# This issue marks the publication's first anniversary. Thank you for reading The ICTY Digest!

## 13 November

Miroslav Bralo is serving his sentence in Sweden Miroslav Bralo was transferred to Sweden on 1 November to serve his sentence of 20 years' imprisonment.

A former member of the anti-terrorist platoon of the HVO Military Police Battalion known as the "Jokers", Bralo pleaded guilty on 19 July 2005 to eight counts of crimes (murder, rape, torture, unlawful confinement and inhumane treatment of Bosnian Muslim civilians, including a number of children) carried out in the Lasva Valley region of central Bosnia and Herzegovina in 1993. A Trial Chamber sentenced him to 20 years' imprisonment on 7 December 2005. This sentence was affirmed by the Appeals Chamber on 2 April 2007.

## <u>13, 14 and 15</u> November

Haradinaj et al. case: witnesses charged with contempt testify and are released Sadri Selca is arrested on 13 November, following his indictment on 7 November for contempt of court for failing to appear before the Trial Chamber without just cause. On 15 November, Selca testifies. Following this testimony, a Prosecution's motion to withdraw the indictment for contempt is granted, and the Chamber also orders Selca's release.

Also charged with contempt and arrested on 9 November, Avni Krasniqi agrees to give testimony on 14 and 15 November. The Chamber subsequently grants a Prosecution Motion to withdraw the indictment against him, and orders his release from the Detention Unit.

## 15 November

Hadžihasanović and Kubura case: appeals hearing on 4 and 5 December Both high-level commanders in the Army of Bosnia and Herzegovina, Enver Hadžihasanović and Amir Kubura were convicted and sentenced on 15 March 2006, to five years' and two and a half years' imprisonment, respectively. This was the first Tribunal judgement to deal with the presence of foreign Muslim combatants (or Mujahedin) in Bosnia and Herzegovina.

The accused were convicted for failing to take necessary and reasonable measures to prevent or punish several crimes that forces under their command committed in central Bosnia and Herzegovina in 1993 and the beginning of 1994. Amir Kubura was granted early release on 11 April 2006. On provisional release since 20 June 2007, Enver Hadžihasanović has been ordered to return to the Detention Unit for the duration of the appeals hearing.

#### 19 November

Dragan Jokić contempt case: accused pleads not guilty and will be on trial on 10 December Dragan Jokić pleads not guilty to the contempt charges entered on 1 November after he "contumaciously refused to testify" in the Popovic *et al.* trial. Following this plea, the Trial Chamber schedules his trial for 10 December.

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.

### 23 and 30 November

Accused granted provisional release during winter court recess

On 23 November, the Trial Chamber confirmed its oral decision granting Rasim Delić temporary provisional release from 11 December 2007 until 11 January 2008.

The following press release was issued: JP/MOW/ PR1198e at <a href="http://www.un.org/icty/latest-e/index.htm">http://www.un.org/icty/latest-e/index.htm</a>

On 30 November, the Trial Chamber granted the defence motions to provisionally release Jadranko Prlić, Bruno Stojić, Slobodan Praljak, Milivoj Petković, Valentin Čorić and Berislav Pušić during the winter recess. Dates and specific terms of release have been kept confidential.

The following press release was issued: CVO/MOW/ PR1200e at <a href="http://www.un.org/icty/latest-e/index.htm">http://www.un.org/icty/latest-e/index.htm</a>

## 26-30 November

322 visitors welcomed at the ICTY!

Breaking a record, the LPTV (Library-Publications-Tribunet-Visits) Section within the Communications Service facilitates visits this week by 12 groups totalling more than 300 visitors. Coming from Brussels, the Netherlands, and Norway, among others, the visitors include law or international relations students, members of The Hague Court and members of the Ministry of Justice in Oslo.

A prominent guest was welcomed on 27 November. Iva Broz, President of the Czech Supreme Court (in Brno), and her party, were received by Vice-President Kevin Parker and Judge Frank Hoepfel.

## 27 November

Miroslav Radić indicted in Croatia A prosecutor in Osijek (eastern Croatia) indicts Miroslav Radić, the former JNA officer who was acquitted late September in the ICTY Vukovar Hospital case. Miroslav Radić is accused of committing war crimes against Croat civilians and prisoners of war in 1991. The prosecutor alleges that new testimonies link Radić to the murder of one war prisoner.

Following his acquittal, Miroslav Radić returned to Serbia.

## 28 November

PRESIDENT
POCAR AND
CARLA DEL
PONTE
WELCOME THE
APPOINTMENT
OF SERGE
BRAMMERTZ AS
FUTURE ICTY
PROSECUTOR

The President of the Tribunal, Judge Fausto Pocar, and the Prosecutor, Carla Del Ponte, welcome the appointment today of Serge Brammertz as the future Prosecutor of the ICTY, after the Security Council unanimously passes resolution 1786, appointing him for a four-year term with effect from 1 January 2008.

The following press release was issued: JP/MOW/ PR1199e at http://www.un.org/ictv/latest-e/index.htm

Serge Brammertz's name had been put forward by UN Secretary-General Ban Kimoon in a letter of 13 November to the Security Council.

## 30 November

Popović et al. trial: OTP to wrap up its case by 1 February and Defence to start on 2 June The Trial Chamber in the Popovic *et al.* case issues a scheduling order stating that the Prosecution must finish its case by 1 February 2008.

Following 98*bis* oral submissions starting on 14 February, and a pre-Defence Conference on 22 May, the Defence are to start their case on 2 June 2008.

## 30 November

Haradinaj *et al.* case: no Defence cases, closing arguments scheduled

The Prosecution closes its case, and the Defence teams inform the Trial Chamber that none of them intends to make submissions according to Rule 98*bis* or to present any evidence.

Subsequently, the Trial Chamber schedules the closing arguments in the case to be heard on 21, 22 and 23 January 2008.

## 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, 27 are currently in the trial phase, 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 23 individuals are or have been the subject of contempt proceedings.

The ICTY Digest is a publication of the Registry, prepared and produced by the LPTV Section.

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