

THE NEXT ICTY DIGEST WILL BE PUBLISHED ON MONDAY 7 SEPTEMBER

20 July: Milan Lukić sentenced to life in prison and Sredoje Lukić to 30 years, for crimes “characterised by a callous and vicious disregard to human life”

On Monday 20 July, Trial Chamber III, consisting of Judge Robinson (presiding), Judge Van den Wijngaert and Judge David, sentenced Milan Lukić to life imprisonment and his cousin Sredoje Lukić to 30 years' imprisonment for crimes against humanity and war crimes committed in the eastern Bosnian town of Visegrad during the 1992-1995 conflict.

“The perpetration by Milan Lukić and Sredoje Lukić of crimes in this case is characterised by a callous and vicious disregard for human life,” Judge Robinson said, adding: “In the all too long, sad and wretched history of man’s inhumanity to man, the Pionirska street and Bikavac fires must rank high. At the close of the twentieth century, a century marked by war and bloodshed on a colossal scale, these horrific events stand out for the viciousness of the incendiary attack, for the obvious premeditation and calculation that defined it, for the sheer callousness and brutality of herding, trapping and locking the victims in the two houses, thereby rendering them helpless in the ensuing inferno, and for the degree of pain and suffering inflicted on the victims as they were burnt alive.”

Both a summary and the full text of the judgement are available on the ICTY website.

24 July: Vojislav Šešelj sentenced to 15 months' imprisonment for contempt; the Tribunal defends “witnesses’ confidence in [its] ability to guarantee the effectiveness of protective measures”

On Friday 24 July, Vojislav Šešelj was found guilty of contempt for disclosing the name and other personal details of protected witnesses in a book he authored.

On 21 January 2009 the Chamber issued an order in lieu of indictment charging the accused with having knowingly and willfully interfered with the administration of justice by disclosing confidential information of three witnesses who had been granted protective measures in his trial on charges of war crimes. The trial for contempt took place on 29 May.

Delivering its Judgement, Trial Chamber II found that the accused disclosed confidential information “intentionally, with the knowledge that by doing so, he was violating Trial Chamber orders”. Noting “with grave concern the deliberate way in which the protective measure decisions... were defied,” Judge O-Gon Kwon, presiding, added that the “Chamber considers this a serious interference with the administration of justice, particularly given the potential adverse impact of such conduct upon witnesses’ confidence in the Tribunal’s ability to guarantee the effectiveness of protective measures.” Vojislav Šešelj was also ordered to secure the withdrawal of the book from his internet site by 7 August.

Both a summary and the full text of the judgement are available on the ICTY website.

7 July

Delegation from the Belgrade War Crimes Chamber on a three-day visit to the ICTY

Organised by the OSCE Mission to Serbia to facilitate the exchange of knowledge and experience between the ICTY and domestic authorities in charge of war crimes prosecutions, the seven member group includes two newly-appointed Judges from the War Crimes Chamber, police officers and a witness protection officer.

The visit is designed to provide the group a better understanding of the ICTY, but also lead its members being able to use some of the Tribunal's practices in their own work, and additionally help to identify focal points for communication and co-operation.

The guests received an introduction to the workings of the Tribunal and then followed individual practical programmes relevant to their professional needs. The Judges met with Judge Iain Bonomy and a number of senior Chambers staff; they discussed a variety of issues, particularly evidentiary issues and trial economy. The

police officers were given practical training on the workings of the OTP investigations, including a demonstration of systems and procedures and the handling of records and information. The Registry's Victims and Witness Section took the lead in a number of practical sessions for the Serbian Witness Protection Officer.

7 July

Security Council extends terms of ICTY/ICTR judges

The Security Council extended until 31 December 2010 the terms of judges at the ICTY and ICTR. The two Security Council resolutions, which were passed unanimously, called on both tribunals "to take all possible measures to complete their work expeditiously," and expressed the determination of the Security Council to support their efforts in this regard.

8 July

Karadžić case: Trial Chamber rejects the accused's challenge to the jurisdiction of the Tribunal

The Trial Chamber (Judge Bonomy, Judge Flugge and Judge Picard) issued its Decision on the accused's 'Holbrooke Motion'.

In this Motion, the accused renewed his challenge to the Tribunal's jurisdiction to prosecute him on the basis of an alleged agreement between himself and Richard Holbrooke.

The Trial Chamber came to the conclusion that it "does not accept the accused's contention that the Tribunal is bound by the Agreement."

9 July

Mico Stanišić & Stojan Župljanin: pre-trial conference on 25 August

The pre-trial conference will not take place on 22 July as initially contemplated. The trial of Mićo Stanišić and Stojan Župljanin is scheduled to commence on 31 August, when the Prosecution will make their opening statement.

Miće Stanišić was, from April 1992, the Minister in the Serbian Ministry of Internal Affairs in Bosnia and Herzegovina (RS MUP), and Stojan Župljanin was Chief of the Regional Security Services Centre (CSB) of Banja Luka, as well as a member of the Autonomous Region of Krajina (ARK) Crisis Staff, and an advisor for internal affairs to the President of Republika Srpska. They stand accused of involvement in a campaign to eliminate and permanently remove Bosnian Muslims and Bosnian Croats from the areas over which they presided between April and December 1992.

13 July

Lectures recorded at the ICTY for the UN Audiovisual Library of International Law

The Library was launched in October 2008 as an 'educational tool' and it is part of the UN programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law. The idea behind the Library is to "make available the highest quality resources on International Law." Lectures by Judges at the ICTY are important as "they are conveying information about the work of the court prior to the completion of the Tribunal."

Lectures have been recorded with President Robinson and Judge Pocar.

There is no registration required for the Library and it is free for anyone to use. For more information you can visit - <http://www.un.org/law/avl/>

15-18 July

Visiting Serbia, President Robinson says Serbian courts "should be commended"

On 15 July, the President of the Tribunal, Judge Patrick Robinson, began a three-day visit to Belgrade. This was his first official visit to Serbia since he became President of ICTY.

President Robinson said that the readiness of the Serbian courts and judges to deal "with very tough cases" should be praised. In a meeting with the Serbian Supreme Court President, Nata Mesarović, he also said that the relationship between the country and the Tribunal needed to improve, stating that the Tribunal should not be seen as a foreign metropolitan power, but rather as an equal partner. The President also mentioned that he is aware that the political climate in Serbia is changing, that the Serbian authorities are keen to cooperate fully with the Tribunal, and that the ICTY's legacy in the countries of the former Yugoslavia will be based on continuing work through national courts.

The President met with Judges of the Supreme Court of Serbia and the War Crimes Chamber of the Belgrade District Court, as well as the Minister of Justice, the

[21 July](#)

Appeals hearing in the Dragomir Milošević case

The commander of the Sarajevo Romanija Corps (SRK) of the Bosnian Serb Army (VRS), Dragomir Milošević was found guilty on 12 December 2007 of crimes against humanity and violation of the laws or customs of war committed during the 1992-1995 siege of Sarajevo. He was convicted on five counts of terror, murder and inhumane acts conducted during a campaign of sniping and shelling which resulted in the injury and death of a great number of civilians in Sarajevo. He was sentenced to 33 years in prison.

The Appeals Chamber is now considering its Judgement, which will be delivered in due course.

Dragomir Milošević took over the command of the SRK from Stanislav Galić who on 30 November 2006 was sentenced to life imprisonment by the Appeals Chamber. Stanislav Galić is now serving his sentence in Germany where he was transferred on 15 January 2009.

[23 July](#)

Appeals Chamber says Haraqija was not guilty of contempt and affirms Morina's conviction and sentence

In a written Judgement filed on 23 July, the Appeals Chamber reversed Astrit Haraqija's conviction and affirmed Bajrush Morina's conviction and sentence for contempt based on intimidating a protected witness in the Haradinaj & al. trial.

On 17 December 2008, Trial Chamber I found both A. Haraqija and B. Morina, guilty. Haraqija, former Kosovo Minister for Culture, Youth and Sport was sentenced to five months of imprisonment. Morina, former political adviser to Kosovo's Deputy Minister in the Ministry of Culture, Youth and Sports, was sentenced to three months of imprisonment.

The Appeals Chamber accepted Haraqija's second ground of appeal, finding that "Although the Trial Chamber reasonably concluded that Morina's personal situation as well as the content of his conversation with Witness 2 suggested that he was pressured, it does not necessarily follow that this pressure came from Haraqija." The Appeals Chamber dismissed all of Morina and the Prosecution's grounds of appeal.

Both Haraqija and Morina had been on provisional release since 9 February and 8 April respectively having served theirs sentence.

[24 July](#)

Milorad Krnojelac granted early release

The President issued a public version of his 9 July Decision granting early release to Milorad Krnojelac who had been serving a 15-year sentence in Italy since 11 April 2006.

The warden or acting-warden of the Foča's prison complex Kazneno-Popravni Dom (KP Dom) in 1992 and 1993, Milorad Krnojelac was convicted on 15 March 2003 and sentenced to 7,5 years' imprisonment for crimes committed against non-Serb detained men. However the Appeals Chamber on 17 September 2003 raised the level of criminal responsibility of the accused quashed a number of acquittals and entered additional convictions; it accordingly sentenced Milorad Krnojelac to 15 years' imprisonment.

Milorad Krnojelac is the 27th person convicted by the Tribunal to have finished serving their sentence. Twenty-eight others are currently serving their term. Three are awaiting transfer (Momčilo Krajišnik, Mile Mrkšić and Veselin Šljivančanin).

**THE ICTY CHAMBERS ARE IN RECESS UNTIL FRIDAY 14 AUGUST.
PROCEEDINGS WILL RESUME ON MONDAY 17 AUGUST
FOLLOWING THE SCHEDULE PUBLISHED ON PAGES 4 AND 5.
HOWEVER THIS SCHEDULE IS TENTATIVE AND READERS ARE INVITED TO
CONSULT THE TRIBUNAL'S WEBSITE FOR POSSIBLE LAST-MINUTE CHANGES.**

COURTROOM SCHEDULE: 17 AUGUST – 28 AUGUST

MONDAY 17 AUGUST

Courtroom I 14:15 – 19:00, **Djordević**, Trial
Courtroom III 14:15 – 19:00, **Prlić**, Trial

TUESDAY 18 AUGUST

Courtroom I 14:15 – 19:00, **Djordević**, Trial
Courtroom III 09:00 – 13:45, **Prlić**, Trial
14:15 – 19:00, **Šešelj**, Status Conference

WEDNESDAY 19 AUGUST

Courtroom I 14:15 – 19:00, **Djordević**, Trial
Courtroom III 09:00 – 13:45, **Prlić**, Trial

THURSDAY 20 AUGUST

Courtroom I 09:00 – 13:45, **Karadžić**, Status Conference
Courtroom II 09:00 – 13:45, **Djordević**, Trial
14:15 – 19:00, **Perišić**, Trial
Courtroom III 09:00 – 13:45, **Prlić**, Trial

FRIDAY 21 AUGUST

Courtroom I 09:00 – 13:45, **Djordević**, Trial
Courtroom II 14:15 – 19:00, **Perišić**, Trial
Courtroom III 10:00 – 13:15, **Stanišić & Župljanin**, Trial management meeting

MONDAY 24 AUGUST

Courtroom I 09:00 – 13:45, **Perišić**, Trial
Courtroom II 14:15 – 19:00, **Djordević**, Trial
Courtroom III 09:00 – 13:45, **Gotovina et al**, Trial
14:15 – 19:00, **Prlić**, Trial

TUESDAY 25 AUGUST

Courtroom I 09:00 – 13:45, **Perišić**, Trial
14:15 – 19:00, **Stanišić & Župljanin**, Pre-trial conference
Courtroom II 09:00 – 13:45, **Djordević**, Trial
Courtroom III 09:00 – 13:45, **Gotovina et al**, Trial
14:15 – 19:00, **Prlić**, Trial

WEDNESDAY 26 AUGUST

Courtroom I 09:00 – 13:45, **Perišić**, Trial
Courtroom II 09:00 – 13:45, **Djordević**, Trial
14:15 – 19:00, **Stanišić & Simatović**, Trial
Courtroom III 09:00 – 13:45, **Gotovina et al**, Trial
14:15 – 19:00, **Prlić**, Trial

THURSDAY 27 AUGUST

Courtroom I 09:00 – 13:45, **Perišić**, Trial
Courtroom II 09:00 – 13:45, **Djordević**, Trial
14:30 – 19:00, **Stanišić & Simatović**, Trial
Courtroom III 09:00 – 13:45, **Gotovina et al**, Trial
14:15 – 19:00, **Prlić**, Trial

FRIDAY 28 AUGUST

Courtroom I 09:00 – 13:45, **Perišić**, Trial
Courtroom II 09:00 – 13:45, **Djordević**, Trial
Courtroom III 09:00 – 13:45, **Gotovina et al**, Trial

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

PROCEEDINGS COMPLETED WITH REGARD TO 120 ACCUSED

Since the very first hearing (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 120 of them: 11 have been acquitted, 60 sentenced (three are awaiting transfer, 28 have been transferred, 27 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 41 accused: twelve are at the appeals stage, two were recently convicted and sentenced by a Trial Chamber (appeals are still possible), 21 are currently on trial, and four are at the pre-trial stage. Two fugitives are still at large.

A further 30 individuals have been or are the subject of contempt proceedings.

The ICTY Digest is a publication of the Registry, prepared and produced by the LPTV Section.
Registrar: John Hocking. Chief LPTV: Christian Chartier

Queries and comments:

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

Nicolas Escot assisted in the production of this issue of ICTYDigest.

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