



United Nations



International Criminal Tribunal for the former Yugoslavia

# The ICTY Digest



Monday 06 April 2009

Highlights of 17/03/2009 through 03/04/2009 - Nr. 55

[17 March](#)

**Krajišnik case: Appeals Chamber quashes a number of convictions and imposes a new sentence of 20 years**

"The Appeals Chamber today sentenced Momcilo Krajišnik to 20 years' imprisonment, upholding earlier guilty findings against the former member of the Bosnian Serb leadership of deportations, forcible transfer and persecution of non-Serb civilians committed during the conflict in Bosnia and Herzegovina," reads a press release issued upon the completion of the hearing. The press release highlights the Appeal Chamber's findings related to the Joint Criminal Enterprise.

It also states that while "the Appeals Chamber noted that the majority of convictions of Momcilo Krajišnik were overturned it held that the gravity of the crimes of persecution, deportation and forcible transfer requires a severe and proportionate sentence". The press release also includes a link to a summary of the Judgement as read out by Judge Pocar.

*Related press releases can be read on the Tribunal website: [www.icty.org](http://www.icty.org)*

[19 March and 3 April](#)

**Gotovina et al. case: the accused have a case to answer and will begin doing so on 28 May**

The announcement was made by Presiding Judge Orić: "Five additional weeks are granted [to the Defence] for investigative and preparatory purposes. These five weeks can be used after the 98 bis proceedings, which results in the Pre-Defence Conference to be held on the 27th of May, and the Defence case is to start on the 28th of May."

Meanwhile, following hearings held between 19 and 25 March pursuant to Rule 98bis, the Chamber on 3 April delivered its oral decision: "Having thus found, under the Rule 98 bis standard of review, sufficient evidence to sustain all counts of the indictment for each of the accused under one mode of liability, the Chamber does not, at present, need to examine the other modes of liability alleged in the indictment. In conclusion, all three accused have a case to answer on all nine counts of the indictment."

*Rule 98bis provides that, after the conclusion of the presentation of Prosecution evidence, the Trial Chamber can rule whether or not there is a case to answer. If the Chamber believes that the Prosecution has not presented sufficient evidence to prove certain charge(s), it can dismiss the charge(s).*

[26 March](#)

**Prosecutor Brammertz in Belgrade**

ICTY Prosecutor Serge Brammertz visits Belgrade on 26 and 27 March for a regular working visit to discuss issues related to cooperation of Serbia with the Office of the Prosecutor.

The Prosecutor meets with representatives of the Serbian authorities at the operational and political level in charge of cooperation.

[27 March](#)

**Dragan Jokić found guilty of contempt and sentenced to four months imprisonment**

Called on 31 October 2007 to testify in the Popović et al. trial, Dragan Jokić refused to do so, in violation of a subpoena, thereby committing "a serious offence", going to "the essence of the notion of justice" and "depriving the Chamber of relevant evidence," said Presiding Judge Agius at the judgement hearing.

Chief of Engineering of the Zvornik Brigade of the VRS (Bosnian Serb Army) at the time of the Srebrenica genocide, Dragan Jokić was convicted of aiding and abetting extermination, persecutions on political, racial and religious grounds, and murder. He was sentenced on 17 January 2005 to nine years' imprisonment. The conviction and the sentence were upheld by the Appeals Chamber on 9 May 2007. Dragan Jokić is currently serving his sentence in Austria, where he was transferred on 22 December 2008. The sentence of four months will be served consecutively.

*Related press releases can be read on the Tribunal website: [www.icty.org](http://www.icty.org)*

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[27 March](#)

**Popović et al.  
case: closing  
arguments  
scheduled**

Following the recent completion of the last Defence case, the Trial Chamber issues a Scheduling Order stating that the Parties' closing arguments will be heard from 20 July 2009. Involving seven accused, all charged for their alleged involvement in the Srebrenica events (qualified as 'genocide' by the Appeals Chamber in the Krstic Judgement), this case is the biggest multiple accused-trial ever held at the Tribunal. The trial started on 14 July 2006.

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[2 April](#)

**President  
Robinson in  
Brussels**

President Patrick Robinson is the key note speaker at a conference held in the European Parliament in Brussels. The President presents the Tribunal's achievements to date, as well as the institution's progress and strategy for the successful completion of its mandate including the work to date on establishing its residual mechanisms and legacy.

The conference gathers key stakeholders from EU member states, the region, as well as from the ICTY and ICTR, and is organized by the International Federation for Human Rights (FIDH), REDRESS and International Criminal Law Services (ICLS) with the support of the European Parliament's Sub-Committee on Human Rights (DROI) and the Party of European Socialists (PSE).

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[2 – 3 April](#)

**European  
Commission and  
ICTY launch a  
Project for  
National  
Prosecutors**

A conference of Prosecutors from the ICTY, Bosnia and Herzegovina, Croatia, Former Yugoslav Republic of Macedonia, Montenegro, and Serbia is held in Brussels. The Prosecutors release a joint statement (attached below) which says that such conferences "strengthen working relationships between the Prosecution Offices", but also "highlight the need to cooperate even more intensely in certain areas so as to further improve the investigation and prosecution of war crimes cases at the national level."

The Prosecutors also announce the launch of the new Joint European Commission and ICTY Project for National Prosecutors and Young Professionals from the former Yugoslavia. "The project will make it possible for war crimes prosecutors to be given direct access to the expertise, data and information held by the ICTY Office of the Prosecutor and work side by side with its staff," says a press release.

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## **COURTROOM SCHEDULE: 06 – 13 APRIL**

### **MONDAY 6 APRIL**

Courtroom I	09:00 – 13:45, <b>Perišić</b> , Trial
Courtroom II	08:50 – 13:45, <b>Lukić &amp; Lukić</b> , Trial 14:15 – 19:10, <b>Lukić &amp; Lukić</b> , Trial
Courtroom III	09:00 – 13:45, <b>Djordjević</b> , Trial 14:15 – 19:00, <b>Prlić</b> , Trial

### **TUESDAY 7 APRIL**

Courtroom I	14:15 – 19:00, <b>Djordjević</b> , Trial
Courtroom II	08:50 – 13:45, <b>Lukić &amp; Lukić</b> , Trial 14:15 – 19:10, <b>Lukić &amp; Lukić</b> , Trial
Courtroom III	09:00 – 13:45, <b>Perišić</b> , Trial 14:15 – 19:00, <b>Prlić</b> , Trial

### **WEDNESDAY 8 APRIL**

Courtroom I	09:00 – 13:45, <b>Perišić</b> , Trial
Courtroom II	08:50 – 13:45, <b>Lukić &amp; Lukić</b> , Trial 14:15 – 19:10, <b>Lukić &amp; Lukić</b> , Trial
Courtroom III	09:00 – 13:45, <b>Djordjević</b> , Trial 14:15 – 19:00, <b>Prlić</b> , Trial

### **THURSDAY 9 APRIL**

Courtroom I	08:50 – 13:45, <b>Lukić &amp; Lukić</b> , Trial 14:15 – 19:10, <b>Lukić &amp; Lukić</b> , Trial
Courtroom II	Nothing scheduled

**FRIDAY 10 APRIL**

Good Friday – no trials scheduled

**MONDAY 13 APRIL**

Easter Monday – no trials scheduled

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

**PROCEEDINGS COMPLETED WITH REGARD TO 117 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, 58 sentenced (two are awaiting transfer, 28 have been transferred, 26 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 44 accused: nine are at the appeals stage, a Trial Chamber has passed judgement on six accused (but an appeal is still possible), 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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Acting Registrar: John Hockling. Chief LPTV: Christian Chartier

*Queries and comments:*

Christian Chartier, Editor: +31.70.512.52.40, [chartier.icty@un.org](mailto:chartier.icty@un.org)  
Nicholas Beston, Deputy Editor: +31/70.512. 89.43, [beston@un.org](mailto:beston@un.org)  
Gea van der Werf, Assistant: + 31.70. 512. 85.99, [vanderwerf@un.org](mailto:vanderwerf@un.org)

*International Criminal Tribunal for the former Yugoslavia, Churchillplein 1, 2517 JW The Hague, the Netherlands*

**[www.icty.org](http://www.icty.org)**

*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.*