



## Goran Hadžić arrested

On 20 July, Goran Hadžić was arrested in the Fruška Gora region of Serbia. In a press release issued the same day, the ICTY welcomed the news of the arrest and looked forward to “Hadžić’s expeditious transfer from Serbia to The Hague, following the completion of relevant legal proceedings required by Serbian law.” The press release continued: “After transfer of custody to the Tribunal, Hadžić will be detained pending his initial appearance before a judge. At the initial appearance, Hadžić will be given an opportunity to enter a plea to each of the charges brought against him in the indictment. Although charged with grave crimes, Hadžić, like all other accused before the Tribunal, is presumed innocent until proven guilty. This is in accordance with the Tribunal’s Statute which guarantees the universally recognised right to a fair trial.”

ICTY Prosecutor Serge Brammertz released a statement welcoming the arrest “I welcome the arrest today of Goran Hadžić the war-time Croatian Serb political leader of the self proclaimed Republic of Serbian Krajina. Hadžić’s transfer into the Tribunal’s custody is a long awaited development for the victims of the crimes charged against him. It is also an important milestone in the Tribunal’s history. Eighteen years after the Tribunal’s creation, we can now say that no indicted person has successfully evaded the Tribunal’s judicial process. This is a precedent of enduring significance, not only for this Tribunal, but also for international criminal justice more generally. We recognise the role of the Serbian authorities in apprehending Goran Hadžić, particularly its Action Team in charge of locating and arresting Tribunal fugitives and the National Security Council. We also acknowledge the role played by the Services who carried out the arrest operation. The international community too has played a role in supporting measures to secure Hadžić’s arrest and we express our gratitude for the support we have received.”

On 22 July, Hadžić was transferred into the custody of the Tribunal. His initial appearance will be scheduled in due course.

*During the conflict in the former Yugoslavia, Hadžić was President of the government of the self-proclaimed “Serbian Autonomous District Slavonia, Baranja and Western Srijem” and the so-called “Republic of Serbian Krajina”.*

*The indictment against Hadžić alleges that he was a co-perpetrator in a joint criminal enterprise. The purpose of this enterprise was to permanently and forcibly remove a majority of the Croat and other non-Serb population from approximately one-third of the territory of the Republic of Croatia. In doing so, Hadžić and the other participants in the joint criminal enterprise sought to make the territory part of a new Serb-dominated state. The joint criminal enterprise came into existence no later than 25 June 1991 and continued until at least December 1993.*

### 11 July

#### **Momčilo Krajišnik denied early release**

On 11 July, President Robinson issued a decision denying early release to Momčilo Krajišnik. On 17 March 2009, the Appeals Chamber sentenced Krajišnik to 20 years’ imprisonment, upholding earlier guilty findings against the former member of the Bosnian Serb leadership for deportations, forcible transfer and persecution of non-Serb civilians committed during the conflict in Bosnia and Herzegovina. He was transferred to the UK to serve the remainder of his sentence on 7 September 2009.

In his recent decision, President Robinson stated that he was of the view that, although Krajišnik has “displayed some – albeit very limited - evidence of rehabilitation”, the “very high gravity” of his crimes and the practice of the Tribunal to consider convicted persons to be eligible for early release only when they have served two-thirds of their sentence, weighed against early release, which was accordingly denied.

The full text of President Robinson’s decision can be found on the Tribunal’s website.  
<http://www.icty.org/x/cases/krajsnik/presdec/en/110711.pdf>

**12 July**

**Commencement  
of Haradinaj et  
al. re-trial  
scheduled**

An order issued by the Trial Chamber has scheduled the pre-trial conference in the Haradinaj et al. re-trial for Wednesday, 17 August, at 2.15 p.m., with the trial to begin the following day, Thursday, 18 August.

*On 21 July 2010, the Appeals Chamber in its judgement found: "that the Trial Chamber failed to take sufficient steps to counter the witness intimidation that permeated the trial. Given the potential importance of these witnesses to the Prosecution's case, the error undermined the fairness of the proceedings and resulted in a miscarriage of justice." Based on these findings, the Appeals Chamber ordered a partial re-trial on certain counts of the indictment.*

**15 July**

**Milimir Stakić  
denied sentence  
remission**

President Robinson has issued a decision denying sentence remission to Milimir Stakić. The Tribunal had been advised by authorities in the France, where Stakić is serving his sentence of 40 years' imprisonment, that the prisoner is eligible for reductions in his sentence pursuant to the Code de procedure penale. Article 721 of the Code states that a convicted person is entitled to three months remission of sentence in their first year and two months in the following years, providing they behave well in custody.

*On 22 March 2006, the Appeals Chamber sentenced Stakić to 40 years' imprisonment, affirming or entering convictions for extermination, murder, persecutions, deportation and other inhumane acts. He was transferred to France to serve the remainder of his sentence on 12 January 2007.*

In his recent decision, President Robinson states that although he would have been willing, as a matter of law, to recognise the sentence remissions, the very high gravity of Stakić's crimes and his very limited demonstration of rehabilitation, lead him [the president] to the conclusion that such remissions are not appropriate.

The full text of President Robinson's decision can be found on the Tribunal's website.

<http://www.icty.org/x/cases/stakic/presdec/en/110715.pdf>

**19 July**

**Hartmann  
appeals  
judgement issued**

The Appeals Chamber has issued its judgement in the contempt case against former ICTY employee Florence Hartmann. The appeals judgement dismissed all the grounds of appeal advanced by Hartmann, and affirmed the imposition of a fine of €7,000.

*On 14 September 2009, a Specially Appointed Chamber found Florence Hartmann guilty of two counts of contempt for "having knowingly and wilfully interfered with the administration of justice by disclosing confidential information in knowing violation of orders" issued by the Appeals Chamber in the course of the Milosevic case.*

The full text of the appeals judgement can be found on the Tribunal's website.

[http://www.icty.org/x/cases/contempt\\_hartmann/acjug/en/110719\\_judgement\\_hartmann.pdf](http://www.icty.org/x/cases/contempt_hartmann/acjug/en/110719_judgement_hartmann.pdf)

**THE NEXT ISSUE OF THE ICTY DIGEST WILL BE PUBLISHED ON MONDAY, 29 AUGUST 2011**

## COURTROOM SCHEDULE: 15 AUGUST – 26 AUGUST

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

The ICTY Chambers are in recess until Friday 12 August. Proceedings will resume on Monday 15 August following the schedule published below. However this schedule is tentative and readers are invited to consult the Tribunal's website for possible last-minute changes.

<b>MONDAY 15 AUGUST</b>	Courtroom III	09:00 – 13:45 14:15 – 19:00	<b>Stanišić &amp; Župljanin Tolimir</b>	Trial Trial
<b>TUESDAY 16 AUGUST</b>	Courtroom I Courtroom II Courtroom III	09:00 – 15:00 09:00 – 13:45 09:00 – 13:45	<b>Karadžić Stanišić &amp; Župljanin Tolimir</b>	Trial Trial Trial
<b>WEDNESDAY 17 AUGUST</b>	Courtroom I Courtroom II Courtroom III	09:00 – 15:00 09:00 – 13:45 09:00 – 13:45	<b>Karadžić Stanišić &amp; Simatović Tolimir</b>	Trial Trial Trial
<b>THURSDAY 18 AUGUST</b>	Courtroom I Courtroom II Courtroom III	09:00 – 15:00 09:00 – 13:45 09:00 – 13:45	<b>Karadžić Stanišić &amp; Simatović Tolimir</b>	Trial Trial Trial
<b>FRIDAY 19 AUGUST</b>	Courtroom I Courtroom III	09:00 – 15:00 09:00 – 13:45	<b>Karadžić Stanišić &amp; Župljanin</b>	Trial Trial
<b>MONDAY 22 AUGUST</b>	Courtroom I Courtroom II Courtroom III	09:00 – 15:00 14:15 – 19:00 09:00 – 13:45	<b>Karadžić Stanišić &amp; Simatović Stanišić &amp; Župljanin</b>	Trial Trial Trial
<b>TUESDAY 23 AUGUST</b>	Courtroom I Courtroom II Courtroom III	09:00 – 15:00 09:00 – 15:00 09:00 – 13:45	<b>Karadžić Stanišić &amp; Simatović Stanišić &amp; Župljanin</b>	Trial Trial Trial
<b>WEDNESDAY 24 AUGUST</b>	Courtroom I Courtroom II Courtroom III	09:00 – 15:00 09:00 – 13:45 09:00 – 13:45	<b>Karadžić Stanišić &amp; Simatović Stanišić &amp; Župljanin</b>	Trial Trial Trial
<b>THURSDAY 25 AUGUST</b>	Courtroom I Courtroom II Courtroom III	09:00 – 15:00 09:00 – 13:45 09:00 – 13:45	<b>Karadžić Stanišić &amp; Simatović Stanišić &amp; Župljanin</b>	Trial Trial Trial
<b>FRIDAY 26 AUGUST</b>	Courtroom III	09:00 – 13:45	<b>Stanišić &amp; Župljanin</b>	Trial

## FACTS & FIGURES

### 161 INDIVIDUALS INDICTED

Since the very first hearing (a deferral 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 126 of them: 13 have been acquitted, 64 sentenced (four are awaiting transfer, 25 have been transferred, 31 have served their term, and three died while serving their sentence), 13 have had their cases transferred to local courts.

- 126** Total number of accused whose proceedings have been completed.
- 36** Another 36 cases have been terminated (either because indictments were withdrawn or because the accused died, before or after transfer to the Tribunal).
- 35** Proceedings are on-going with regard to 35 accused: 16 are at the appeals stage, 14 are currently on trial, and five are at the pre-trial stage.
- 33** A further 33 individuals have been or are the subject of contempt proceedings.

### THE WAR CRIMES JUSTICE PROJECT

aims to facilitate the transfer of knowledge and materials from the ICTY to legal professionals in the former Yugoslavia, thereby enhancing the capacity of judiciaries in the region to handle complex war crimes cases.

The project is funded by the European Union and implemented by the ICTY in partnership with the Organisation for Security and Cooperation in Europe's Office for Democratic Institutions and Human Rights (OSCE/ODIHR), the United Nations Interregional Crime and Justice Research Institute (UNICRI), and OSCE field operations in the region.

[www.icty.org/sections/Outreach/CapacityBuilding](http://www.icty.org/sections/Outreach/CapacityBuilding)

- 34,000** Total number of pages of ICTY court hearing audio material transcribed into B/C/S to date.
- 12,900** Total number of transcript pages delivered to the regional judiciaries between October 2010 and June 2011.
- 13,000** Total number of pages publicly available on the ICTY Court Records Database to date: <http://icr.icty.org/>
- 130** Total number of legal professionals from regional judiciaries who have so far received training on searching and accessing publicly available ICTY material.

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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.

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