

AMNESTY INTERNATIONAL PUBLIC STATEMENT

AI Index: EUR 70/017/2011
6 September 2011

Key international court ruling delivers victory to victims of crimes committed during the war in the former Yugoslavia

Amnesty International welcomes today's judgement by the International Criminal Tribunal for the former Yugoslavia (the Tribunal) that concluded the trial of Momčilo Perišić, a former Chief of the General Staff of the Yugoslav Army, for crimes under international law committed in Bosnia and Herzegovina and Croatia. The Trial Chamber convicted Momčilo Perišić and sentenced him to 27 years' of imprisonment. Momčilo Perišić has the right to file a notice of appeal to the Appeals Chamber of the ICTY within 30 days.

Momčilo Perišić, the most senior officer and Chief of the General Staff of the Yugoslav Army was found guilty of aiding and abetting crimes against humanity and war crimes committed during the takeover of Srebrenica in 1995 and the siege of Sarajevo throughout the 1992-1995 conflict on the territory of Bosnia and Herzegovina. He was also found guilty of failing to punish his subordinates for murdering, injuring and wounding civilians during rocket attacks on Zagreb, Croatia.

Amnesty International recognizes that this is an important victory for the victims and their families.

However, Amnesty International is concerned that the majority of perpetrators of crimes under international law committed during the 1990s wars in the former Yugoslavia continue to evade justice. While the Tribunal prepares to complete its work in 2014, judicial systems in the countries of the former Yugoslavia still lack the necessary human and materials resources in order to effectively prosecute all cases of war crimes, crimes against humanity and genocide in line with international fair trial standards.

Amnesty International has repeatedly called for the work of the Tribunal to be complemented by long-term, comprehensive national efforts in the region to investigate and prosecute several thousands of other crimes, involving middle and lower ranking suspects that the Tribunal does not have the capacity to deal with.

The organization is concerned that governments in the former Yugoslavia have not done enough to increase the capacity of national justice systems in the region to prosecute crimes under international law. The countries also need to strengthen the existing legal and policy frameworks, in particular by removing obstacles to justice in the region by eliminating improper barriers to extradition and enhancing mutual legal assistance.

The major obstacle for tackling impunity and bringing the perpetrators to justice is lack of political will to investigate and prosecute those crimes.

The climate of impunity is reinforced by public officials in the region. Today's judgment of the Tribunal was criticized by Dragan Šutanovac, the Minister of Defence of the Republic of Serbia, who said that he found the sentence too high and that „...it is finally the time to put an end to all these indictments and judgments and turn to the future ...“. Amnesty International considers that such statements may send a negative message concerning political support for the fight against impunity. It may also discourage national justice systems from investigating and prosecuting crimes committed during the war.

The organisation has repeatedly called on the governments of the former Yugoslavia to demonstrate the political will to deal with the legacy of the war. The lack of such political will creates an atmosphere that not only hampers the prosecution of war crimes, but also prevents victims of those crimes – and their families – from exercising their right to truth, justice and reparation.

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