



United Nations



International Criminal Tribunal for the former Yugoslavia

The ICTY Digest

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Highlights of 03/02/2009 through 16/02/2009 - Nr. 52

[3 February](#)
7,000 visitors at the ICTY in 2008

Last year, 263 groups comprising 7,069 individuals visited the ICTY: this represents the highest number of visits ever recorded, and an increase of 13,5% compared to 2007.

The visitors came from 30 different countries. The groups comprised mostly of students and legal professionals, but there were also many other visitors such as police, military and government bodies.

[3 February](#)
Hartmann trial postponed sine die

The Specially Appointed Chamber issues an Order to this effect following the filing of a Defense Motion for the disqualification of two members of the Trial Chamber and of the Senior Legal Officer in charge of the case. The Chamber notes that it "is impractical to dispose of [the Motion] in a definitive manner" before the commencement of the trial, initially scheduled for Thursday 5 and Friday 6 February.

[4 February](#)
ICTY President Robinson will travel soon to Bosnia and Herzegovina,...

...announces the Tribunal's Spokesperson, Nerma Jelačić, at the weekly press briefing: "The Tribunal has made an enormous contribution to the establishment of the rule of law in the region by holding senior perpetrators accountable, by establishing facts relating to the most serious crimes, by assisting the creation of national organs war crimes proceedings and by transferring expertise, evidence and cases to them," she said, adding that "President Robinson intends to visit Bosnia and Herzegovina in the near future in order to further build on these achievements in cooperation with the local authorities".

[5 February](#)
ICTY Prosecutor Brammertz in Zagreb

The Prosecutor holds working meetings in relation to Croatia's cooperation with the Office of the Prosecutor.

The Prosecutor met, during the one day visit, with representatives of the Croatian authorities at the operational and political level.

[9 February](#)
Barush Morina on provisional release

The Appeals Chamber (Judge Liu, Presiding, Judge Shahabuddeen, Judge Güney, Judge Pocar and Judge Vaz) orders Morina's provisional release "pending the disposition of his appeal."

On 17 December 2008, Astrit Haraqija, former Kosovo Minister for Culture, Youth and Sport, and Bajrush Morina, former political advisor to the Deputy Minister at the Ministry of Culture, Youth and Sport, were both found guilty of contempt of court for having knowingly and willingly interfered with the administration of justice by trying to persuade a protected witness not to testify against Ramush Haradinaj in the trial of Haradinaj et al. They were sentenced to five and three months' imprisonment, respectively.

A press release (available from the ICTY website in Albanian, BCS, English and French) explains that "Morina has spent a total of three months in the Tribunal's Detention Unit. He was held there from 28 April – 15 May 2008 at the time of his initial appearance in court, from 3 – 18 September 2008 at the time of his trial and from 15 December 2008, the date he returned in to the Tribunal's custody for the Trial Chamber's judgement."

[9 February](#)
Early release for Vladimir Šantić

One of the five co-accused in the Kupreskic et al. case (Ahmici / Lasva River Valley), V. Šantić was found guilty of crimes against humanity (persecution, murder, and other inhumane acts) and war crimes (murder and cruel treatment) and on 23 ...

... October 2001 was sentenced to 18 years imprisonment. He was transferred to Spain on 11 April 2002.

In detention since his voluntary surrender on 6 October 1997, Vladimir Šantić recently became eligible for early release under Spanish law. The President considered this factor but also others such as the prisoner's demonstration of rehabilitation and the cooperation with the Office of the Prosecutor. The full text of the President's Order is attached.

The release of Vladimir Šantić will reduce the number of convicted persons currently serving their term in a "Host country" to 28, and raise the number of convicted persons who have served their term to 25.

[10 February](#)

Lukić & Lukić trial suspended for two weeks

Presiding Judge Robinson issues an Order stating that "it has become necessary, in the interests of the proceedings, to temporarily suspend the trial for a period of two weeks."

[11 February](#)

Šešelj trial adjourned until further notice

Trial Chamber III (Judge Antonetti, presiding, Judge Harhoff and Judge Lattanzi) issues a majority decision to this effect.

Judge Harhoff and Judge Lattanzi granted the Prosecution's Motion for an adjournment based on the fact that their last witnesses (less than ten) were crucial to their case and were threatened: striking a balance between the right of the accused to an expeditious trial and the safety of the witnesses and the integrity of their testimony, the majority takes the view that the integrity of the proceedings should prevail.

In his Dissenting Opinion, Presiding Judge Antonetti contends that an adjournment is not warranted, that the Prosecution's claim and request are untimely and that the majority decision does jeopardize the right of the accused, in detention since 24 February 2003, to an expeditious trial.

[11 February](#)

Legacy projects on track

Senior staff from Chambers, OTP and Registry meets with a team from OSCE's Office for Democratic Institutions and Human Rights (ODIHR) in order to take stock of progress on the joint capacity building legacy project initiated in May 2008. The project team has done a lot of work to assess the existing needs for enhanced capacity of national institutions in the former Yugoslavia to deal with war crimes cases and to identify the best methods of knowledge transfer and capacity building to meet those needs.

Represented was also the third partner organisation in the project, the United Nations Interregional Crime and Justice Research Institute (UNICRI). An update was provided on the ICTY-UNICRI legacy project: it will soon result in a publication that will for the first time give a comprehensive description of the Tribunal's developed operating practices.

[12 February](#)

Outreach expertise shared with Serbian professionals

The Tribunal hosts a group of representatives of the Serbian judiciary who are keen to learn about the lessons learnt in Outreach, work with the media and implications of the ICTY completion strategy for the region.

The visit is part of UNDP's "Notions of Justice" programme, whose aim is to impart Outreach expertise from the international into the national level, especially to the institutions such as the National Council for Cooperation with the ICTY, the Office of the War Crimes Prosecutor, the Ministry of Foreign Affairs, the District Court of Belgrade, and the Judicial Training Centre.

COURTROOM SCHEDULE: 17 FEBRUARY – 27 FEBRUARY

TUESDAY 17 FEBRUARY

Trial Chamber I 09:00 – 13:45, **Gotovina et al**, Trial
Trial Chamber II 14:15 – 19:00, **Perišić**, Trial
Trial Chamber III 09:00 – 13:45, **Prlić**, Trial
14:15 – 19:00, **Popović et al**, Trial

WEDNESDAY 18 FEBRUARY

Trial Chamber I 09:00 – 13:45, **Prlić**, Trial
Trial Chamber II 08:50 – 13:45, **Djordjević**, Trial
14:15 – 19:00, **Perišić**, Trial
Trial Chamber III 09:00 – 13:45, **Gotovina et al**, Trial
14:15 – 19:10, **Popović et al**, Trial

THURSDAY 19 FEBRUARY

Trial Chamber I 09:00 – 13:45, **Gotovina et al**, Trial
Trial Chamber II 14:15 – 19:00, **Perišić**, Trial
Trial Chamber III 09:00 – 13:45, **Prlić**, Trial
14:15 – 19:00, **Popović et al**, Trial

FRIDAY 20 FEBRUARY

Trial Chamber I 09:00 – 13:45, **Gotovina et al**, Trial
14:15 – 15:45, **Karadžić**, Status Conference
Trial Chamber II 09:00 – 13:45, **Djordjević**, Trial
Trial Chamber III 09:00 – 13:45, **Popović et al**, Trial

MONDAY 23 FEBRUARY

Trial Chamber I 09:00 – 13:45, **Djordjević**, Trial
14:15 – 19:00, **Gotovina et al**, Trial
Trial Chamber II 09:00 – 13:45, **Perišić**, Trial
Trial Chamber III 09:00 – 13:45, **Popović et al**, Trial
14:15 – 19:00, **Prlić**, Trial

TUESDAY 24 FEBRUARY

Trial Chamber I 14:15 – 19:00, **Gotovina et al**, Trial
Trial Chamber II 09:00 – 13:45, **Perišić**, Trial
Trial Chamber III 09:00 – 13:45, **Popović et al**, Trial
14:15 – 19:00, **Prlić**, Trial

WEDNESDAY 25 FEBRUARY

Trial Chamber I 14:15 – 19:00, **Djordjević**, Trial
Trial Chamber II 09:00 – 13:45, **Perišić**, Trial
14:15 – 19:10, **Lukić & Lukić**, Trial
Trial Chamber III 09:00 – 13:45, **Popović et al**, Trial
14:15 – 19:00, **Prlić**, Trial

THURSDAY 26 FEBRUARY

Trial Chamber I 08:30 – 13:15, **Gotovina et al**, Trial
14:15 – 19:00, **Milutinović et al**, Judgement
Trial Chamber II 08:30 – 13:15, **Djordjević**, Trial
14:15 – 19:10, **Perišić**, Trial
Trial Chamber III 09:00 – 13:45, **Popović et al**, Trial

FRIDAY 27 FEBRUARY

Trial Chamber I 09:00 – 13:45, **Gotovina et al**, Trial
14:15 – 15:30, **Tolimir**, Status Conference

Trial Chamber II 09:00 – 13:45, **Djordjević**, Trial
14:15 – 19:10, **Lukić & Lukić**, Trial
Trial Chamber III 09:00 – 13:45, **Popović et al**, Trial

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

PROCEEDINGS COMPLETED WITH REGARD TO 116 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 116 of them: 10 have been acquitted, 57 sentenced (two are awaiting transfer, 28 have been transferred, 25 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 45 accused: ten are at the appeals stage, six are awaiting the Trial Chamber's judgment, 21 are currently on trial, and six are at the pre-trial stage. Two fugitives are still at large.

A further 29 individuals have been or are the subject of contempt proceedings.

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*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.*