



Monday 26 April 2010

Highlights of 12/04/2010 through 23/04/2010 - Nr. 76

[15 April](#)

**Registrar
Hocking
addresses global
gathering in
Ottawa**

Attending a meeting of Registrars of final/appellate, regional and international courts, John Hocking delivered a speech on "Legal Aid and Defence Support at the ICTY". Registrar Hocking said that the legal aid system put in place by the ICTY was of the Tribunal's "greatest achievements".

The meeting, hosted by the Supreme Court of Canada, attracted Registrars from across the globe; participants exchanged their best practices and discussed some of the institutional and operational challenges they face, such as organisational structures and procedures, security of infrastructure and documents, translation and interpretation services, and witness/victims protection programmes.

A copy of the Registrar's speech can be obtained upon request.

[16 April](#)

**Rasim Delić
found dead in his
home**

On 21 April, the Defence for Rasim Delić notified the Tribunal that Delić had died at his home in Sarajevo on 16 April. The Defence also submitted to the Appeals Chamber that "the appeal proceedings should continue" and informed the Chamber "that General Delić's family...authorise and request the appeals proceedings to conclude with the issuance of the Appeal Chamber's judgement."

On 15 September 2008, Delić, the former Commander of the Main Staff of the Army of the Republic of Bosnia and Herzegovina (ABiH), was found guilty by a majority of the Trial Chamber for failing to prevent and punish one instance of cruel treatment committed by the El Mujahed Detachment (EMD), part of the 3rd Corps of the ABiH. The Trial Chamber unanimously acquitted Delić of three other counts of murder and cruel treatment for crimes committed by EMD members in the villages of Maline and Bikosi in the Travnik municipality, in the village of Kesten and at the Kamenica Camp. Delić was sentenced to three years' imprisonment. Both parties appealed against the judgement. The appeals hearing was held on 19 January this year.

[16 April](#)

**Date set for
appeals
judgement in the
Boskoski &
Tarculovski case**

The Appeals Chamber (Judge Robinson, Presiding, Judge Guney, Judge Liu, Judge Vaz, and Judge Meron) will deliver its judgement at 9.30 a.m. on 19 May.

In the Trial Chamber judgement of 10 July 2008, Johan Tarculovski was sentenced to 12 years' imprisonment for crimes committed against ethnic Albanians in village of Ljuboten, near Skopje, on 12 August 2001. The Trial Chamber found him guilty of ordering, planning and instigating the crimes committed in Ljuboten. With regard to Ljube Boskoski, previously the Minister of Interior of the former Yugoslav Republic of Macedonia (FYROM), the Trial Chamber acquitted him, finding that "it has not been established that Ljube Boskoski failed to take the necessary and reasonable measures for the punishment of the police". The Prosecution filed its notice of appeal in respect of Ljube Boskoski on 6 August 2008 and Counsel for Johan Tarculovski filed his notice of appeal on 8 August. The appeals were heard on 29 October 2009.

[19 & 22 April](#)

**Šešelj initial
appearance in
second contempt
case postponed
and re-scheduled**

The initial appearance of Vojislav Šešelj in his second trial for contempt, scheduled for 19 April, fell victim to the widespread disruption of air traffic across Europe caused by the volcanic eruption in Iceland, and was postponed.

On 22 April, Trial Chamber II issued an order re-scheduling the initial appearance for 2.30 p.m. on 29 April.

On 4 February, Šešelj was indicted for contempt "for having disclosed information which may identify...11 protected witnesses in violation of orders of a Chamber." Šešelj has already been found guilty of contempt of the Tribunal: on 24 July 2009, he was sentenced to 15 months' imprisonment for disclosing the names and other personal details of protected witnesses in a book he authored.

[20 April](#)

**Hearing
scheduled on
Šljivančanin's
application for
review**

A hearing will be held on 3 June regarding Veselin Šljivančanin's application for review of the Appeals Chamber judgement against him. The motion submitted by Šljivančanin's Defence asserts that a witness can be produced who is prepared to offer testimony that constitutes a 'new fact' and that will invalidate Šljivančanin's conviction. The Appeals Chamber, Judge Pocar dissenting, found that in this "exceptional context it is in the interests of justice to convene an oral hearing to examine the legal and evidentiary aspects of Šljivančanin's contentions". The hearing will be the first in the Tribunal's history devoted to an application for review. So far, the eleven applications filed by either convicted persons or the Prosecution (one case) have failed.

On 27 September 2007, Šljivančanin, a former JNA officer accused of crimes committed at Vukovar hospital, was convicted of aiding and abetting torture and sentenced to 5 years' imprisonment. On 5 May 2009, the Appeals Chamber quashed his acquittal for aiding and abetting murder, and revised his sentence, raising it to 17 years' imprisonment.

[22 April](#)

**Gotovina et al:
Prosecution case
to be re-opened**

At a hearing in the case of Gotovina et al, it was announced by Judge Orić that: "On the 21st of April, 2010, the Chamber granted a motion of the Prosecution to re-open its case. The decision was filed confidentially. A public version will be made available in due course (...)".

The trial of Ante Gotovina, Ivan Čermak and Mladen Markač commenced on 11 March 2008 and the Prosecution rested its case on 5 March 2009. The Defence cases started on 28 May 2009 and the last Defence witness was called on 19 January 2010.

COURTROOM SCHEDULE: 26 APRIL – 07 MAY

MONDAY 26 APRIL

Courtroom I	09:00 – 13:45, Karadžić , Trial 14:15 – 19:00, Stanišić & Župljanin , Trial
Courtroom II	14:15 – 19:00, Đorđević , Trial
Courtroom III	09:00 – 13:45, Tolimir , Trial

TUESDAY 27 APRIL

Courtroom I	09:00 – 13:45, Karadžić , Trial
Courtroom II	09:00 – 13:45, Stanišić & Župljanin , Trial 14:15 – 19:00, Đorđević , Trial
Courtroom III	09:00 – 13:45, Tolimir , Trial

WEDNESDAY 28 APRIL

Courtroom I	09:00 – 13:45, Karadžić , Trial 14:15 – 19:00, Đorđević , Trial
Courtroom II	14:15 – 19:00, Stanišić & Simatović , Trial
Courtroom III	09:00 – 13:45, Stanišić & Župljanin , Trial

THURSDAY 29 APRIL

Courtroom I	09:00 – 13:45, Stanišić & Župljanin , Trial 14:30 – 19:00, Šešelj , Contempt trial
Courtroom II	14:15 – 19:00, Stanišić & Simatović , Trial
Courtroom III	09:00 – 13:45, Đorđević , Trial

FRIDAY 30 APRIL:

UN HOLIDAY: Queen's Day

MONDAY 03 MAY

Courtroom I	09:00 – 13:45, Perišić , Trial 14:15 – 19:00, Stanišić & Župljanin , Trial
Courtroom II	09:00 – 13:45, Đorđević , Trial

Courtroom III 14:15 – 19:00, **Stanišić & Simatović**, Trial
14:15 – 19:00, **Tolimir**, Trial

TUESDAY 04 MAY

Courtroom I 09:00 – 13:45, **Perišić**, Trial
14:15 – 19:00, **Stanišić & Župljanin**, Trial
Courtroom II 09:00 – 13:45, **Đorđević**, Trial
14:15 – 19:00, **Stanišić & Simatović**, Trial
Courtroom III 14:15 – 19:00, **Tolimir**, Trial

WEDNESDAY 05 MAY

Courtroom I 14:15 – 19:00, **Karadžić**, Trial
Courtroom II 09:00 – 13:45, **Đorđević**, Trial
14:15 – 19:00, **Perišić**, Trial
Courtroom III 14:15 – 19:00, **Stanišić & Župljanin**, Trial

THURSDAY 06 MAY

Courtroom I 14:15 – 19:00, **Karadžić**, Trial
Courtroom II 09:00 – 13:45, **Đorđević**, Trial
14:15 – 19:00, **Perišić**, Trial
Courtroom III 14:15 – 19:00, **Stanišić & Župljanin**, Trial

FRIDAY 07 MAY

Courtroom I 14:15 – 19:00, **Karadžić**, Trial
Courtroom II 09:00 – 13:45, **Đorđević**, Trial
14:15 – 19:00, **Perišić**, Trial
Courtroom III 14:15 – 19:00, **Stanišić & Župljanin**, Trial

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

PROCEEDINGS COMPLETED WITH REGARD TO 121 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 121 of them: 11 have been acquitted, 61 sentenced (three are awaiting transfer, 26 have been transferred, 30 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 40 accused: 13 are at the appeals stage and 25 are currently on trial. Two fugitives are still at large.

A further 31 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.
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