



1 April 2016

## ICTY WEEKLY UPDATE – 833

### PROCEDURAL DEVELOPMENTS

#### I. OVERVIEW OF COURT PROCEEDINGS

##### **KARADŽIĆ case**

*Trial Chamber III – Judges Kwon (Presiding), Morrison, Baird and Lattanzi (Reserve Judge)*

##### **Trial Chamber Judgement**

On 24 March 2016, the Trial Chamber convicted convicted Radovan Karadžić of genocide, crimes against humanity and violations of the laws or customs of war committed by Serb forces during the armed conflict in Bosnia and Herzegovina, from 1992 until 1995. He was sentenced to 40 years' imprisonment – *See Press Release below for more details.*

##### **Vojislav ŠEŠELJ case**

*Trial Chamber III – Judges Antonetti (Presiding), Lattanzi and Niang*

##### **Trial Chamber Judgement**

On 31 March 2016, the Trial Chamber rendered its judgement: Vojislav Šešelj was cleared of all charges of the Indictment, with a majority decision on eight counts and a unanimous decision on one count – *See Press Release below for more details.*

#### II. OVERVIEW OF SELECTED COURT DOCUMENTS

##### **HADŽIĆ case**

*Appeals Chamber – Judges Agius (Presiding), Daqun, Pocar, Meron and Afande*

##### **DECISION ON PROSECUTION'S URGENT INTERLOCUTORY APPEAL FROM CONSOLIDATED DECISION ON THE CONTINUATION OF PROCEEDINGS**

On 4 March 2016, the Appeals Chamber granted the Prosecution's appeal in part, with Judge Afande partially dissenting, and quashed the Trial Chamber's decision from 26 October last year (ordering a stay of proceedings for 3 months in Hadžić case).

The Appeals Chamber invited the Trial Chamber to reassess, based on the available and updated medical records, whether Hadžić is fit for trial, and if so, it is to assess all "reasonably available modalities" for

continuing the trial under the "proportionality principle" (which reads that "any restriction of a fundamental right must be in service of a sufficiently important objective and must impair the right no more than is necessary to accomplish the objective"). The failure to apply this principle was one of the errors the Trial Chamber committed in its previous decision, the Appeals Chamber concluded.

The Appeals Chamber ordered the Trial Chamber to consider whether to continue or terminate the proceedings only after correcting the identified errors specified in this decision.

**ŠEŠELJ case**

*Trial Chamber III – Judges Antonetti (Presiding), Lattanzi and Niang*

**ORDER ON ARRANGEMENTS FOR DELIVERY OF JUDGEMENT**

On 16 March 2016, the Trial Chamber in Šešelj case declared that the trial judgement on 31 March will be delivered without the presence of the Accused. The Chamber considered the response by the Serbian Government indicating that the medical treatment of the accused could not be interrupted or continued in The Hague and therefore concluded that his transfer to The Hague was not required under such conditions. The accused was invited to inform in writing, before 22 March, whether he wishes to follow the delivery of the judgement via video-link from Belgrade.

**COURTROOM SCHEDULE:**

**4 APRIL – 8 APRIL 2016\***

**NO TRIALS SCHEDULED**

\* The courtroom schedule is subject to change and you are invited to check for last minute alterations on [www.icty.org](http://www.icty.org) or with the Media Office directly (+3170 512 -8752, -5343, or -5356)

Public proceedings are also broadcast with a 30 minute delay on the ICTY's web site: [www.icty.org](http://www.icty.org)

**LATEST PRESS RELEASES**

Date	Title	E	F	B/C/S
08/03/2016	<a href="#">The Tribunal observes International Women’s Day</a>	E	F	B/C/S
22/03/2016	<a href="#">Tribunal launches new online resources for the Karadžić case</a>	E	F	B/C/S
24-03-2016	<a href="#">Tribunal convicts Radovan Karadžić for crimes in Bosnia and Herzegovina</a>	E	F	B/C/S
24/03/2016	<a href="#">Statement of the Office of the Prosecutor on the Conviction of Radovan Karadžić</a>	E	F	B/C/S
31/03/2016	<a href="#">Trial Judgement in the case of Vojislav Šešelj delivered</a>	E	F	B/C/S
31/03/2016	<a href="#">Statement of the Office of the Prosecutor on the Judgement of Vojislav Šešelj</a>	E	F	B/C/S

For the latest list of all court filings, please visit the [ICTY Court Records](#)  
For a selection of the latest public documents, please visit the [ICTY Website](#)