

[21 May](#)

Southern African Tribunal delegates visit ICTY

The delegation from the Tribunal of the Southern African Development Community (SADC) is led by the Registrar, Justice M.C.C Mkandawire.

Established in August 1992 by the Heads of State and Government of the then Southern African Development Co-ordination Conference, the SADC is a regional community of 14 Member States aimed at ensuring "economic well-being, improvement of the standards of living and quality of life, freedom and social justice and peace and security for the peoples of Southern Africa." One of the SADC's institutions is a Tribunal, which has power to hear matters brought by Member States against one another and between natural or legal persons and Member States.

[23 May](#)

Rasim Delić on trial as of 9 July

Rasim Delić, former Commander of the Main Staff of the Army of Bosnia-Herzegovina (ABiH), is charged with four counts of violations of the laws or customs of war (murder, cruel treatment, rape) for not having taken the necessary and reasonable measures to prevent or punish the crimes committed by the El Mujahed Detachment under his command between June 1993 and September 1995.

To read more about this case, please see the case information sheet available on the Tribunal's website (www.un.org/icty/cases-e/index-e.htm).

[24 May](#)

Trial of Dragomir Milošević: opening of the Defence case

The trial started on 11 January 2007, and the Prosecution closed its case on 1 May.

Dragomir Milošević is charged with crimes against humanity and violations of the laws and customs of war. Milošević was the Commander of the Sarajevo Romanija Corps of the Bosnian Serb Army (VRS), which allegedly conducted a sniping and shelling campaign during the siege of Sarajevo.

[25 May](#)

Milan Martić: Trial Chamber judgement on 12 June...

... at 9 a.m. in Courtroom I. The trial began on 13 December 2005, and finished on 12 January 2007.

Between 1991 and 1995, Milan Martić held various leadership positions (President, Minister of Defence, Minister of Internal Affairs) in the so-called "Serbian Autonomous District (SAO) Krajina" and the so-called "Republic of Serbian Krajina" (RSK). He was charged with the extermination and murder of hundreds of Croat, Muslim and other non-Serb civilians in both Croatia and Bosnia and Herzegovina. In addition, he is charged with the prolonged and routine imprisonment and confinement of hundreds of Croat, Muslim and other non-Serb civilians in detention facilities and unlawful attacks on Zagreb, as well as Croat and Muslim villages.

[26 May](#)

President Pocar deeply concerned by Radovan Stanković escape from BiH prison

Radovan Stanković was serving a 20-year sentence for crimes against humanity, imposed upon him on 28 March 2007 by the Appeals Panel of the State Court of Bosnia and Herzegovina (BiH). The Stanković case had been the very first ICTY case to be referred to the BiH authorities under Rule 11bis.

Following the announcement of the escape of Radovan Stanković, the ICTY President, Judge Fausto Pocar, sent a letter to the BiH Justice Minister, expressing his "deep concern (...): while transferring the jurisdiction of the case to Bosnia and Herzegovina, the International Tribunal retains its responsibilities with respect to victims and witnesses and also retains an interest in ensuring that the sentence of persons convicted pursuant to an 11bis transfer is enforced by the State receiving the transfer." President Pocar also asked specific reports: "in order to properly assess the circumstances surrounding the escape and its potential impact upon Rule

11bis referrals to Bosnia and Herzegovina, I would be grateful if you could provide me with a report detailing such information as soon as possible. I would also be grateful if you could provide information concerning the measures being taken to secure the custody of Mr. Stanković."

[01 June](#)

End of the run for Zdravko Tolimir...

...who comes into the ICTY custody, after having been on the run for more than two years. Tolimir was indicted on 10 February 2005 on charges of genocide, crimes against humanity and violations of the laws or customs of war in relation to the events in Srebrenica. He was an intelligence officer and a senior aid to Ratko Mladic.

There remains five persons still at large in spite of their indictment by the ICTY: Vlastimir Đorđević, Goran Hadžić, Radovan Karadžić, Ratko Mladić, Stojan Župljanin.

[04 June](#)

Sefer Halilović case: appeals hearing on 10 / 11 July

A high-ranking officer within the Army of Bosnia and Herzegovina, Sefer Halilović was on trial between 31 January 2005 and 31 August 2005 on the basis of an indictment alleging that troops under his control and command committed murders in the villages of Grabovica and Uzdol in the Jablanica and Prozor areas in Herzegovina in September 1993 during a military operation allegedly called "Operation Neretva". On 16 November 2005, Trial Chamber I acquitted Sefer Halilović, who was immediately released. The Prosecution subsequently appealed.

[04 June](#)

ICTY Prosecutor arrives in Belgrade...

... ..for a four-day visit, her longest ever stay in Serbia. Carla Del Ponte meets with President Boris Tadic, Prime Minister Kostunica and many other members of government and representatives of the services that are involved with the issue of cooperation with the Tribunal on an operative level. "The prosecution is prepared to cooperate with the newly elected Government in its efforts to achieve full cooperation with the Tribunal, including the arrest and extradition of Ratko Mladic, Radovan Karadzic and other fugitives," says the prosecutor's spokesperson, Olga Kavran.

Following her visit, the Prosecutor is due to assess the cooperation provided by Serbia and to report to the EU.

[05 / 07 June](#)

Haradinaj et al. trial: Prosecution witness held in contempt of court goes into hiding

The Trial Chamber orders the prosecution of Shefqet Kabashi, a witness called by the Prosecution, who interfered "with the administration of justice by contumaciously refusing or failing to answer questions while being a witness before the Trial Chamber."

The Trial Chamber decides "to prosecute the matter itself," and summons S.Kabashi "to appear on Thursday 7 June 2007 at 9 a.m. in courtroom 1." However, Shefqet Kabashi does not show up in court: the day before, he left his hotel room, leaving a note reading that "for many reasons, conditions are not fulfilled for a witness to properly testify." Noting that proceedings in absentia are not an avenue immediately opened to the Tribunal, the Presiding Judge adjourns 'sine die' the contempt proceedings, and says that the Chamber "will now consider which steps to take in order to ensure that the charge of contempt will be adjudicated."

[07 June](#)

European Commission Vice-President pays visit to President Pocar

The ICTY President, Judge Fausto Pocar, hosts an official visit by European Commission Vice-President Franco Frattini. They discuss the level of cooperation of the countries of the former Yugoslavia with the ICTY. In addition, President Pocar and Vice-President Frattini address the need to facilitate efficient cooperation between judicial institutions of the countries of the former Yugoslavia in war crimes cases: the discussion focuses on the role of the European Commission in facilitating such cooperation and the need for the Tribunal's assistance in the matter.

The official visit of Vice-President Frattini followed an invitation issued by President Pocar after meeting the Vice-President in January of this year in Brussels.

07 June

Appeals Chamber reconsiders a previous 'final decision' and re-opens the appeals proceedings in the Strugar case

The Appeals Chamber issues an important Decision granting a Defence request to re-open the appeals proceedings. Beyond the merits of the Strugar case, this Decision is relative to the power of the Appeals Chamber to reconsider a previous ruling.

On 20 September 2006, the Appeals Chamber had issued a "Final Decision," accepting the parties' Notices and declaring the appellate proceedings "concluded." The sentence imposed on Pavle Strugar (8 years imprisonment for his participation in the attack on Dubrovnik), had then be declared "final."

ICTY PROCEEDINGS COMPLETED WITH REGARD TO 106 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 106 of them: five have been acquitted, 51 sentenced (seven are awaiting transfer, 26 have been transferred and are serving their sentence, 16 have served their term, and two died while serving their sentence), 14 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 55 accused: 11 are at the appeals stage, four are awaiting judgement by a Trial Chamber, 25 are currently on trial, 10 are at pre-trial and five are still at large.

The figure of the accused at the appeals stage includes Sefer Halilović, Fatmir Limaj and Isak Musliu (who have been acquitted and released but against whom an appeal by the Office of the Prosecutor is running), as well as 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 20 individuals have also been the subject of contempt proceedings.

The ICTY Digest is a publication of the Registry, prepared and produced by the PTV Section.
Registrar: Hans Holthuis, Chief PTV: Christian Chartier
Assistants: Isabelle Lambert, Gea van der Werf

Queries and comments:

Christian Chartier, Editor: +31.70.512.52.40, chartier.icty@un.org
Denise Gustin-Gardella, Assistant Editor: +31.70.512.53.49, gustin.icty@un.org

International Criminal Tribunal for the former Yugoslavia, Churchillplein 1, 2517 JW The Hague, the Netherlands
www.un.org/icty

*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.*