



United Nations



International Criminal Tribunal for the former Yugoslavia

# The ICTY Digest

Tuesday 24 June 2008

Highlights of 09/06/2008 through 23/06/2008 - Nr. 39

[9 June](#)

**ICTY Vice President receives prestigious award**

Judge Kevin Parker, ICTY Vice President, is honored on the occasion of the Queen's Birthday. He is one of only eight persons appointed to be a Companion of the Order of Australia, the highest civilian award available in his native country.

*A ceremony will be held in Canberra later this year for the presentation of the award.*

[10 June](#)

**DIPLOMATIC SEMINAR:**

**Completion means continuation, says President Fausto Pocar**

Addressing the 60 State representatives in attendance at the Diplomatic Seminar, President Pocar highlights the importance of capacity building and cooperation with the judicial institutions in the former Yugoslavia, and urges the international community "to intensify its support to criminal justice institutions" in the region. Explaining that "completion" means "continuation", he states: "The work of such courts [in the former Yugoslavia] is vital to ensuring reconciliation and lasting peace in the region. It follows that the Tribunal's Completion Strategy should not be approached as a strategy to "complete" the work of the Tribunal. Instead, it should be viewed as a strategy to ensure that local judiciaries are equipped with the necessary skills and resources to effectively continue the work that the Tribunal initiated. Toward this end, the international community's continued support is critical to ensuring a return on the substantial investment it has made in the Tribunal thus far."

**Interference with witnesses will not be tolerated, states Prosecutor Serge Brammertz**

In his address to the Diplomatic Seminar, Prosecutor Brammertz expresses a "pressing concern", namely "the interference with prosecution witnesses", and states that he will "pursue bringing charges against those responsible". Saying also that "the success of the completion strategy depends on the ability of the local judiciaries in the former Yugoslavia to successfully conduct war crimes proceedings", the Prosecutor adds that he will "continue to reinforce professional ties with national prosecutors and develop true partnerships".

**The ICTY Detention Unit faces specific challenges, explains Registrar Hans Holthuis**

Registrar Holthuis uses the opportunity of the Diplomatic Seminar to announce that discussions with Albania about the conclusion of an Enforcement Agreement "are at a well advanced stage". He also calls for the signature of additional agreements on the relocation of sensitive witnesses. He explains that "until the completion of the Tribunal's activities, between 30 and 35 family 'units' will require relocation outside of the region of the former Yugoslavia". The Registrar also gives a rare insight into the functioning of the Detention Unit: "In the case of the UNDU, its international character and unique detainee population raise further difficulties in terms of health care. Indeed, the particular profile and specific personal circumstances of ICTY detainees, being in many instances former high ranked political and military leaders, can aggravate the adverse impact of prison environment on their health. The distance from the detainees' family and the familial social support network, as well as the detainees' lack of familiarity with the surroundings, inevitably impact on the health condition of the detainees."

*The full text of the addresses delivered by President Pocar, Prosecutor Brammertz and Registrar Holthuis are available upon request: Gea van der Werf, at +31.70.512.85.99 or at vanderwerf@un.org.*

[11 June](#)

**Princess Astrid of Belgium at the ICTY**

Princess Astrid is welcomed to the Tribunal by Prosecutor Serge Brammertz. Following a presentation about the conflict in the former Yugoslavia and the achievements of the Tribunal, the Princess meets with President Pocar and, later, with Judge Christine Van den Wyngaert. Her visit concludes with a tour of a courtroom, given by Registrar Hans Holthuis.

[11 June](#)

**Completion of the Rasim Delić trial**

Presiding Judge Moloto adjourns the proceedings and says that the Chamber (consisting also of Judge Harhoff and Judge Lattanzi) will now consider its judgement, which will be rendered "in due course".

The trial of Rasim Delić, the former commander of the Army of Bosnia and Herzegovina, commenced on 9 July 2007. The accused faced four counts of violations

---

of the laws or customs of war (murder, cruel treatment, rape) for not having taken measures to prevent or punish the crimes committed by the El Mujahed Detachment allegedly under his command between June 1993 and September 1995.

*The Prosecution recommended a sentence of 15 years' imprisonment. The Defence held that the accused should be acquitted.*

---

[11 June and 23 June](#)  
**Stojan Župljanin arrested and transferred to the ICTY : Serge Brammertz gives credit to Serbia's Action Team and hopes for more arrests**

Welcoming the arrest of Stojan Župljanin, Prosecutor Brammertz issues a statement: "I was informed by our colleagues in Belgrade that the arrest operation was conducted under the supervision of the War Crimes Prosecutor Vladimir Vukčević and in close coordination with other agencies that form part of Serbia's Action Team in charge of tracking fugitives. I very much welcome this development and hope that it will lead to more results in the near future. My team will continue to work closely with the Serbian War Crimes Prosecutor and the Action Team so that Radovan Karadžić, Ratko Mladić and Goran Hadžić are brought to justice as soon as possible."

*Stojan Župljanin was transferred into the Tribunal's custody on Saturday 21 June and appeared on Monday 23 June before Judge Stöle for his initial appearance. He decided to postpone his plea for 30 days, pursuant to Rule 62(A)(iii).*

---

[12 June](#)  
**Three individuals investigated by the OTP sentenced in Belgrade**

Three former Serbian paramilitaries are convicted by the War Crimes Chamber of the Belgrade District Court for war crimes committed in 1992 against Muslim civilians illegally detained in the Čelopek camp, near Zvornik. Dragan Slavković is sentenced to 15 years' imprisonment, Ivan Korac to 13 years and Siniša Filipović to 3 years; a fourth accused, Dragutin Dragičević, is acquitted.

*This trial resulted from the transfer by the Tribunal's OTP of their investigative material and files in this Zvornik case. The Tribunal did not issue an indictment due to the Completion Strategy.*

---

[13 June](#)  
**Deputy Prosecutor appointed**

UN Secretary General Ban Ki-moon formally appoints Norman Farrell (Canada) as the new Deputy Prosecutor, effective 1 July 2008.

*Norman Farrell had been Acting Deputy Prosecutor since late April.*

---

[18 June](#)  
**End of provisional release for Momčilo Perišić**

Trial Chamber I orders the return of the accused to the Detention Unit on 14 July. The Pre-Trial Conference will take place on 21 July 2008, and the Prosecution's Opening Statement will be heard on 24 July 2008.

Chief of the General Staff of the Yugoslav Army (VJ) from around 26 August 1993 until 24 November 1998, Momčilo Perišić was, according to the indictment, "the most senior officer in the VJ having overall authority and responsibility for its functioning," and "planned, instigated, ordered, committed, or otherwise aided and abetted in the planning, preparation, or execution" of crimes against humanity (murder; inhumane acts; persecutions on political, racial or religious grounds; extermination) and war crimes (murder; attacks on civilians) in Sarajevo, Zagreb and Srebrenica.

---

[18 June](#)  
**Strugar case: Appeals Chamber Judgement on 17 July**

On 31 January 2005 Pavle Strugar, a former Commander of the Second Operational Group which was formed by the then Yugoslav People's Army (JNA) to conduct the military campaign against the Dubrovnik region of Croatia, was convicted of attacks on civilians, destruction or willful damage done to institutions dedicated to religion, charity and education, the arts and sciences, historic monuments and works of art and science; he was sentenced to 8 years' imprisonment.

*The appeals hearing was held on 23 April.*

---

[19 June](#)  
**Lukić cousins on trial as of 9 July**

According to the indictment, Milan Lukić was the leader of the "White Eagles" or "Avengers", a group of local Bosnian Serb paramilitaries in Visegrad (south-eastern Bosnia and Herzegovina) which terrorized the local Bosnian Muslim population during the 1992-1995 conflict. Sredoje Lukić, Milan's cousin, was a member of the unit.

---

Milan and Sredoje Lukić are charged with multiple crimes, including murdering approximately 70 Bosnian Muslim women, children and elderly men in a house in Visegrad by barricading the victims in one room of the house, setting the house on fire and then firing automatic weapons at those people who tried to escape through the windows, killing some and injuring others. In addition, they are charged with murdering approximately 70 Bosnian Muslim women, children and elderly in a house in the village of Bikavac, near Visegrad, by forcing the victims into the house, barricading all the exits and throwing in several explosive devices.

*The Referral Bench had decided on 5 April 2007 to refer the case of Milan Lukić and Sredoje Lukić to BiH. However, following an appeal by Milan Lukić, the Appeals Chamber in July 2007 reversed the Referral Decision and instructed his case to be tried at the Tribunal. In the wake of this ruling, the Prosecution filed a request to revoke the Referral Decision with regard to Sredoje Lukić. On 20 July, the Referral bench revoked the referral, making the joint trial of the Lukić cousins at the ICTY possible.*

---

**23 June**  
**President Pocar**  
**in Slovenia**

President of the Tribunal, Judge Fausto Pocar visits the Republic of Slovenia at the invitation of the country's President, Dr Danilo Türk. The purpose of the visit is to discuss the Tribunal's completion strategy and achievements as well as the preservation of the institution's legacy.

President Pocar also meets Dr Dimitrij Rupel, the Minister of Foreign Affairs and Mr Janez Lenarčič, State Secretary and Head of the Government Office for European Affairs of the Republic of Slovenia. Next month Mr Lenarčič will take over the helm of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) with which the President initiated a joint project focusing on building (?) support for national judicial authorities in the former Yugoslavia.

*The project is part of President Pocar's continuing efforts to promote the Tribunal's contribution to the development of international justice and to the strengthening of the rule of law in the countries of the former Yugoslavia. President Pocar sees the preservation of the Tribunal's legacy and its pioneering efforts in the development of international human rights law and practices as a key part of the Tribunal's Completion Strategy.*

---

**23 June**  
**President Pocar**  
**reports Serbia to**  
**the Security**  
**Council**

The Tribunal announces that President Fausto Pocar last week informed the President of the Security Council, Dr. Zalmay Khalilzad, of the Serbian government's failure to cooperate with the Tribunal in the Milutinović et al case. Under the Tribunal's rules the President can report a state's failure to cooperate with the Tribunal to the Security Council upon the advice of judges or a Trial Chamber.

*A detailed press release (in English) is available at:*  
<http://www.un.org/icty/pressreal/2008/pr1265e.htm>

---

## THE COURTROOM SCHEDULE FOR THE PERIOD 24 JUNE – 4 JULY...

...reads as follows:

### TUESDAY 24 JUNE

Courtroom I	14:15 – 19:00, <b>Šešelj</b> , Trial
Courtroom II	09:00 – 13:45, <b>Haxhiu</b> , Trial
	14:15 – 19:00, <b>Gotovina et al</b> , Trial
Courtroom III	09:00 – 13:45, <b>Prlić</b> , Trial
	14:15 – 19:00, <b>Popović et al</b> , Trial

### WEDNESDAY 25 JUNE

Courtroom I	09:00 – 13:45, <b>Gotovina et al</b> , Trial
	14:45 – 18:30, <b>Milan Martić</b> , Trial
Courtroom II	14:15 – 19:00, <b>Šešelj</b> , Trial
Courtroom III	09:00 – 13:45, <b>Prlić</b> , Trial
	14:15 – 19:00, <b>Popović et al</b> , Trial

### THURSDAY 26 JUNE

Courtroom I	09:00 – 11:15, <b>Milan Martić</b> , Appeals Hearing
	14:15 – 19:00, <b>Šešelj</b> , Trial
Courtroom II	09:00 – 13:45, <b>Gotovina et al</b> , Trial
Courtroom III	09:00 – 13:45, <b>Prlić</b> , Trial
	14:15 – 19:00, <b>Popović et al</b> , Trial

#### **FRIDAY 27 JUNE**

Courtroom I 09:00 – 13:45, **Gotovina et al**, Trial  
Courtroom III 09:00 – 13:45, **Popović et al**, Trial  
15:00 Closed Session

#### **MONDAY 30 JUNE**

Courtroom I 09:00 – 13:45, **Gotovina et al**, Trial  
14:15 – 19:00, **Prlić**, Trial  
Courtroom III 09:00 – 13:45, **Popović et al**, Trial  
15:00 – 17:00, **Tolimir**, Status Conference

#### **TUESDAY 1 JULY**

Courtroom I 09:00 – 13:45, **Gotovina et al**, Trial  
14:15 – 19:00, **Prlić**, Trial  
Courtroom II 08:30 – 13:15, **Šešelj**, Trial  
Courtroom III 09:00 – 13:45, **Popović et al**, Trial

#### **WEDNESDAY 2 JULY**

Courtroom I 09:00 – 13:45, **Gotovina et al**, Trial  
14:15 – 19:00, **Prlić**, Trial  
Courtroom II 08:30 – 13:15, **Šešelj**, Trial  
Courtroom III 09:00 – 13:45, **Popović et al**, Trial

#### **THURSDAY 3 JULY**

Courtroom I 09:00 – 10:30, **Orić**, Appeals Judgement  
14:15 – 19:00, **Prlić**, Trial  
Courtroom II 08:30 – 13:15, **Šešelj**, Trial  
14:15 – 19:00, **Gotovina et al**, Trial  
Courtroom III 09:00 – 13:45, **Popović et al**, Trial

#### **FRIDAY 4 JULY**

Courtroom I 09:00 – 13:45, **Gotovina et al**, Trial  
Courtroom III 09:00 – 13:45, **Popović et al**, Trial

*Public proceedings are also broadcast with a 30 minute delay on the ICTY's website.*

### **PROCEEDINGS COMPLETED WITH REGARD TO 113 ACCUSED**

**Since the very first hearing (a 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 113 of them: nine have been acquitted, 55 sentenced (two are awaiting transfer, 31 have been transferred, 20 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 48 accused: 10 are at the appeals stage, three are awaiting the Trial Chamber's judgement, 25 are currently on trial, seven are at the pre-trial stage, and three are still at large.**

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

The ICTY Digest is a publication of the Registry, prepared and produced by the LPTV Section.  
Registrar: Hans Holthuis. Chief LPTV: Christian Chartier  
Assistant: Gea van der Werf

Have assisted in preparing this issue: Estelle Jeanmart and Lisette Planellas Juda

#### *Queries and comments:*

Christian Chartier, Editor: +31.70.512.52.40, [chartier.icty@un.org](mailto:chartier.icty@un.org)  
Denise Gustin-Gardella, Assistant Editor: +31.70.512.53.49, [gustin.icty@un.org](mailto:gustin.icty@un.org)

*International Criminal Tribunal for the former Yugoslavia, Churchillplein 1, 2517 JW The Hague, the Netherlands*  
[www.un.org/icty](http://www.un.org/icty)

*Extracts of, and/or quotes from, legal documents are not authoritative;  
only the Order, Decision or Judgement in its entirety reflects the opinion of the Trial Chamber and/or the Appeals Chamber.*