

INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

About

The International Criminal Tribunal for the Former Yugoslavia (ICTY) was created by Security Council Resolution 808 on February 22, 1993. As a UN tribunal, the judges and attorneys are employees of the United Nations. The tribunal tries individuals in serious violation of international humanitarian law during the armed conflict in the former Yugoslavia during the 1990s. The ICTY has jurisdiction to try allegations of crimes including grave breaches of the 1949 Geneva Convention, violations of the laws or customs of war, genocide, and crimes against humanity. The Tribunal has heard charges against persons from every ethnic background involved in the conflict.

The ICTY has been exemplary as a standard of international humanitarian accountability. The Tribunal has shown that an individual's prestige or seniority is neither an excuse for war crimes and crimes against humanity nor a shield from justice. The ICTY also set many precedents; it was the first to charge rape as a form of torture, hear a trial for sexual violence against men, try sexual enslavement as a crime against humanity, and to include rape as a major trial focus. Jurisprudence from the ICTY expanded the body of international humanitarian and criminal law in areas such as joint enterprise and accomplice liability, commander and subordinate responsibility, and sovereign immunity.

Statistics*

- 161 people indicted
- Ongoing proceedings in 35 cases – 17 at trial, 17 on appeal, 1 in pre-trial proceedings
- 126 concluded cases – 64 convicted and sentenced, 13 acquitted, 13 referred to national jurisdictions (Serbia, Croatia, Bosnia and Herzegovina) for trial, 20 indictments withdrawn, 10 died before transfer to the tribunal, 6 died after transfer to tribunal

*as of April 2013

Notable Cases



Slobodan Milosevic was the former Serbian and former Yugoslavian president. Among other charges, he was accused of the murder of hundreds of Kosovo Albanian citizens, deliberate destruction of their property, and systematic sexual assaults against them, particularly women. He was accused of murdering hundreds of Croat civilians, routine imprisonment of thousands of Croat civilians under inhumane conditions, repeated torture in detention facilities, and deliberate destruction of their property. He died on March 11, 2006 and his case at the ICTY was terminated on March 14, 2006.

Ratko Mladic was Commander of the Bosnian Serb Army between 1992 and 1996. He faces charges of "genocide, persecutions, extermination, murder, deportation, inhumane acts, terror, unlawful attacks, [and] taking of hostages" (ICTY case). Most notably, he is accused of creating a campaign of sniping and shelling civilians in Sarajevo, designed to terrorize residents, and of commanding the Srebrenica massacre, a mass killing of more than 8,000 Bosniak men and boys in 1995 by the Army of Republika Srpska. His trial began in May 2012.



Radovan Karadzic was a founding member of the Serbian Democratic Party and President of Republika Srpska (formerly the Serbian Republic of Bosnia and Herzegovina) and commander of its armed forces. He faces charges of "genocide, extermination, murder, persecutions, deportation, inhumane acts, acts of violence to spread terror among the civilian population, unlawful attack on civilians, [and] taking of hostages." Most notably, he is accused of developing a systematic shelling and sniper campaign designed to terrorize residents of Sarajevo and played a commanding role in the Srebrenica massacre. His trial began in March 2010; the prosecution rested their case in May 2012. The defense began their case in October 2012.