



Published on *How does law protect in war? - Online casebook* (<https://casebook.icrc.org>)

Home > International Criminal Tribunal for the Former Yugoslavia

First ad hoc international criminal tribunal created by the UN and the first international war crimes tribunal since the Nuremberg and Tokyo tribunals. It was established by the Security Council and in accordance with its Statute, the ICTY has jurisdiction over the territory of the former Yugoslavia from 1991 onwards. The Tribunal has authority to prosecute and try individuals for grave breaches of the 1949 Geneva conventions, violations of the laws or customs of war, genocide and crimes against humanity.

See [International criminal Law](#) ^[1]; [Individual criminal responsibility](#) ^[2];

OUTLINE

Chapter 13, X. 5. Introductory text ^[3]

Chapter 13, X. 5. a) aa) the International Criminal Tribunal for the former Yugoslavia (ICTY) ^[4]

DOCUMENT

Agreement Between the ICRC and the ICTY Concerning Persons Awaiting Trials Before the Tribunal ^[5]

CASES

UN, Statute of the ICTY ^[6]

Case Study, Armed Conflicts in the former Yugoslavia ^[7] (17 ^[8] and 32 ^[9])

Bosnia and Herzegovina, Release of Prisoners of War and Tracing Missing Persons After the End of Hostilities ^[10]

ICTY, The Prosecutor v. Tadic ^[11] (Part A., paras 11-58 ^[12] and Part B., Paras. 239-241 ^[13], 540-553 ^[14])

ICTY, The Prosecutor v. Martić ^[15] (Part A., para. 3 ^[15])

ICTY, The Prosecutor v. Rajić ^[16] (Part A., Paras. 1-3 ^[17] and 66-70 ^[18])

ICTY/ICC, Confidentiality and Testimony of ICRC Personnel ^[19] (Part A. ^[19])

ICTY, The Prosecutor v. Kupreskic et al. ^[20]

ICTY, The Prosecutor v. Blaskić ^[21]

ICTY, The Prosecutor v. Kunarac, Kovac and Vuković ^[22]

ICTY, The Prosecutor v. Galić ^[23]

ICTY, The Prosecutor v. Strugar ^[24]

ICTY, The Prosecutor v. Boskoski ^[25]

ICTY, The Prosecutor v. Mrksic and Sljivancanin ^[26]

Federal Republic of Yugoslavia, NATO Intervention ^[27] (Part B. ^[27])

ICTY, The Prosecutor v. Radovan Karadzic ^[28]

BIBLIOGRAPHIC RESOURCES

Suggested reading:

FENRICK William, “The Development of the Law of Armed Conflict through the Jurisprudence of the International Criminal Tribunal for the Former Yugoslavia”, in *International Law Studies*, US Naval War College, Vol. 71, 1998, pp. 77-118.

FENRICK William, “The Application of the Geneva Conventions by the International Criminal Tribunal for the former Yugoslavia”, in *IRRC*, No. 834, June 1999, pp. 317-329.

GREENWOOD Christopher, “The Development of International Humanitarian Law by the International Criminal Tribunal for the Former Yugoslavia”, in *Max Planck Yearbook of United Nations Law*, Vol.2, 1998, pp. 97-140.

MEINDERSMA Christa, “Violations of Common Article 3 of the Geneva Conventions as Violations of the Laws or Customs of War under Article 3 of the Statute of the International Criminal Tribunal for the Former Yugoslavia”, in

Netherlands International Law Review, Vol. 42/3, 1995, pp. 375-397.

MORRIS Virginia & SCHARF Michael P., *An Insider's Guide to the International Criminal Tribunal For the Former Yugoslavia: A Documentary History and Analysis*, Transnational Publishers, 2 vols, 1995.

MURPHY Sean D., "Progress and Jurisprudence of the International Criminal Tribunal for the Former Yugoslavia", in *AJIL*, Vol. 93, 1999, pp. 57-97.

QUINTANA Juan José, "Violations of International Humanitarian Law and Measures of Repression: The International Tribunal for the Former Yugoslavia", in *IRRC*, No. 300, May-June 1994, pp. 223-239.

SASSÒLI Marco, "Le rôle des tribunaux pénaux internationaux dans la répression des crimes de guerre", in LATTANZI Flavia & SCISO Elena (eds), *Dai tribunali penali internazionali ad hoc a una corte permanente*, Atti del convegno Roma, 15-16 dicembre 1995, Napoli, 1996, pp. 109-125.

WAGNER Natalie, "The Development of the Grave Breaches Regime and of Individual Criminal Responsibility by the International Criminal Tribunal for the Former Yugoslavia", in *IRRC*, No. 850, June 2003, pp. 351-383.

Suggested reading - Reviews of case law:

BOSTEDT Frédéric P., "The International Criminal Tribunal for the Former Yugoslavia: Judgements in 2005", in *Chinese Journal of International Law*, Vol. 5, No. 3, 2006, pp. 683-717.

BOSTEDT Frédéric P., “The International Criminal Tribunal for the Former Yugoslavia in 2006: New Developments in International Humanitarian and Criminal Law”, in Chinese Journal of International Law, Vol. 6, No. 2, 2007, pp. 403-439.

BOSTEDT Frédéric P. & DUNGEL Joakim, “The International Criminal Tribunal for the Former Yugoslavia in 2007: New Developments in International Humanitarian and Criminal Law”, in Chinese Journal of International Law, Vol. 7, No. 2, 2008, pp. 389-415.

CARCANO Andrea, “The International Criminal Tribunal for the former Yugoslavia: Activities in 2003”, in Chinese Journal of International Law, Vol. 3, No. 1, 2004, pp. 267-290.

International Criminal Tribunal for the former Yugoslavia, Judicial Supplement, available online at <http://www.icty.org> ^[29].

JORGENSEN Nina H.B., “Spotlight on the Work of the International Criminal Tribunal for the Former Yugoslavia in 2002”, in Chinese Journal of International Law, Vol. 2, No. 2, 2003, pp. 365-382.

SAUTENET Vincent, “The International Criminal Tribunal for the former Yugoslavia: Activities in 2004”, in Chinese Journal of International Law, Vol. 4, No. 2, November 2005, pp. 515-564.

SAUTENET Vincent, “Le Tribunal pénal international pour l’ex-Yougoslavie”, in Revue québécoise de droit international, Vol. 16.2, 2003, pp. 323-362.

SAUTENET Vincent, “Le Tribunal pénal international pour l’ex-Yougoslavie”, in *Revue québécoise de droit international*, Vol.17.1, 2004, pp. 255-279.

SOUSSAN Audrey, “Le Tribunal pénal international pour l’ex-Yougoslavie”, in *Revue québécoise de droit international*, Vol. 16.1, 2003, pp. 199-221.

Further reading:

AKHAVAN Payam, “The Yugoslav Tribunal at a Crossroads: The Dayton Peace Agreement and Beyond”, in *Human Rights Quarterly*, Vol. 18/2, 1996, pp. 259-285.

SASSÒLI Marco, “La première décision de la chambre d’appel du Tribunal pénal international pour l’ex-Yougoslavie: Tadic (compétence)”, in *RGDIP*, Vol. 100, 1996, pp. 101-134.

SASSÒLI Marco & OLSON Laura M., “The Decision of the ICTY Appeals Chamber in the Tadic Case: New Horizons for International Humanitarian and Criminal Law?”, in *IRRC*, No. 839, September 2000, pp. 733-769.

ICTY, The Prosecutor v. Blaskic

CASES

ICTY, The Prosecutor v. Blaskic

BIBLIOGRAPHIC RESOURCES

FERIA-TINTA Monica, “Commanders on Trial: The Blaskic Case and the Doctrine of Command Responsibility under International Law”, in *NetherlandsInternational Law Review*, Vol. 47/3, 2000, pp. 293-322.

SAROOSHI Danesh, “Command Responsibility and the Blaskic Case”, in *ICLQ*, Vol.50/2, 2001, pp. 452-465. VETTER Greg R., “Command Responsibility of Non-Military Superiors in the International Criminal Court (ICC)”, in *The Yale Journal of International Law*, Vol. 25/1,

ICTY, The Prosecutor v. Tadic

CASES

ICTY, The Prosecutor v. Tadic

BIBLIOGRAPHIC RESOURCES

DINSTEIN Yoram, “Crimes Against Humanity after Tadic”, in *LeidenJournal of International Law*, Vol. 13/2, 2000, pp. 373-393.

KÜEFNER Stefanie, “The Threshold of Non-International Armed Conflict: the Tadic Formula and its First Criterion Intensity”, in *Militair-Rechtelijk Tijdschrift*, Vol. 102, Issue 6, 2009, pp. 301-311

SASSÒLI Marco, “La première décision de la chambre d’appel du Tribunal pénal international pour l’ex-Yougoslavie: Tadic (compétence)”, in *RGDIP*, Vol. 100, 1996, pp. 101-134.

SASSÒLI Marco & OLSON Laura M., “The Decision of the ICTY Appeals Chamber in the Tadic Case: New Horizons for International Humanitarian and Criminal Law?”, in *IRRC*, No. 839, September 2000, pp. 733-769.

Source URL: <https://casebook.icrc.org/glossary/international-criminal-tribunal-former-yugoslavia>

Links

- [1] <https://casebook.icrc.org/glossary/international-criminal-law>
- [2] <https://casebook.icrc.org/glossary/individual-criminal-responsibility>
- [3] <https://casebook.icrc.org/law/criminal-repression#chapter6>
- [4] https://casebook.icrc.org/law/criminal-repression#v_aa
- [5] <https://casebook.icrc.org/case-study/agreement-between-icrc-and-icty-concerning-persons-awaiting-trials-tribunals>
- [6] <https://casebook.icrc.org/case-study/un-statute-icty>
- [7] <https://casebook.icrc.org/case-study/case-study-armed-conflicts-former-yugoslavia>
- [8] https://casebook.icrc.org/case-study/case-study-armed-conflicts-former-yugoslavia#art_17
- [9] https://casebook.icrc.org/case-study/case-study-armed-conflicts-former-yugoslavia#para_32
- [10] <https://casebook.icrc.org/case-study/bosnia-and-herzegovina-release-prisoners-war-and-tracing-missing-persons-after-end>
- [11] <https://casebook.icrc.org/case-study/icty-prosecutor-v-tadic>
- [12] https://casebook.icrc.org/case-study/icty-prosecutor-v-tadic#part_a_para_11
- [13] https://casebook.icrc.org/case-study/icty-prosecutor-v-tadic#part_b_para_239
- [14] https://casebook.icrc.org/case-study/icty-prosecutor-v-tadic#part_b_para_540
- [15] https://casebook.icrc.org/case-study/icty-prosecutor-v-martic#part_a_para_3
- [16] <https://casebook.icrc.org/case-study/icty-prosecutor-v-rajic>
- [17] https://casebook.icrc.org/case-study/icty-prosecutor-v-rajic#part_a_para_1
- [18] https://casebook.icrc.org/case-study/icty-prosecutor-v-rajic#part_a_para_66
- [19] https://casebook.icrc.org/case-study/ictyicc-confidentiality-and-testimony-icrc-personnel#part_a
- [20] <https://casebook.icrc.org/case-study/icty-prosecutor-v-kupreskic-et-al>
- [21] <https://casebook.icrc.org/case-study/icty-prosecutor-v-blaskic>
- [22] <https://casebook.icrc.org/case-study/icty-prosecutor-v-kunarac-kovac-and-vukovic>
- [23] <https://casebook.icrc.org/case-study/icty-prosecutor-v-galic>
- [24] <https://casebook.icrc.org/case-study/icty-prosecutor-v-strugar>
- [25] <https://casebook.icrc.org/case-study/icty-prosecutor-v-boskoski>
- [26] <https://casebook.icrc.org/case-study/icty-prosecutor-v-mrksic-and-sljivancanin>
- [27] https://casebook.icrc.org/case-study/federal-republic-yugoslavia-nato-intervention#part_b

[28] <https://casebook.icrc.org/case-study/icty-prosecutor-v-radovan-karadzic>

[29] <http://www.icty.org>