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International  
Criminal Tribunal  
for the former  
Yugoslavia

Tribunal Pénal  
International pour  
l'ex-Yougoslavie

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APPEALS CHAMBER

The Hague, 3 July 2009  
NJ/MOW/PR1325e

## **Appeals Chamber Affirms Dragan Jokić's Contempt of Court Conviction**

The Appeals Chamber affirmed the contempt of court conviction of former Bosnian Serb Army officer Dragan Jokić who was earlier this year sentenced to four months' imprisonment for refusing to testify in the case of Popović and others.

Jokić was subpoenaed to testify as a Prosecution witness in the case of Popović and others on 31 October and 1 November 2007. However, Jokić refused to testify citing the reasons for his decision in a confidential submission of 31 October 2007. The Chamber ruled his submission did not justify the refusal to testify.

The Trial Chamber issued an order in lieu of an indictment charging Jokić with contempt of court on 1 November 2007. Jokić pleaded not guilty at his initial appearance on 19 November 2007 and the trial took place on 19 November 2007, 10 December 2007 and 15 December 2008. On 27 March 2009, the Trial Chamber found Jokić guilty and sentenced him to four months' imprisonment.

*"Witnesses summoned by subpoena are under a duty to testify. It is a basic principle of this judicial institution and goes to the heart of the notion of justice. It ensures that the evidence required for the proper administration of justice is available,"* the Trial Chamber said at the time.

Jokić filed a confidential Notice of Appeal on 14 April 2009 and a confidential Appeal Brief on 29 April 2009 arguing that the Appeals Chamber should reverse the judgment and acquit him or pronounce a lower sentence. On 25 June 2009, the Appeals Chamber issued a confidential decision dismissing all grounds of the confidential Appeal and affirmed Jokić's sentence. On 3 July 2009, the Appeals Chamber filed a public redacted version of the judgement.

Jokić will serve his four-month sentence in Austria to run consecutively to the war crimes sentence he is already serving there. In 2005, the Tribunal sentenced Jokić to nine years' imprisonment for aiding and abetting the extermination, murder and persecution of Bosnian Muslim men in Srebrenica in July 1995. His sentence was affirmed by the Appeals Chamber on 9 May 2007.

The Tribunal indicted 161 persons for serious violations of humanitarian law committed on the territory of former Yugoslavia between 1991 and 2001. Proceedings against 120 persons have been concluded.

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The full text of the judgement is available at:

[http://www.icty.org/x/cases/contempt\\_jokic/acjug/en/090625.pdf](http://www.icty.org/x/cases/contempt_jokic/acjug/en/090625.pdf)

A case [information sheet](#) is available at:

[http://www.icty.org/x/cases/contempt\\_jokic/cis/en/cis\\_jokic\\_contempt\\_en.pdf](http://www.icty.org/x/cases/contempt_jokic/cis/en/cis_jokic_contempt_en.pdf)

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