008

Proceedings adjourned on Friday 14 December. The winter court recess will last until Friday 4 January 2008.

The trials will then resume according to the following schedule:

- Monday 7 January: Prlić *et al.*, at 14:15 in courtroom I
- Tuesday 8 January: Šešelj, at 14:15 in courtroom I
- Thursday 10 January: Popović *et al.*, at 9:00 in courtroom III
- Tuesday 15 January: Rasim Delić, at 14:15 in courtroom II
- Wednesday 16 January: Milutinović *et al.*, at 14:15 in courtroom III
- Monday 21 January: Haradinaj, Balaj & Brahimaj, at 14:15 in courtroom II

ICTY PROCEEDINGS COMPLETED WITH REGARD TO **111 ACCUSED**

Since the very first hearing (referral request in the Tadić case) on 8 November 1994, the Tribunal has indicted a total of 161 individuals, and has already completed proceedings with regard to 111 of them: nine have been acquitted, 53 sentenced (eight are awaiting transfer, 27 have been transferred, 16 have served their term, and two died while serving their sentence), 13 have had their cases transferred to local courts. Another 36 cases have been terminated (either because indictments were withdrawn or because the accused died, before or after transfer to the Tribunal).

Proceedings are on-going with regard to 50 accused: eight are at the appeals stage, 26 are currently in the trial phase, 1 has been convicted and sentenced by a Trial Chamber, 11 are at pre-trial and four are still at large.

The figure of the accused at the appeals stage includes Amir Kubura and Naser Orić. These two accused have been sentenced and granted early release (Kubura) and release (Orić), but the OTP has appealed against the Trial Chamber's Judgements.

A further 24 individuals are or have been the subject of contempt proceedings.

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