



The International Residual Mechanism for Criminal Tribunals ("Mechanism") was established on 22 December 2010 by the United Nations Security Council to continue the jurisdiction, rights, obligations and essential functions of the International Criminal Tribunal for Rwanda ("ICTR") and the International Criminal Tribunal for the former Yugoslavia ("ICTY"), which closed in 2015 and 2017, respectively.

CASE INFORMATION SHEET

On 24 March 2016, an ICTY Trial Chamber issued its Judgement in the case of Radovan Karadžić. Pursuant to Article 2(2) of the Transitional Arrangements, the Mechanism has competence over appellate proceedings originating from ICTY cases for which the notice of appeal is filed on or after 1 July 2013.

MICT-13-55

RADOVAN KARADŽIĆ



On 12 May 1992, the Accused was elected as President of the Presidency of the Serbian Republic of Bosnia and Herzegovina (Republika Srpska). From 17 December 1992, he was the sole President of Republika Srpska and the Supreme Commander of the armed forces of Republika Srpska.

Indictment

Initial indictment filed on 24 July 1995. Operative indictment filed on 27 February 2009.

Arrest

Arrested on 21 July 2008 in Belgrade, Serbia. Transferred to the ICTY on 30 July 2008.

ICTY Trial Chamber Judgement

Delivered on 24 March 2016.

The Trial Chamber found Radovan Karadžić guilty of genocide, crimes against humanity and violations of the laws or customs of war. Karadžić was sentenced to 40 years of imprisonment.

Mechanism Appeals Chamber

Judge Vagn Prūsse Joensen, Presiding
Judge William Hussein Sekule
Judge José Ricardo de Prada Solaesa
Judge Graciela Susana Gatti Santana
Judge Ivo Nelson de Caires Batista Rosa

Mechanism Appeals Chamber Judgement

Delivered on 20 March 2019.

The Appeals Chamber affirmed Karadžić's convictions for genocide, crimes against humanity and violations of the laws or customs of war. The Appeals Chamber reversed, in part, Karadžić's convictions related to certain incidents listed in the Appendix to the Indictment. The Appeals Chamber granted the Prosecution's sentencing appeal and imposed a sentence of life imprisonment.

Status of the Case

Completed.



PROCEEDINGS BEFORE THE MECHANISM

APPEALS PROCEEDINGS

On 4 April 2016, Radovan Karadžić announced his intention to appeal the ICTY Trial Judgement and requested an extension of the deadline to file the notice of appeal. On 22 July 2016, both parties filed their notices of appeal. The Appeals Chamber partially granted requests from the parties for extensions of time for the briefing process, amounting to a total of 217 days of extensions.

The Prosecution and Karadžić filed their respective appeal briefs on 5 December 2016, their response briefs on 15 March 2017, and their reply briefs on 6 April 2017.

The appeal hearing in the case took place on 23 and 24 April 2018 at the Mechanism's Hague branch.

On 25 September 2018, Karadžić filed a request to disqualify Judge Meron from the case. On 27 September 2018, Judge Meron withdrew from the *Karadžić* case in the interests of justice, and assigned Judge Ivo Nelson de Caires Batista Rosa to replace him.

On 20 March 2019, the Appeals Chamber rendered the Appeal Judgement. The Appeals Chamber reversed, in part, Judges Joensen and de Prada dissenting, Karadžić's convictions related to his involvement in a joint criminal enterprise ("JCE") known as the "Overarching JCE", to the extent that they were based on certain incidents listed in the Appendix to the Indictment.

The Appeals Chamber unanimously dismissed all other aspects of Karadžić's appeal and affirmed his remaining convictions pursuant to Articles 7(1) and 7(3) of the ICTY Statute for genocide, persecution, extermination, murder, deportation, and other inhumane acts (forcible transfer) as crimes against humanity, as well as for murder, terror, unlawful attacks on civilians, and hostage-taking as violations of the laws or customs of war, in relation to his participation in four JCEs: (i) the "Overarching JCE" with a common plan to permanently remove Bosnian Muslims and Bosnian Croats from Bosnian Serb-claimed territory through the commission of crimes in municipalities throughout BiH; (ii) the "Sarajevo JCE" aimed at spreading terror among the civilian population of Sarajevo through a campaign of sniping and shelling; (iii) the "Hostages JCE" with the common purpose of taking UN personnel hostage in order to compel NATO to abstain from conducting air strikes against Bosnian Serb targets; and (iv) the "Srebrenica JCE" to eliminate the Bosnian Muslims from Srebrenica in July 1995.

The Appeals Chamber granted the Prosecution's sentencing appeal and found, Judges de Prada and Rosa dissenting, that the Trial Chamber committed a discernible error and abused its discretion in imposing a sentence of only 40 years of imprisonment. The Appeals Chamber, Judges de Prada and Rosa dissenting, set aside the sentence of 40 years of imprisonment and imposed a sentence of life imprisonment.

CASE BACKGROUND INFORMATION

INDICTMENT

Radovan Karadžić was charged before the ICTY with two counts of genocide, five counts of crimes against humanity and four counts of violations of the laws or customs of war committed by Serb forces during the armed conflict in Bosnia and Herzegovina ("BiH"), from 1992 until 1995. Karadžić was alleged to be individually criminally responsible for those crimes, *inter alia*, through his participation in a number of JCEs.

Two counts of genocide (Counts 1 and 2)

Five counts of crimes against humanity

- Persecutions (Count 3)
- Extermination (Count 4)
- Murder (Count 5)
- Deportation (Count 7)
- Inhumane acts (forcible transfer) (Count 8)

**Four counts of violations of the laws or customs of war**

- Murder (Count 6)
- Terror (Count 9)
- Unlawful attacks on civilians (Count 10)
- Taking of hostages (Count 11)

ICTY TRIAL CHAMBER JUDGEMENT

On 24 March 2016, Trial Chamber III of the ICTY convicted Radovan Karadžić of genocide in the area of Srebrenica in 1995 and of persecution, extermination, murder, deportation, inhumane acts (forcible transfer), terror, unlawful attacks on civilians and hostage-taking. He was acquitted of the charge of genocide in other municipalities in BiH in 1992.

The Chamber found that Karadžić committed these crimes through his participation in four JCEs: (i) the “Overarching JCE”; (ii) the “Sarajevo JCE”; (iii) the “Hostages JCE”; and (iv) the “Srebrenica JCE”. The Trial Chamber also found Karadžić responsible as a superior in relation to certain crimes committed by his subordinates in Srebrenica in 1995.

Start of ICTY Trial	26 October 2009			
Prosecution Case	Started	13 April 2010	Closed	25 May 2012
Defence Case*	Started	16 October 2012	Closed	1 May 2014
Closing Arguments	Started	29 September 2014	Closed	7 October 2014
ICTY Trial Chamber Judgement	24 March 2016		Verdict	40 years of imprisonment

* *The accused elected to represent himself at the trial.*

TRIAL STATISTICS

Trial days	499						
Total exhibits	11,481	Prosecution	6,671	Defence	4,807	Chamber	3
Total witnesses	586	Prosecution	337	Defence	248	Chamber	1

For more information please visit the Mechanism website www.irmct.org.
For press inquiries, email mict-press@un.org.