

## **Oric Lawyers Want Investigations Dropped**

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Ex-Bosnian army commander's defence team argues he can't be tried for same crimes twice. Former commander of Muslim forces in Srebrenica Naser Oric has asked the Hague tribunal to stop a Bosnian court trying him for the same crimes that Hague judges acquitted him of last July.

Lawyers John Jones and Vasvija Vidovic, who are representing Oric, claim that charges being investigated by the prosecutor's office in Bijeljina, a region in Bosnia's Serb-run entity Republika Srpska, "overlap entirely" with those he was cleared of at the Hague tribunal.

The lawyers have submitted a record of Oric's interview by Bijeljina prosecutors, citing two main areas of investigation relating to their client's alleged superior responsibility for crimes.

They claim that charges being investigated in Bijeljina – including the alleged killing of certain named Serb prisoners and alleged attacks on Serb villages – were already answered in Oric's trial in The Hague.

Oric, who commanded Muslim forces in Srebrenica in 1992 and 1993, was charged with criminal responsibility for atrocities committed by subordinates alleged to be under his control.

However, on July 3, 2008, the tribunal's appeals judges acquitted him of all charges. They overturned a partial conviction for failing to prevent the murder and cruel treatment of Serb prisoners handed down by trial judges in 2006.

While the appeals judges acknowledged that serious crimes had been committed against Serbs in Srebrenica, they ruled there was not sufficient proof that Oric was responsible

In a recent submission to the Hague tribunal, Oric's lawyers state that laws on double jeopardy in the court's founding statute prevent an individual already tried by the international court from appearing in a national court on the same charges.

The tribunal is empowered to request any court seeking to do so to cease all such proceedings, they say.

"It is quite wrong for Oric, having undergone trial and appeal at the tribunal, to again be subjected to investigation and potential prosecution for these same offences," said the lawyers in their submission.

Simon Jennings is an IWPR reporter in The Hague.

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