

**Case: *Skočić* ( indictee Sima Bogdanović and others )**  
**Higher Court in Belgrade**  
**War Crimes Chamber**  
**Case number: K.Po2. 42/10**

**Main trial: February 12, 2013**

**Report:** Lawyer Marina Kljaić, attorney to injured party Zijo Ribić

**The closing statement by the attorney of the injured party Zijo Ribić**

In her closing statement, the attorney to injured party Zijo Ribić said that she agreed with the Deputy Prosecutor's closing statement, that she considered the indictment as proven, in regard to all of the accused, and on all the counts of the indictment, for the same reasons that were explained by the Deputy Prosecutor. She pointed to the seriousness and permanency of the consequences of their acts, as well as the cruelty that the accused exhibited, because they killed all the members of an ethnic community – the Roma they found in *Skočić*, among whom were seven children, the two youngest being only two years old. She also pointed to the behaviour of the accused in regard to the protected witnesses „Alpha“, „Beta“ and „Gamma“ during their testimonies, when they insulted them and called them bad names, demonstrating in that way their attitude toward the felony they had committed and towards the victims; and she claimed that all that pointed to the necessity of pronouncing the maximum penalty for the accused.

**The closing statement by the defense attorney of the accused Damir Bogdanović**

In his closing statement, the defense of the accused Damir Bogdanović said that there were no elements of felony in the behaviour of his client. His client had not treated the injured party, protected witness „Alpha“, inhumanely, as she was the only one pressing charges against him, and her statement he considered untrue and preposterous. This claim was also confirmed by the statements of the protected witnesses „Beta“ and „Gamma“, who said that the accused Damir protected them while they were in *Drinjača*, because the unit members had the intention to kill them. The accused arrived at the „Sima's Chetniks“ unit after his father, late Simo Bogdanović, was wounded, and he stayed in that unit only because of Munevera, who later on became his wife. He proposed his client be acquitted.

**The closing statement by the defense attorney of the accused Zoran Stojanović**

The defence of the accused Zoran Stojanović said in her closing statement that the amended indictment was based on facts which were not established as true during the proceedings. As an example, she said that the indictment states that after the execution of Roma in the place called „*Hamzići*“, a grenade was thrown into the pit with their bodies, although that was not proven in any way. The injured party Zijo Ribić, who was the only one to survive the execution, never mentioned in his statements that he heard an explosion. She emphasized that her client did not participate in events in *Skočić* village, because at that time, on orders from the late Simo Bogdanović, he was searching local orchards to check if members of Moslem military formations were hiding there. He joined the other unit members only after all the Roma from *Skočić* were already in the truck. When they arrived at *Malešić* village, the accused Stojanović got off the truck, as he felt sick because of drunkenness. She denied that her client participated in the events in *Skočić* and in the place called „*Hamzići*“, because after he left the truck he did not know what other members of his unit were doing in *Skočić*, or where they were, or why they had

transported the Roma, so he could not have agreed with their actions or accepted them as his own. The injured party Zijo Ribić supported this defense of the accused Stojanović, as he did not mention that he saw the accused among the unit members during the events in Skočić village. She also denied that her client had raped any of the protected witnesses, emphasizing that he protected the witness „Gamma“, and that his only concern was how to get both of them out of Bosnia. She considered the statements of the protected witnesses against the accused Stojanović unreliable, because the court did not verify the authenticity of their statements. She said that the statement by the protected witness „Alpha“ was unacceptable, because during her testimony she tried to protect her husband who, as a member of the „Sima's Chetniks“ unit, participated in all these events. That is why she changed her testimony often, and pressed charges against the accused unfoundedly. She pointed out that it could be concluded through a detailed analysis of the statement by the protected witness „Alpha“ that she was not in Skočić at all, or in the courtyard of Hamdija's house, during all of the critical events, but that she joined the other Roma in the truck on her own volition, and that the prosecutor based his indictment about these events on her statements. During the events in Skočić and Malešić her client was an alcoholic, as was confirmed through expertise, during which the expert witness concluded that the accused Stojanović had reduced accountability, although not significantly. Such a finding she considered to be inadequately clarified, and therefore the defense proposed a new, comprehensive expertise for her client, which would prove that he was not in position to make a decision on participation in the events; and she and therefore proposed that her client be acquitted of all charges.

#### **The closing statement by the defense attorney of the accused Tomislav Gavrić**

The defense of the accused Tomislav Gavrić denied the factual statements and the legal qualification of the indictment. He considered that they were, in regard to his client, based only on the statements of the protected witnesses „Alpha“ and „Beta“, which were insincere and untrue. The protected witness „Alpha“ intentionally pressed charges against the accused Gavrić, while the protected witness „Beta“ was mistaken in regard to the identity of the accused. Because of such faults in the statements, he held that they could not be the basis for conviction, so he suggested that his client be acquitted of all charges.

#### **The closing statement by the defense attorney of the accused Đorđe Šević**

The defense of the accused Šević Đorđe held that the evidences that were presented did not confirm that his client committed the felony for which he was charged. Not a single evidence confirmed that the accused Šević was in Skočić, but his responsibility was only predicated by the Prosecutor. He therefore suggested that the accused Šević Đorđe be acquitted of all charges.

#### **The closing statement by the defense attorney of the accused Zoran Alić**

The defense of the accused Zoran Alić held that it was not proven during the proceedings that his client committed the acts for which he was charged. She emphasized that at the time of the events in question he was of minor age, and without education, so he was not in position to perform duties in the unit, except some minor tasks. Such a conclusion was also confirmed by the accused Zoran Stojanović who, while talking about the accused Alić, said that he even refused duty as a guard, because he was afraid. The protected witnesses „Alpha“ and „Beta“, who accuse Alić in their statements, changed their testimonies often, which implied that they did not speak the truth, so the court decision could not be based on their statements. She proposed that her client be acquitted of all charges.

### **The closing statement by the defense attorney of the accused Zoran Đurđević**

The defense of the accused Zoran Đurđević expected the court to come up with a verdict which would satisfy justice and acquit all of the wrongfully accused. He pointed out that the statement by the protected witness „Alpha“, who was the only one to accuse his client, could not be used as evidence for his culpability, because the witness lied about her identity and gave false testimony in order to protect her husband who was, at the time of the events in question, a member of the „Sima's Chetniks“ unit. The witness called his client „Zoran from Šabac“, but there was no substantial evidence to confirm without any doubt that the person in question was the accused Zoran Đurđević, so he suggested that, due to lack of evidence, his client be acquitted of all charges.

### **The closing statement by the defense attorney of the accused Dragana Đekić**

In his closing statement, the defense of the accused Dragana Đekić emphasized that his client was of minor age at the time of the events in question - that she had still not turn 17. He denied that the victims were killed at the time when it was stated in the indictment, because the autopsy reports stated that some of the victims were warmly dressed, had sweaters and jackets, while the critical event allegedly happened in July 1992. There were no proofs that the accused Dragana Đekić was in Skočić at the time of the critical event. He explained that the injured party Zijo Ribić, who said during his testimony that he saw Dragana Đekić in Skočić, actually saw Dina Karić, who was called Dragana by the members of the unit. The accused made a search of the protected witness „Gamma“, but at the other location, and according to the rules of military service. The statements by the protected witnesses, that the accused treated them inhumanely, were untrue and preposterous, because the accused, by the nature of her character, was not able to do something like that. Therefore he held that there were no elements of felony in her behaviour, and proposed that the court acquit her of all charges.