

**UNITED
NATIONS**



International Residual Mechanism
for Criminal Tribunals

Case No.: MICT-17-112-ES.3

Date: 07 December 2022

Original: English

BEFORE THE PRESIDENT

Before: The Honorable Judge Graciela Gatti Santana

Registrar: Mr. Abubacarr M. Tambaou

Date Filed: 07 December 2022

PROSECUTOR

v.

BRUNO STOJIĆ

Public with Public Annexes A and Confidential Annex B

BRUNO STOJIĆ'S SECOND APPLICATION FOR EARLY RELEASE

The Office of the Prosecutor

Mr. Serge Bramertz

Pro Bono Counsel for Bruno Stojić

Ms. Senka Nožica

I. INTRODUCTION & BRIEF BACKGROUND

1. On 29 November 2017, the Appeals Chamber of the ICTY reversed some convictions and affirmed the remainder of convictions and the Trial Judgment's sentence of 20 years imprisonment against Applicant, Bruno Stojić¹ (who had voluntarily surrendered on 5 April 2004).
2. On 4 June 2018, Austria was designated the state for enforcement of the Applicant's sentence, and Applicant was transferred to serve his ICTY sentence.²
3. On 25 August 2020, Applicant filed his initial Application³ (hereinafter "Initial Application") seeking Early Release, pursuant to Article 26 of the Statute (hereinafter "Statute") and Rules 149-151 of the Rules of Procedure and Evidence of the Mechanism (hereinafter "Rules"). The Initial Application was denied on 11 April 2022⁴ (hereinafter "Prior Release Decision").
4. The Prior Release Decision found, in pertinent part, that early release would be denied because - "*The high gravity of his crimes is certainly one of them, but I am also not convinced that Stojić has demonstrated sufficient signs of rehabilitation to warrant his early release at this stage.*"⁵
5. The Prior Release Decision (although rendered earlier this past year), was based on a review of reporting from the enforcement state, all dated from November 2020 (ie. 2 years prior).⁶ Since 2020, Applicant's circumstances have changed significantly, particularly as to his rehabilitation, to justify the instant, Second Application for Early Release (hereinafter "Second Application"), filed on his behalf by his *Pro Bono* Counsel. This Second Application is made in accordance with Paragraph 5 of the relevant Practice Direction⁷ (hereinafter "Practice Direction") as a direct petition for early release, in accordance with Article 26 of the Statute and Rules 150 and 151, based on Applicant's eligibility under the

¹ *Prosecutor v. Jadranko Prlić et al.*, No. IT-04-74-A, Judgement, 29 November 2017 ("Appeal Judgement"), pp. 1401-1403.

² Order Designating State in which Bruno Stojić is to Serve his Sentence, 26 January 2018.

³ Bruno Stojić's Application for Early Release, 25 August 2020.

⁴ Decision on the Application for Early Release of Bruno Stojić, 11 April 2022.

⁵ Prior Release Decision, para. 87.

⁶ *See*, Prior Release Decision, para. 11.

⁷ MICT/3/Rev. 30.

Practice Direction, paras. 7-8 and applicable jurisprudence.

6. Respectfully, it is expected that any updated submissions and reporting to be sought from Austria as to the current state/circumstances of Applicant (as per paragraphs 9-10 of the Practice Direction), will support the submissions made hereinbelow and support a favorable decision granting the Applicant's early release being sought, upon a renewed and full review by the President.

7. As set forth in this Second Application, it is respectfully submitted that Applicant, who is 68 years old, and having served more than 2/3 (and almost 3/4 as of the time of this filing) of his 20 years' sentence, meets the criteria and is deserving of having his application for early release considered, and granted, especially in light of his changed attitude and circumstances since 2020, upon which the Prior Release Decision was based.

II. APPLICABLE LAW FOR EARLY RELEASE

8. Applicant hereby incorporates by reference the applicable law set forth in his Initial Application (paras. 4-6, and 12-13 inclusive), as if set forth fully herein, for the purposes of judicial economy. This is the only part of the Initial Application that is incorporated, insofar as the current circumstances of Applicant are dramatically changed from those that were then prevalent in the Initial Application.

9. Rather than merely reciting the same law from his Initial Application, Applicant further highlights the following jurisprudence that is directly pertinent to the instant Second Application.

10. Paragraph 7 of the Practice Direction stipulates that applications for early release may be submitted at any time. This has been further elaborated to indicate that important changes in circumstances may be brought to the President's attention at any time by way of direct application.⁸ Additionally, as this same jurisprudence has acknowledged, the Mechanism has now introduced a practice of conditional early release.⁹

⁸ *Prosecutor v. Bralo*, No. MICT-14-78-ES, Decision on the Early Release of Miroslav Bralo, (31 December 2019) at para. 84.

⁹ *Id.* at para. 83 [citing *Prosecutor v. Valentin Ćorić*, No. 17-112-ES.4, Further Redacted Public Redacted Version of the Decision of the President on the Early Release of Valentin Ćorić and Related Motions, (16 January 2019), at para. 73; *Prosecutor v. Aloys Simba*, No. MICT-14-62-ES.1, Public Redacted Version of the

11. The analysis applied to prior early release decisions has always included the President's consideration of the circumstances of availability of rehabilitative programs or other opportunities in the host prison.¹⁰ As set forth herein¹¹, despite the limited rehabilitation programs available in the host prison, Applicant has availed himself to all opportunities available at the host prison to better himself and attain rehabilitation.

12. The willingness to abide by conditions of early release weighs in favour of granting early release.¹² As set forth herein¹³, Applicant exhibits a commitment to abide by any conditions imposed on him, if conditionally released.

13. It has been soundly established by the jurisprudence that the fact the convicted person has family to support him weighs in favour of his early release.¹⁴ As set forth herein¹⁵, Applicant has the requisite support of his family.

14. A convicted person having served 2/3 of their sentence shall be eligible to apply for early release which may be granted by the President after considering the totality of the circumstances of each case.¹⁶ It is respectfully submitted, that the totality of the circumstances relating at this time to Applicant, weigh in favour of the President exercising her discretion to grant early release, as further developed herein.

III. SUBMISSIONS AND ARGUMENTS IN FAVOR OF EARLY RELEASE

President's 7 January 2019 Decision on the Early Release of Aloys Simba, (7 January 2019) at para. 78; and UN Security Council Resolution 2422, U.N. Doc. S/RES/2422 (2018), 27 June 2018].

¹⁰ *Prosecutor v. Aloys Ntabakuze*, No. MICT-14-77-ES.1, Decision on the Application for Early Release of Aloys Ntabakuze, (17 May 2022) at para. 49; *Prosecutor v. Bralo*, No. MICT-14-78-ES, Decision on the Early Release of Miroslav Bralo (31 December 2019), at para. 83.

¹¹ Para. 16-19.

¹² *Prosecutor v. Simba*, No. MICT-14-62-ES.1, Public Redacted Version of the President's 7 January 2019 Decision on the Early Release of Aloys Simba (7 January 2019) at para. 78.

¹³ Para. 26.

¹⁴ *Prosecutor v. Simba*, No. MICT-14-62-ES.1, Public Redacted Version of the President's 7 January 2019 Decision on the Early Release of Aloys Simba (7 January 2019) at para. 77; *Prosecutor v. Lukić*, No. MICT-14-67-ES.4, Decision on the Application for Early Release by Sreten Lukić (7 October 2021) at para. 69.

¹⁵ Para. 27-29.

¹⁶ *See Prosecution v. Berislav Pušić*, No. MICT-17-112-ES.1, Public Redacted Version of the 20 April 2018; para. 35; *Prosecutor v. Paul Bisengimana*, No. MICT-12-07, Decision of the President on Early Release of Paul Bisengimana and on Motion to File a Public Redacted Application, 1 December 2012 (public redacted version), para. 21,35; *Prosecutor v. Mladen Naletilić*, No. IT-98-34-ES, Public Redacted Version of the 29 November 2012 Decision of the President on Early Release of Mladen Naletilić, 26 March 2013, para. 20.

15. Applicant hereby wishes to highlight the following factors and submissions which he believes support the grant of an early release to him, at this time. At the outset, Applicant wishes to acknowledge the gravity of his crimes, as well as his express his ultimate acceptance of responsibility for them and express his sincerest and deepest regret for them, as well as for the fact that he denied them so long and only now has found the ability to openly confess them. In this regard, Applicant has asked counsel to present as Public Annex A hereto, his personal statement of sincere remorse and confession of his crimes, as a public document, as his most important submission.

A. DEMONSTRATED REHABILITATION

16. Applicant will first focus on what was undoubtedly the deciding factor in the unfavorable Prior Release Decision—namely the lack of demonstrated rehabilitation (based on the 2020 situation of Applicant and the then report of the enforcement state). Applicant does not disagree that the Prior Release Decision was correct given the circumstances it was evaluating and assessing at that time, namely his circumstances and reporting from the host prison as of November 2020. Applicant acknowledges that it has taken time for him to accept in full his responsibility for his crimes and overcome the coping mechanisms of denial. In his own words –

Unfortunately, it took me a long time to accept this myself and stop denying that these things ever happened. Now, after the trial and appellate proceedings, I am able to fully understand and acknowledge all the horrible things I have done, and to admit to a grave mistake I made by blindly following such a policy and by refusing to accept, or even ponder upon, the unforgivable consequences it brought upon all the victims of these crimes.

I might have had difficulty in fully understanding the legal concept of the Joint Criminal Enterprise, however now I completely understand what it means and what it was. I consider it my gravest mistake that I took part in such a Joint Criminal Enterprise which should never be repeated anywhere.

Furthermore, I also consider as my unforgivable mistake the fact that, during the period, when together with the others I have committed these crimes, I lacked the courage to admit that they were being committed, notably against the Bosniak/Muslim population. [...]

While serving my sentence in Austria I requested, and was granted, professional assistance which helped me in my rehabilitation process. I believe that there is no need to insist, nor to try to persuade you, that my full acceptance of my guilt happened overnight.

On the contrary, this was a process that commenced even before my first application for early release and a process within which I was deliberating with myself on a daily basis on what I have actually done, or what I have omitted to do in order to prevent the crimes for which I am responsible. At a certain moment I found myself facing a wall and a rush of profound emotions which are rather difficult for me to express. Namely, I was born and raised in an emotionally very demanding environment, where one was expected to take everything stoically, never to show weakness, sorrow, fear or misery ... where men never cry, never fear, never give up, must endure, must be rational and never show emotions. I feel the consequences of such expectations even today; and traits that I considered my greatest strength are now coming back to me as my greatest weakness. ¹⁷

17. It is expected that information from the enforcement state will corroborate and confirm Applicant's change in terms of remorse/rehabilitation. By way of information, Applicant voluntarily approached and of his own accord sought not only counseling by a mental-health professional (Psychologist) but also spiritual/religious advisors, which were the fullest extent of the rehabilitative programs and services offered by the host prison. Applicant has exhausted all the available rehabilitative counseling options available in the host prison.

18. Applicant's self-initiated efforts to avail himself of the counseling/rehabilitative offerings of the host prison were intensified as he took heed of the Prior Release Decision and its assessment of his lack of sufficient progress back then in 2020.

19. Additionally, it should be considered that his letter demonstrates indicia significant regret/remorse and acceptance of responsibility for past crimes undertaken during wartime, including:

I am fully aware that I was one of the most significant members of the Joint Criminal Enterprise, since I had control over the HVO and the military

¹⁷ Annex A, page 2 (English).

- police and I was the liaison between the HVO and the HZHB(R) Government. Therefore, taking into account my functions and authorities during the war, it is beyond question that I played a significant role in the commission of these crimes. My personal responsibility is undeniable. Today, with my 68 years of age, and being cognizant of all this, I wish to say that I would have never accepted that function and duties arising from it and that I*
- *deeply regret that I have not invested more serious effort in stopping the crimes committed by the HVO and the Military police.¹⁸*

20. Applicant's personal statement, when read in full, and together with the anticipated confirmation of these sentiments of confession and remorse through Austria's reporting—demonstrate a significant change in circumstances since the Initial Application which make it appropriate to re-consider Applicant's request and weigh in favour of his being conditionally released. Applicant has engaged in serious/critical self-reflection, and has taken the Prior Release Decision's denial to heart – abandoning his prior denial and embracing responsibility and acknowledging ownership over his crimes, and expressing profound regret and remorse over what he has caused his victims. This demonstrates sufficient rehabilitation such that the President can be assured that Applicant can be successfully reintegrated into society.

21. It is respectfully submitted, that the totality of the circumstances relating at this time to Applicant, weigh in favour of the President exercising her discretion to grant early release.

B. GRAVITY OF HIS CRIMES

22. Applicant will not argue nor submit that the level of gravity of his crimes supports his release. However, it is submitted that his personal statement¹⁹ when read in full clearly shows an expression of understanding of the grave nature of his criminal acts and a profound self-reflection on his guilt and apologetic remorse for these grave crimes.

23. Based on these new developments – Applicant's request for release should be granted.

C. COOPERATION/ASSISTANCE TO THE PROSECUTION

¹⁸ Annex A, page 2.

¹⁹ Annex A.

24. Applicant recalls under the jurisprudence that an accused is under no obligation to plead guilty or cooperate with the prosecution, such that lack of cooperation is to be viewed as a neutral factor for early release.²⁰

25. Accordingly, apart from reminding that he voluntarily surrendered, Applicant makes no further submission as to this factor.

D. HUMANITARIAN/ADDITIONAL SUBMISSIONS

26. In support of this Application, Applicant, through his counsel, hopes that the President will consider the following information which it is submitted, weigh in favour of the grant of early release, and which are not meant to undermine the gravity of his crimes.

27. As stated above²¹, acceptance of the conditional nature of the release favours release. As set forth in his personal letter²² Applicant has no desire to participate in future political or public engagements, and he desires that his unconditional acceptance of guilt negate any questions about the conclusions reached by the ICTY in his or other cases. We note that Applicant has expressed a willingness and commitment to abide by whatever additional conditions or restrictions the President may impose if he is granted early release.

28. As stated above²³ the existence of familial support is regarded as favoring early release. From his personal letter²⁴ it is clear that Applicant is grateful for his family and their continued support in his process of coming to terms with and accepting his criminal responsibility for the JCE and other crimes for which he was convicted. Applicant has stated that his family accepts and supports everything he has tried to express by way of his personal address.

29. Applicant's six grandchildren and his wish to spend his late years surrounded by them

²⁰ *Prosecutor v Pandurević*, No. MICT-15-85-ES.1, Decision of the President on the Early Release of Vinko Pandurević (10 April 2015) at para. 28; *Prosecutor v Simba*, No. MICT-14-62-ES.1, Public Redacted Version of the President's 7 January 2019 Decision on the Early Release of Aloys Simba (7 January 2019) at para. 49; *Prosecutor v Ćorić*, No. MICT-17-112-ES.4, Decision of the President on the Early Release of Valentin Ćorić and Related Motions (16 January 2019) at para. 55.

²¹ Para. 12.

²² Annex A., page 4 (English).

²³ Para. 13.

²⁴ Annex A., page 3 (English).

is also a feature of his personal statement. In this regard, Counsel wishes to apprise the President of the compelling medical condition of one of his grandchildren (Applicant's namesake), which we would like to be considered. Due to the child being a minor, and due to the sensitive nature of these medical records, they are contained in the separately attached, and Confidential Annex B, hereto. It is respectfully submitted that this medical condition, represents yet another factor that has encouraged Applicant to come to terms with his criminal responsibility and change his ways, facilitating his rehabilitation. Due to the very close bond between Applicant and his ill grandchild, it should be understood that Applicant is committed to focusing on his family and renounces any public/political engagements in favor of caring for his family. Additionally, Applicant would ask that the President consider this humanitarian basis for Applicant's early release.

30. As the President has previously acknowledged²⁵, Applicant is suffering from additional psychological stress due to deaths of immediate family members. The recent deaths of his parents and brother have further encouraged Applicant to come to terms with his criminal responsibility and intensified his efforts at rehabilitation and his desire to come closer to his remaining family.

31. If conditional early release is granted, Applicant would reside in Zagreb, Croatia with his immediate family. Applicant has no plans to travel beyond Croatia while on Conditional Release, and would submit to monitoring by the Croatian police.

IV. CONCLUSION AND RELIEF SOUGHT

32. Applicant is a much-changed man from the person he was in 2020 that is the subject of the Prior Release Decision. It is hoped that the President will take into account the above submissions as well as the attached annexes in full.

33. As should be clear from his personal statement, Applicant invites the President to request any documentation from the host prison that may need to be reviewed to confirm his changed attitude and sincere remorse and rehabilitation and agrees to submit to any examinations required of him.

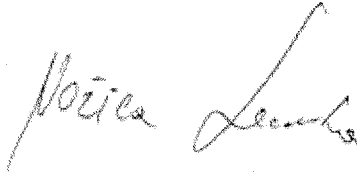
34. Wherefore Applicant respectfully requests the President grant him conditional, early

²⁵ Prior Release Decision, para. 84.

release, with such conditions as deemed appropriate.

Word Count: 2986

Respectfully Submitted on Behalf of Applicant,

A handwritten signature in cursive script, appearing to read "Senka Nožica".

By:

Pro Bono Counsel for Bruno Stojić
Ms. Senka Nožica

PUBLIC

ANNEX A

MEĐUNARODNI REZIDUALNI MEHANIZAM ZA KAZNENE SUDOVE

Poštovana gospodo Predsjednice,

Želim vam se osobno obratiti u vezi sa mojim zahtjevom za namjere puštanje na slobodu koji će vam podnijeti moja obrana. Kako će se taj zahtjev baviti pravnim pitanjima, moja namjera je da ovisno o javnim i svima dostupnim činjenicama i iskazem moje najiskrenije prihvatanje odgovornosti za sve zločine za koje sam osuđen i koji se detaljno navode u presudi. Želim na početku ovakvu stav učiniti potpuno jasnim u smislu da me samo da sam osuđen za te zločine, već da se želim ispričati svim žrtvama i njihovim obiteljima za ono što sam uradio i iznositi moje najiskrenije žaljenje za više krivičnih djela koje sam počinio. Da bi se izbjeglo bilo kakva dvojba, ja sam potpuno pravično osuđen za te sve zločine jer se moja presuda temelji na mojim radnjama i na onome što sam ja učinio. Možda mi je trebalo nekako objasniti da to u potpunosti prihvatim, ali sada to zasigurno prihvaćam upravo na takav način.

Posebno naglašavam da me može biti nikakve dvojbe niti negiranja od bilo koga da su moji zločini veoma teški za koje nema apsolutno nikakve isprike niti opravdanja. Bez obzira na težinu tih zločina, kao i činjenicu da vam je zasigurno poznato za šta sam sve, potpuno ispravno oglasiti krivim, želim, također potvrditi da se moje javno i intimno kajanje zbog toga što sam učinio i čega sam bio dio, odnosi na

ubistva i civila i pripadnika Armije RBiH, silovanja, zatočenja i sistemska i primudno protjerivanja Bošnjaka/Muslimana uključujući djecu, žene i starije, umištanje njihove imovine, sistemska i primudno protjerivanja. Nadalje, odnosi se i na opsadu Mostara i ratnje koju je takva opsada proizvela na bošnjačko/muslimansko stanovništvo uključujući granatiranja, najperspektivnije i ostuđene hrane i vode i ometanje dostavljanja humanitarnu pomoći. Ne umanjujući težinu bilo kojeg od ovih zločina, želim istaknuti i kajanje zbog zločina počinjenih u zatočeničkim centrima i zatvorima u Gubavici, Heliodromu, Gabeli i Drelelju. Moje kajanje se odnosi na sve ono što se spominje u presudi Prekrasnog i žalbenog vijeca, i što je rezultat UZPA i moje značajne uloge u tome.

Potpuno sam svjestan da sam bio jedan od najvažnijih članova UZPA, budući da sam imao kontrolu nad HVO i vojnom policijom i bio sporna između HVO i Vlade HZHB(R). Neupitno je, zbog da sam imao jednu od važnih uloga u počinjenju zločina obzirom na funkcije i ovlaštenja koja sam imao za vrijeme rata. Moja osobna odgovornost je neupitna. Danas, nakon svih spoznaja i savom svijesti u 68. godini života želim reći da nikada ne bih prihvatio te funkcije i dužnost koja iz nje proizlazi kao i da duboko žalim što nisam

u božiću ozbiljnije napore kako bi prestali zločini
HVO i Vojne policije. Rezultat toga je gorka
odgovornost i duboka bol koja će me pratiti
do kraja života. Kao vojni sudac izdržavam dio
je bježanja i ispribe bosnjačkom narodu za
bol i žrtve koje su međuzemne podijele, dok
onoj najdublji dio vjerojatno nikada neće
imati priliku izraziti. Gubici i žrtve
bosnjačkog naroda su nemodoljavive.

Nažalost, i sam dugo nisam želio da to
prihvatim i priznam sam da se tako nešto
uopće dogodilo. Sada nakon materijal i žalbenog
postupka u mogućnosti sam sagledati sve
one uzorne stvari koje sam učinio i
priznam kakve strojne pogreške sam
napravio slijepo slijedeći takvu politiku
odbičajuci da prihvatim ili uopće razmišljati
o neoprastivim posljedicama za sve žrtve
zločina.

Koncept udruženog zločinačkog pothvata mi
možda i nije bio jasan u pravnom smislu ali sam
onda potpuno svjestan šta on zapravo znači
i šta je bio. Kao svoju najveću grešku smatram
to što sam bio dio takvog udruženog zločinačkog
pohvata koji se nigdje i nikad više ne bi
smio dogoditi.

Istovjetno, smatram neoprastivom greškom
to i što u vrijeme kada sam zajedno s drugima
počinio zločine, nisam imao hrabrosti da priznam

da se oni čine i to protiv Bošnjaka/Muslimana. U očima bošnjačkog naroda moj lik će biti zločinački do kraja života i tim novom živjeti. Zato imam potrebu svim živima i obiteljima žrtava Bošnjaka/Muslimana izreći svoje iskreno žaljenje i bojanje i tražim oprost za učinjenom nepravdu koju sam im učinio. Nadam se da ovakvim javnim prihvatanjem krivnje, traženje oprost i iskrenim bojanjem mogu samo doprinjeti pomirenju među svim narodima u Bosni i Hercegovini, a što bi nam svima morao i trebalo biti najveći prioritet.

Već sam ranije iskazivao svoj stav da moj odnos prema drugim narodima nije drugačiji od onoga koji imam prema svom narodu. U toku rođenja su generali Bošnjaci/Muslimani to i potvrdili. Moje pomisli dok sam bio u pritvorskoj jedinici OHA kao i na izdržavanje kazne u Austriji, to zasigurno mogu potvrditi. Nažalost dopustio sam da želja za ostvarivanjem političkih ciljeva nadlaska takva moja životna, gledišta, a što je rezultiralo do toga da sam se uključio u radnje koje su dovele do užasnih zločina.

Za vrijeme izdržavanja kazne u Austriji po mom zahtjevu mi je pružena stručna pomoć koja mi je pomogla u postupku rehabilitacije.

Vjerujem da nema potrebe da posebno naglašavam da me želim biti zadovoljni da Vas obavim da se moje potpuno prihvatanje krivnje dogodilo

preko noći.

To je proces koji je započeo i prije mog prvog zahtjeva za namjere puštanje i kroz koji sam prolazio uz svakodnevno razmišljanje o tome što sam zaista radio ili propustio da uradim kako bi se spriječili zločini za koje sam odgovoran. U jednom trenutku morao sam se pred zidom i zahtjevom najdublji emocija koje tako teško izražavam. Bio sam i odgojen u emocionalno zahtjevnijoj sredini u kojoj se očekivalo sve staviti pod noge nikada ne pokazati slabost, tugu, strah, jad. Jer muškarci nikada ne plaču, ne boje se, ne odustaju, sve moraju izdržati, moraju biti racionalni i skrivati svoje osjećaje. Posljedice tih zahtjeva osjećam i danas, a što sam smatrao svojom najvećom snagom sada mi se pokazuje kao najveća slabost.

Poned toga, što sam, prolazio kroz taj proces izgubio sam vrlo drage i bliske članove obitelji uključujući majku, oca i brata, koji su u to vrijeme umrli. Neopisiva je to bol koja do sada nisam osjetila. Sada kada sam osjetila takvu bol, mogu spoznati kakvu još veću bol su osjetile i osjećaju preživjele žrtve mojih zločina koje su izgubile svoje voljene zbog mojih namjere i zločina. Niko nije kriv za smrt mojih najbližih ali je bol zbog gubitka velika. Samo mogu da zamislim kakvu još veću bol nose oni koji su izgubili voljene zbog mojih zločina. Sada sam svjestan da sam upravo ja bio razlogom takve boli jer su me to žrtve mojih zločina i osjećam veliku žaljenju zbog toga. Upravo taj osjećaj, odnosno potpuno

shvaćanje što sam uradio, su imali dubok i neizbrisiv utjecaj na mene i za sva vremena su zacementirali moje prihvaćanje krivnje koje sam u nešto drugačijem obliku i ranije osjećao.


Želim tako da su krivnja i žalost moja slobodnovoljna, slobodnovoljne slike stradanja snovi koji me muče ne dopuštaju mi skloniti se od tereta prošlosti, obrodjuje me jednino moja obitelj, a najviše mojih šestoro unučadi kod ih vidim i čujem, i kojima sam beskrajno zahvalan što me nisu pustile. Moje prazne godine želim provesti u milosrdnom obročanju jer me i oni u potpunosti podržavaju u svemu što sam napisao u ovome obraćanju.

Mišljenja sam da i ovo javno priznavanje osobne krivnje i najiskrenije moguće kažnjive govore u prilog tome da me se može ocijeniti i gledati u drugačijem svjetlu od onoga za vrijeme i nakon suđenja. Potpuno sam spreman da obovim razgovore i budem pregledan i od bilo kojeg nezavisnog stručnjaka koji bi mogao sačiniti moje psihološke ocjene, za koje sam siguran da bi potvrdila sve navode iz ovog pisma i mog zahtjeva za ranije puštanje.

Prihvatajući bezrezervno svoje krivnja samo po sebi isključuju bilo kakvu raspravu koja bi mogla dovesti u pitanje zaključke suda u Haagu i ne samo u predmetu u kojem

sam onuden i zbog čega me bilo kakav drugi uključujući javni ili politički angažman neće me zanimati.

Do kraja života ću živjeti i kajati se zbog svojih nedjela, za mene je to najteža kazna ali kazna koja se nikako ne može usporediti s onim što su doživjeli i još uvijek prolivaju oni koji se žrtve zločina za koje sam ja odgovoran.

s poštovanjem,
Stojic Bruno


INTERNATIONAL RESIDUAL MECHANISM FOR CRIMINAL TRIBUNALS

Dear Madam President,

I am addressing You personally regarding my motion for early release, which shall be submitted by my defense counselors. As the motion will mostly cover legal issues, it is my intent to express, in this public letter, available to everyone interested, my most sincere acceptance of my responsibility for all the crimes for which I was found guilty of and sentenced, as elaborated in detail in the Judgment. First, I wish to make clear my intention in the sense that, in addition to being sentenced for these crimes, I wish to apologize to all the victims and their families for what I did, and express my deepest regret for grave criminal acts I have committed. For the avoidance of any doubt, I was rightfully convicted of such crimes, since my Judgment is based on my actions and the things I did. Maybe I needed some time to accept this in full, however nowadays I certainly do accept it in this manner.

Notably I wish to emphasize that there can be no doubt, nor denial on anyone's part, that my crimes were grave ones and cannot be justified or rationalized in any manner whatsoever. Regardless of the gravity of these crimes, and regardless of the fact that you are certainly familiar with all the crimes I was rightfully found guilty of, I wish to underline that my public and sincere remorse for everything I did, and for everything I was a part of, relates to killings of civilians and members of Army RBiH, rapes, detention and systematic, forceful expulsion of Bosniaks/Muslims, including children, women and elderly, as well as for destruction of their property and their systematic and forceful expulsion. It also relates to the siege of Mostar and all the sufferings the siege brought to Bosniak/Muslim population, including shelling, sniping, food and water shortages, as well as obstruction of the delivery of humanitarian aid. Without trying to undermine any of these crimes, I also wish to express my deepest remorse for crimes committed in detention camps and prisons in Ljubuški, Heliodrom, Dretelj and Gabela. My remorse also stems from everything resulting from the Joint Criminal Enterprise, as described in judgments of the Trial Chamber and the Appeals Chamber, and the significant role I personally played in it.

I am fully aware that I was one of the most significant members of the Joint Criminal Enterprise, since I had control over the HVO and the military police and I was the liaison between the HVO and the HZHB(R) Government. Therefore, taking into account my functions and authorities during the war, it is beyond question that I played a significant role in the commission of these crimes. My personal responsibility is undeniable. Today, with my 68 years of age, and being cognizant of all this, I wish to say that I would have never accepted that function and duties arising from it and that I deeply regret that I have not invested more serious effort in stopping the crimes committed by the HVO and the Military

police. This has resulted in a bitter feeling of responsibility and deep pain that will stay with me for the rest of my life. The sentence I am serving here represents only a part of my remorse and apology to the Bosniak people for all the pain and casualties they have suffered, while I will probably never have the opportunity to express that most profound part of my remorse. Because losses and casualties of the Bosniak people are irreplaceable.

Unfortunately, it took me a long time to accept this myself and stop denying that these things ever happened. Now, after the trial and appellate proceedings, I am able to fully understand and acknowledge all the horrible things I have done, and to admit to a grave mistake I made by blindly following such a policy and by refusing to accept, or even ponder upon, the unforgivable consequences it brought upon all the victims of these crimes.

I might have had difficulty in fully understanding the legal concept of the Joint Criminal Enterprise, however now I completely understand what it means and what it was. I consider it my gravest mistake that I took part in such a Joint Criminal Enterprise which should never be repeated anywhere.

Furthermore, I also consider as my unforgivable mistake the fact that, during the period when together with the others I have committed these crimes, I lacked the courage to admit that they were being committed, notably against the Bosniak/Muslim population. In the eyes of Bosniaks I will always remain a criminal, a villain, until the end of my life, and this is something I must live with. Due to this I feel the need to express my sincere regret and remorse, and ask for their forgiveness for all the injustice I inflicted upon them. I hope that by such public acceptance of my guilt, humble request for forgiveness and by expressing my sincere remorse I can only contribute to reconciliation between all peoples of Bosnia and Herzegovina, which should be the highest priority of us all

On previous occasions I have already stated that my attitude towards the other nations is the same as the one towards my own nation. During the trial this was even confirmed by Bosniak/Muslim generals. Likewise my behavior during my time in the UN detention facility, as well as while serving my sentence in Austria can certainly affirm that. To my deepest regret, I have allowed the desire for attaining political goals to overcome my personal life principles, which resulted in my involvement in actions that led to hideous crimes.

While serving my sentence in Austria I requested, and was granted, professional assistance which helped me in my rehabilitation process. I believe that there is no need to insist, nor to try to persuade you, that my full acceptance of my guilt happened overnight.

On the contrary, this was a process that commenced even before my first application for early release and a process within which I was deliberating with myself on a daily basis on what I have actually done, or what I have omitted to do in order to prevent the crimes for which I am responsible. At a certain moment I found myself facing a wall and a rush of profound emotions which are rather difficult for me to express. Namely, I was born and raised in an emotionally very demanding environment, where one was expected to take everything stoically, never to show weakness, sorrow, fear or misery ... where men never cry, never fear, never give up, must endure, must be rational and never show emotions. I feel the consequences of such expectations even today; and traits that I considered my greatest strength are now coming back to me as my greatest weakness.

In addition to undergoing such a process, at roughly the same time I have lost some dear and close members of my family, including my mother, father and brother who have died about that time. It was an indescribable pain, one that I did not feel before. Now, after having experienced such a pain, I can fully understand the even stronger pain that surviving victims of my crimes felt, and still feel, due to losing their beloved ones as a consequence of my actions and crimes. No one can be blamed for the deaths of my beloved ones, yet the pain is great. Thus, I can only imagine the even stronger pain felt by people who lost their beloved ones as the consequence of my crimes. Now I am aware that I was the cause of such pain since these were the victims of my crimes. And I feel the deepest regret for that. It is exactly this feeling, i.e. the profound awareness and understanding of what I have done, that had a deep and irreversible effect on me and that has cemented my eternal acceptance of my guilt, which I felt even before, albeit in somewhat different form.

Nowadays I live constantly carrying the deep feeling of guilt and remorse as part of my everyday life, together with daily images of sufferings and tormenting dreams that prevent me from distancing myself from the past. My only joy is my family, especially my six grandchildren, when I see them and hear them, and to whom I am eternally grateful for not giving up on me. I wish to spend my late years surrounded by them, and they accept and support me in everything that I tried to express in this address.

I am of an opinion that this public acknowledgment of my personal guilt and profound and sincere remorse might speak in favor of the fact that today I can be viewed and judged in different light compared to that during and after the trial. I am also prepared to be interviewed and assessed by any independent expert capable of assessing my psychological state which, I am certain, would corroborate all my statements contained in this letter and in the application for early release.

My unconditional acceptance of my guilt in and of itself negates any discussions that might question any conclusions of The Hague Tribunal, not only in my proceedings, and I have no interest in any future political or public engagement whatsoever.

I shall live with the feelings of regret and remorse for my wrongdoings to the end of my days. This is the gravest punishment for me. However, this cannot be even compared with what the victims of all the crimes I am responsible for have lived through, and still do.

Respectfully,

Bruno Stojić



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Case Name/ Affaire :	Prosecutor v. Bruno Stojić		Case Number/ Affaire n° : MICT-17-112-ES.3
Date Created/ Daté du :	07 December 2022	Date transmitted/ Transmis le :	07 December 2022
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