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Prosecutor v. Perišić (IT-04-81)

The Appeals Chamber, Judge Meron presiding, acquitted Momčilo Perišić of all counts and ordered his release on Thursday 28 February 2013. Judge Liu dissented in part, and Judges Meron, Agius, and Ramaroson filed separate opinions.



Momčilo Perišić

On 6 September 2011 the Trial Chamber, Judge Moloto dissenting, convicted Perišić of aiding and abetting war crimes and crimes against humanity in relation to Srebrenica and Sarajevo and superior responsibility for war crimes and crimes against humanity in relation to attacks on Zagreb in May 1995. The Trial Chamber found that as the most senior officer of the Yugoslav Army (VJ), Perišić oversaw the provision of extensive logistic assistance to the Army of the Republika Srpska (VRS); in relation to Zagreb, the Chamber found that Perišić exercised effective control over Yugoslav officers that had been seconded to the Army of the Serbian Krajina (SVK). The Trial Chamber had sentenced Perišić to 27 years of imprisonment.

The Appeals Chamber observed that the Tribunal's jurisprudence on aiding and abetting liability has always included a distinct element of "specific direction." This element was established in the Tadić Appeal Judgement and never abandoned, with the sole exception of the Mrkšić and Šljivančanin Appeal Judgement, which rejected the requirement. The Appeals Chamber noted that it is only appropriate to depart from precedent after careful consideration and it did not find such careful consideration in Mrkšić and

ICTY CASES

Cases at Trial

Hadžić (IT-04-75)
 Karadžić (IT-95-5/18-I)
 Mladić (IT-09-92)
 Prlić et al. (IT-04-74)
 Šešelj (IT-03-67)
 Stanišić & Simatović (IT-03-69)
 Stanišić and Župljanin (IT-08-91)

Cases on Appeal

Đorđević (IT-05-87/1)
 Popović et al. (IT-05-88)
 Šainović et al. (IT-05-87)
 Tolimir (IT-05-88/2)

ICTY NEWS

- *Momčilo Perišić:* Appeals Chamber Judgement
- *Karadžić:* Defence continues
- *Mladić:* Trial continues
- *Šainović et al.:* Ojdanić withdraws appeal

Also in this issue

News from other International Courts	5
Looking Back.....	7
News from the Region.....	8
Blog Updates & Online Lectures.....	9
Publications & Articles	9
Upcoming Events	10
Opportunities	10

Šljivančanin. Thus, it concluded that the specific direction requirement is still good law.

In the Majority's view, the requirement of specific direction is part of the *actus reus* of aiding and abetting liability. Thus, the Appeals Chamber noted that the Trial Chamber had analysed only three elements – whether Perišić made a substantial contribution to the crimes, whether he knew that his aid contributed to the crimes, and whether he was aware of the general nature of the crimes. However, the additional question of whether Perišić specifically directed the aid towards the crimes was not analysed. Such an analysis is necessary in all cases unless specific direction is implicit because of proximity of the aider and abettor. Accordingly, the Appeals Chamber conducted a *de novo* review of the evidence to determine whether the requirement was met.

The Appeals Chamber found that as the highest ranking officer of the VJ, Perišić was responsible for organising operations and ensuring combat readiness. He was subordinate only to the President of Federal Republic of Yugoslavia; final decisions on military matters were made by political leaders in the Supreme Defence Council (SDC). Perišić implemented these decisions.

The decision to provide logistic support to the VRS was made before Perišić was appointed and remained SDC policy for the entire relevant period. But the Appeals Chamber noted that neither the Trial Chamber's findings, nor its own *de novo* review, revealed any basis for concluding that the SDC policy specifically directed aid towards crimes committed in Sarajevo or Srebrenica. The Appeals Chamber emphasised that the VRS was not a criminal organisation *per se*, but an army fighting a war. Even the Trial Chamber had not convicted Perišić on the basis of helping the VRS wage war. The Appeals Chamber found that all of the evidence was consistent with Perišić's support for the overall war effort, which included many lawful activities. Since assistance from one army to another is insufficient in itself for individual criminal liability, the Appeals Chamber, Judge Liu dissenting, reversed the aiding and abetting convictions.

The Appeals Chamber further conducted a *de novo* review of the evidence relating to superior responsibility, claiming that the Trial Chamber had disregarded important witnesses. The Chamber found that while some evidence was consistent with Perišić's effective control over VJ officers in the SVK,

other evidence was not, and therefore the conclusion of effective control and superior responsibility was not the only reasonable inference, and the burden of proof had not been met beyond a reasonable doubt. On this basis, the Appeals Chamber reversed the Zagreb charges as well.

Judges Meron and Agius filed a separate opinion to emphasise that in their view, the "specific direction" requirement should be analysed as part of *mens rea*, rather than *actus reus*, since it relates to the perpetrator's state of mind. In their opinion, this would not preclude the discussion of other relevant circumstantial evidence as discussed by the Majority. Judge Liu dissented from the Majority's analysis of the "specific direction" requirement, noting that it had not been applied consistently in previous judgements, and existing jurisprudence established that aiding and abetting liability could ensue without requiring that acts of the accused were specifically directed toward the crime. To insist on the specific direction requirement now would raise the threshold of aiding and abetting liability. Judge Liu thus found that the Trial Chamber did not err in its assessment of the evidence, and would have upheld the Sarajevo and Srebrenica convictions.

Judge Ramaroson also filed a separate opinion which rejected the specific direction requirement as based on a misreading of the original Tadić Appeal Judgment, which had only mentioned specific direction in one narrow context to distinguish it from joint criminal enterprise. All other opinions cited by the Appeals Chamber merely quoted or paraphrased Tadić. Specific direction, in Judge Ramaroson's opinion, is part of the general *mens rea* analysis of aiding and abetting liability; but to insist on specific direction as part of *actus reus*, requiring actual causation of the crimes, is to create new law. Nonetheless, Judge Ramaroson upheld the factual conclusion that Perišić did not aid or abet the crimes on a straightforward *mens rea* analysis – from the evidence, it appeared that he did not know he was assisting the crimes. Perišić was released and arrived in Belgrade on 1 March.



Momčilo Perišić Defence Team

Prosecutor v. Radovan Karadžić (IT-95-5/18-1)

On 12 February 2013, two witnesses testified in Karadžić defence. Mile Ujic and Vidomir Banduka denied that non-Serb population were forcibly detained by Serb forces in improvised detention camps and denied abusing them before committing mass deportations of those people from Rogatica and Hadzici. Ujic, former President of the municipal government in Rogatica and Chief of Headquarters of the Rogatica Brigade with the Republika Srpska Army "VRS" further stated that Bosniak representatives refused a Serb proposal for peace negotiations. Banduka, former municipal official in Hadzici, finally stated that Bosniaks left the downtown area in May 1992 and that their departure was followed by "an attack by Muslim forces".

On 13 February, former deputy interior minister of Bosnia and Herzegovina, Vitomir Zepinic stated that he was disappointed because he failed to remove Bosnian Serb leadership. He stated that it was a decision he clearly regrets. He further added that the RS president 'went gambling with Arkan' in Belgrade as roadblocks were put up in Sarajevo.

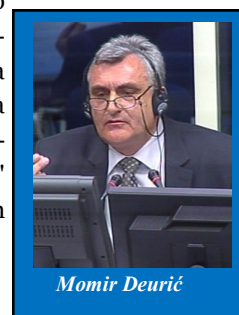
On 15 February, Savkić, former VRS member of the local crisis committee, stated that Muslims began arming themselves and establishing paramilitary formations in 1991. The paramilitaries marched into Serb villages, abused the local population and stopped vehicles by installing road barricades, he added. Savkić stated he witnessed failed attempts to demilitarise the area around Srebrenica from which the Army of Bosnia and Herzegovina, conducted attacks on surrounding villages. He also saw many dead Muslim men on 15 July 1995 who were members of a convoy of people who tried to break through to Tuzla following the fall of Srebrenica. As he said, they were killed in mutual confrontations.

On 18 February, three witnesses took to the stand in Karadžić defence. The first witness was Zoran Durmic, former police officer in Milici, he blamed "Muslim troops" for carrying out crimes that "forced the Serbs in Milici to organise themselves and take the appropriate steps to protect their existence".

The second witness testifying that day was Slavko Veselinović, former local politician from Rogatica who chaired the SDS board until March 1993. He

stated that Muslim forces attacked Rogatica and occupied the town illegally in 1992. In response the Serb structures in this town united to ensure its survival, Veselinović added. In his answer to the prosecutor's question why the JNA, the Yugoslav People's Army, was arming Serbs in Rogatica, he replied "JNA was not arming Serbs; it was arming its own soldiers, but they happened to be Serbs because Muslims had refused any form of [JNA] mobilisation.

Next testify Momir Deurić, who was a security guard at the Susica prison camp near Vlasenica in 1992. He stated that Susica was not a prison camp for non-Serbs, but a "simple warehouse" serving as "simply a collection and transit centre set up to help civilians". "Before Muslims would be exchanged, they would be taken to Susica from the surrounding villages, so that we could have them exchanged in an easier, more coordinated way," he said. He further stated that he never heard of anyone having been killed at this collection centre and that the Red Cross regularly visited the residents. On 19 February, former peace mediator in Bosnia and Herzegovina, Jose Cutileiro stated that it was "a true tragedy" that the agreement reached through his mediation failed. He added that the peace agreement reached in Dayton three years later was "nearly the same", meaning it could have prevented the war and victims in Bosnia. He confirmed that in 1992 Alija Izetbegović initially accepted and then refused a plan on the reorganisation of Bosnia and Herzegovina into three entities. He suggested that Izetbegović lied during the negotiations and rejected the principles of the future constitutional arrangement of Bosnia and Herzegovina with "encouragement" from the United States.



Momir Deurić



Next to testify that day was Milenko Stanić, former president of the Vlasenica municipality and Crisis Staff. He stated that the Susica collection centre was to accommodate the refugees from all ethnic groups and that Karadžić never issued orders to expel Muslims from



Petar Kaurinović

villages. Furthermore, the documents the prosecution was given were custom-made by someone in order to verify false stories.

On 20 February two witnesses testified. First witness was Novak Todorović, former president of the Republika

Srpska Supreme Military Court. He stated that Karadžić insisted on “independence” and “objectivity” of the military judiciary of RS. Todorović further stated he was totally independent in his work and that neither Karadžić or civilian and military authorities ever tried to influence him and each case was treated in a fair manner irrespective of who the perpetrators and victims were.

Petar Kaurinović was a former policeman in Brcko

until 1993. He stated that paramilitary formations occupied the Police Station and mistreated policemen in April 1992. According to Kaurinović, the situation remained the same until May, when members of the VRS introduced a curfew. Kaurinović confirmed that he knew about the Luka detention camp and that he realised that some people, including Goran Jelisić, “falsely introduced” themselves as policemen in that facility.

On 21 February Zoran Jovanović, former Chief of the Information Centre with the Vlasenica Brigade and then also the Drina Corps of the VRS, accused the Muslims for the breakout of the war and for crimes against Serbs in Vlasenica municipality. He stated that in August 1991 Muslims began arming themselves and organising paramilitary formations with the aim of implementing their plans for destruction of buildings in the town and the murder and capture of prominent civilians.

Prosecutor v. Mladić (IT-09-92)

The Prosecution evidence continued with the testimony of UN military observers and survivors of the incidents in Ljubija.

On 20 and 21 February, Per Anton Brennskag testified. Brennskag was UN military observer in Sarajevo. He stated that the Bosnian Serb Army (VRS) shelled and fired modified air-bombs at civilian buildings in Sarajevo. Furthermore, he reported that both sides opened fire, however he claims most of the grenades fell in the city after having been fired from Bosnian Serb positions.

Brennskag’s written statement was based on his previous testimony in the cases against Dragomir Milošević, Momčilo Perišić and Radovan Karadžić. However, the Defence claimed that portions of the statement constitute expert opinion that are of significance importance to the defence case and that it is improper

to be introduced through this witness and in this manner.

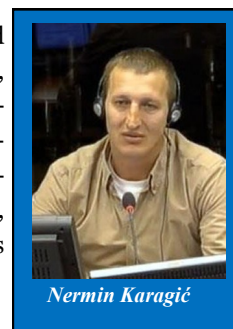
On 21 February, Nermin Karagić testified. Karagić gave evidence regarding the events in the area of Prijedor, namely about the alleged mass execution in Ljubija. Karagić survived the incidents in Ljubija.



Thorbjorn Overgard

Karagić had previously testified in the trial of Milomir Stakić, the former president of the Bosnian Serb Crisis Staff in Prijedor. During cross-examination, Defence Counsel, Branko Lukić, asked the witness about the time he spent at the cultural centre premises in Miska Glava, before he was taken to the stadium in Ljubija. Lukić challenged Karagić’s statement about the number of prisoners present at the various sites he mentioned and pointed out differences with a statement previously given in 1998.

On 26 February 2013, Thorbjorn Overgard testified. Overgard was a former UN military observer, stationed in Sarajevo and it was his duty to analyse craters to determine from where the weapon was fired from. Overgard said that the investigations in which he participated showed that the attacks were launched from Bosnian Serb positions. Overgard said that he personally witnessed the VRS firing modified air-bombs at civilian buildings in Hrasnica. Answering a question posed by the Defence, Overgard confirmed that he saw a person in military trousers and boots lying motionlessly in the house which was destroyed in the explosion, this could imply it was a military target.



Nermin Karagić

Prosecutor v. Šainović et al. (IT-05-87)



Dragoljub Ojdanić

Dragoljub Ojdanić, he withdrew his appeal against the Trial Chamber judgement, which had found him guilty of deportation and forcible transfer as crimes against humanity and had sentenced him to 15 years in prison.

Ojdanić gives his physical condition as explanation, but also states he acknowledges the findings in the trial judgement as to his conduct, conviction and sentence. He is 72 years old and has spent most of the last 11 years in detention and his health has deteriorated. He suffered an atrophy of the brain cortex while in detention in 2008. Furthermore, he mentions the suffering of his family due to his absence in the Notice of Withdrawal. While expressing his regret for the victims' pain, he informed the Trial via his Lead Counsel Tomislav Višnjić that "the interests of justice for all concerned would be served by the finality of the process in his case".

On 31 January 2013, the Appeals Chamber issued a decision accepting the notices withdrawing appeals from both Ojdanić and the Prosecution and based its decision on Ojdanić's full acceptance of the Trial Judgement, his expression of regret for the suffering endured by the victims as a result of the conduct for

which he had been convicted and his current medical condition.

As to further proceedings, the Trial ordered Ojdanić to remain in the custody of the Tribunal until his transfer to the state in which his sentence will be served.

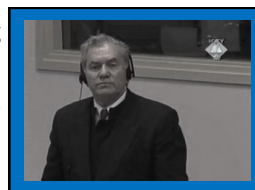
The Šainović et al. case, formerly known as Milutinović et al., dealt with the crimes alleged to have been perpetrated by Serbian forces against Kosovo Albanians during the 1999 conflict in Kosovo and included six senior political, military and police officials from Serbia and Federal Republic of Yugoslavia.

Nikola Šainović, Nebojša Pavković and Sreten Lukić were found guilty of deportation, forcible transfer, murder and persecutions on political, racial or religious grounds and sentenced to 22 years of imprisonment, while Vladimir Lazarević was found guilty of deportation and forcible transfer and sentenced to 15 years in jail, and former Serbian president Milan Milutinović was found not guilty on all counts. The judgement was delivered on 26 February 2009.

The appeals hearing for the remaining four defendants will take place between 11 and 15 March 2013, according to a scheduling order recently issued by the Appeals Chamber.

Milan Gvero dies

On Tuesday the 18 February, Milan Gvero died from the consequences of a leg amputation in a Belgrade Hospital. Gvero was a former Bosnian Serb army officer and deputy to Ratko Mladić. Gvero did hand himself to the ICTY in 2005 and was found guilty by the Trial Chamber in 2010. Last November an appeal brief was filed.



NEWS FROM OTHER INTERNATIONAL COURTS



Special Tribunal for Lebanon

The views expressed herein are those of the author(s) alone and do not necessarily reflect the views of Special Tribunal for Lebanon.

Judge Daniel Fransen has postponed the start of trial in the case of Ayyash et al. The decision is in response to a Joint Motion by the Defence. Judge Fransen found that the Prosecution has not yet disclosed the entirety of the material to the Defence, and

that the Defence has not yet been able to access certain material disclosed by the Prosecution due to technical issues. Judge Fransen found all these facts to justify the Defence's request, which would otherwise not allow Defence Counsel adequate time to pre-

pare for trial and would be in violation of the most basic right of the accused and the principle of fair trial.

Judge Fransen wrote in his decision that all of these

issues could not have been foreseen when he set the tentative trial date in July 2012 and also noted the volume of evidence. A new tentative date will soon be set by Judge Fransen, to replace 25 March 2013 as a provisional date for the start of trial.



International Criminal Court

The views expressed herein are those of the author(s) alone and do not necessarily reflect the views of International Criminal Court (ICC).



Laurent Gbagbo

The former president of Ivory Coast Laurent Gbagbo appeared for a Confirmation of charges hearing on the suspicion of crimes against humanity at the ICC on the 19 February. For the first time a former head of state appeared before the ICC. In 2010 Gbagbo refused to admit his defeat in the presidency elec-

tion and did not cede his position to his opponent Alassane Ouattara. The situation evolved to a civil war. For the violence after the election in 2010, Laurent Gbagbo is charged for four counts of crimes against humanity, which are murder, rape and other sexual violence, persecution and other inhuman acts. However, Gbagbo's defence lawyers argue that the case is inadmissible, as he was already under investigation in Ivory Coast.

The confirmation of charges hearing is a public hearing during which the ICC's Pre-Trial Chamber will

decide whether or not to confirm all or any of the charges brought against Gbagbo by the Prosecutor and, if confirmed, to commit him for trial before a Trial Chamber. The Prosecution is required to support each of the charges with sufficient evidence to establish substantial grounds to believe that Gbagbo committed the crimes with which he is charged.

Gbagbo's counsel objected to the charges. They presented exculpatory evidence and also called one witness to testify. Besides the Prosecution and the Defence, the legal representatives of the victims will attend the confirmation of charges hearing.

Rome Statute: Article 61(7)

Confirmation of the charges before trial

"The Pre-Trial Chamber shall, on the basis of the hearing, determine whether there is sufficient evidence to establish substantial grounds to believe that the person committed each of the crimes charged."



The Extraordinary Chambers in the Courts of Cambodia

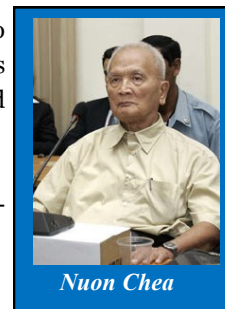
The views expressed herein are those of the author(s) alone and do not necessarily reflect the views of the Extraordinary Chambers in the Courts of Cambodia (ECCC)

Nuon Chea spent all of February in hospital or resting in detention under doctor's orders. Ieng Sary observed most of this month's proceedings from a holding cell. Khieu Samphan was in better health and was able to attend courtroom proceedings.

The Ieng Sary team appealed the Trial Chamber's 16 January 2013 decision to prohibit the video and/or audio recording of the Accused in his holding cell. The Defence argues that recording the accused would as-

sist in assessing his ability to meaningfully participate in his defence and his fitness to stand trial.

All three Defence teams presented arguments on how to move forward in light of the SCC decision invalidating the severance of Case 002. Counsel for Nuon Chea and Ieng Sary argued that the Trial Chamber should examine all of



Nuon Chea

the allegations in the Closing Order, as opposed to the Prosecution's suggestion to add the S-21 security center as an additional crime site to the trial already in progress. Nuon Chea's international Co-Lawyer, Victor Koppe, noted that his team initially supported severance for the sake of efficiency, but that it is now apparent that the Closing Order is so complex that it should be examined in its entirety to allow the accused to fully to defend himself against all of the allegations therein. He further opined that an accused found guilty in one severed trial would not likely receive a fair trial in any subsequent trials, and cautioned the Trial Chamber against restructuring the case so as to simply render a guilty verdict as quickly as possible. Michael Karnavas, international Co-

Lawyer for Ieng Sary, agreed with the Nuon Chea defence and urged the Trial Chamber to avoid "justice a la carte", questioning the SCC's reliance on ICTY jurisprudence.

Arthur Vercken, international Co-Lawyer for Khieu Samphan, suggested that his client should be tried separately from Ieng Sary and Nuon Chea, as his right to a speedy trial is persistently violated by delays caused by the failing health of his co-accused.

Goran Sluiter and Mom Luch, Co-Lawyers for a suspect in Case 004, issued a press release, concluding that "If the ECCC lacks the financial resources to properly fund the defence team, then the case against [the suspect] should be dismissed."

LOOKING BACK...

Ten years ago...

International Criminal Tribunal for the former Yugoslavia

Biljana Plavsić sentenced to eleven years imprisonment

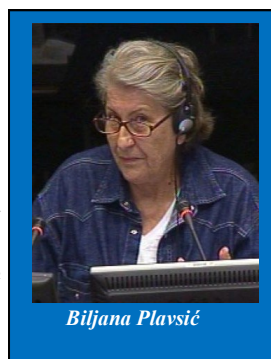
On 27 February 2003, Trial Chamber III, consisting of Judge May, Judge Robinson and Judge Kwon, sentenced the accused Biljana Plavsić to eleven years imprisonment.

It was stated in the judgment that "no sentence can fully reflect the horror of what occurred or the terrible impact on thousands of victims". According to the Trial Chamber, Plavsić participated in "a crime of the utmost gravity, involving a campaign of ethnic separation which resulted in the death of thousands and the expulsion of thousands more in circumstances of great brutality". As substantial mitigating circumstances were named her guilty plea together with remorse and reconciliation, voluntary surrender, post-conflict conduct and age, while the leadership position was identified as an aggravating factor, since she was an official within the highest civilian body.

The judgement was preceded by a hearing on 2 October 2002, during which Plavsić pleaded guilty to

Count 3 of the indictment, persecutions, a crime against humanity, following a Plea Agreement made between the parties. A Sentencing Hearing was held between 16 and 18 December 2002. At the end of the hearing the Trial Chamber adjourned the case to consider sentence.

Plavsić, who was then 72 years old, had been a prominent member of the SDS after joining the party in July 1990. According to the judgement, Plavsić supported the "objective" through various means as a co-President, which reached from encouragement and justification of force to invitation of paramilitary troops from Serbia. Although admittedly Plavsić played a lesser or no role in participation, conception or planning, she gave support to the overall intention.



Biljana Plavsić

Five years ago...

Dragan Zelenović transferred to Belgium to serve sentence

On 27 February 2008, Dragan Zelenović was transferred to Belgium to serve his 15-year sentence of imprisonment. Zelenović, a former Bosnian Serb soldier, pleaded guilty to seven counts of rape, including gang rape, and torture of women and girls,

following the take over of Foča municipality by Serb forces in April 1992. The crimes were primarily committed within detention facilities.

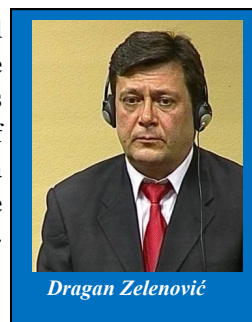
In his statement of guilt Zelenović stated: "I feel sorry

for all the victims who were victimized by anything that I did, and that is why I express from this forum my deepest remorse and regret”.

Zelenović appealed the Trial Chamber’s ruling, but on 31 October 2007 the Appeals Chamber affirmed the 15-year sentence against him.

In total, the ICTY has convicted three persons for the rape and torture of women and girls in Foča and an-

other for torture, murder and persecutions committed in the town. Three additional cases involving four accused of crimes committed in Foča were referred to the State Court of Bosnia and Herzegovina for processing.



Dragan Zelenović

Ten years ago...

International Criminal Court

Inaugural public session of ICC and swearing-in of the judges held

On 11 March 2003, the Inauguration of the International Criminal Court and swearing-in of the judges before the President of the Assembly of the State Parties HRH Prince Zeid Ra'ad Zeid Al Hussein of Jordan took place. The inaugural public session, which was held in the Hall of Knights in The Hague, was attended by Her Majesty Queen Beatrix of the Kingdom of The Netherlands and by the United Nations Secretary General Mar. Kofi Annan.

According to the ICC press release, the swearing-in ceremony is a “deliberately symbolic occasion: the

intention is to give a physical presence to what is essentially an abstract concept,” which comprises of the 18 individuals, who were elected by the Assembly of States Parties in February 2003, taking the oath in public session.

The 18 elected individuals were initially seated to one side of the room, like spectators. Once they took the oath, and thus became judges, they sat on a podium, overlooking the public area. This indicated “the relationship between the judges and the heavens, and the hierarchical structure of the judicial area”.



NEWS FROM THE REGION

Serbia

Sima’s Chetniks’ sentenced

The Special War Crimes Chamber in Belgrade sentenced seven members of the ‘Sima’s Chetniks’ paramilitary unit for murdering 28 Roma civilians including children in Zvornik in Bosnia in 1992. Zoran Stojanović and Zoran Djurdjević were both Sentenced to 20 years, and Zoran Gavrić Tomislav Alić to 10 years, Djordje Sević and Dragana Djekić to five years and Damir Bogdanović to two years for the killings and the rape and torture of three Roma women and the demolition of a mosque in the village of Skocić. According to Judge Rastko Popović, the civilians were thrown into a pit and killed by a handgrenade, one civilian was killed in a villageyard. Furthermore the three women “were raped daily, beaten on various body parts, forced into hard labour. All this was done because they were of a different ethnicity,” said Popović.



Kosovo

Retrial for 'Llapi Group'

The third retrial of 'Llapi Group', consisting of three ex-Kosovo Liberation Army commanders, for jailing, torturing and killing Albanian civilians will begin 25 March, a Pristina court has decided. In 2003 the former commander and ex-lawmaker from the Kosovo Democratic Party, Rustem Mustafa, and former senior fighters Latif Gashi and Nazif Mehmeti, were tried for crimes against civilians during the Kosovo war of 1998-1999. In 2009 they were again found guilty of war crimes and imprisoned for the torture and inhumane treatment of detention camp prisoners. They appealed against the verdicts and in 2011, the supreme court ordered a partial retrial.

BLOG UPDATES AND ONLINE LECTURES

Blog Updates

Göran Sluiter, **Statement by ECCC Defence Team in Case 004**, available at: <http://www.internationallawbureau.com/index.php/statement-by-eccc-defence-team-in-case-004/>

Wayne Jordash, **Case Selection in ICL and the Legacy of Anomalies**, available at: <http://ilawyerblog.com/case-selection-in-icl-and-the-legacy-of-anomalies/>

Mariana Rodriguez Pareja, **Will Chad Harbor ICC Indictée Al Bashir?**, 14 February 2013, available at: http://ijcentral.org/blog/will_chad_harbor_icc_indictée_al_bashir/

Kristen Boon, **A Bigger Transitional Justice Role Recommended for the AU**, 18 February 2013, available at: <http://opiniojuris.org/2013/02/18/a-bigger-transitional-justice-role-recommended-for-the-au/>

Online Lectures

Kathryn Sikkink, *The Justice Cascade: How Human Rights Prosecutions are Changing World*, 13 February 2012, published by Joan B. Kroc Institute for Peace & Justice at the University of San Diego:

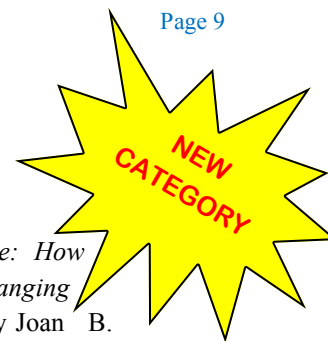
<http://www.youtube.com/watch?v=BQ5vIApvMV8>

Philip Alston, *Human rights day lecture - Unleashing the use of force*, 10 December 2012, published by Australian National University:

<http://www.youtube.com/watch?v=feGhs1CwekA>

Fatou Bensouda, *International Criminal Court Lecture With Chief Prosecutor*, 13 April 2012, published by Boston University:

<http://www.youtube.com/watch?v=nadvkUt7YUY>



PUBLICATIONS AND ARTICLES

Books

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Eric Engle (2013), *Ideas in Conflict: International Law and the Global War on Terror*, Eleven International Publishing

Duncan French (2013), *Statehood and Self-Determination: Reconciling Tradition and Modernity in International Law*, Cambridge University Press

Alberto Febbrajo (2013), *Central and Eastern Europe After Transition*, Ashgate

Jure Vidmar (2013), *Democratic Statehood in International Law: The Emergence of New States in Post-Cold War Practice*, Hart Publishing

Articles

Armin von Bogdany, Ingo Venzke (2013), "On the Functions of International Courts: An Appraisal in Light of Their Burgeoning Public Authority", *Leiden Journal of International Law*, Volume 26, Issue 1

Nina H.B. Jørgensen (2012), "Child Soldiers and the Parameters of International Criminal Law", *Chinese Journal of International Law*, Volume 11, Issue 4

Cedric Ryngaert (2013), "State Cooperation With the International Criminal Tribunal for Rwanda", *International Criminal Law Review*, Volume 13, Issue 1

Mike Madden (2012), "Of Wolves and Sheep: A Purposive Analysis of Perfidy Prohibitions in International Humanitarian Law", *Journal of Conflict and Security Law*, Volume 17, Issue 3

Padraig McAuliffe, (2013), "The roots of transitional accountability: interrogating the 'justice cascade'", *International Journal of Law in Context*, Volume 1, Special Issue 1

Lindsey N. Kingston, Kathryn R. Stam (2013), "Online Advocacy: Analysis of Human Rights NGO Websites", *Journal of Human Rights Practice*, Volume 5, Issue 1

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Any contributions for the newsletter
should be sent to Dominic Kennedy at
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WE'RE ON THE WEB!

WWW.ADCICTY.ORG

With deep regret we announce the death
of

Mara Pilipovic

She died in Belgrade on the 21 February.

Mara was working for defence from the
early years of the Tribunal on the Dusko
Tadic case and later represented Drag-
oljub Kunarac and Stanislav Galic.

Our condolences are with her family at
this time.

EVENTS

**The International Criminal Court: Lessons Learnt and
not Learnt from the Ad Hoc Tribunals**

Date: 14 March 2013

Venue: Geneva Academy of International Humanitarian
Law and Human Rights

More info: <http://www.geneva-academy.ch/docs/events/2013/Cassese.pdf>

**Types of Injury in Inter-State Reparation Claims: a Vic-
tim Oriented Approach**

Date: 19 March 2013

Venue: University of Oxford Centre for Socio-Legal Studies, Ox-
ford University

More info: <https://www.law.ox.ac.uk/event=12112>

**ECBA Spring conference 2013 Human Rights in Criminal
Proceedings, 5 years after the Salduz case**

Date: 26 and 17 April 2013

Venue: Hilton Hotel Istanbul, European Criminal Bar Association

More info: <http://international.lawsociety.org.uk/node/12668>

OPPORTUNITIES

Humanitarian Affairs Officer

Office for the Coordination of Humanitarian Affairs
Closing date: 20 March 2013

Human Rights Officer

Office of the United Nations High Commissioner for Human
Rights
Closing date: 24 March 2013

Litigation Fellow

Open Society Foundations New York
Closing date: 31 March 2013