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for the former
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Tribunal Pénal
International pour
l'ex-Yougoslavie



PRESS RELEASE

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CHAMBERS

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NINE ACCUSED CHARGED JOINTLY FOR CRIMES COMMITTED IN SREBRENICA AND ŽEPA

On 21 September 2005, Trial Chamber III granted the Prosecution's motion to join six cases involving nine accused - Vujadin Popović, Ljubiša Beara, Drago Nikolić, Ljubomir Borovčanin, Zdravko Tolimir, Radivoje Miletić, Milan Gvero, Vinko Pandurević and Milorad Trbić - together in one indictment. The charges against the accused relate to the forced removal of the Bosnian Muslim population from the Srebrenica and Žepa enclaves in Eastern Bosnia. Popović, Beara, Nikolić, Borovčanin, Pandurević and Trbić are also charged specifically for their alleged part in the mass murder of Bosnian Muslim men and boys from Srebrenica. Zdravko Tolimir is still at large.

The Prosecution's "*Motion for Joinder of Accused*" was filed on 10 June 2005 pursuant to Rule 48 of the Rules of Procedure and Evidence.

In its decision, the Trial Chamber reasoned *inter alia* that:

- all the accused have been charged with crimes committed in the course of the same "transaction" as required by Rule 48
- all nine accused were part of the armed forces of the Republika Srpska and all are charged with crimes in Eastern Bosnia, specifically Srebrenica and/or Žepa during substantially the same period, March to August 1995, or July to November 1995
- "although the joint criminal enterprise for the forcible removal of the population ... had begun in March 1995, the forced removal of the Bosnian Muslim population culminated in the actual physical removal of the population from Srebrenica on 12 and 13 July 1995. The majority of the mass killings subsequently took place between 12 and 17 July and ... the plan to murder the able bodied men of Srebrenica *began on the afternoon of 12 July with the forcible separation* of the able bodied men in Potočari from their families ..."
- it believes that a single trial - by avoiding duplication of evidence, promoting judicial economy, safeguarding the rights and availability of witnesses, and ensuring consistency of verdicts - will better protect the interests of justice
- the rights of the accused will also be better protected in a joint trial which is likely to be more expeditious and have a fuller evidentiary record

Judge Robinson appended a separate opinion.

*The full text of the decision is available on the Tribunal's website
www.un.org/icty.*

*Hard copies can also be obtained from the Media Office.
Courtroom proceedings can be followed on the Tribunal's website.*

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

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