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Tribunal Pénal
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APPEALS CHAMBER

CHAMBRE D'APPEL

The Hague, 19 December 2003

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MIROSLAV KVOČKA (Omarska Camp case) GRANTED
PROVISIONAL RELEASE PENDING THE HEARING OF HIS APPEAL
AGAINST HIS CONVICTION AND SENTENCE

On Friday 19 December 2003, Miroslav Kvočka was provisionally released from the International Criminal Tribunal for the former Yugoslavia (ICTY) Detention Unit, pursuant to a Decision of 17 December 2003 by the Appeals Chamber, comprised of Judge Mohamed Shahabuddeen (Presiding), Judge Fausto Pocar, Judge Mehmet Güney, Judge Wolfgang Schomburg and Judge Inés Mónica Weinberg De Roca.

The Decision ordered that the Appellant be provisionally released pending the hearing of his appeal against the conviction and the seven year sentence pronounced against him on 2 November 2001 by Trial Chamber I (see Press Release 631).

Miroslav Kvočka is one of the five individuals found guilty and sentenced for their involvement in the crimes committed at the Omarska, Keraterm and Trnopolje camps (Prijedor area, in north-western Bosnia), described by the Trial Chamber as a "hellish orgy of persecutions".

With regard to Kvočka, the Chamber said more specifically: "*While working at Omarska camp from 29 May to 23 June 1992, you were, as you stated yourself, a duty officer (...) The evidence presented at trial demonstrates that you were the camp commander's right hand and, as such, passed on the orders which he issued. Your role, however, did not end there because you replaced the commander in his absence (...) In short, not only did you know of the system of persecution which Omarska camp represented but you also agreed with it and made it possible for the system to function (...). For the reasons set out in detail in the Judgement, the Chamber finds you guilty of the crime against humanity, persecution, and the war crimes, murder and torture*".

The Appeals Chamber Decision sets out a number of terms and conditions to be complied with by Kvočka during his provisional release. Among others, the accused will have to return to the Tribunal at such time and date as the Appeals Chamber may order.

A full copy of the Decision can be found on the ICTY website at: www.un.org/icty or can be obtained from the ICTY Press Office.

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

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