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Tribunal Pénal
International pour
l'ex-Yougoslavie

PRESS RELEASE

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APPEALS CHAMBER

The Hague, 9 May 2007
MH/MOW/1158e

APPEALS CHAMBER ACQUITS VIDOJE BLAGOJEVIĆ OF AIDING SREBRENICA GENOCIDE, AFFIRMS OTHER CONVICTIONS AGAINST HIM AND DRAGAN JOKIĆ

The Appeals Chamber today confirmed the convictions of former Bosnian Serb Army (VRS) officers Vidoje Blagojević and Dragan Jokić for crimes against humanity and violations of laws and customs of war committed against Bosnian Muslims in the area of Srebrenica in July 1995. It reversed Blagojević's conviction for complicity in genocide and accordingly reduced his sentence to 15 years' imprisonment. Dragan Jokić's sentence of nine years' imprisonment was confirmed.

Vidoje Blagojević, former commander of the VRS Bratunac Brigade, was sentenced to 18 years' imprisonment by the Trial Chamber judgement of 17 January 2005. The Appeals Chamber upheld Blagojević's convictions for aiding and abetting the persecution and forcible transfer of the Bosnian Muslim population of the Srebrenica enclave, as well as aiding and abetting the murders of Bosnian Muslim men and boys committed in Bratunac town. The Appeals Chamber dismissed all of Prosecution's grounds of appeal with regard to Blagojević, including one under which the Prosecution sought to reverse the Trial Chamber's conclusion that Blagojević did not have knowledge of the mass killings between 12 and 14 July 1995.

The Appeals Chamber dismissed several grounds of appeal brought by Blagojević with regard to his convictions for crimes, but it held that the Trial Chamber had erred in finding Blagojević guilty of complicity in genocide. The Appeals Chamber stated that "*no reasonable trier of fact could find beyond reasonable doubt that, without knowledge of the mass killings, Mr. Blagojević's awareness of the other facts related to the forcible transfer operation shows that he had knowledge of the principal perpetrators' genocidal intent*".

Noting that "*Mr. Blagojević's complaints about his counsel's performance during trial stem from his refusal to communicate with his counsel and instruct his Defence team*", the Appeals Chamber dismissed Blagojević's first ground of appeal under which he alleged that his trial was not fair. Judge Shahabuddeen dissented and considered that Blagojević's request for a new trial should have been granted.

Dragan Jokić, former Chief of Engineering of the Zvornik Brigade of the VRS, was found guilty by the Trial Chamber of aiding and abetting extermination, murder and persecutions. All grounds of appeal relating to Jokić brought by the Defence and the Prosecution were dismissed, and the sentence of nine years' imprisonment was affirmed. The Appeals Chamber considered that "*it was reasonable for the Trial Chamber to conclude that the assistance Mr. Jokić provided in his capacity as Chief of Engineering in deploying engineering machinery and personnel for the burial operations at Orahovac, Pilica/Branjevo Military Farm, and Kozluk, had a substantial effect on the commission of the mass executions at these three sites*".

Internet address: <http://www.un.org/icty>

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As of today, the Tribunal has rendered final judgements against six persons in connection with the genocide and other crimes committed in Srebrenica. A trial against seven accused is ongoing, and three accused are in pre-trial phase. One case has been referred to Bosnia and Herzegovina for trial. Of the six remaining fugitives, Radovan Karadžić, Ratko Mladić and Zdravko Tolimir are charged with genocide in Srebrenica.

The full text of the summary of the judgement can be found at the following links:

ENGLISH: <http://www.un.org/icty/pressreal/2007/pr1158e-summary.htm>
FRENCH: <http://www.un.org/icty/pressreal/2007/pr1158f-summary.htm>