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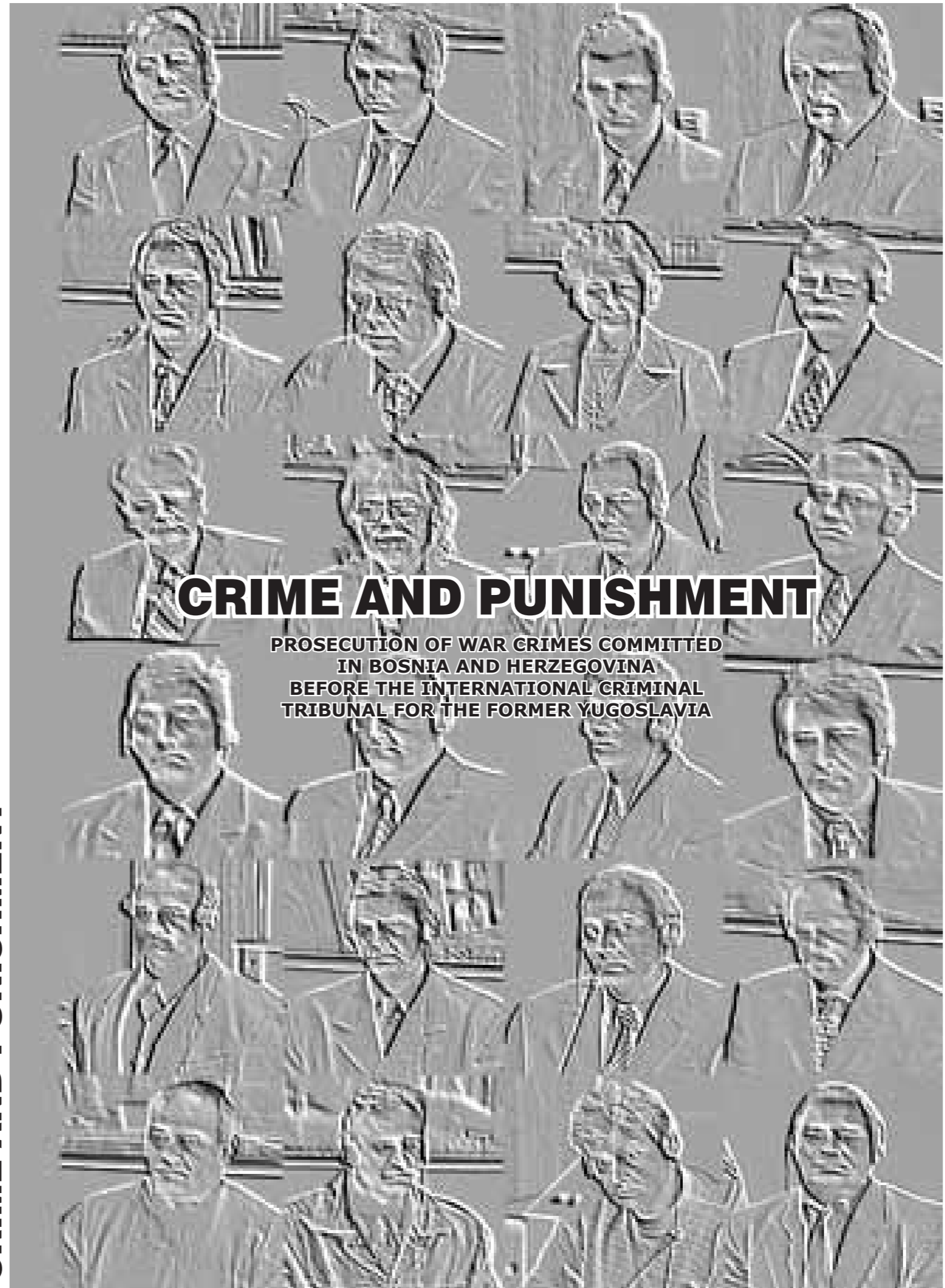


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CRIME AND PUNISHMENT

OPEN SOCIETY FUND B-H IN COOPERATION WITH ICTY OUTREACH PROGRAMME



CRIME AND PUNISHMENT

PROSECUTION OF WAR CRIMES COMMITTED
IN BOSNIA AND HERZEGOVINA
BEFORE THE INTERNATIONAL CRIMINAL
TRIBUNAL FOR THE FORMER YUGOSLAVIA

Open
Society Fund
Bosnia & Herzegovina



Fond
Otvoreno društvo
Bosna i Hercegovina

In Cooperation With

**OUTREACH PROGRAMME
INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER
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CONTENTS

FOREWORD	9
INTRODUCTION:	11
- Aryeh Neier, President of the Open Society Institute and Soros Foundations Network	13
- Mirko Klarin, Director of the SENSE News Agency	15
- Office of the Prosecutor of Bosnia and Herzegovina	21
- International Criminal Tribunal for the Former Yugoslavia	23
CASES COMPLETED BEFORE THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA	29
NON-COMPLETED CASES BEFORE THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA	89
OUTREACH PROGRAMME OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA	141
OPEN SOCIETY FUND BOSNIA AND HERZEGOVINA	143

FOREWORD

This publication covers the practice of the International Criminal Tribunal for the former Yugoslavia (ICTY) with regard to crimes committed in Bosnia and Herzegovina. In the thirteen years since its establishment, the ICTY indicted 161 persons and has completed proceedings against 94 accused. Most cases before the ICTY concern war crimes, crimes against humanity and genocide committed in Bosnia and Herzegovina (BiH). However, the public in BiH still lacks access to proper information about individual cases conducted before the ICTY.

Respecting the principle of individual criminal responsibility, we wish to offer both the local and international public a quick and comprehensive source of specific and accurate information on the prosecution of war crimes committed in BiH before the ICTY. To that purpose, this publication contains concise and readable summaries of cases completed or pending before the ICTY, including key findings from the Tribunal's judgements. Introductory texts were provided by two experts - Aryeh Neier and Mirko Klarin - as well as the Office of the BiH Prosecutor and the ICTY. We would like to underscore the extraordinary cooperation with officials of the ICTY, without which this publication would not have been possible.

We hope that this publication will advance the awareness of the citizens of BiH and the region about the real results of international criminal law and the ICTY. In the words of Antonio Cassese, President of the ICTY (1994-1996): *"Justice is the necessary ingredient in the process of national reconciliation. It is of key importance for the reestablishment of peaceful and normal relations among the people who had to live under the rule of terror. It breaks up the cycle of violence, hatred, and non-judicial retribution. That is why peace and justice are inseparable."*

INTRODUCTION



Photo provided courtesy of The International Criminal Tribunal for the former Yugoslavia (ICTY)

Aryeh Neier,
President of the Open Society Institute
and Soros Foundations Network

INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA - SUCCESSSES AND FAILURES

In July 1992, as director of Human Rights Watch, I published a call for the establishment of an international war crimes tribunal to address the crimes then being committed in Bosnia and Herzegovina. The following May such a court was established by the United Nations Security Council. Now, as it enters its final phase, it seems appropriate to ask whether it has fulfilled the purposes of those of us who sought its establishment. The answer seems to me both yes and no.

First, the negative side. A main purpose was to see to it that those with the highest level of responsibility for the most serious crimes would be appropriately punished for their crimes. With General Ratko Mladic and Radovan Karadzic still at liberty - although in hiding - the tribunal has fallen short. In addition, the slow pace of the proceedings before the tribunal has meant that a much smaller number of those responsible for extensive crimes have been indicted, arrested and brought to trial than is warranted.

A complementary purpose was to provide the victims with redress and, thereby, to restore a sense of justice to the land. Here too, the absence from the proceedings of Mladic and Karadzic, and the failure to act against a larger number of perpetrators, are the obvious shortcomings.

So far as the positive side is concerned, however, there is much to say. When the tribunal was created, the Serbs were winning the war and most persons in ex-Yugoslavia and elsewhere thought it impossible that any of their leaders would be held accountable. The ICTY demonstrated conclusively that such courts are a serious threat to those who commit great crimes, whatever their status while those crimes are being committed. It is a lesson that has had great consequence internationally and has spurred the creation of other ad hoc tribunals and the International Criminal Court.

The ICTY has also demonstrated that international criminal trials can meet the highest standards of judicial procedure and, thereby, can advance the rule of law. In a world that often seems lawless, that is a major achievement.

Finally, though many atrocities are still being committed in different parts of the world, I believe that the establishment of international criminal tribunals, which began with the creation of the ICTY, has caused some of the perpetrators and would-be perpetrators to think about the possibility that they might one day be held accountable. Deterrence is a factor in preventing ordinary crime to the extent that punishment is both swift and certain. We are a long way from reaching that point, but we have arrived at a stage where the possibility of criminal punishment is a factor. In the long sweep of history, getting that far only a little more than a decade after the establishment of the ICTY is remarkable.

In the course of several visits to Sarajevo in 1993 and 1994, I gave talks about the ICTY and its prospects. I think most of those who heard me then thought that I was only trying to make them feel good by talking about what it might accomplish. On balance, though it has been disappointing in certain respects, I believe the ICTY's accomplishments have exceeded those that I talked about at the time and that anyone could have reasonably anticipated.

Following the death of Slobodan Milosevic, some have argued that he cheated justice and, in doing so, demonstrated the futility of attempting to deal with the crimes committed in armed conflicts through international prosecutions. The fact that Milosevic was able to drag out his trial for four years and still escape a verdict is taken as proof that the international community is wasting its resources by putting such persons on trial.

Even the most dedicated partisans of international justice readily concede that the International Criminal Tribunal for the Former Yugoslavia has had many shortcomings. All those associated with it were new to such proceedings as there had been no such bodies since the courts at Nuremberg and Tokyo after World War II. They had to learn on the job. Moreover, those earlier bodies were tribunals in which the victors judged the losers in the war and those prosecuted were already in custody. The Tribunal for ex-Yugoslavia had no capacity of its own to arrest defendants. It has had to rely on persuasion to secure cooperation by others which is still being withheld in the case of the two most notorious defendants, Radovan Karadzic and Ratko Mladic. Until the advent of Tony Blair and Robin Cook as Prime Minister and Foreign Secretary of the United Kingdom in 1997, four years after the establishment of the Tribunal, NATO troops in Bosnia failed to arrest those indicted even when they ran into them. By now, of course, 133 defendants from all parties to the wars in ex-Yugoslavia have appeared before the Tribunal charged with war crimes, crimes against humanity and even genocide. Though these are highly complex cases often involving novel issues under international law, witnesses - often traumatized by their suffering - dispersed to many lands; the constant need for high quality simultaneous translations and disruptive tactics by some defendants, proceedings against 85 of them, including appeals, have been completed. In the process, the Tribunal has at all times been a model of fairness. The mountains of evidence in its records make the horrendous crimes committed in the wars in ex-Yugoslavia comparable to those by the Nazis during World War II in the extent of their documentation. Inevitable efforts by demagogues to revise the history of what took place in ex-Yugoslavia in the 1990s for their own political ends will be greatly complicated by the availability of that evidence, including that compiled in the Milosevic trial.

The Tribunal for ex-Yugoslavia has inspired the establishment of several other such courts including those for Rwanda, Sierra Leone, Cambodia and the permanent International Criminal Court. Even heads of state have not escaped these bodies. Milosevic died in prison. Biljana Plavsic, a former President of the Bosnian Serb Republic, apparently remorseful, pled guilty and is serving a prison sentence. Radovan Karadzic, her predecessor, lives as a fugitive and still faces the prospect of trial. Jean Kambanda, Prime Minister of Rwanda during the genocide in his country, was convicted and is in prison. Charles Taylor was President of Liberia when he was indicted by the Tribunal for Sierra Leone. He had to flee his country, paving the way for the democratic transition that resulted in the recent election of Ellen Johnson Sirleaf. Taylor was recently apprehended and his trial will begin soon. Another former dictator, Saddam Hussein is now on trial before a national court in Iraq.

We are slowly reaching the point where some of those contemplating crimes such as those committed by Slobodan Milosevic, Charles Taylor and Saddam Hussein recognize that the day could come when they will be held accountable. Persisting on the path of international justice will continue to require substantial resources. Yet great as they are, the costs are trivial by comparison to the expense of humanitarian and international military intervention and reconstruction assistance. Most important, of course, is the need to prevent the suffering caused by the crimes that lead to international prosecutions; and when those crimes cannot be prevented, to provide some comfort and redress to the victims and their families by doing justice.

Though the slow tortuous process of international justice is often frustrating to the victims, it would be far worse if those responsible for great crimes simply got away with it. That happened all too often in the past. With all its faults, the Tribunal for ex-Yugoslavia is changing the course of history - for the better.

March 2006

WHAT WOULD IT BE LIKE IF THERE WERE NO TRIBUNAL?

'Had The Hague Tribunal not been founded, it would have been horrible, as we would have lived with the belief that mass crimes that no one would answer for would be possible.'

These are not the words of one of the countless victims of mass crimes committed in former Yugoslavia in the past decade. These are the words from a summer 2005 interview, spoken by Tihomir Blaskic, former Bosnian Croat commander, whom this very same Tribunal sentenced to 45 years, and upon appeal to 9 years, for war crimes against Bosniaks in the Lasva valley in 1993. And who is now risking prison again, as the Prosecutor requested that the Appeal Chamber judgement be reviewed.

It is easy to imagine the developments in former Yugoslavia had the Tribunal not been established. The truth about events in Vukovar, Omarska, Manjaca, Visegrad, Foca, Celebici, Lapusnik, Srebrenica would never have been found... and those responsible for what had happened would never have been found. As no one (individual) would have been guilty, the responsibility would have remained collective: 'Serb', 'Croat', 'Bosniak', 'Albanian'... And no one would ever have been tried for mass crimes. At least none of 'ours', and 'theirs' would have mainly remained unavailable. Just as 'ours' would have remained unavailable to 'them'.

Had it not been for the Tribunal, Slobodan Milosevic would have probably still been in power, and in view of his frequently underscored 'primacy' in combating 'Islamic', particularly 'Albanian' terrorism, he would have led the 'anti-terrorist coalition', along with Bush and Blair. Had it not been for the Tribunal, general Ratko Mladic would have been sharing his rich experiences from Bosnia, particularly from Srebrenica, with generals of the Alliance fighting against the Taliban in Afghanistan, or the rebels in Iraq; while 'president' Radovan Karadzic would have paraded through Paris, London, and Washington, with full stately honours, and with a possible nomination for the Nobel Prize for literature or psychiatry. And the sadist killers, torturers and rapists, such as Goran Jelusic, Miroslav Bralo, Esad Landzo, Haradin Balo, or Dragoljub Kunarac - to mention but a few - would have become municipal mayors or police chiefs in their local communities... had it not been for the Tribunal.

And it could have easily been so. Not that it could have easily not been established (which did happen for the first time in history), but also that - shortly after its establishment - it could have easily been wrapped up, without a single person accused, detained, tried and convicted.

That is why any success or failure of the Tribunal must be judged not only in light of the role it was entrusted with, at least on paper (punishment for the culprits, satisfaction to the victims, and contribution to peace and reconciliation), but also in light of the conditions it has worked in and the support - as well as the obstructions - that have accompanied its work over the past twelve years.

Expectations Betrayed

The fact that the Tribunal was established with an expectation that nothing would ever come out of it was confirmed by one of its creators: Madelaine Albright, who was the US Ambassador to the UN who participated in the adoption of the Security Council Resolution 837 in 1993. Testifying before the Tribunal in 2002, at the sentencing hearing for Biljana Plavsic, Ms. Albright admitted that 'it was easy to raise one's hand and vote for the establishment of the Tribunal... but no one really believed that it would work... There was the question of how to select the judges and how to select the prosecutor. It was all very complicated and no one believed that it would really happen. They said that no one would ever be indicted, that no one would be tried, that no one would be found guilty, that no one would ever be convicted...'

In the first two years of its existence, the founders' attitude towards the Tribunal reflected such expectations. As no one 'believed that the Tribunal would work,' as Ms. Albright admitted candidly,

the founders never even tried to assess, let alone provide for the financial, material, personnel, logistic and other needs of the international legal institutions they had created. Founding documents of the Tribunal include no 'feasibility study' analysing the requirements for full functioning of an institution like that one: how much would it operation cost, how many people would have to be recruited, how many suspects would be indicted and detained, how many trials would be held, and how much time would be required for its mandate to be executed.

The initial stage of the founders' utter neglect was overcome mainly thanks to the fact that the judges, prosecutors, investigators and the handful of 'pioneers' of the Tribunal understood the seriousness of the work they had been entrusted with and they tried to do it as well as they could. Resisting the occasional temptation of resignation to the situation and an odd resignation from service, they pretended to believe that their founders required and expected it from them. They, of course, benefited from strong support of the media, whose interest was skilfully instigated by the then President Antonio Cassese and Chief Prosecutor Richard Goldstone; and there was a useful case: the arrest and extradition from Germany of Dusko Tadic, the first suspect to be detained and the first indicted individual to be tried before the Tribunal. 'We'll never know how much we owed Mr. Tadic' - admitted the former judge and President of the Tribunal, Claude Jorda, many years later.

Peace and/or Justice

The stage of total neglect was followed by the stage of irritation, even obstruction. Namely, there was a collision of the two ideals the international community strived towards in Bosnia, at least on paper: 'peace' and 'justice'. Those primarily interested in 'achieving peace' (at any cost, in order to avoid any increase in military engagement) saw some of the indictments from The Hague as 'planting blocks into the wheels of the peace process' and expressed an ever growing irritation with the Tribunal's 'blind and irresponsible quest for justice, with no consideration for political implications' of such acts.

The first indictments against Karadzic and Mladic, until then the privileged partners of western presidents engaged in the so-called peace process, caused bitterness and shock in numerous European diplomatic offices and military staffs. In such an atmosphere, there was a risk of the Tribunal being sacrificed at the alter of the peace agreement negotiated in Dayton, Ohio, in late 1995. In order to 'remind' the negotiators about the Tribunal and make their potential deal to the detriment of justice more difficult, in the middle of the negotiations Chief Prosecutor Goldstone issued three new and important indictments: for Vukovar, the Lasva River valley, and Srebrenica. If such a deal did not happen, this was less due to the international mediators insisting on indivisibility of peace and justice, and more due to the fact that the Balkan 'warlords' at the Dayton negotiating table felt so untouchable in their new role of 'peacemakers' and 'pillars of the peace process' that they simply missed their opportunity to condition their signatures by guarantees of immunity from future action of the Tribunal's Prosecutor. And maybe they would have received them.

However, since they missed it, one after another, four participants of the Dayton negotiations found themselves detained by the Tribunal: Slobodan Milosevic, Momcilo Krajisnik, Milan Milutinovic, and Jovica Stanisic. Other signatories of the Peace Accords - Franjo Tudjman and Alija Izetbegovic - died before the Prosecutor's Office had finished the investigations against them.

The Dayton Accords did not bring any major changes in the international community's attitude towards the Tribunal. The minimalist approach - for want of a better word - was maintained, leaving the Tribunal to the mercy of the evidently non-existent 'good will' of the regimes in states of former Yugoslavia. Those regimes did indeed have an obligation to 'cooperate in full', but with no consequences (sanctions) for any failure to honour that obligation. At the same time, the powerful international forces (first IFOR, then SFOR) dispatched to Bosnia and Herzegovina refused to take any role in arrests of persons indicted for war crimes.

It took the first 18 months of implementation of the Dayton Accords and the huge military, political, and economic potential of the international community getting stuck in the bog of BiH politics, where the strings

were still pulled by political and military leaders already indicted - or about to be indicted - for war crimes, for this minimalist approach to change. The failure to arrest those leaders and remove them from the fragile post-Dayton political arena led to the very situation that The Hague had been warning about for years. The ethnic division resulting from the war was being consolidated in Bosnia; political and economic tensions were growing sharper; social, cultural and educational institutions were contaminated; ultra-nationalist and racist powers were solidifying their supremacy. It took a long time, but it finally became clear that one of the key objectives of the international community - refugee return - could not be implemented if places where refugees were supposed to return... were still ruled by those whose violence and crime had expelled, or rather, 'ethnically cleansed' them.

The idea that there can be no real and lasting peace without justice suddenly was suddenly becoming less abstract. Of course, even before that, everyone was in favour of justice... though not today (when there was something 'more important' to do) but rather tomorrow. In the meantime, however, it became clear that 'more important' things (refugee return, economic reconstruction, political democratisation, social stability,...) would not be feasible without a minimum of justice, and that the Tribunal was - as described by the then President Cassese - 'one of the key pieces in the very complex Dayton mosaic.'

In mid-1997 - four years after the establishment of the Tribunal - its founders finally saw the potential of criminal-legal intervention as the - as described once by Louise Arbour - 'weapon in the arsenal of peace.' They saw this only after they had exhausted, to little result, all other weapons of the traditional peace-making arsenal: diplomacy, conflict management, bilateral and multilateral negotiations and pressures, political and economic sanctions, more or less convincing military threats.

By the end of 1997, the last vacant cell of the Tribunal's Detention Unit was occupied by the indictees, so that there was a need for an urgent increase in capacity. The UN General Assembly approved a record-high budget for 1998; governments were competing in generous donations for special, non-budget programmes of the Tribunal; the Security Council approved the selection of additional permanent judges; two more courtrooms were built; new prosecutors were engaged, new investigators, legal advisors,...

Five years after its establishment, the Tribunal and its founders finally entered a period of mature and stable relations, even a 'honeymoon', one may say, which continued until early 2002, when the first signs of 'Tribunal fatigue' started to appear, as a consequence in changing priorities of the international community (following 11th September 2001).

The Tribunal and its 'Electorate'

Preoccupied with the struggle to survive and to win the ones that its survival and functioning were dependant upon - the UN Budget Committee, NATO and other services in position to secure arrests of indicted individuals and access to evidence - in the first few years, the Tribunal almost completely neglected its 'electorate', as Judge Gabrielle Kirk-McDonald once described the public in the states of former Yugoslavia.

At the same time, at the Tribunal itself - particularly in the Prosecutor's Office, there was, for the first few years, an almost paranoid suspicion towards anyone from former Yugoslavia - from interpreters to journalists, legal and other experts - ready to make available their knowledge and experience, particularly their deep first-hand knowledge and understanding of the processes which had led to the dissolution of the country, wars and war crimes. Such a pity, as it was thanks to them that The Hague prosecutors, investigators and analysts, brought in from all four corners of the world, were able to bridge the cultural gap that divided them from this distant and unknown area which was suddenly part of their jurisdiction. And they could have arrived, much faster and far more painlessly, to certain understanding and knowledge of the relevant factors which had led to the crimes they were dealing with. And they could have avoided misguidance, failures and occasional 'gaffes'... that the opponents of the Tribunal gloated over, not only in former Yugoslavia.

Some more basic advance knowledge about the area they deal with - at least some geography, history or culture available in secondary-school textbooks - would have been useful for some of the judges, who sometimes demonstrate an astonishing lack of knowledge of well-established facts, certainly not contributing to the Tribunal's credibility among its 'electorate'. From time to time, one has the impression that certain judges do not wish to be 'contaminated' even by well known facts about the region, and that they consider this ignorance a virtue. Some of the top lawyers with years of experience with the Tribunal assign these and other shortcomings to the domination of the rival system - the common-law system - whose imposition on the court dealing with former Yugoslavia they see as a form of 'judicial colonialism.'

However, even the undisputed delay in its address to its 'electorate', or the occasional 'gaffes' of the prosecutors, or the 'virtue of ignorance' some judges are known for, bear no great influence over the attitude towards the Tribunal among the general public in the states and entities of former Yugoslavia.

It is true that only in late 1990s the Tribunal launched its Outreach Programme and started to present its statements and documents in BHS, i.e. 'Bosnian, Serbian, or Croatian language', as the definition stands in The Hague, perhaps linguistically incorrect, though politically correct. For the position of the Serb, the Croatian, the Bosnian or the Kosovar public towards the Tribunal is not the result of that The Hague prosecutors and judges do or do not do, but it is, instead, dictated and shaped by the political elites and the media subordinated to them.

In relation to this, it should not be neglected that until 2000, the power in Serbia, Croatia and Bosnia was held by individuals and political elites under investigation - and even indicted, in the case of Serbia - by The Hague prosecutor. It was clearly not convenient for them for the public in their respective countries to develop the right picture of the mission and the work of the Tribunal. It should also not be ignored that until recently, the most influential media were, and in some instances still are, under the control of editorial teams 'celebrated' for their ground work for war and war crimes in the past decade, and then for their justification or cover-up in the name of 'higher' interests. In such a situation, it would be illusory to expect the Tribunal to be more successful in dealing with its 'public relations problems' in Serbia or Croatia.

It may sound like a paradox, but it is a valid statement that the Tribunal had greater support and a better image in one part of the Serbian public during Milosevic, than after his removal from power. At the time, things were simpler and black and white: to be 'against' Milosevic almost automatically meant being 'for' the Tribunal. With its investigations and requests for extradition and submission of documents, the Tribunal threatened the very foundations of the regime, and the then opposition saw it as a 'de facto ally' in their struggle for changes, i.e. for power. Not, of course, because the opposition had accepted the necessity to confront the past and the necessity to make the responsibility for the atrocities committed individual, so that it would not remain collective, but rather because it saw the Tribunal and international justice solely as an instrument of political pressure potentially contributing to a change of regime.

Once the regime had been changed, things suddenly became far more complex. The so-called democratic forces - hopelessly fragmented, disoriented and mutually opposed - proved to be more skilful than the previous regime in instrumentalising the Tribunal. Milosevic simply ignored it as an anathema; those who came after him tried to use it as a means to their own political ends. They accepted to cooperate with the Tribunal and presented it to their own public solely as an instrument to secure the necessary financial and economic aid. Pure trade, aimed - like any similar transaction - at giving as little as possible, to gain as much as possible. An added value of cooperation devised in this way is that it allowed for the removal of certain 'unsuitable characters' from the previous regime - led by Milosevic, Sainovic, Seselj, Stanisic - whose continued presence in Serbia could have been risky for the new government. Last, but not least, the Tribunal and the response to its requests for arrest or submission of documents were used as the key 'political stick' in inter-party conflicts, and were elevated to the level of a central political issue in election campaigns, in order to draw the attention of the disoriented public away from the dramatic economic, social and political reality. The image of the Tribunal in Serbia is the result of this much more than of what is or is not done in The Hague. Because in terms of what is or is not done in The Hague, the Serbian public knows very little about it, or what

it does know is wrong.

There were, at a certain time, attempts to present elections in Serbian and Croatia as a kind of referendum 'for' or 'against' the Tribunal, in order to interpret the revival of the nationalist right - the radicals and the 'parties of rights' - as the response of the respective Serbian and Croatian electorate to the 'aggressive' and 'excessive' requests and pressure from Carla del Ponte. Such interpretation is devoid of any grounds. If elections were some kind of referendum, then it was, rather, a plebiscite 'for' or 'against' confronting the past. The majority stated that it was - premature. The winners were denial and a continued political and moral blockage, the refusal to comprehend what had happened and who was responsible for it. The experience of Germany after World War II shows that such a state may continue for quite a while, though not indefinitely.

In such a situation, the most the Tribunal can do for its 'electorate' in former Yugoslavia is - to be rigorous in its determination of facts about what really happened in the past decade and who is responsible for it - and to thus prevent any return to the 'culture of impunity', hinder the denial of crimes and the revisionist interpretations of history, and prepare the basis for a future confrontation with the past.

Interim and Premature Balance-of-Success

Just as the effects of Nuremberg in post-war Germany were not visible in 1947 or 1948, but rather only in the next generation, or successive generations, the full effect of the Tribunal cannot be seen or measured in the short term. More so since the Tribunal has not yet completed its work and it has at least four more years of 'big trials' of indicted individuals from the highest level of political, military or police hierarchy of all the former parties to the conflict. Any assessment of its work and effects thus far is, therefore, inevitably interim and premature.

To paraphrase the introductory statement by Tihomir Blaskic - the Tribunal established the principle that 'mass crimes cannot be committed with impunity' and that no one, including those holding the highest political or state office, can be immune from responsibility for crimes against humanity, serious violations of the Geneva Conventions, violations of laws and customs of war, and genocide. It is true that the Tribunal has indicted and tried (or is about to try) a relatively small number of those responsible, or most responsible, for mass crimes committed in former Yugoslavia. The total of 160 persons it has indicted is probably less than one percent of those who have blood on their hands from the mass crimes committed in the armed conflicts in Croatia, Bosnia and Herzegovina, Kosovo and Macedonia in the past decade. However, the process which started with the establishment of the Tribunal and which will undoubtedly continue in the years after its termination, ensures that the remaining 99 percent cannot be at ease and cannot be certain that they would escape justice for good. Responsibility for war crimes is not subject to any statute of limitations and the jurisdiction for their prosecution and sanction is universal, as numerous Nazi criminals realised as they were tried all over the world three, four, or even five decades after the end of World War II. There is no reason why the same should not happen with criminals from former Yugoslavia in the decades to come. Should this not happen 'at home', it will happen elsewhere in the world, where 'our' criminals are arrested, tried or extradited more and more frequently, after trying to hide in Canada, Latin America, Germany or Scandinavia.

In addition to establishing the principle that mass crimes cannot be committed with impunity, with its work thus far the Tribunal has also generated positive changes and instigated reforms and strengthening of national judiciaries in states of former Yugoslavia. Thanks to the Tribunal and the conditions presented by the international community (which, again, would not have happened, had it not been for the Tribunal), the area of former Yugoslavia is slowly approaching the point of no return to the time of irresponsibility and the culture of impunity. True, the process is still progressing under external political and economic pressure and its being the condition for integration into Euro-Atlantic institutions, much more than on the basis of a mature 'inner' need to confront the past and to determine and accept the responsibility for what happened. However, after showing no particular diligence or enthusiasm to process war crimes in the past decade (other than some of

those committed by 'the other side'), states of former Yugoslavia are, whether they like it or not, becoming capable of accepting the cases forwarded to them by the Tribunal, and of continuing investigations initiated by The Hague Prosecutor, though not having ended in indictments by the Tribunal, due to its 'exit strategy'. Most of the evidence collected by the Tribunal's Prosecutor from 1994 until late 2004, against several thousand individuals suspected for war crimes, have been or will be forwarded to local judiciaries for further processing. Local prosecutors and courts should, therefore, be quite busy in the years and decades to come.

The ability of local judiciaries in Serbia, BiH or Croatia is indeed a necessary, though not the only precondition for efficient prosecution of those who had blood on their hands in the past decade. It is equally important, if not even more important, that there is, in each of those countries, a clearly expressed political will, first of all, to end with criminals among its own people, and that such determination is backed by an unequivocal support of the so-called critical mass in the general public. The creation of such conditions is, evidently, the task of responsible politics and responsible media, which is something that countries of former Yugoslavia, unfortunately, still lack.

The Tribunal's investigations and trials have reconstructed and documented a considerable part of what happened in former Yugoslavia in the past decade, how mass crimes came to be and who is responsible for them. The Tribunal is, of course, not writing history, but the facts established in its judgements, following rigorous evidentiary procedure and with full respect of the rights of indicted individuals, are a valuable source for future historians, making denials of crimes and revisionist reshaping of history much more difficult. With every new judgement and every new admission of guilt, reasonable denial of mass crimes becomes more difficult. However, unreasonable denial will always exist.

Finally, it is no less important that effects of the Tribunal's work thus far are felt far beyond former Yugoslavia. With its initial trials and judgements, the Tribunal proved that international criminal justice is possible and it instigated the processes which led to the creation of other ad hoc tribunals or special courts (for Rwanda, Sierra Leone, Cambodia, etc.) as well as the adoption of the Rome Statute and the establishment of the permanent International Criminal Court. In the past ten or so years, the Tribunal has created an impressive body of case-law, of judgements and decisions developing and articulating principles and norms of international criminal law and filling the voids in its application, in the way which will be of immeasurable importance both for the International Criminal Court, and for national judiciaries.

The Balkan Privilege

Describing the dissolution of Yugoslavia as 'an earthquake which struck the entire region', former Chief Prosecutor Louise Arbour once said that for international law, the Tribunal was 'an earthquake of the same strength and extent, in terms of the waves it caused.' According to her, the Tribunal 'created a point of no return in terms of personal responsibility, an end to the culture of impunity, and the expectation of the world that military and political leaders must be held to account for their actions.' It is open for debate whether certain decisions of the Tribunal were right or not, but according to her, nothing 'will remove the legacy that the Tribunal is a success, despite all the initial expectations.'

This is probably of little comfort for all the victims and the suffering in these wars, but former Yugoslavia and its tragedy gave an immeasurable contribution to the development and application of international criminal justice and against the culture of impunity. Not without reason, the critics of 'selective justice' will point out that the supreme principles of accountability the Tribunal 'keeps exercising in The Balkans and over Balkan people' are still not universal and that the principle of command responsibility, applied in convictions against some of the 'Balkan' military commanders or camp commanders, 'does not apply' to the commanders of the allied coalition forces in Iraq or for wardens of prisons such as Abu Ghraib.

That is why the 'Balkans' should not feel discriminated against. On the contrary, they should feel privileged.

February, 2006

MESSAGE OF THE BIH PROSECUTOR

The issue of prosecution of war crimes in BiH is one of the questions of key importance for the progress of our country, for the establishment of the rule of law and for general safety, but also the issue which necessitates the engagement of the entire society - and we are all its part and its own mechanism.

We must bear in mind that we - and BiH itself - are only at the beginning of the process of prosecuting war crimes. We will prosecute a large number of cases. We are about to commence a process which will free our country from the burden of legacy of war crimes, in the form of perpetrators still at liberty in our cities and our streets.

Crimes which took place in the territory of our country took tens of thousands of lives, more than one million persons were displaced or expelled, property was destroyed, both private and socially owned, tens of thousands of persons suffered physical and mental torture. All that falls under war crimes and crimes against humanity, which must be investigated and prosecuted. Over the years, district and cantonal prosecutors in both Entities and in the Brcko District have received reports in relation to tens of thousands of individuals suspected of having committed war crimes in the territory of Bosnia and Herzegovina. Each such report must be checked prior to any decision on either opening an investigation or dropping any charges. This is a huge and time-consuming procedure, which must not and will not be taken lightly, as all those suspects do have the right to a fair trial, and all the victims have the right to see the perpetrators prosecuted and punished for their actions. However, prosecution of war crimes is not and must not be a problem dealt with by just one group. We must all work towards building an atmosphere where war criminals would no longer enjoy the status of national heroes and where victims of crimes will receive the status they deserve.

We must provide atmosphere of safety and support for witnesses who will testify in war crimes cases before the Court of BiH as well as before entity courts. Victims and witnesses of war crimes must be able to testify against the perpetrators freely, with no fear of revenge or condemnation by the community the perpetrator is from. We must understand that trust among the peoples cannot be built only on prosecution of war crimes, but that it must include active engagement of other institutions and segments of society, both governmental and non-governmental organisations. Within this context, Office of the BiH Prosecutor is advocating the adoption of a national strategy, to define activities of all the competent institutions and bodies in BiH in relation to all issues relevant to war crimes, particularly to prosecution, and has initiated its drafting. Only in this way, by identifying and resolving problems, duties and responsibilities of all, and by focusing our activities on this joint task, can we respond to this challenge faced by us, the prosecutors, but also before the BiH society on the whole, thus helping to build trust and the rule of law.

The message of the Office of the BiH Prosecutor is that war criminals and criminals have serious enemy in all the prosecutors in BiH, who will prosecute all the perpetrators in compliance with the law.

Office of the Prosecutor Bosnia and Herzegovina

Office of the Prosecutor of BiH was established pursuant to the Law on the Prosecutor of BiH, proclaimed by the High Representative in BiH and adopted by the BiH Parliament late that year. The first four domestic prosecutors were appointed on 16 January 2003, and the first international prosecutor was appointed in March 2003.

Competence of the BiH Prosecutor is based on prosecution of perpetrators of crimes prescribed by the Criminal Code of Bosnia and Herzegovina, and in terms of organisation the BiH Prosecutor's office includes the Department for General Crime, staffed by domestic prosecutors only; Special Department for Organised Crime and Corruption, currently staffed by domestic and international prosecutors; and as of 2005, Office of the Prosecutor includes the War Crimes Department, staffed by both domestic and international prosecutors.

The War Crimes Department was established following the adoption of a series of relevant laws

by the BiH Parliament in December 2004, necessary for cases from ICTY to be prosecuted before domestic judicial bodies, as well as for assuming the role of the ICTY Rules of the Road Unit, which had, prior to its closure, examined all the war crime cases prior to allowing domestic courts to decide on arrests of persons suspected of war crimes in the territory of Bosnia and Herzegovina.

War Crimes Department

Bosnia and Herzegovina is faced with the task of prosecuting war crimes - and the process has just began. Procedures prescribed by BiH legislation related to the length of proceedings are far more expeditious than those prescribed by the Rules of ICTY, and the proceedings are thus expected to be considerably shorter than those before ICTY. Office of the BiH Prosecutor, i.e. its War Crimes Department, is not an institution of limited duration, but rather permanent judicial institution of BiH established in order to prosecute perpetrators of war crimes for as long as there are any and for as long as there are laws prescribing their prosecution.

The War Crimes Department comprises domestic and international prosecutors and it deals with cases of war crimes only. This Department is led by a domestic prosecutor, Deputy Chief Prosecutor of BiH.

The Department itself is divided into teams, covering different regions. Each of the team is guided by a domestic prosecutor, who is also the team leader:

Team 1 covers the region of North-western Bosnia and part of Posavina;

Team 2 covers the region of Central Bosnia;

Team 3 covers the region of Eastern Bosnia (valley of the river Drina) and part of Posavina;

Team 4 covers the regions of Sarajevo and Eastern Bosnia, including Foca;

Team 5 covers the region of Western Herzegovina and the valley of the river Neretva; and

Special team 6 for the region of Srebrenica.

As part of the work of the War Crimes Department, Collegium of the BiH Prosecutors adopted its Rules on receipt of cases, including a document titled Basic Criteria for Assessment of Sensitive Cases of the Rules of the Road Unit. The purpose of this document is to set guidelines on which are the cases whose gravity or the status of the perpetrator indicates that they must be prosecuted by the BiH prosecutor, and which are the ones which may be deferred to local prosecutors with real and territorial jurisdiction, for further action. Because of the large number of war crimes cases, most of them can be expected to be prosecuted at the cantonal/local level.

Cases to be taken over ex officio by the BiH Prosecutor's War Crimes Department from local/cantonal prosecutors are those related to the most serious crimes such as genocide, mass killings, mass rapes, systemic expulsion and other most serious forms of war crimes, as well as those which include suspects who former or present holders of police, military or civilian/political powers, where potential witnesses are in a particularly difficult situation, etc. These cases are marked 'very sensitive' and if the indictment has not come into force before a cantonal/district court in BiH prior to the BiH Criminal Code coming into force in March 2003, they will be prosecuted by the BiH Prosecutor. Other cases are marked 'sensitive' and returned to the prosecutor with real and territorial jurisdiction for further action.

War Crimes Department has jurisdiction in relation to four types of war crimes cases:

- (1) cases where the ICTY Prosecutor has conducted investigations and issued indictments before the Tribunal in relation to specific suspects, and where the ICTY trial chambers have issued valid decisions to defer them to BiH;
- (2) cases where the ICTY Prosecutor has conducted partial or full investigations and has not issued indictments, and thus defers them to BiH;
- (3) cases examined by the ICTY Rules of the Road Unit and returned them to competent BiH prosecutors' offices, marked as 'very sensitive';
- (4) all the cases opened following the termination of the ICTY Rules of the Road Unit.

March, 2006

**INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA**

**PARTNERSHIP AND TRANSITION BETWEEN
THE ICTY AND NATIONAL COURTS**

The International Criminal Tribunal for the former Yugoslavia (ICTY) was established on 25 May 1993 by Resolution 827 of the United Nations Security Council. The resolution was passed in response to the threat to international peace and security constituted by mass killings, ethnic cleansing and other serious violations of international humanitarian law that were occurring in the territory of the former Yugoslavia, especially in Bosnia and Herzegovina.

The mandate of the ICTY is to prosecute and try persons suspected to be responsible for war crimes, crimes against humanity and genocide committed in the territory of the former Yugoslavia since 1991. It is hoped that the work of the ICTY will contribute to the restoration of peace by deterring commission of further violations of international humanitarian law, preventing revisionism and by bringing a sense of justice to victims.

ICTY Completion Strategy

The UN Security Council in resolutions 1503 (August 2003) and 1534 (March 2004) endorsed the completion strategy of the International Criminal Tribunal for the former Yugoslavia (ICTY), intended to ensure a phased and coordinated completion of the Tribunal's historic mission by the end of 2010. Under this strategy, the ICTY will concentrate on the prosecution and trial of the most senior leaders while referring a small number of cases involving intermediate and lower-rank accused to national courts. The strategy also foresees that the Tribunal will assist in strengthening the capacity of national courts in the region to handle war crimes cases.

There are two main categories of cases that the ICTY refers to national judiciaries in the region:

- (1) Cases that have been investigated to different levels by the Tribunal's Prosecution which did not result in the issuance of an indictment by the ICTY.
- (2) Cases investigated by the Tribunal's Prosecution that resulted in the issuance of indictments by the Tribunal against named suspects.

Referral of Cases where no ICTY Indictment was issued

The Tribunal's Prosecution is handing over to national prosecutors cases which were investigated but indictments were not issued by the ICTY. It is up to the relevant organs in the national judiciaries to bring such investigations to a conclusion on the basis of the evidence received from the ICTY and raise indictments where appropriate.

Cases referred so far include those concerning crimes committed in Gospic (three persons were convicted by the Rijeka County Court), Vukovar (15 persons were convicted before the War Crimes Chamber of the Belgrade District Court) and Zvornik (trial proceedings are ongoing against six persons before the War Crimes Chamber of the Belgrade District Court). The Tribunal's Prosecution will continue to provide such cases as part of its efforts to prevent impunity.

Referral of Cases where an Indictment was issued by the ICTY

As of 22 June 2006, six accused have been transferred from The Hague to Bosnia and Herzegovina (BIH) and two accused to Croatia for trial before national courts in these countries. These referrals took place under Rule 11bis of the Rules of Procedure and Evidence of the Tribunal and in accordance with the ICTY's completion strategy.

The number of cases to be referred under Rule 11bis is comparatively small. In addition to the eight persons already transferred, a further eight persons are currently under consideration for transfer following a request from the Prosecutor.

A panel of three judges called the Referral Bench considers each motion for referral filed by the Prosecutor. Firstly, the Bench has to rule whether the gravity of the crimes charged and the level of responsibility of the accused makes the case appropriate for referral. While the cases involving intermediate or lower-rank accused can be referred to national authorities, the most senior leaders will be tried in The Hague.

If the Referral Bench decides to refer a particular case, it also announces to which state the case will be sent - the state where the crime took place, the state where the accused was arrested, or any other state willing to prosecute. The Bench evaluates whether the State concerned is able to satisfy international human rights and fair trials standards.

Rules of the Road

In Bosnia and Herzegovina, the Tribunal performed a crucial role between 1996 and 2004 regarding which cases would be heard before courts there. Under the so-called Rules of the Road process, established as part of the Rome Agreement of February 1996, an arrest warrant for a war crimes suspect before a national court in BiH could only be issued after the case file had been reviewed and approved by the ICTY Prosecution. They reviewed case files to determine whether they contained credible allegations and evidence or whether they were frivolous and lacking serious evidence. One of the main aims of the Rules of the Road was to prevent authorities in BiH detaining persons on suspicion of war crimes without credible evidence. The process played a major role in halting arbitrary and illegal arrests in Bosnia and promoting freedom of movement throughout the country. In total the ICTY Prosecution reviewed 1419 cases against 4985 persons and gave approval for 848 persons to be arrested on war crimes charges.

In October 2004, the ICTY transferred the Rules of the Road review process to state authorities in BiH. Prosecutors on the cantonal and district level in BiH now submit cases to the Prosecutor's Office of BiH for review and assessment as to whether the sensitivity of a particular case requires that it is prosecuted at the state level. As the number of persons suspected of involvement in war crimes in BiH is in the thousands, the majority of war crimes cases will continue to be heard before cantonal and district courts, and only the most sensitive cases will be tried by the Court of BiH.

Rule of Law and Legacy of the ICTY

The ICTY is committed to strengthening the capacity of national institutions to process war crimes and lends its full support to the creation of specialised institutions for the prosecution and trial of persons suspected of serious violations of international humanitarian law. Through various training programmes and the transfer of documents and expertise, the Tribunal will continue to work closely with the national institutions in the countries of the former Yugoslavia to ensure a lasting legacy of the Tribunal's work. The State Court of Bosnia and Herzegovina is a particularly close partner for the ICTY in that respect, and the establishment of the Section for War Crimes of the State Court, which was endorsed by the UN Security Council, is a key component of the ICTY's completion strategy. The Tribunal has cooperated with the Section for War Crimes intensely from the very beginning.

CASES COMPLETED BEFORE THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA



Photo provided courtesy of The International Criminal Tribunal for the former Yugoslavia (ICTY)

COMPLETED CASES

"PRIJEDOR"

DUŠKO TADIĆ



Crimes convicted of (examples):

Wilful killing; torture or inhuman treatment; wilfully causing great suffering or serious injury to body or health (grave breaches of the 1949 Geneva Conventions)

- During the attack on Kozarac and surrounding areas he participated in the collection and forced transfer of civilians to detention camps

- As part of a group of Serbs, beat and kicked one victim until he was unconscious and directly assisted in the common purpose of the group to inflict severe suffering upon another

- Threatened one victim with a knife and then stabbed him

Murder (crimes against humanity and violations of the laws or customs of war)

- The killing of two Muslim policemen in Kozarac on 26 May 1992
- Participated in the killings of the five men in Jaskići, village near Prijedor

DUŠKO TADIĆ

Convicted of wilful killing, torture or inhuman treatment and murder

President of the Local Board of the Serb Democratic Party ("SDS") in Kozarac.

- Sentenced to **20 years' imprisonment**
- Serving sentence in **Germany**

Born	1 October 1955 in Kozarac, Bosnia and Herzegovina
Indictment	13 February 1995
Arrest / Surrendered	13 February 1994, arrested by the German police in Munich
Transferred to ICTY	5 March 1995
Initial appearance	26 April 1995, pleaded "not guilty" to all counts
Judgement	7 May 1997
Sentencing judgement	14 July 1997, sentenced to 20 years' imprisonment
Appeals Chamber judgement	15 July 1999, convicted on nine additional counts
Appeals Chamber sentencing judgement	26 January 2000, sentenced to a total of 20 years' imprisonment
Serving sentence	31 October 2000, transferred to Germany to serve the remainder of his sentence. Credit for time served since 13 February 1994.

"SUŠICA CAMP"

DRAGAN NIKOLIĆ



Crimes convicted of (examples):

Persecution on political, racial and religious grounds, murder, sexual violence, torture (crimes against humanity)

- Subjected Muslim and other non-Serb detainees to murders, rape and torture and participated in creating and maintaining an atmosphere of terror in the camp through murders, beatings, sexual violence and other physical and mental abuse.

- Whilst in charge at the camp, Nikolić killed nine non-Serb detainees in the Sušica Camp. The oldest of his victims was a 60-year-old man whose ordeal lasted for seven days during which he was beaten unconscious on several occasions.

- Regardless of the victims' calls for the beatings to stop, Nikolić continued to punch, kick and beat the detainees with weapons such as wooden bats, iron bars, axe handles, rifle butts, metal knuckles, metal pipes, truncheons and rubber tubing with lead inside. The injuries inflicted by him during the beatings were in some instances fatal. In some cases beatings conducted by him lasted for 45 minutes at a time.

- Nikolić personally removed and facilitated the removal of female detainees from the hangar where they were interned, in the knowledge that the removal of the women was for the purposes of rape and other sexually abusive conduct.

- Nikolić beat two detainees with iron bars, wooden bats and rifle butts for approximately 90 minutes. As a result of the beatings, one of the detainees sustained a cut on his head, four of his teeth were knocked out and three ribs were broken. Nikolić admitted torturing three other male detainees in a similar manner.

DRAGAN NIKOLIĆ

Convicted of persecution, murder, sexual violence and torture

Also known as 'Jenki'; Commander of the Sušica Detention Camp in the municipality of Vlasenica, eastern Bosnia and Herzegovina from early June 1992 until its closure in late September 1992.

- Sentenced to **20 years' imprisonment**

- Serving sentence in **Italy**

COMPLETED CASES

Born	26 April 1957 in Vlasenica, eastern Bosnia and Herzegovina
Indictment	4 November 1994
Arrest / Surrendered	20 April 2000, arrested by SFOR
Transferred to ICTY	21 April 2000
Initial appearance	28 April 2000, pleaded not guilty to all counts 18 March 2002, pleaded not guilty to all counts 27 June 2003, pleaded not guilty to all counts
Guilty Plea	4 September 2003, pleaded guilty to all counts of the third amended indictment
Trial Chamber sentencing judgement	18 December 2003, sentenced to 23 years' imprisonment
Appeals Chamber judgement	4 February 2005, sentenced to 20 years' imprisonment
Serving sentence	21 June 2006, transferred to Italy to serve the remainder of his sentence Credit for time served since 21 April 2000

COMPLETED CASES

"KERATERM CAMP"

DUŠKO SIKIRICA

Crimes convicted of (examples):

Persecutions on political, racial or religious grounds
(crimes against humanity)

- Killed one of the detainees in the camp by shooting him in the head.
- Failed in his duty to prevent outsiders from coming into the camp to mistreat detainees.
- As commander of security, Sikirica was aware of the inhumane conditions at the camp, including insufficient food and water, inadequate medical care and treatment, overcrowding and lack of opportunities for fresh air and exercise as well as a lack of proper hygiene arrangements; he also knew that detainees were being beaten, raped, sexually assaulted and killed.



DUŠKO SIKIRICA
*Convicted of
persecutions*

Between 14 June and 27 July 1992, Sikirica was a commander of security at the Keraterm detention camp in the Prijedor area of north-west Bosnia and Herzegovina.

- Sentenced to **15 years' imprisonment**

- Serving sentence in **Austria**

Born	23 March 1964 in Čirkin Polje, Prijedor municipality, Bosnia and Herzegovina
Indictment	21 July 1995
Arrest	25 June 2000, detained by SFOR
Transferred to ICTY	25 June 2000
Initial appearance	7 July 2000, pleaded not guilty to all counts 19 September 2001, pleaded guilty to one count of persecutions on political, racial and religious grounds as crimes against humanity
Trial Chamber sentencing judgement	13 November 2001, sentenced to 15 years' imprisonment
Serving sentence	10 May 2002, transferred to Austria to serve his sentence Credit was given for 1 year, 4 months and 19 days

COMPLETED CASES

"KERATERM CAMP"


DAMIR DOŠEN

Crimes convicted of (examples):

Persecutions on political, racial or religious grounds (crimes against humanity)

- Permitted the persecutions of, and condoned violence towards, detainees in the camp, including beatings, rape, sexual assaults and killings, as well as harassment, humiliation and psychological abuse.

- Abused his position of trust.


	DAMIR DOŠEN <i>Convicted of persecutions</i>
	<p>From 3 June to early August 1992, Došen was a shift leader of 6-12 men at the Keraterm camp in the Prijedor area of north-west Bosnia and Herzegovina.</p> <p>- Sentenced to 5 years' imprisonment</p> <p>- Sentence served</p>

Born	7 April 1967 in Čirkin Polje, Prijedor, Bosnia and Herzegovina
Indictment	21 July 1995
Arrest / Surrendered	25 October 1999, detained by SFOR
Transferred to ICTY	25 October 1999
Initial appearance	8 November 1999, pleaded not guilty to all counts 19 September 2001, pleaded guilty to one count of persecutions on political, racial and religious grounds as crimes against humanity
Trial Chamber sentencing judgement	13 November 2001, sentenced to 5 years' imprisonment
Sentence served	10 May 2002, transferred to Austria Credit was given for 2 years and 19 days 28 February 2003, granted early release Sentence served

COMPLETED CASES

"KERATERM CAMP"

DRAGAN KOLUNDŽIJA

	DRAGAN KOLUNDŽIJA <i>Convicted of persecutions</i>	From early June to 25 July 1992, Kolundžija was a shift commander at the Keraterm camp in the Prijedor area of north-west Bosnia and Herzegovina.
- Sentenced to 3 years' imprisonment		
- Sentence served		

Crimes convicted of (examples):

Persecutions on political, racial or religious grounds (crimes against humanity)

- By continuing as a shift leader at the camp, although aware of the conditions, abused his position of trust.

Born	19 December 1959 in Bosnia and Herzegovina
Indictment	21 July 1995
Arrest / Surrendered	7 June 1999, detained by SFOR
Transferred to ICTY	7 June 1999
Initial appearance	13 July 1999, pleaded not guilty to all counts 27 September 1999, pleaded not guilty to all the new counts charged against him in the amended indictment 4 September 2001, pleaded guilty to one count of persecutions on political, racial and religious grounds as crimes against humanity
Trial Chamber sentencing judgement	13 November 2001, sentenced to 3 years' imprisonment
Sentence served	5 December 2001, granted early release Sentence served

COMPLETED CASES

"BOSANSKI ŠAMAC"

MIROSLAV TADIĆ

Crimes convicted of (examples):

Persecutions (crimes against humanity)

- He aided and abetted the deportation of non-Serb civilians from the municipality of Bosanski Šamac. His substantial activity in the "exchanges" demonstrated that he had the intent that these civilians would not return, or that he at least knew that his actions were likely to permanently displace these non-Serbs.



MIROSLAV TADIĆ
Convicted of persecutions

After 17 April 1992 he became Chairman of the Bosanski Šamac exchange commission and remained a member until at least 1995. He was also a member of the Serb crisis staff in Bosnia and Herzegovina.

- Sentenced to **8 years' imprisonment**

- Released 4 November 2004

Born	12 May 1937 in Novi Grad, Odžak municipality, Bosnia and Herzegovina
Indictment	21 July 1995.
Surrendered	14 February 1998, surrendered to SFOR
Transferred to ICTY	15 February 1998
Initial appearances	17 February 1998, pleaded "not guilty" to all charges 3 September 1998, pleaded "not guilty" to all charges
Trial Chamber sentencing judgement	17 October 2003, sentenced to 8 years' imprisonment
Sentence served	Released 4 November 2004

COMPLETED CASES

"BOSANSKI ŠAMAC"

SIMO ZARIĆ

Crimes convicted of (examples):

Persecutions (crimes against humanity)

- He planned and pushed forward, in collaboration with other political leaders, a campaign of persecutions whose aim was to get rid of all the non-Serbian inhabitants of the municipalities of Bosanski Šamac and Odžak.

- He aided and abetted the joint criminal enterprise to persecute non-Serb detainees by confining them under inhumane conditions.

- By accepting to conduct interrogations of detainees he knew were subjected to brutal mistreatment, he allowed such mistreatment to continue and prolonged the unlawful detention of detainees.

- Through his participation in the interview of non-Serb prisoners by TV Novi Sad he gave encouragement and moral support to the perpetrators of crimes against the non-Serb prisoners.

- He encouraged and gave moral support to paramilitaries and Serb police who tortured detainees by sexually assaulting them and extracting teeth.



SIMO ZARIĆ
Convicted of persecutions

From September 1991 until December 1992 he served in various positions, including: assistant commander for intelligence, reconnaissance, morale and information of the fourth detachment; chief of the national security service in Bosanski Šamac; deputy to the president of the war council for security matters in Odžak; and assistant commander of the second Posavina brigade for morale and information in Bosnia and Herzegovina.

- Sentenced to **6 years' imprisonment**

- Released 28 January 2004

Born	25 July 1948 in Trnjak, Odžak municipality, Bosnia and Herzegovina
Indictment	21 July 1995
Surrendered	24 February 1998, surrendered to SFOR
Transferred to ICTY	25 February 1998
Initial appearances	26 February 1998, pleaded "not guilty" to all counts 3 September 1998, pleaded "not guilty" to all counts
Trial Chamber sentencing judgement	17 October 2003, sentenced to 6 years' imprisonment
Sentence served	Released 28 January 2004

COMPLETED CASES

"BOSANSKI ŠAMAC"

STEVAN TODOROVIĆ



Crimes convicted of (examples):

Persecutions (crimes against humanity)

- Beat a man in the hallway of the police station of Bosanski Šamac. The victim died as a result of this mistreatment.
- Over a period of eight months, beat five men and repeatedly beat seven men.
- Ordered three individuals over whom he had superior responsibility to torture a man.
- Ordered six men to perform *fellatio* on each other at the police station in Bosanski Šamac; beat these men and on one occasion laughed while he watched the men perform oral sex.
- Ordered and participated in the interrogation of detained persons and ordered them to sign false statements. Todorović issued orders and directives that violated the rights of non-Serb civilians to equal treatment under the law.

STEVAN TODOROVIĆ

Convicted of persecutions

From April 1992 until December 1993, chief of police and a member of the Serb crisis staff in Bosanski Šamac in the northern Bosnia and Herzegovina.

- Sentenced to **10 years' imprisonment**

- Granted early release on 22 June 2005

Born	29 December 1957 in Donja Slatina, Bosanski Šamac municipality, Bosnia and Herzegovina
Indictment	21 July 1995
Arrest / Surrendered	27 September 1998, arrested by SFOR
Transferred to ICTY	27 September 1998
Initial appearance	30 September 1998, pleaded not guilty to all counts 21 January 1999, pleaded not guilty to all counts
Guilty plea	13 December 2000, pleaded guilty to one count
Trial Chamber sentencing judgement	31 July 2001, sentenced to 10 years' imprisonment
Sentence served	11 December 2001, transferred to Spain on to serve sentence Granted early release on 22 June 2005

COMPLETED CASES

"BOSANSKI ŠAMAC"

MILAN SIMIĆ



Crimes convicted of (examples):

Torture (crimes against humanity)

- Together with several other men, he personally beat four detainees at the Bosanski Šamac primary school. He kicked the men in their genitals and, during the beatings, fired gunshots over their heads.

- He and several other men beat a man who was known to have a heart condition. The victim was forced to pull down his pants and one of the men threatened to cut off the victim's penis. The barrel of a handgun was forced into his mouth and at one point Milan Simić fired gunshots over the victim's head.

MILAN SIMIĆ

Convicted of torture

Between May 1992 and June 1993, Simić was a member of the Bosnian Serb crisis staff and president of the municipal assembly of Bosanski Šamac, located in north-western Bosnia and Herzegovina.

- Sentenced to **5 years' imprisonment**

- Granted early release 27 October 2003

Born	9 August 1960 in Sarajevo, Bosnia and Herzegovina
Indictment	21 July 1995
Arrest / Surrendered	14 February 1998, surrendered to SFOR
Transferred to ICTY	15 February 1998
Initial appearance	17 February 1998, pleaded not guilty to all counts 3 September 1998, pleaded not guilty to all counts
Guilty plea	15 May 2002, pleaded guilty to two counts of torture, crimes against humanity
Trial Chamber sentencing judgement	17 October 2002, sentenced to 5 years' imprisonment
Sentence served	27 October 2003, granted early release, effective 3 November 2003, and actual release 4 November 2003

COMPLETED CASES

"BRČKO"

GORAN JELISIĆ



Crimes convicted of (examples):

Murder, cruel treatment, plunder (violations of the laws or customs of war), **murder, inhumane acts** (crimes against humanity)

- Killed five people at the Brčko police station and eight at Luka camp.
- On 6 or 7 May, escorted an unknown male detainee down a street near the Brčko police station and then shot him in the back of the head with a "Scorpion" pistol.
- Systematically killed Muslim detainees at the Laser Bus Co., the Brčko police station and Luka camp.
- On about 9 May 1992, near the main hangar building at Luka camp, a former port facility, beat a female victim with a police baton and then shot and killed her.
- Stole money, watches, jewellery and other valuables from the detainees upon their arrival at Luka camp, threatening with death those who did not hand over all their possessions.

GORAN JELISIĆ

Convicted of murder, cruel treatment, plunder and inhumane acts

During May and June 1992, he acted under the authority of the Brčko police, which at that time was under the control of the Serbian forces, and held a position of authority at Luka camp, a makeshift detention facility in Brčko, in the north-east of Bosnia and Herzegovina. He called himself the "Serb Adolf."

- Sentenced to **40 years' imprisonment**

- Serving sentence in **Italy**

Born	7 June 1968 in Bijeljina, north-east Bosnia and Herzegovina
Indictment	21 July 1995
Arrest / Surrendered	22 January 1998, arrested by SFOR
Transferred to ICTY	22 January 1998
Initial appearance	26 January 1998, pleaded not guilty to all counts; 29 October 1998, pleaded guilty to 15 counts of crimes against humanity and 16 counts of violations of the law or customs of war, and not guilty to one count of genocide.
Trial Chamber sentencing judgement	14 December 1999, sentenced to 40 years' imprisonment
Appeals Chamber judgement	5 July 2001
Sentence served	29 May 2003, transferred to Italy to serve the remainder of his sentence Credit was given for time served since 22 January 1998

COMPLETED CASES

"BRČKO"

RANKO ČEŠIĆ



Crimes convicted of (examples):

Murder, humiliating and degrading treatment
(violations of the laws or customs of war)

- Took five men out of the Brčko Partizan sports hall, where they were detained, made them line up and shot and killed them.
- Ordered a detainee at Luka camp to say goodbye and shake hands with other detainees, before beating and killing him.

RANKO ČEŠIĆ

Convicted of murder, rape and other forms of sexual assault, humiliating and degrading treatment

Member of the Bosnian Serb Territorial Defence in Grčica, in the municipality of Brčko, north-eastern Bosnia and Herzegovina. From 15 May 1992, member of the Intervention Platoon of the Bosnian Serb Police Reserve Corps at the Brčko police station.

- Sentenced to **18 years' imprisonment**
- Serving sentence in **Denmark**

Murder, rape which includes other forms of sexual assault (crimes against humanity)

- Forced two brothers detained at Luka camp to perform fellatio on each other, at gunpoint, in the presence of others.
- In total, Ranko Češić admitted to killing 10 individuals, two of whom died as a result of beatings.

Born	5 September 1964 in Drvar, Bosnia and Herzegovina
Indictment	21 July 1995
Arrest / Surrendered	25 May 2002, arrested by Serb authorities
Transferred to ICTY	17 June 2002
Initial appearance	20 June 2002, pleaded not guilty to all the counts 8 October 2003, pleaded guilty to all counts
Trial Chamber sentencing judgement	11 March 2004, sentenced to 18 years' imprisonment
Serving sentence	11 April 2005, transferred to Denmark to serve the remainder of his sentence Received 657 days credit for the time served up to and including the date of judgement

COMPLETED CASES

"LAŠVA VALLEY"

ZLATKO ALEKSOVSKI



Crimes convicted of (examples):

Outrages upon the personal dignity (violations of the laws or customs of war)

- Whilst in charge at the Kaonik Prison, he subjected approximately 500 non-Croat prisoners to physical and psychological maltreatment. As a commander of the compound he ordered and/or aided and abetted violent acts from late January 1993 until May 1993.

- Participated in the selection of detainees to be used as human shields and trench diggers, knowing that he was putting at risk the lives of those entrusted to his custody. Furthermore, with his direct participation as a commander he provided additional encouragement to his subordinates to commit similar acts.

- As a superior in the camp he was aware of the offences being committed yet he failed to take any steps either to prevent them from occurring or to punish the perpetrators thereof.

ZLATKO ALEKSOVSKI

Convicted of outrages upon the personal dignity

Warden of the prison facility at Kaonik, near Busovača, central Bosnia and Herzegovina, from January 1993.

- Sentenced to seven years' imprisonment

- Released on 14 November 2001 after serving his sentence in Finland

Born	8 January 1960 in Pakrac, Republic of Croatia
Indictment	10 November 1995
Arrest	8 June 1996, by Croatian authorities
Transferred to ICTY	28 April 1997
Initial appearance	29 April 1997, pleaded not guilty to all counts
Trial Chamber sentencing judgement	7 May 1999 (oral) and 25 June 1999 (written), sentenced to two years' and six months' imprisonment Credit was given for time served for a period of two years, 10 months and 29 days and therefore immediately released
Appeals Chamber judgement	9 February 2000 (oral) and 24 March 2000 (written), sentenced to seven years' imprisonment
Sentence served	On 22 September 2000, transferred to a prison in Finland Released on 14 November 2001 having served his sentence

"LAŠVA VALLEY"

DARIO KORDIĆ

Crimes convicted of (examples):

Unlawful attack on civilians; unlawful attack on civilian objects; wanton destruction not justified by military necessity; plunder of public or private property; destruction or willful damage to institutions dedicated to religion or education (violations of the laws or customs of war)

Wilful killing; inhuman treatment; unlawful confinement of civilians (grave breaches of the Geneva conventions)

Persecutions on political, racial, or religious grounds; murder; inhumane acts; imprisonment (crimes against humanity)

- As President of HDZ-BiH he enthusiastically participated in the common design of persecution. He planned, instigated and ordered crimes in the municipalities of Travnik, Vitez, Busovača, and Kiseljak.
- He was present at the meetings of politicians who authorised the 16 April 1993 attack on Ahmići which resulted in more than 100 Bosnian Muslim civilians being massacred including 32 women and 11 children, homes destroyed and the village ethnically cleansed of its Muslim population. Dario Kordić thus participated as the senior regional politician in the planning of the military operation and the attack aimed at 'cleansing' this area of Muslims.
- He planned attacks in other areas of the Lašva Valley including the hamlets of Šantići, Pirići, and Nadioci. These attacks, together with attacks on Vitez and Večeriska among others, followed a common plan aimed at ethnically cleansing the area of it Bosnian Muslims population.
- As a political leader with substantial military influence he instigated, planned and ordered the attack on Busovača, which was directed against the Muslim civilian population and the civilian objects. Many Muslim civilians were killed, expelled and their property destroyed during the attack.
- Dario Kordić ordered the detention of Bosnian Muslims and ordered the establishment of the detention facilities in the Lašva Valley and more specifically in Kaonik, the Vitez Cinema, the Veterinary Station and the SDK building (a block of offices in Vitez), the Chess Club, and the Dubravica School.



DARIO KORDIĆ

Convicted of unlawful attack on civilians; unlawful attack on civilian objects; wanton destruction not justified by military necessity; plunder of public or private property; destruction or wilful damage to institutions dedicated to religion or education; wilful killing; inhuman treatment; unlawful confinement of civilians; persecutions; murder; inhumane acts; imprisonment

From February 1991 until 10 November 1995, he was the President of the Croatian Democratic Union of Bosnia and Herzegovina (HDZ-BiH). From September 1992 until November 1995, he was the Vice-President and a member of the Presidency of the Croatian Community of Herceg-Bosna (HZ H-B) and later in August 1993, the Croatian Republic of Herceg-Bosna (HR H-B).

- Sentenced to **25 years' imprisonment**

- Serving sentence in **Austria**

COMPLETED CASES

Born	14 December 1960 in Busovača, Bosnia and Herzegovina
Indictment	Initial indictment: 10 November 1995; amended indictment: 30 September 1998
Arrest	6 October 1997
Transferred to ICTY	6 October 1997
Initial appearance	8 October 1997, pleaded not guilty to all counts
Trial Chamber sentencing judgement	26 February 2001, sentenced to 25 years' imprisonment
Appeals Chamber judgement	17 December 2004, sentence affirmed Credit given for time served since 6 October 1997
Serving sentence	8 June 2006, transferred to Austria to serve the remainder of his sentence

"LAŠVA VALLEY"

MARIO ČERKEZ

Crimes convicted of (examples):

Persecutions on political, racial, or religious grounds; imprisonment; unlawful confinement of civilians (crimes against humanity)

- He was individually criminally responsible for the imprisonment and unlawful confinement of Bosnian Muslim civilians in the Vitez Cinema Complex and the Vitez SDK building prior to the end of April 1993.
- The cinema complex was used to detain some 200-300 Muslim men of all ages, who had been rounded up. Many men were subjected to cruel treatment, forced to dig trenches and used as hostages and human shields. Of those that were forced to dig trenches some did not return.
- In the SDK building, detainees were taken to dig trenches. Some were taken to dig for five days close to the frontline where it was very dangerous. On occasions the detainees were threatened with an axe and had to work day and night. As a Brigade Commander he was responsible for the prisoners' wellbeing; however he failed to do this adequately.



MARIO ČERKEZ
Convicted of persecutions, imprisonment, unlawful confinement of civilians

Commander of the Vitez Brigade of the Croatian Defence Council (HVO) from its formation in 1992 until at least the end of May 1993 and during the HDZ-BiH/HVO takeover of the municipal functions within the municipality of Vitez.

- Sentenced to **6 years' imprisonment**

- Released on 2 December 2004

COMPLETED CASES

Born	27 March 1959 in Rijeka, municipality of Vitez, Bosnia and Herzegovina
Indictment	10 November 1995; 30 September 1998: amended indictment
Surrendered	6 October 1997
Transferred to ICTY	6 October 1997
Initial appearance	8 October 1997, pleaded not guilty to all counts
Trial Chamber sentencing judgement	26 February 2001, sentenced to 15 years' imprisonment Credit given for time served since 6 October 1997
Appeals Chamber judgement	17 December 2004, sentence reduced to 6 years' imprisonment
Sentence served	Released 2 December 2004

COMPLETED CASES

"LAŠVA VALLEY"

DRAGO JOSIPOVIĆ

Crimes convicted of (examples):

Persecutions on political, racial or religious grounds; murder; inhumane acts (crimes against humanity)

- Actively involved in a military attack on civilians in the village of Ahmići during which over 100 civilians were killed and 169 Muslim homes were destroyed.
- Participated in the murder of one man who was killed in front of his family. He was also involved in expelling the family from the house and setting it on fire.



DRAGO JOSIPOVIĆ
Convicted of persecutions, murder and inhumane acts

During April 1993, Josipović was a member of the Croatian Defence Council (HVO) in Šantići, a village lying in the Lašva Valley, in central Bosnia and Herzegovina.

- Sentenced to **12 years' imprisonment**

- Serving sentence in **Spain**

Born	14 February 1955 in Šantići, Bosnia and Herzegovina
Indictment	Initial indictment: 10 November 1995, unsealed 26 June 1996; amended indictment: 9 February 1998
Surrendered	6 October 1997
Transferred to ICTY	6 October 1997
Initial appearance	8 October 1997, pleaded not guilty to all counts
Trial Chamber sentencing judgement	14 January 2000, sentenced to 15 years' imprisonment
Appeals Chamber judgement	23 October 2001, sentence reduced to 12 years' imprisonment
Sentence served	9 April 2002, transferred to Spain Credit given for time served since surrender

COMPLETED CASES

"LAŠVA VALLEY"

VLADIMIR ŠANTIĆ

Crimes convicted of (examples):

Persecutions on political, racial or religious grounds; murder; inhumane acts (crimes against humanity)

- Actively involved in a military attack on civilians in the village of Ahmići during which over 100 civilians were killed and 169 Muslim homes were destroyed. His presence at the scene of the attack, as a local commander of the Jokers and the military police, served as an encouragement for his subordinates to commit crimes.



VLADIMIR ŠANTIĆ
*Convicted of
persecutions, murder and
inhumane acts*

In April 1993, he was the local commander of the military police and of the Jokers, a unit of the HVO, in central Bosnia and Herzegovina.

- Sentenced to **18 years' imprisonment**

- Serving sentence in **Spain**

- Played an active role in the burning of one particular house and the murder of a male occupant.

Born	1 April 1958 in Donja Večeriska, Bosnia and Herzegovina
Indictment	Initial indictment: 10 November 1995, unsealed 26 June 1996; amended indictment: 9 February 1998
Surrendered	6 October 1997
Transferred to ICTY	6 October 1997
Initial appearance	8 October 1997, pleaded not guilty to all counts
Trial Chamber sentencing judgement	14 January 2000, sentenced to 25 years' imprisonment
Appeals Chamber judgement	23 October 2001, sentence reduced 18 years' imprisonment
Serving sentence	12 April 2002, transferred to Spain Credit given for time served since surrender

COMPLETED CASES

"LAŠVA VALLEY"

ZORAN KUPREŠKIĆ



ZORAN KUPREŠKIĆ
Found not guilty

Soldier with the Croatian defence council (HVO) in central Bosnia and Herzegovina, at the time of the attacks on Ahmići on 16 April 1993.

- Found **not guilty**
- Immediately released

Born	23 September 1958 in Pirići, Bosnia and Herzegovina
Indictment	Initial indictment: 10 November 1995, unsealed 26 June 1996; amended indictment: 9 February 1998
Surrendered	6 October 1997
Transferred to ICTY	6 October 1997
Initial appearance	8 October 1997, pleaded not guilty to all counts
Trial Chamber sentencing judgement	14 January 2000, sentenced to 10 years' imprisonment
Appeals Chamber judgement	23 October 2001, found not guilty and immediately released

"LAŠVA VALLEY"

MIRJAN KUPREŠKIĆ



MIRJAN KUPREŠKIĆ
Found not guilty

At the time of the attacks on Ahmići on 16 April 1993, he was a HVO soldier in central Bosnia and Herzegovina.

- Found **not guilty**
- Immediately released

COMPLETED CASES

Born	21 October 1963 in Vitez, Bosnia and Herzegovina
Indictment	Initial indictment: 10 November 1995, unsealed 26 June 1996; amended indictment: 9 February 1998
Surrendered	6 October 1997
Transferred to ICTY	6 October 1997
Initial appearance	8 October 1997, pleaded not guilty to all counts
Trial Chamber sentencing judgement	14 January 2000, sentenced to 8 years' imprisonment
Appeals Chamber judgement	23 October 2001, found not guilty and immediately released

"LAŠVA VALLEY"

VLATKO KUPREŠKIĆ



VLATKO KUPREŠKIĆ
Found not guilty

Between 1992 and 1993 he was enlisted in the HVO. He was a police operations officer in the Ahmići-Šantići area in central Bosnia and Herzegovina.

- Found **not guilty**
- Immediately released

Born	1 January 1958 in Pirići, Bosnia and Herzegovina
Indictment	Initial indictment: 10 November 1995, unsealed 26 June 1996; amended indictment: 9 February 1998
Surrendered	18 December 1997
Transferred to ICTY	18 December 1997
Initial appearance	16 January 1998, pleaded not guilty to all counts
Trial Chamber sentencing judgement	14 January 2000, sentenced to 6 years' imprisonment
Appeals Chamber judgement	23 October 2001, found not guilty and immediately released

COMPLETED CASES

"LAŠVA VALLEY"

DRAGAN PAPIĆ



DRAGAN PAPIĆ
Found not guilty

At the time of the attacks on Ahmići in April 1993, he was a member of the HVO, living in Ahmići in the Vitez municipality, central Bosnia and Herzegovina.

- Found **not guilty**
- Immediately released

Born	15 July 1957 in Šantići, Bosnia and Herzegovina
Indictment	Initial indictment: 10 November 1995, unsealed 26 June 1996; amended indictment: 9 February 1998
Surrendered	6 October 1997
Transferred to ICTY	6 October 1997
Initial appearance	8 October 1997, pleaded not guilty to all counts
Trial Chamber sentencing judgement	14 January 2000, acquitted

COMPLETED CASES

"LAŠVA VALLEY"

ANTO FURUNDŽIJA



Crimes convicted of (examples):

Torture, outrages upon personal dignity, including rape (violations of the laws or customs of war)

- Whilst he interrogated a Muslim woman, a subordinate soldier threatened her by rubbing his knife on her inner thighs and saying that he would cut out her private parts. In another room the victim and her friend, a Croatian soldier, were interrogated and beaten on their feet with a baton. The woman was then repeatedly raped before a group of soldiers. The Croatian soldier was forced to watch the sexual attacks on his friend. Anto Furundžija did nothing to stop or curtail these actions in his presence, and the continued interrogation substantially contributed to the criminal acts committed upon the woman and her friend.

ANTO FURUNDŽIJA

Convicted of torture and outrages upon personal dignity, including rape

In mid-May 1993, Furundžija was the local commander of the Jokers, a unit of the Croatian Defence Council (HVO), in the Vitez municipality of central Bosnia and Herzegovina.

- Sentenced to **10 years' imprisonment**

- Early release granted 29 July 2004, effective 17 August 2004

Born	8 July 1969 in Travnik, central Bosnia and Herzegovina
Indictment	10 November 1995
Arrest	18 December 1997, arrested by SFOR
Transferred to ICTY	18 December 1997
Initial appearance	19 December 1997, pleaded not guilty to all counts
Trial Chamber sentencing judgement	10 December 1998, sentenced to 10 years' imprisonment
Appeals Chamber judgement	21 July 2000, sentence affirmed
Sentence served	25 September 2000, transferred to Finland to serve the remainder of his sentence 29 July 2004 early release granted, effective 17 August 2004

COMPLETED CASES

"ČELEBIĆI CAMP"

ZDRAVKO MUCIĆ

Crimes convicted of (examples):

Wilfully causing great suffering or serious injury, unlawful confinement of civilians, willful killings, torture, inhuman treatment (grave breaches of the 1949 Geneva conventions)

- Participated in the maintenance of inhumane conditions for Bosnian Serb detainees at the Celebici prison-camp and was responsible, as commander of the camp, for creating the atmosphere of terror that prevailed, whereby detainees lived in a constant state of anguish and fear of being subjected to physical abuse.



ZDRAVKO MUCIĆ
Convicted of wilfully causing great suffering or serious injury, unlawful confinement of civilians, willful killings, torture, inhuman treatment

From about May 1992 to November 1992, Commander of Celebici prison-camp, established by the Bosnian Muslim and Bosnian Croat forces in mid 1992 and located near Konjic in central Bosnia and Herzegovina.

- Sentenced to **9 years' imprisonment**

- Granted early release on **18 July 2003**

- Sentence served

- Under his command, eight detainees died as a result of beatings by guards; a detainee was shot while attempting to escape from a beating; the beating of another detainee was conducted with rifle butts and other wooden and metal objects and continued for a period of several hours; despite being already seriously injured when he arrived at the camp, another detainee was subjected to further beatings during his detention, resulting in his subsequent death.

Born	31 August 1955 in Spiljani, Konjic municipality, Bosnia and Herzegovina
Indictment	21 March 1996
Arrest / Surrendered	18 March 1996, arrested by the national authorities in Austria
Transferred to ICTY	9 April 1996
Initial appearance	11 April 1996, pleaded not guilty to all counts
Trial Chamber sentencing judgement	16 November 1998, sentenced to seven years' imprisonment
Appeals Chamber judgement	20 February 2001, sentencing remitted to Trial Chamber for possible adjustment
Second sentencing judgement	9 October 2001, sentenced to nine years' imprisonment
Appeals Chamber judgement on sentence appeal	8 April 2003, Trial Chamber sentence confirmed
Sentence served	18 July 2003, granted early release Credit for time served since 18 March 1996

COMPLETED CASES

"ČELEBIĆI CAMP"

HAZIM DELIĆ

Crimes convicted of (examples):

Willful killings, torture, wilfully causing great suffering or serious injury, inhuman treatment (grave breaches of the 1949 Geneva conventions)

- Severely beat one detainee over a period of several days, resulting in the detainee's death.
- Imprisoned one detainee in a manhole for at least a night and a day without food or water; the prisoner was then beaten with a number of objects, including shovels and electric wires.



HAZIM DELIĆ

Convicted of willful killings, torture, wilfully causing great suffering or serious injury, inhuman treatment

From about May 1992 to November 1992, Deputy Commander of Čelebići prison-camp; from about November and December 1992, he was a Commander of the prison.

- Sentenced to **18 years' imprisonment**

- Serving sentence in **Finland**

- Controlled the water supply that would come into the camp and placed severe restrictions on the amount of water which could be drunk by detainees, despite there being no shortage of water available. This was particularly significant during hot summer days.
- Told detainees who had requested medical care that they would die anyway, with or without medical assistance.
- Violently raped two female detainees during interrogations inside the Čelebići prison-camp. On each occasion Hazim Delić was in uniform, armed and viciously threatening. The purpose of these rapes was to intimidate and coerce his victims into giving information. One of the rapes was conducted in the presence of other guards.

Born	13 May 1964 in Orahovica, Konjic municipality, B-H
Indictment	21 March 1996
Arrest / Surrendered	2 May 1996, detained by the authorities of B-H
Transferred to ICTY	13 June 1996
Initial appearance	11 April 1996, pleaded not guilty to all counts
Trial Chamber sentencing judgement	16 November 1998, sentenced to 20 years' imprisonment
Appeals Chamber judgement	20 February 2001, sentencing remitted to Trial Chamber for possible adjustment
Second sentencing judgement	9 October 2001, sentenced to 18 years' imprisonment
Appeals Chamber judgement on sentence appeal	8 April 2003, Trial Chamber sentence confirmed
Serving sentence	9 July 2003, transferred to Finland to serve the remainder of his sentence. Credit for time served since 2 May 1996

COMPLETED CASES

"ČELEBIĆI CAMP"

ESAD LANDŽO

Crimes convicted of (examples):

Willful killing, torture, wilfully causing great suffering or serious injury (grave breaches of the 1949 Geneva conventions)

- A detainee, aged between 60 and 70 years was taken outside and beaten for an extended period of time by Esad Landžo. An SDS badge was nailed to his forehead. The detainee died soon after from the injuries.

- Forced open the mouth of one detainee in order to insert a pair of heated pincers which he closed on his tongue, causing burns to his mouth, lips and tongue. He then burnt the detainee's ear with the pincers.

- Placed a gas mask over another detainee's face and tightened it to block his air supply. He then burned the detainee's hand, leg and thighs with a heated knife and forced him to eat grass and drink water with his mouth full of clover, while kicking and hitting him.

- He forced one detainee to do push-ups whilst being kicked and hit with a baseball bat. He also placed a burning fuse cord against the genitals of another detainee.



ESAD LANDŽO

Convicted of willful killing; torture; wilfully causing great suffering or serious injury

Worked as a guard at the Čelebići prison-camp from May 1992 to December 1992

- Sentenced to **15 years' imprisonment**

- Serving sentence in **Finland**

Born	7 March 1973 in Glavatičevo, Konjic municipality, Bosnia and Herzegovina
Indictment	21 March 1996
Arrest / Surrendered	2 May 1996, detained by the authorities of Bosnia and Herzegovina
Transferred to ICTY	13 June 1996
Initial appearance	18 June 1996, pleaded not guilty to all counts
Trial Chamber sentencing judgement	16 November 1998, sentenced to 15 years' imprisonment
Appeals Chamber judgement	20 February 2001, sentencing remitted to Trial Chamber for possible adjustment
Second sentencing judgement	9 October 2001, sentenced to 15 years' imprisonment
Appeals Chamber judgement on sentence appeal	8 April 2003, Trial Chamber sentence confirmed
Serving sentence	9 July 2003, transferred to Finland to serve the remainder of his sentence. Credit for time served since 2 May 1996

COMPLETED CASES

"ČELEBIĆI CAMP"

ZEJNIL DELALIĆ



ZEJNIL DELALIĆ
Acquitted

Coordinator of the Bosnian Muslim and Bosnian Croat forces in the Konjic area from May 1992 July 1992. From July to November 1992, he was commander of the First Tactical Group of the Bosnian Army.

- Found **not guilty**
- Immediately released

Born	25 March 1948 in Ostrožac, Jablanica municipality, Bosnia and Herzegovina
Indictment	21 March 1996
Arrest / Surrendered	18 March 1996, arrested in Munich, Germany by German police
Transferred to ICTY	8 April 1996
Initial appearance	9 May 1996, pleaded not guilty to all counts
Trial Chamber sentencing judgement	16 November 1998, acquitted on all counts

COMPLETED CASES

"PILICA FARM"

DRAŽEN ERDEMOVIĆ



Crimes convicted of (examples):

Murder (crimes against humanity and violations of the laws or customs of war)

- Participated in the shooting and killing of hundreds of unarmed Bosnian Muslim men from Srebrenica at the Pilica collective farm on or about 16 July 1995.

- Dražen Erdemović personally killed about 70 people.

DRAŽEN ERDEMOVIĆ **Convicted of murder**

Soldier in the 10th Sabotage Detachment of the Bosnian Serb Army (VRS) operating in the region of Zvornik in the Zvornik Municipality, in the north-east Bosnia and Herzegovina.

- Sentenced to **5 years' imprisonment**

- Served sentence in **Norway**

Born	25 November 1971 in Tuzla, Bosnia and Herzegovina
Indictment	29 May 1996
Arrest / Surrendered	2 March 1996 arrested by the authorities of the Federal Republic of Yugoslavia (FRY)
Transferred to ICTY	30 March 1996
Initial appearance	31 May 1996, pleaded guilty to the count of murder as a crime against humanity, the Trial Chamber accepted the accused's guilty plea and dismissed the alternative count of a violation of the laws or customs of war
Trial Chamber sentencing judgement	29 November 1996, sentenced to 10 years' imprisonment
Appeals Chamber judgement	7 October 1997, case remitted to new Trial Chamber to give the accused the opportunity to re-plead
Re-plea before Trial Chamber	14 January 1998, pleaded guilty to the count of murder as a violation of the laws or customs of war, the Prosecutor withdrew the alternative count of murder as a crime against humanity
Second sentencing judgement	5 March 1998, sentence substituted to one of five years' imprisonment
Sentence served	26 August 1998, transferred to Norway to serve the remainder of his sentence Credit was given for time served since 28 March 1996

COMPLETED CASES

"FOČA"

DRAGOLJUB KUNARAC

Crimes convicted of (examples):

Torture and rape (crimes against humanity and violations of the laws or customs of war)

- The rape of three victims at his headquarters at Osmana Djikića Street no. 16, Foča
- Aiding and abetting the gang-rape of four victims by several of his soldiers
- Forcing a victim to have sexual intercourse with him despite knowing that she did not consent
- Threatening to kill a witness and her son while trying to obtain information or a confession, along with two other soldiers in mid-July 1992

Enslavement (crimes against humanity)

- Personally committed the act of enslavement by depriving two women of any control over their lives and treating them as property



DRAGOLJUB KUNARAC
*Convicted of torture, rape
and enslavement*

During the relevant period, Kunarac was the leader of a reconnaissance unit of the Bosnian Serb Army (VRS) which formed part of the local Foča Tactical Group.

- Sentenced to **28 years' imprisonment**

- Serving sentence in **Germany**

Born	15 May 1960 in Foča, Bosnia and Herzegovina
Indictment	26 June 1996
Arrest / Surrendered	4 March 1998, voluntary surrender
Transferred to ICTY	5 March 1998
Initial appearance	13 March 1998, 25 August 1998, 24 September 1999, pleaded "not guilty" to all counts
Judgement	22 February 2001, sentenced to 28 years' imprisonment
Appeals Chamber judgement	12 June 2002, sentence of 28 years' imprisonment affirmed
Serving sentence	12 December 2002, transferred to Germany to serve the remainder of his sentence. Credit for time served since 4 March 1998.

COMPLETED CASES

"FOČA"

RADOMIR KOVAČ

Crimes convicted of (examples):

Enslavement (crimes against humanity)

- Detaining two victims in his apartment for a period of about four months
- Imprisoning the girls and exercising his de facto power of ownership, it was Kovač's intention to treat the four victims as his property

Rape (crimes against humanity and violations of the laws or customs of war)

- Raping two victims along with other soldiers
- Raping two victims along with other soldiers during the period that they were kept in his apartment
- Having sexual intercourse with three victims despite knowing that they did not consent
- Assisting other soldiers to rape three victims

Outrages upon personal dignity (violation of the laws or customs of war)

- The constant humiliation and degradation of four victims
- Forcing three victims to dance naked on a table while he watched them
- The sale of a victim to a man called "Dragec" for 200 Deutschmarks and the hand-over of another victim to his soldiers
- The sale of two victims for 500 Deutschmarks each to some Montenegrin soldiers



RADOMIR KOVAČ
Convicted of enslavement, rape and outrages upon personal dignity

He was one of the sub-commanders of the military police of the Bosnian Serb Army (VRS) and a paramilitary leader in the town of Foča.

- Sentenced to **20 years' imprisonment**

- Serving sentence in **Norway**

Born	31 March 1961 in Foča, Bosnia and Herzegovina
Indictment	26 June 1996
Arrest / Surrendered	2 August 1999, arrested by SFOR
Transferred to ICTY	2 August 1999
Initial appearance	14 August 1999, 24 September 1999, pleaded "not guilty" to all counts
Judgement	22 February 2001, sentenced to 20 years' imprisonment
Appeals Chamber judgement	12 June 2002, sentence of 20 years' imprisonment affirmed
Serving sentence	28 November 2002, transferred to Norway to serve the remainder of his sentence. Credit for time served since 2 August 1999.

COMPLETED CASES

"FOČA"

ZORAN VUKOVIĆ

Crimes convicted of (examples):

Torture and rape (crimes against humanity and violations of the laws or customs of war)

- Taking, along with another soldier, a victim from the Partizan Sports Hall, Foča, to an apartment nearby
- Raping the same victim despite knowing that she was only 15 years old and had not consented to having sexual intercourse with him



ZORAN VUKOVIĆ
Convicted of torture, rape and enslavement

He was one of the sub-commanders of the military police of the Bosnian Serb Army (VRS) and a member of the paramilitary in the town of Foča.

- Sentenced to **12 years' imprisonment**

- Serving sentence in **Norway**

Born	6 September 1955 in Brusna, Foča, Bosnia and Herzegovina
Indictment	26 June 1996
Arrest / Surrendered	23 December 1999, arrested by SFOR
Transferred to ICTY	24 December 1999
Initial appearance	29 December 1999, pleaded "not guilty" on all counts
Judgement	22 February 2001, sentenced to 12 years' imprisonment
Appeals Chamber judgement	12 June 2002, sentence of 12 years' imprisonment affirmed judgement
Serving sentence	28 November 2002, transferred to Norway to serve the remainder of his sentence. Credit for time served since 23 December 1999.

COMPLETED CASES

"PRIJEDOR"

MILOMIR STAKIĆ



Crimes convicted of (examples):

Persecutions (crimes against humanity)

- As the leading figure in the Prijedor municipal government, he played an important role in a campaign aimed at ethnically cleansing the Municipality of Prijedor by deporting and persecuting Bosnian Muslims and Bosnian Croats.
- Planned and ordered the deportation of around 20,000 primarily non-Serb residents from the Prijedor municipality.
- He actively participated in the establishment of the camps Omarska, Keraterm and Trnopolje where detainees were subjected to serious mistreatment and abuse which amounted to torture, on a daily basis: detainees were severely beaten, often with weapons such as cables, batons and chains.

Extermination (crime against humanity), **murder** (violation of the laws and customs of war)

- He was a member of a joint criminal enterprise of which the purpose was to consolidate Serb control over the municipality at any cost, resulting in widespread killings committed by Serb forces in towns, surrounding areas, and in detention facilities throughout the municipality.
- Responsible for the murder of more than 1,500 people in the Prijedor municipality, including the killing of around 120 men in Keraterm camp on 5 August 1992 and executions of approximately 200 people at Korićanske Stijene on Mount Vlašić on 21 August 1992.

MILOMIR STAKIĆ

Convicted of extermination, murder, persecutions (committed by inter alia murder, torture, physical violence, rape, sexual assault, constant humiliation and degradation, deportation on a massive scale)

From 30 April 1992 until 30 September 1992, President of the Serb controlled Prijedor Municipality Crisis Staff and Head of the Municipal Council for National Defence in Prijedor, northwest Bosnia and Herzegovina.

- Sentenced to **40 years' imprisonment**

- Awaiting transfer

COMPLETED CASES

Born	19 January 1962, in Marićka, municipality of Prijedor, Bosnia and Herzegovina
Indictment	Initial indictment: 13 March 1997 (under seal until 23 March 2001), amended indictment: 6 August 2001, second amended indictment: 5 October 2001, third amended indictment: 4 March 2002, fourth amended incitement: 11 April 2002
Arrest / Surrendered	23 March 2001, arrested in Serbia
Transferred to ICTY	23 March 2001
Initial and further appearances	28 March 2001, pleaded not guilty to the charge of complicity in genocide 2 August 2001, pleaded not guilty to all counts of the amended indictment
Judgement	31 July 2003, sentenced to life imprisonment
Appeals Chamber judgement	22 March 2006, sentenced to 40 years' imprisonment
	Awaiting transfer

"FOČA"

MIHORAD KRNOJELAC



Crimes convicted of (examples):

Torture and murder (crimes against humanity, violations of the laws or customs of law)

- He knew or had reason to know that his subordinates were torturing detainees and failed to take any action to prevent this.
- He had sufficient information to put him on notice that his subordinates were involved in the murder of detainees. Being aware of the beatings and the suspicious disappearances, and having seen the bullet impacts in the walls, he was in a position to realise that the perpetrators of these beatings were likely to have committed murders. He failed to carry out an investigation.

MIHORAD KRNOJELAC

Convicted of torture, murder and persecutions and as a co-perpetrator of persecutions and cruel treatment

From April 1992 to August 1993, Krnojelac was a commander of the Serb run "Kazneno-Popravni Dom" (KP Dom) detention camp in Foča, located south of Sarajevo, Bosnia and Herzegovina, near the border with Serbia and Montenegro.

- Sentenced to **15 years' imprisonment**

- Serving sentence in **Italy**

Persecutions (crimes against humanity)

- He knew that the detention of non-Serbs was unlawful, and he also knew that his acts or omissions were contributing to the maintenance of unlawful detention.
- He was aware of the decision to use unlawfully detained non-Serbs as forced labour. He had regular meetings with the heads of the furniture factory, metal workshop and farm where the detainees worked, and exercised final control over the work of detainees.
- He authorised his personnel to hand over non-Serb detainees to be deported and encouraged such departures by allowing them to continue. Many of the detainees were never seen alive again after leaving the KP Dom.

Cruel treatment (violations of the laws or customs of war)

- He had knowledge that the conditions in the KP Dom were brutal. It was overcrowded; some could not find room to sleep lying down. The detainees were fed starvation rations. They had no change of clothes and during the winter they had no heating. Detainees could hear the sounds of people being beaten in other buildings. As a result of living conditions the physical and psychological health of many detainees was destroyed. As commander, Krnojelac was aware that his failure to take any action contributed in a substantial way to the continuance of these conditions by giving encouragement to the principal offenders to maintain these living conditions.

COMPLETED CASES

Born	25 July 1940, Birotići, Bosnia and Herzegovina
Indictment	17 June 1997
Arrest	15 June 1998, arrested by SFOR
Transferred to ICTY	15 June 1998
Initial and further appearances	18 June 1998, pleaded not guilty to all counts 14 September 1999, pleaded not guilty to all counts
Trial Chamber sentencing judgement	15 March 2002, sentenced to seven and a half years' imprisonment
Appeals Chamber judgement	17 September 2003, sentenced to 15 years' imprisonment
Serving sentence	11 April 2006, transferred to Italy to serve remainder of his sentence. Credit was given for time served since his arrest on 15 June 1998.

COMPLETED CASES

"OMARSKA AND KERATERM CAMPS"

MIROSLAV KVOČKA

Crimes convicted of (examples):

Persecutions on political, racial or religious grounds (crimes against humanity)

- Held a high-ranking position in the camp and had a degree of authority over the guards.
- Had sufficient influence to prevent or halt some of the abuses but rarely made use of that influence.
- Was present while crimes were committed and was undoubtedly aware that crimes of extreme physical and mental violence were routinely inflicted upon the non-Serbs imprisoned in Omarska.

Murder and torture (violation of the laws or customs of war)

- Co-perpetrator as part of the joint criminal enterprise in the murder of two detainees.
- As part of the joint criminal enterprise, instigated, committed or otherwise aided and abetted the torture and beating of Bosnian Muslim and Bosnian Croat prisoners by his approval and encouragement of or acquiescence to the acts.



MIROSLAV KVOČKA
Convicted of persecution on political, racial or religious grounds, murder and torture

Professional police officer attached to the Omarska police station at the time the Omarska camp was established by Serbian forces in the municipality of Prijedor in mid 1992; participated in the operation of the camp as the functional equivalent of the deputy commander of the guard service.

- Sentenced to **7 years' imprisonment**

- Sentence served (Granted early release on the 31 March 2005)

Born	1 January 1957 in Marićka, Prijedor municipality, Bosnia and Herzegovina
Indictment	9 November 1998
Arrest / Surrendered	8 April 1998, detained by SFOR
Transferred to ICTY	9 April 1998
Initial appearance	14 April 1998, pleaded not guilty to all counts
Trial Chamber sentencing judgement	2 November 2001, sentenced to 7 years' imprisonment
Provisional Release	19 December 2003 until 19 March 2004 and from 29 March 2004
Appeals Chamber judgement	28 February 2005, sentence of 7 years' imprisonment affirmed
Sentence served	Granted early release on the 31 March 2005

COMPLETED CASES

"OMARSKA AND KERATERM CAMPS"

DRAGOLJUB PRCAĆ

Crimes convicted of (examples):

Persecutions on political, racial or religious grounds (crimes against humanity)

- Was aware of the crimes of extreme physical and mental violence routinely inflicted upon the non-Serbs detained in Omarska.
- Performed his duties diligently and almost never intervened, thereby actively contributing to the system of persecution which had been set up.
- Was aware of the persecutory nature of the crimes committed against non-Serbs detained in the camp and, based upon his knowing and substantial participation in the system of persecution pervading Omarska camp, Prcać had the intent to discriminate against the non-Serbs detained in the camp.



DRAGOLJUB PRCAĆ
Convicted of persecution on political, racial or religious grounds, murder and torture

Retired policeman and a crime technician mobilised to serve in the Omarska police station on 29 April 1992; administrative aide to the commander of the Omarska camp.

- Sentenced to **5 years' imprisonment**

- Sentence served

Murder and torture (violations of the laws or customs of war)

- Remained impassive when crimes were committed in his presence. His silence can be regarded as giving moral support or approval to the perpetrators.

Born	18 July 1937 in Omarska, Prijedor municipality, Bosnia and Herzegovina
Indictment	9 November 1998
Arrest / Surrendered	5 March 2000, detained by SFOR
Transferred to ICTY	5 April 2000
Initial appearance	10 March 2000, pleaded not guilty to all counts
Trial Chamber sentencing judgement	2 November 2001, sentenced to 5 years' imprisonment
Appeals Chamber judgement	28 February 2005, sentence of 5 years' imprisonment affirmed
Sentence served	

COMPLETED CASES

"OMARSKA AND KERATERM CAMPS"

MILOJICA KOS

Crimes convicted of (examples):

Persecutions on political, racial or religious grounds, murder, inhumane acts (crimes against humanity)

- Direct knowledge of the abusive treatment and conditions in Omarska.
- Participated in acts of violence against detainees.
- Held a position of authority and influence over guards on his shift.
- Was involved in the extortion of detainees and stealing money from detainees in Omarska camp.



MILOJICA KOS
Convicted of persecution on political, racial or religious grounds, murder and torture

Milojica Kos, also known as "Krle", held the position of a guard shift leader in Omarska camp from approximately 31 May to 6 August 1992.

- Sentenced to **6 years' imprisonment**

- Sentence served

Murder and torture (violations of the laws or customs of war)

- Active participation or silent approval of the crimes committed in his presence or by guards on his shift.
- Was directly and personally involved in beatings of detainees in mid July 1992.

Born	1 April 1963 in Lamovita, Prijedor municipality, Bosnia and Herzegovina
Indictment	9 November 1998
Arrest / Surrendered	28 May 1998, detained by SFOR
Transferred to ICTY	29 May 1998
Initial appearance	2 June 1998, pleaded not guilty to all counts
Trial Chamber sentencing judgement	2 November 2001, sentenced to 6 years' imprisonment
Granted early release	31 July 2002
Sentence served	

COMPLETED CASES

"OMARSKA AND KERATERM CAMPS"

MLAĐO RADIĆ

Crimes convicted of (examples):

Persecutions on political, racial or religious grounds, murder, inhumane acts (crimes against humanity)

- Was aware that crimes of extreme physical and mental violence were routinely committed in Omarska camp for discriminatory purposes.

- Had substantial authority over guards on his shift in the camp and used his power to prevent crimes selectively, while ignoring the vast majority of crimes committed during his shift.

- He raped one detainee and attempted to rape another.

- He participated in sexual intimidation, harassment, and assaults against three other detainees.


Murder and torture (violations of the laws or customs of war)

- Accompanied detainees to the offices where they were to be interrogated and took them out after they had been not only interrogated but also beaten.

- Did not prevent outsiders, including Duško Tadić and Zoran Žigić, from coming into the camp and participating in the beating of detainees.

- Several detainees died from the beatings administered by the guards on his shift.

- On taking into account the vulnerability of the victims, the pain deliberately inflicted on them and the state of anxiety in which the women detainees were kept in Omarska, the Chamber characterised the acts of sexual violence committed as acts of torture.

	MLAĐO RADIĆ <i>Convicted of persecution on political, racial or religious grounds, murder and torture</i>
	Mlađo Radić, also known as "Krkan", was a professional policeman attached to the Omarska police station and was a shift leader of guards in the Omarska camp from approximately 28 May until the end of August 1992.
	- Sentenced to 20 years' imprisonment
	- Serving sentence in France

Born	15 May 1952 in Lamovita, Prijedor municipality, Bosnia and Herzegovina
Indictment	9 November 1998
Arrest / Surrendered	8 April 1998, detained by SFOR
Transferred to ICTY	9 April 1998
Initial appearance	14 April 1998, pleaded not guilty to all counts
Trial Chamber sentencing judgement	2 November 2001, sentenced to 20 years' imprisonment
Appeals Chamber judgement	28 February 2005, sentence of 20 years' imprisonment affirmed
Serving Sentence	15 November 2005, transferred to France to serve the remainder of his sentence

COMPLETED CASES

"OMARSKA AND KERATERM CAMPS"

ZORAN ŽIGIĆ

Crimes convicted of (examples):

Persecutions on political, racial or religious grounds (crimes against humanity)

- Participated in the beating of three detainees held in Omarska and aided and abetted the beating of another prisoner.
- Murdered two detainees.
- Co-perpetrator in the murder of another detainee.

Torture and cruel treatment (violations of the laws or customs of war)

- Used weapons such as a rod with a metal ball attached to one end to harm detainees.
- Forced a detainee to run with a machine-gun while beating him.
- Forced a detainee to drink and wash himself from water in a puddle.



ZORAN ŽIGIĆ
Convicted of persecution on political, racial or religious grounds, torture and cruel treatment

Zoran Žigic, also known as "Ziga", was a civilian taxi-driver who was mobilized to serve as a reserve police officer. He worked for a short period of time as a guard at Keraterm camp and specifically entered Omarska and Trnopolje camps for the purpose of abusing, beating, torturing and/or killing prisoners.

- Sentenced to **25 years' imprisonment**

- Serving sentence in **Austria**

Born	20 September 1958 in Balte, Prijedor municipality, Bosnia and Herzegovina
Indictment	9 November 1998
Arrest / Surrendered	16 April 1998, voluntary surrender
Transferred to ICTY	16 April 1998
Initial appearance	20 April 1998, pleaded not guilty to all counts
Trial Chamber sentencing judgement	2 November 2001, sentenced to 25 years' imprisonment
Appeals Chamber judgement	28 February 2005, sentence of 25 years' imprisonment affirmed
Serving Sentence	8 June 2006, transferred to Austria to serve the remainder of his sentence

COMPLETED CASES

"VIŠEGRAD"

MITAR VASILJEVIĆ



Crimes convicted of:

Aiding and abetting persecutions on political, racial or religious grounds (crimes against humanity) **and murder** (violations of the laws or customs of war)

- Participated in an incident which resulted in the death of five Muslim men: after holding them at the Vilina Vlas hotel in Višegrad, Mitar Vasiljević led seven Muslim men, at gun point, to the bank of the River Drina and ordered them to line up; all of the men were subsequently shot at and five were killed.

MITAR VASILJEVIĆ

Convicted of aiding and abetting persecutions and murder

From mid-April 1992 member of the "White Eagles", a Bosnian Serb paramilitary unit which operated together with the police and various military units stationed in Višegrad, eastern Bosnia and Herzegovina.

- Sentenced to **15 years' imprisonment**

- Serving sentence in **Austria**

Born	25 August 1954, Durevići, Bosnia and Herzegovina
Indictment	Initial indictment: 6 October 1998; amended indictment: 20 July 2001
Arrest	25 January 2000, arrested by SFOR
Transferred to ICTY	25 January 2000
Initial appearance	28 January 2000, pleaded not guilty to all counts
Trial Chamber sentencing judgement	29 November 2002, sentenced to 20 years' imprisonment
Appeals Chamber judgement	25 February 2004, sentenced to 15 years' imprisonment
Serving sentence	On 6 July 2004, transferred to Austria to serve his sentence Credit for the time served since 25 January 2000

COMPLETED CASES

"SREBRENICA - DRINA CORPS"

RADISLAV KRSTIĆ



Crimes convicted of (examples):

Aiding and abetting genocide, murders (violation of the laws or customs of war), **extermination and persecution** (crimes against humanity)

- While 25,000 Bosnian Muslim women, children and elderly were forcibly transferred from the Srebrenica enclave, VRS forces devised and implemented a plan to eliminate all Bosnian Muslim men of military age at Srebrenica, regardless of their civilian or military status.

- Between 13 and 19 July 1995, as many as 7,000 to 8,000 men were systematically murdered or killed in mass executions.

- Serious bodily or mental harm was done to those few who survived the mass executions.

- From 15 July 1995, at the latest, Radislav Krstic was aware of the intent to commit genocide on the part of some members of the VRS Main Staff, and with that knowledge, he permitted them to use personnel and resources under his command to facilitate the killings.

Murder (violation of the laws or customs of war) **and persecution** (crimes against humanity)

- Radislav Krstić played a leading role in an operation which planned an attack on the Srebrenica enclave. This operation was code-named "Krivaja 95".

- Part of this operation was the shelling of Srebrenica calculated to terrify the Bosnian Muslim population and to drive them to Potočari, a nearby settlement north of Srebrenica town where a total lack of food, shelter and necessary services would accelerate their fear and panic and ultimately their willingness to leave the territory.

- Upon the arrival of the Serb forces in Potočari, the Bosnian Muslim refugees taking shelter in and around the UN compound there were subjected to a terror campaign comprised of threats, insults, looting and burning of nearby houses, beatings, rapes and murders.

RADISLAV KRSTIĆ

Convicted of aiding and abetting genocide, murders, extermination and persecution

Chief-of-Staff/Deputy Commander of the Bosnian Serb Army (VRS) Drina Corps. Promoted to rank of General-Major in June 1995, assumed command of the Drina Corps on 13 July 1995. Promoted to the rank of Lieutenant-Colonel-General in April 1998.

- Sentenced to **35 years' imprisonment**

- Serving sentence in the **United Kingdom**

COMPLETED CASES

- From his presence at two meetings convened by VRS Commander General Ratko Mladić at the Hotel Fontana in Bratunac, a town near Potočari, Radislav Krstić knew that the Bosnian Muslim civilians were in fact facing a humanitarian crisis and subject to criminal acts.
- Radislav Krstić thus incurred liability for the incidental murders, rapes, beatings and abuses committed in the execution of this criminal enterprise between 10 and 13 July 1995 in Potočari.
- Radislav Krstić ordered the procurement of the buses for the forcible transfer of 25,000 Bosnian Muslim women, children and elderly to Kladanj, in Bosnian government-held territory, and their subsequent departure there carrying the civilians from Potočari.

Born	15 February 1948 in Vlasenica, Bosnia and Herzegovina
Indictment	30 October 1998
Arrest / Surrendered	2 December 1998, detained by SFOR
Transferred to ICTY	3 December 1998
Initial appearance	17 December 1998. 25 November 1999, pleaded "not guilty" to all counts.
Judgement	2 August 2001, sentenced to 46 years' imprisonment
Appeals Chamber judgement	19 April 2004, sentenced to 35 years' imprisonment
Serving sentence	20 December 2004, transferred to the United Kingdom to serve the remainder of his sentence

COMPLETED CASES

"TUTA AND ŠTELA"

MLADEN NALETILIĆ



MLADEN NALETILIĆ

Convicted of torture; wilfully causing great suffering or serious injury to body or health; unlawful transfer of a civilian; unlawful labour; wanton destruction not justified by military necessity; plunder of public or private property; persecutions on political, racial and religious grounds

Founder and commander of "Kažnjenička Bojna" (Convicts' Battalion, "KB"), a so-called professional or independent unit put into action for special combat purposes, under the direct command of the Croatian Defence Council (HVO) Main Staff. The KB was composed of 200 to 300 soldiers grouped in sub-units, called ATG or ATJ with bases around Mostar, South-eastern Bosnia and Hercegovina.

- Sentenced to **20 years' imprisonment**

- Awaiting transfer to serve his sentence

Crimes convicted of (examples):

Torture; wilfully causing great suffering or serious injury to body or health; unlawful transfer of a civilian (grave breaches of the Geneva Conventions)

Unlawful labour; wanton destruction not justified by military necessity; plunder of public or private property (violations of laws or customs of war)

Persecutions on political, racial and religious grounds; torture (crimes against humanity)

- Repeatedly committed torture, cruel treatment and wilfully caused great suffering, in Doljani, at the Tobacco Institute in Mostar and at the Heliodrom detention centre, west of Mostar. For instance, on one occasion Naletilić personally beat a young man named Zilić on the genitals and the face, then allowing his men to further beat him; in another instance, Naletilić inflicted torture on a 16-year old detainee by threatening to kill him if he did not provide information Naletilić demanded;
- Ordered the destruction of all Bosnian Muslim houses in Doljani on 21 April 1993.
- Forcibly removed approximately 400 Muslim civilians from Sovići and Doljani on 4 May 1993;
- Used prisoners of war to dig a trench in the vicinity of his villa;
- Troops under his command looted private property of Bosnian Muslims in Mostar;

COMPLETED CASES

Born	1 December 1946 in Široki Brijeg, Bosnia and Herzegovina
Indictment	Initial indictment: 21 December 1998; amended indictment: 28 November 2000; second amended indictment: 16 October 2001
Arrested	26 February 1997 in Croatia
Transferred to ICTY	21 March 2000
Initial appearance	24 March 2000, pleaded not guilty to all counts
Trial Chamber sentencing judgement	31 March 2003, sentenced to 20 years' imprisonment
Appeals Chamber judgement	Sentenced to 20 years' imprisonment Credit was given for time served since transfer to the ICTY on 21 March 2000
	Awaiting transfer to serve his sentence

"TUTA AND ŠTELA"

VINKO MARTINOVIĆ



VINKO MARTINOVIĆ

Convicted of Inhumane treatment; wilfully causing great suffering or serious injury to body or health; wilful killing; unlawful transfer of a civilian; unlawful labour; plunder of public or private property; persecutions on political, racial and religious grounds, inhumane acts, murder

Commander of the sub-unit ATG "Mrmak" or "Vinko Škrobo" and subordinate to Mladen Naletilić and his special unit "Kažnjenička Bojna".

- Sentenced to **18 years' imprisonment**

- Awaiting transfer to serve his sentence

Crimes convicted of (examples):

Inhumane treatment; wilfully causing great suffering or serious injury to body or health; wilful killing; unlawful transfer of a civilian (grave breaches of Geneva Conventions)

Unlawful labour; plunder of public or private property (violations of the laws or customs of war)

Persecutions on political, racial and religious grounds, inhumane acts, murder (crimes against humanity)

COMPLETED CASES

- Participated in the murder of Nenad Harmandžić who was taken from the Heliodrom detention centre to Vinko Martinović's base on 12 or 13 July 1993, where he was brutally beaten and mistreated before being killed by a gunshot through his cheek.
- Responsible for and personally involved in rounding up the Muslim civilian population of Mostar and unlawfully transferring and detaining them at the Heliodrom detention centre. Women, children and the elderly were intimidated and forced out of their homes at gun point, accompanied by blows from soldiers and their rifles. Thereafter many of the apartments were looted.
- Used prisoners of war to dig trenches, build defences with sandbags and carry wounded or killed soldiers.
- On 17 September 1993, forced 4 detainees to dress as soldiers, carry wooden rifles and stand in the line of hostile fire, thus making them human shields to HVO soldiers.

Born	21 September 1963 in Mostar, Bosnia and Herzegovina
Indictment	Initial indictment: 21 December 1998; amended indictment: 28 November 2000; second amended indictment: 16 October 2001
Arrested	26 February 1997 in Croatia
Transferred to ICTY	9 August 1999
Initial appearance	12 August 1999, pleaded not guilty to all counts
Trial Chamber sentencing judgement	31 March 2003, sentenced to 18 years' imprisonment
Appeals Chamber judgement	Sentenced to 18 years' imprisonment Credit was given for time served since his transfer to the ICTY on 9 August 1999
	Awaiting transfer to serve his sentence

COMPLETED CASES

"BOSNIA AND HERZEGOVINA"

BILJANA PLAVŠIĆ



Crimes convicted of (examples):

Persecutions on political, racial and religious grounds (crimes against humanity)

- In her role as co-President of the Serb leadership, acting individually and in concert with others in a joint criminal enterprise, participated, planned, instigated, devised and executed the persecutions of Bosnian Muslim, Bosnian Croat and other non-Serb populations of the following 37 municipalities in Bosnia and Herzegovina: Banja Luka, Bijeljina, Bileća, Bosanska Krupa, Bosanski Novi, Bosanski Petrovac, Bratunac, Brčko, Čajniče, Čelinac, Doboј, Donji Vakuf, Foča, Gacko, Hadžići, Ilidža, Ilijaš, Ključ, Kalinovik, Kotor Varoš, Nevesinje, Novi Grad, Novo Sarajevo, Pale, Prijedor, Prnjavor, Rogatica, Rudo, Sanski Most, Šipovo, Sokolac, Teslić, Trnovo, Višegrad, Vlasenica, Vogošća i Zvornik.

- Embraced and supported a campaign of ethnic separation which resulted in the death of thousands and the expulsion of thousands more in circumstances of great brutality.

- Plavšić contributed to the campaign of ethnic separation among other things by inviting paramilitaries from Serbia to assist Bosnian Serb forces in effecting ethnic separation by force, and by encouraging participation through public pronouncements justifying the use of force against non-Serbs in the territory.

BILJANA PLAVŠIĆ

Convicted of persecutions on political, racial and religious grounds

Member of the collective Presidency of Bosnia and Herzegovina (BiH) from 18 November 1990 until April 1992. From 28 February 1992 until 12 May 1992, one of the two acting Presidents of the so called "Serbian Republic of Bosnia and Herzegovina". In May 1992, became a member of the three-member Presidency of the Serbian Republic; from about 30 November 1992, she was a member of the Supreme Command of the armed forces of the Serbian Republic; leading member of the Serbian Democratic Party of Bosnia and Herzegovina (SDS).

- Sentenced to **11 years' imprisonment**

- Serving sentence in **Sweden**

Born	7 July 1930 in Tuzla, Bosnia and Herzegovina
Indictment	7 April 2002
Voluntary surrender	10 January 2001
Transferred to ICTY	10 January 2001
Initial appearance	11 January 2001, pleaded not guilty to all counts
Guilty Plea	2 October 2002, pleaded guilty to count 3
Trial Chamber sentencing judgement	27 February 2003, sentenced to 11 years' imprisonment
Serving sentence	Transferred to Sweden on 26 June 2003 to serve the remainder of her sentence Credit was given for time served in detention, namely 245 days in total

COMPLETED CASES

"MILOŠEVIĆ"

SLOBODAN MILOŠEVIĆ



SLOBODAN MILOŠEVIĆ

Indicted for genocide; complicity in genocide; deportation; murder; persecutions on political, racial or religious grounds; inhumane acts/forcible transfer; extermination; imprisonment; torture; wilful killing; unlawful confinement; wilfully causing great suffering; unlawful deportation or transfer; extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly; cruel treatment; plunder of public or private property; attacks on civilians; destruction or wilful damage done to historic monuments and institutions dedicated to education or religion; unlawful attacks on civilian objects; wilfully causing great suffering

President of Serbia from 26 December 1990; President of the Federal Republic of Yugoslavia (FRY) from 15 July 1997 until 6 October 2000. As FRY President, he was also the President of the Supreme Defence Council of the FRY and the Supreme Commander of the Yugoslav Army.

- deceased on 11 March 2006

- proceedings terminated on 14 March 2006

Crimes indicted of (examples):

KOSOVO

- Forced deportation of approximately 800,000 Kosovo Albanian civilians facilitated by an intentionally created atmosphere of fear and oppression through the use of force, threats of force, and acts of violence.
- Murder of hundreds of Kosovo Albanian civilians - men, women, and children, which occurred in a widespread or systematic manner throughout the province of Kosovo.
- The sexual assault by forces of the FRY and Serbia against Kosovo Albanians, in particular women.
- Widespread or systematic campaign of destruction of property owned by Kosovo Albanian civilians accomplished by the widespread shelling of towns and villages; the burning and destruction of property, including homes, farms, businesses, cultural monuments and religious sites; and the destruction of personal property which made villages, towns, and entire regions uninhabitable for Kosovo Albanians.

COMPLETED CASES

CROATIA

- The extermination or murder of hundreds of Croat and other non-Serb civilians, including women and elderly persons, in Dalj, Erdut, Klisa, Lovas, Vukovar, Voćin, Baćin, Saborsko and neighbouring villages, Škabrnja, Nadin, Bruska, and Dubrovnik and its environs.
- The prolonged and routine imprisonment and confinement of thousands of Croat and other non-Serb civilians in detention facilities within and outside of Croatia, including prison camps located in Montenegro, Serbia, and Bosnia and Herzegovina.
- The deportation or forcible transfer of at least 170,000 Croat and other non-Serb civilians from the territories specified above, including the deportation to Serbia of at least 5,000 inhabitants from Ilok, 20,000 inhabitants from Vukovar; and the forcible transfer to locations within Croatia of at least 2,500 inhabitants from Erdut.
- The deliberate destruction of homes, other public and private property, cultural institutions, historic monuments and sacred sites of the Croat and other non-Serb population in Dubrovnik and its environs, Vukovar, Erdut, Lovas, Šaregrad, Bapska, Tovarnik, Voćin, Saborsko, Škabrnja, Nadin, and Bruska.
- The establishment and perpetuation of inhumane living conditions for Croat and other non-Serb civilian detainees within the mentioned detention facilities.
- The repeated torture, beatings and killings of Croat and other non-Serb civilian detainees in the mentioned detention facilities.
- Unlawful attacks on Dubrovnik and undefended Croat villages throughout the territories specified above.

BOSNIA AND HERZEGOVINA

- Widespread killing of thousands of Bosnian Muslims during and after the take-over of territories within Bosnia and Herzegovina.
- The killing of thousands of Bosnian Muslims in detention facilities within Bosnia and Herzegovina.
- The causing of serious bodily and mental harm to thousands of Bosnian Muslims during their confinement in detention facilities within Bosnia and Herzegovina.
- The detention of thousands of Bosnian Muslims in detention facilities within Bosnia and Herzegovina under conditions of life calculated to bring about the partial physical destruction of those groups, namely through starvation, contaminated water, forced labour, inadequate medical care and constant physical and psychological assault.
- The extermination, murder and wilful killings of non-Serbs, principally Bosnian Muslims and Bosnian Croats living in the territories of Banja Luka, Bihać, Bijeljina, Bileća, Bosanska Krupa, Bosanski Novi, Bosanski Šamac, Bratunac, Brčko, Čajnice, Doboј, Foča, Gacko, Sarajevo (Ilijaš), Ključ, Kalinovik, Kotor Varoš, Nevesinje, Sarajevo (Novi Grad), Prijedor, Prnjavor, Rogatica, Sanski Most, Srebrenica, Teslić, Višegrad, Vlasenica and Zvornik.
- The cruel and inhumane treatment of Bosnian Muslim, Bosnian Croat and other non-Serb civilians.

COMPLETED CASES

Such inhumane treatment included, but was not limited to, sexual violence, torture, physical and psychological abuse and forced existence under inhumane living conditions.

- The imposition of restrictive and discriminatory measures against Bosnian Muslims, Bosnian Croats and other non-Serbs, such as, the restriction of freedom of movement; removal from positions of authority in local government institutions and the police; dismissal from jobs; arbitrary searches of their homes; denial of the right to judicial process and the denial of the right of equal access to public services, including proper medical care.
- The forcible transfer and deportation of thousands of Bosnian Muslim, Bosnian Croat and other non-Serb civilians to locations outside of Serb held territories.
- The intentional and wanton destruction of homes, other public and private property belonging to Bosnian Muslims and Bosnian Croats, their cultural and religious institutions, historical monuments and other sacred sites.
- The obstruction of humanitarian aid, in particular medical and food supplies into the besieged enclaves Bihać, Goražde, Srebrenica and Žepa, and the deprivation of water from the civilians trapped in the enclaves designed to create unbearable living conditions.

Born	20 August 1941 in Požarevac, Serbia
Indictment	"Kosovo": initial indictment: 24 May 1999; amended indictment: 29 June 2001; second amended indictment: 29 October 2001 "Croatia": initial indictment: 8 October 2001; amended indictment: 23 October 2002; second amended indictment: 28 July 2004" Bosnia and Herzegovina": initial indictment: 22 November 2001; amended indictment: 22 November 2002
Arrest/ Surrendered	1 April 2001 in Belgrade by local authorities
Transferred to ICTY	29 June 2001
Initial appearance and further appearances	3 July 2001, the Trial Chamber entered plea of not guilty to all counts of the "Kosovo" indictment 29 October 2001, the Trial Chamber entered plea of not guilty to all counts of the "Croatia" indictment 11 December 2001, the Trial Chamber entered plea of not guilty to all counts of the "Bosnia" indictment

COMPLETED CASES

"VLAŠIĆ MOUNTAIN"

DARKO MRĐA



Crimes convicted of (examples):

Murder, inhumane acts (violations of the laws or customs of war, crimes against humanity)

- Together with the other members of the intervention squad, Mrđa personally and participated in the unloading, guarding, escorting, shooting and killing of more than 200 unarmed men at Korićanske Stijene. Except for 12 men who survived the massacre, all of the men were murdered.

DARKO MRĐA

Convicted of murder and inhumane acts

During 1992 Mrđa was a member of the "intervention squad", a special Bosnian Serb police unit in the town of Prijedor, in western Bosnia and Herzegovina.

- Sentenced to **17 years' imprisonment**

- Serving sentence in **Spain**

Born	28 June 1967 in Zagreb, Croatia
Indictment	16 April 2002
Arrest	13 June 2002, arrested by SFOR
Transferred to ICTY	14 June 2002
Initial appearance	17 June 2002, pleaded not guilty to all counts
Guilty plea	24 July 2003, pleaded guilty to murder and inhumane acts
Trial Chamber sentencing judgement	31 March 2004, sentenced to 17 years' imprisonment
Serving sentence	23 November 2004, transferred to Spain to serve the remainder of his sentence Credit was given for time served since his arrest and transfer on June 2002

COMPLETED CASES

"SREBRENICA"

MOMIR NIKOLIĆ



Crimes convicted of (examples):

Persecutions on political, racial and religious grounds (crimes against humanity)

- The murder of thousands of Bosnian Muslim civilians, including men, women, children and elderly persons.
- The cruel and inhumane treatment of Bosnian Muslim civilians, including severe beatings at Potočari and in detention facilities in Bratunac and Zvornik.
- The terrorising of Bosnian Muslim civilians in Srebrenica and Potočari.
- The destruction of personal property and effects belonging to the Bosnian Muslims.
- The forcible transfer of Bosnian Muslims from the Srebrenica enclave.

MOMIR NIKOLIĆ

Convicted of persecutions on political, racial and religious grounds

From July 1995 until the end of the war, Assistant Commander for Security and Intelligence of the Bratunac Brigade of the Bosnian Serb Army.

- Sentenced to **20 years' imprisonment**

- Awaiting transfer

Born	20 February 1955 in Bratunac, Bosnia and Herzegovina
Indictment	Initial indictment: 26 March 2002 (made public on 2 April 2002); Amended joinder indictment: 27 May 2002
Arrest / Surrendered	1 April 2002, arrested by SFOR in Bosnia and Herzegovina
Transferred to ICTY	2 April 2002
Initial and further appearances	3 April 2002, pleaded not guilty to all counts; 7 May 2003, pleaded guilty to one count of the indictment
Trial Chamber sentencing judgement	2 December 2003, sentenced to 27 years' imprisonment
Appeals Chamber judgement	8 March 2006, sentence reduced to 20 years' imprisonment
	Awaiting transfer Credit was given for time served since 2 April 2002

COMPLETED CASES

"SREBRENICA"

DRAGAN OBRENOVIĆ



Crimes convicted of (examples):

Persecutions on political, racial and religious grounds (crimes against humanity)

- Aiding and abetting in the planning, preparation, and execution of persecutions.
- Failure to act in the face of the commission of the crime of persecutions - by being passive when he should have prevented his subordinates from committing the criminal acts or punished them for such crimes afterwards.

DRAGAN OBRENOVIĆ

Persecutions on political, racial and religious grounds

Chief-of-Staff and Deputy Commander of the 1st Zvornik Infantry Brigade of the Drina Corps of the Bosnian Serb Army (VRS) from December 1992 to November 1996. From 8 August 1995 until 15 September 1995 and again between 18 and 24 September 1995, Acting Commander of the Zvornik Infantry Brigade.

- Sentenced to **17 years' imprisonment**

- Serving sentence in **Norway**

The crime of persecutions was carried out through the following means:

- The murder of thousands of Bosnian Muslim civilians, including men, women, children and elderly persons. At one location, the Branjevo military-run farm, around 20 kilometers north of Zvornik in eastern Bosnia, approximately 1,200 Bosnian Muslim were executed by automatic weapon fire.
- The Bosnian Muslim civilians were subjected to acts of violence, including beatings at schools and other detention centres in the area of Zvornik. In Luke, near Tišća, near Vlasenica, 25 kilometers west of the enclave, some of the women who had been separated from their male relatives in Potočari were, on 13 July 1995, "selected" by VRS soldiers to go to a school where they were abused and assaulted; men and boys were also selected and abused before being taken for execution.
- From 13 to 16 July 1995, at detention centres and execution sites, Bosnian Muslim civilians from Srebrenica and Potočari were mistreated and abused.
- Beginning around 12 July 1995 and continuing throughout the period of the executions, the personal property of the Bosnian Muslim prisoners, including their identification documents, was confiscated and destroyed by members of the VRS and the Ministry of Interior (MUP) in the Zvornik area.

COMPLETED CASES

Born	12 April 1963 in Rogatica, Bosnia and Herzegovina
Indictment	16 March 2001
Arrest / Surrendered	15 April 2001, arrested and detained by SFOR
Transferred to ICTY	15 April 2001
Initial appearances	18 April 2001, pleaded "not guilty" to all counts. 21 May 2003, pleaded "guilty" to Count 5 of the indictment: persecutions on political, racial and religious grounds, a crime against humanity. The remaining charges were withdrawn.
Separation of the case	23 May 2003
Sentencing hearing	30 October 2003
Trial Chamber sentencing judgement	10 December 2003, sentenced to 17 years' imprisonment
Serving sentence	18 June 2004, transferred to Norway to serve the remainder of his sentence. Credit for time served since 15 April 2001.

COMPLETED CASES

"GLOGOVA"

MIROSLAV DERONJIĆ



Crimes convicted of (examples):

Persecutions on political, racial and religious grounds (crimes against humanity, Article 5)

- On the evening of 8 May 1992, Miroslav Deronjić, in his capacity as President of the crisis staff in the municipality of Bratunac, gave the orders to the Bratunac Territorial Defence (TO), including the police forces in Bratunac, to attack and partially burn the undefended village of Glogova. As a result, 65 Muslim civilians from the village were killed, Bosnian Muslim homes, private property, and the mosque were destroyed, and a substantial part of Glogova was raised to the ground.

MIROSLAV DERONJIĆ

Convicted of persecutions

From September 1990 to the end of April 1992, President of the Bratunac Municipal Board of the Serbian Democratic Party (SDS) of Bosnia and Herzegovina. From the summer of 1993, member of the Main Board of the SDS. From the end of April 1992 to June 1992, President of the Bratunac crisis staff.

- Sentenced to **10 years' imprisonment**

- Serving sentence in Sweden

Born	6 June 1954 in the municipality of Bratunac, Bosnia and Herzegovina
Indictment	3 July 2002
Arrest / Surrendered	7 July 2002, arrested by SFOR
Transferred to ICTY	8 July 2002
Initial appearance	10 July 2002, pleaded not guilty to all counts; 30 September 2003, pleaded guilty to count 1 of the second amended indictment: persecutions on political, racial and religious grounds as a crime against humanity
Trial Chamber sentencing judgement	30 March 2004, sentenced to 10 years' imprisonment
Appeals Chamber judgement	20 July 2005, sentence of 10 years' imprisonment was unanimously affirmed
Serving sentence	24 November 2005, transferred to Sweden to serve the remained of his sentence Credit was given for the time served since his arrest on 7 July 2002

COMPLETED CASE

"OMARSKA AND KERATERM CAMPS"

PREDRAG BANOVIĆ



Crimes convicted of (examples):

Persecutions on political, racial or religious grounds (crimes against humanity)

- Murdered five prisoners as a result of participating in beatings. One of the victims was female.
- Beat twenty-seven detainees using various harmful weapons including baseball bats, truncheons, cables and iron balls. Two of the detainees in question were shot.
- Participated in the confinement in inhumane conditions, harassment, humiliation and psychological abuse of non-Serbs detained at the Keraterm camp.

PREDRAG BANOVIĆ

Convicted of persecutions on political, racial or religious grounds

Guard at the Keraterm camp, established by Bosnian Serb forces in mid 1992 on the eastern outskirts of Prijedor town, in the north-western region of Bosnia and Herzegovina.

- Sentenced to **8 years' imprisonment**

- Serving sentence in **France**

Born	28 October 1969 in Prijedor, Bosnia and Herzegovina
Indictment	21 July 1995
Arrest / Surrendered	8 November 2001 in Serbia
Transferred to ICTY	9 November 2001
Initial appearance	16 November 2001, pleaded not guilty to all counts 26 June 2003, pleaded guilty to one count of persecutions as a crime against humanity.
Trial Chamber sentencing judgement	28 October 2003, sentenced to 8 years' imprisonment
Serving sentence	28 July 2004, transferred to France on to serve the remainder of his sentence Credit was given for time served since his arrest on 9 November 2001

COMPLETED CASE

"STUPNI DO"

IVICA RAJIĆ



Crimes convicted of (examples):

Killing, inhumane treatment, plunder of property and wanton destruction (Grave breaches of the 1949 Geneva Conventions)

IVICA RAJIĆ

Convicted of killing, inhumane treatment, plunder of property and wanton destruction

- Sentenced to **12 years' imprisonment**

- Awaiting transfer

- Rajić knew that some members under his command had demonstrated extreme aggression toward Bosnian Muslims in Vareš and showed a strong desire to destroy everything that was not Croat. Rajić was aware that by ordering the attack on the village of Stupni Do and rounding up of military-aged Muslim men in Vareš there was a substantial likelihood that crimes would be committed.
- The attack on Stupni Do resulted in the death of at least 37 Bosnian Muslims, including men, women, children and old people. Majority of them were civilians. Forces under Rajić's command forced the civilians out of their homes, robbed them of their valuables, wilfully killed them and sexually assaulted Muslim women. A substantial part of the village was completely or partly destroyed.
- More than 250 men detained in Vareš were beaten and tortured.

Born	5 May 1958 in Johovac, Kiseljak municipality, Bosnia and Herzegovina
Indictment	29 August 1995
Arrest	5 April 2003
Transferred to ICTY	24 June 2003
Initial appearance	27 June 2003, pleaded not guilty to all counts; 26 October 2005, pleaded guilty to four counts of the amended indictment: grave breaches of the 1949 Geneva Conventions
Trial Chamber sentencing judgement	8 May 2006, sentenced to 12 years' imprisonment
	Awaiting transfer

COMPLETED CASES

COMPLETED CASES

COMPLETED CASES

NON COMPLETED CASES BEFORE THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA



Photo provided courtesy of The International Criminal Tribunal for the former Yugoslavia (ICTY)

NON-COMPLETED CASES

CASE IT-95-9 ("Bosanski Šamac")

BLAGOJE SIMIĆ



On 17 October 2003, Dr Blagoje Simić was sentenced by the first instance chamber to 17 years' imprisonment for persecution of Bosnian Muslims and Bosnian Croats in Bosanski Šamac in 1992 and 1993. As president of the Municipal Assembly and the Crisis Staff (later renamed War Presidency), Simić was the highest ranking civilian official in Bosanski Šamac municipality. According to the Trial Chamber, Simić was at the apex of the joint criminal enterprise the aim of which was to persecute non-Serb civilians in Bosanski Šamac.

Convicted in the first instance of: crimes against humanity (persecutions)

Sentence(not final): 17 years' imprisonment

Appeal pending

The Trial Chamber found that Simić did not take any significant steps to prevent the continued arrests and detentions, although he was obliged to try every possible measure to prevent non-Serb citizens from being persecuted. The Trial Chamber also found beyond reasonable doubt that Simić knew about the beatings, the torture and the inhumane confinement conditions of the non-Serb prisoner in detention facilities in Bosanski Šamac.

It was further found that Simić was aware of the fact that civilians were used for trench-digging and other dangerous military assignments. However, he did not take any measures within his authority to stop this practice. The Trial Chamber also found that Simić contributed to the deportation and forcible transfer of non-Serb civilians with the intention to permanently displace them.

One of the three judges sitting on the Trial Chamber appended a separate and partly dissenting opinion holding Simić guilty as a co-perpetrator of persecution and concluding that 7 years' imprisonment would be a proportional and reasonable penalty for him.

The judgment against Blagoje Simić is not final, as the defence has filed an appeal. The appeal is pending.

Born	1960 in Kruškovo Polje, Bosanski Šamac municipality, Bosnia and Herzegovina
Initial indictment confirmed	21 July 1995
Surrendered	12 March 2001
Transferred to ICTY	12 March 2001
Initial appearance	15 March 2001
Trial Chamber Judgment	17 October 2003

NON-COMPLETED CASES

CASE IT-95-11 ("Republika Srpska Krajina")

MILAN MARTIĆ



Milan Martić is charged with the extermination or the killing of several hundreds of Croat, Muslim and other non-Serb civilians from large parts of Croatia and Bosnia and Herzegovina between August 1991 and December 1995. He is also charged with the persecution, imprisonment, torture, inhumane acts, cruel treatment, deportation, forcible transfer, plunder of public or private property, wanton destruction and unlawful attacks against civilians, alleged to have been committed in the same period.

Charged with: crimes against humanity and violations of the laws or customs of war on the basis of individual criminal responsibility and superior criminal responsibility

Trial ongoing

Between 4 January 1991 and August 1995, Martić held various leadership positions in the so-called "Serbian Autonomous District (SAO) Krajina, which was later re-named "Republic of Serbian Krajina" (RSK). It is alleged that Martić participated in a joint criminal enterprise as a co-perpetrator. The purpose of this joint criminal enterprise was the forcible removal of a majority of the Croat, Muslim and other non-Serb population from approximately one-third of the territory of Croatia, and large parts of Bosnia and Herzegovina, in order to make these areas part of a new Serb-dominated state.

As for the crimes committed in Bosnia and Herzegovina, Martić is, inter alia, charged with the killings committed in Prnjavor; the cruel treatment in detention centers in Bosanski Novi, Bosanska Kostajnica and Prnjavor; deportation or forcible transfer of the non-Serb population from Bosanski Novi, Bosanska Gradiška, Prnjavor and Šipovo; and wanton destruction and plunder in Prnjavor and Šipovo.

Born	18 November 1954 near Knin, Republic of Croatia
Initial indictment confirmed	25 July 1995
Surrendered	15 May 2002
Transferred to ICTY	15 May 2002
Initial appearance	21 May 2002

NON-COMPLETED CASES

CASE IT-95-14 ("Lašva Valley")

TIHOMIR BLAŠKIĆ



Tihomir Blaškić was sentenced by the Appeals Chamber to 9 years' imprisonment for inhumane and cruel treatment of detained Bosnian Muslims in Central Bosnia in 1993 and 1994. He knew that crimes were committed in the Cultural Centre in Vitez and the Vitez Veterinary hospital, nevertheless he failed to punish those subordinates of his who were responsible for the crimes and to report the infractions to the competent authorities. He is also responsible for ordering the use of detainees to dig trenches and for inhumane treatment of detainees used as human shields.

Convicted of: grave breaches of the 1949 Geneva Conventions (inhumane treatment) and violations of the laws or customs of war (cruel treatment)

Sentence: 9 years' imprisonment

Prosecution request for review of judgment is pending before the Appeals Chamber

In the first-instance judgment of 3 March 2000, Blaškić was sentenced to 45 years' imprisonment for a far greater number of crimes committed against Bosnian Muslims in Central Bosnia in 1993, including the massacre in Ahmići on 16 April 1993.

During the appeals proceedings, the defence filed an enormous amount of additional evidence, much of which was previously not available due to the lack of cooperation on the part of the Republic of Croatia during the first-instance proceedings. Having considered the additional evidence, the Appeals Chamber found that it was not proven beyond reasonable doubt that Blaškić was responsible for ordering the crimes committed in Ahmići and neighbouring villages on 16 April 1993 and he was acquitted on these charges. The Appeals Chamber also reversed several other findings of the Trial Chamber and rendered a new sentence of 9 years' imprisonment.

On 29 July 2005, the Prosecution filed a confidential request for review of the judgment against Tihomir Blaškić on the basis of newly discovered facts. The request is pending before the Appeals Chamber.

Born	2 November 1960 in Brestovsko, Bosnia and Herzegovina
Initial indictment confirmed	10 November 1995
Surrendered	1 April 1996
Transferred to ICTY	1 April 1996
Initial appearance	3 April 1996
Trial Chamber Judgment	3 March 2000
Appeals Chamber Judgment	29 July 2004

NON-COMPLETED CASES

CASE IT-95-17 ("Lašva Valley")

MIROSLAV BRALO



Miroslav Bralo pleaded guilty to a number of crimes committed in the area of Vitez in April and May 1993 at the time he was a member of the anti-terrorist platoon of the 4th Military Police Battalion of the Croatian Defence Council (HVO) known as the "Jokers".

Bralo admitted to the killing of a woman in the village of Nadioci and the killing of a man in the village of Ahmići, setting fire to numerous houses belonging to Bosnian Muslims, setting and detonating explosives that destroyed the lower mosque in Ahmići, the killing of an unidentified adult male, and assistance in the killing of 14 Bosnian Muslim civilians-all members of the Salkić and the Mehmet Čeremić families-nine of whom were children. Near the village of Kratine, Bralo beat and subsequently killed three Bosnian Muslim men.

Bralo admitted to having repeatedly raped and tortured a Bosnian Muslim woman. He also participated in the unlawful confinement and inhumane treatment of Bosnian Muslim civilians, who were used as labourers in the digging of trenches around the village of Kratine and as "human shields" to protect the HVO forces from sniper-fire.

Bralo submitted a handwritten "apology" which, inter alia, reads: *"Our wrongs were so terrible - I include others here - that we even clung to them, and tried to justify them. I tried to be proud of my actions and to think they were the actions of a successful soldier. Today I am ashamed of all of that, ashamed of my conduct and ashamed how I behaved."*

In determining the sentence, the Trial Chamber took into account several mitigating factors including his sincere remorse, assistance in locating the remains of some of the victims and his guilty plea to a crime of persecution that was not originally charged in the indictment against him. Despite those factors, on 7 December 2005, the Chamber sentenced Miroslav Bralo to 20 years' imprisonment due to the gravity of the horrible crimes he committed.

The judgment against Miroslav Bralo is not final, as the defence has filed an appeal against the sentence. The appeal is pending.

Pleaded guilty to: crimes against humanity (persecutions), grave breaches of the 1949 Geneva Conventions (torture, unlawful confinement), violations of the laws or customs of war (murder, torture, rape)

Sentence (not final): 20 years' imprisonment

Appeal pending

NON-COMPLETED CASES

Born	13 October 1967 in the village of Kratine, Vitez municipality, Bosnia and Herzegovina
Initial indictment confirmed	10 November 1995
Surrendered	10 November 2004
Transferred to ICTY	12 November 2004
Initial appearance	15 November 2004
Trial Chamber Judgment	7 December 2005

NON-COMPLETED CASES

CASE IT-96-23/2 ("Foča")

DRAGAN ZELENOVIĆ



Dragan Zelenović, one of the sub-commanders of the military police and a paramilitary leader in Foča, is charged with rape and torture of women in Foča as crimes against humanity and violations of the laws or customs of war.

Charged with: crimes against humanity (torture, rape) and violations of the laws or customs of war (torture, rape).

Case at the pre-trial stage

According to the indictment, following the take over of Foča by the Bosnian Serb forces in April 1992, military police accompanied by local and non-local soldiers started arresting Muslim and Croat inhabitants. During the arrests many civilians were killed, beaten or subjected to sexual assault. Muslim women, children and the elderly were detained in houses, apartments and motels in the town of Foča or in surrounding villages, or at detention centres such as Buk Bijela, Foča High School and Partizan Sports Hall. Many of the detained women were subjected to humiliating and degrading conditions of life, to brutal beatings and to sexual assaults, including rapes. Several women were also detained in houses and apartments used as brothels, operated by groups of soldiers, mostly paramilitary.

According to the indictment, Dragan Zelenović was personally involved in the rape and torture of seven women and minor girls and decided which woman should go to which man.

On 29 November 2004, the Prosecution filed a request to refer the case of Dragan Zelenović to Bosnia and Herzegovina. The request is pending before Referral Bench.

The cases of Gojko Janković and Radovan Stanković, who were indicted together with Dragan Zelenović, were referred to Bosnia and Herzegovina in 2005 and are ongoing before the Court of Bosnia and Herzegovina.

Born	12 February 1961 in Foča, Bosnia and Herzegovina
Initial indictment confirmed	26 June 1996
Transferred to ICTY	10 June 2006

NON-COMPLETED CASES

CASE IT-98-29 ("Sarajevo")

STANISLAV GALIĆ



On 5 December 2003, Stanislav Galić was sentenced by the first instance chamber to 20 years' imprisonment, as Commander of the Sarajevo-Romanija Corps of the Army of Republika Srpska, for conducting a campaign of sniping and shelling intended primarily to terrorise the civilian population of Sarajevo. According to the judgment, *"hundreds of civilians were killed and thousands wounded during daily activities such as attending funerals, tending vegetable plots, fetching water, shopping, going to hospital, commuting within the city, or while at home"*.

Convicted in the first instance of: crimes against humanity (murder, inhumane acts) and violations of the laws or customs of war (infliction of terror)

Sentence (not final): 20 years' imprisonment

Appeal pending

The judgment was reached by the majority of the Trial Chamber. One of the judges appended a separate and partially dissenting opinion, disagreeing with the findings of the majority regarding certain incidents and the nature of General Galić's criminal responsibility, and holding that Galić should have been sentenced to 10 years' imprisonment.

The judgment against Stanislav Galić is not final, as both the prosecution and the defence have filed appeals. The appeal is pending.

Born	12 March 1943 in Goleš village, Banja Luka municipality, Bosnia and Herzegovina
Initial indictment confirmed	26 March 1999
Arrested	20 December 1999
Transferred to ICTY	21 December 1999
Initial appearance	29 December 1999
Trial Chamber Judgment	5 December 2003

NON-COMPLETED CASES

CASE IT-98-29/1 ("Sarajevo")

DRAGOMIR MILOŠEVIĆ



According to the indictment, from around March 1993, Dragomir Milošević served as Chief of Staff to Stanislav Galić whom he succeeded as Corps Commander of the Sarajevo Romanija Corps on or about 10 August 1994, which appointment he held until the end of the armed conflict in Bosnia-Herzegovina. As Chief Commander of the Sarajevo Romanija Corps, Dragomir Milošević was in a position of superior authority to approximately 18,000 military personnel formed into ten brigades.

Charged with: crimes against humanity and violations of the laws or customs of war on the basis of individual criminal responsibility and superior criminal responsibility

Case at the pre-trial stage

According to the indictment, for forty-four months from 1992, the Sarajevo Romanija Corps implemented a military strategy which used shelling and sniping to kill, maim, wound and terrorise the civilians in Sarajevo of both sexes and all ages. According to the indictment, the Sarajevo Romanija Corps directed shelling and sniping at civilians who were tending vegetable plots, queuing for bread, collecting water, attending funerals, shopping in markets, riding on trams, gathering wood or simply walking with their children or friends. People were even injured and killed inside their own homes, hit by bullets which came through the windows. The attacks on the civilians in Sarajevo were often unrelated to military actions and were designed to keep the inhabitants in a constant state of terror.

Born	12 March 1943 in the village of Murgaš, Ub municipality, Serbia
Indictment unsealed	20 December 1998
Transferred to ICTY	3 December 2004
Initial appearance	7 December 2004

NON-COMPLETED CASES

CASE IT-98-32/1 ("Višegrad")

SREDOJE LUKIĆ



According to the indictment, Sredoje Lukić was a member of a group of Bosnian Serb paramilitaries referred to as "White Eagles" and "Avengers". The group worked with local police and military units to spread terror among the local Muslim population. He is charged with the persecution of the non-Serb population for crimes he allegedly committed.

Charged with: crimes against humanity (persecutions, murder, inhumane treatment, extermination) and violations of the laws or customs of war (murder, cruel treatment).

Case at the pre-trial stage

Sredoje Lukić charged with the killing of approximately 70 Bosnian Muslim women, children and elderly men in a house in Pionirska Street in Višegrad. He is alleged to have barricaded the victims in one room of the house, set the house on fire and fired automatic weapons at those people who tried to escape by climbing out the windows, killing some and injuring others. Almost everyone locked in the house was killed, including 18 children between the ages of two days and 14 years. According to the indictment, he also took part in the killing of another 70 or so Bosnian Muslim women, children and elderly men in a house in the village of Bikavac, near Višegrad, where he forced the victims into the house, barricaded the exits and threw several explosive devices into the house.

It is also alleged that Sredoje Lukić often entered the camp located in the Uzamnica army barracks, 5 kilometres from Višegrad, and struck the detainees with rifle butt and kicked them with his boots. As a result of these assaults, many of the victims suffered serious and permanent injuries.

On 1 February 2005, the Prosecution filed a request to refer the case of Sredoje Lukić to Bosnia and Herzegovina pursuant to Rule 11bis. The request is pending before the Referral Bench.

Born	5 April 1961 in Rujšće, Višegrad municipality, Bosnia and Herzegovina
Initial indictment confirmed	26 October 1998
Surrendered	14 September 2005
Transferred to ICTY	16 September 2005
Initial appearance	20 September 2005

NON-COMPLETED CASES

CASE IT-98-32/1 ("Višegrad")

MILAN LUKIĆ



According to the indictment, Milan Lukić formed a group of Bosnian Serb paramilitaries in spring 1992 in Višegrad, south-eastern Bosnia and Herzegovina. Referred to as "White Eagles" and "Avengers", the group worked with local police and military units to spread terror among the local Muslim population. He is charged with the persecution of the non-Serb population for crimes he allegedly committed.

Charged with: crimes against humanity (persecutions, murder, inhumane treatment, extermination) and violations of the laws or customs of war (murder, cruel treatment).

Case at the pre-trial stage

Milan Lukić is charged with the killing of approximately 70 Bosnian Muslim women, children and elderly men in a house in Pionirska Street in Višegrad. He is alleged to have barricaded the victims in one room of the house, set the house on fire and fired automatic weapons at those people who tried to escape by climbing out the windows, killing some and injuring others. Almost everyone locked in the house was killed, including 18 children between the ages of two days and 14 years. According to the indictment, he also took part in the killing of another 70 or so Bosnian Muslim women, children and elderly men in a house in the village of Bikavac, near Višegrad, where he forced the victims into the house, barricaded the exits and threw several explosive devices into the house.

Lukić is also charged with the killings of a total of 12 Bosnian Muslim men, brutal killing of one Bosnian Muslim woman in the Potok neighbourhood and beatings of Bosnian Muslim men detained at the Uzamnica army barracks.

On 1 February 2005, the Prosecution filed a request to refer the case of Milan Lukić to Bosnia and Herzegovina pursuant to Rule 11bis. The request is pending before the Referral Bench.

Born	6 September 1967 in Foča, Bosnia and Herzegovina
Initial indictment confirmed	26 October 1998.
Surrendered	8 August 2005.
Transferred to ICTY	21 February 2006.
Initial appearance	24 February 2006.

NON-COMPLETED CASES

CASE IT-99-36 ("Krajina")

RADOSLAV BRĐANIN



On 1 September 2004, Radoslav Brđanin was sentenced by the first instance chamber to 32 years' imprisonment for crimes committed against the non-Serb population of the Autonomous Region of Krajina (ARK) from 1 April until 31 December 1992. The judgment includes crimes committed in the municipalities of Banja Luka, Bosanska Krupa, Bosanski Novi, Bosanski Petrovac, Čelinac, Donji Vakuf, Ključ, Kotor-Varoš, Prijedor, Prnjavor, Sanski Most, Šipovo and Teslić.

The Trial Chamber was satisfied that Brđanin was a leading political figure in the ARK and held key positions at the municipal, regional and republic levels, including that of first Vice-President of the ARK Assembly, President of the ARK Crisis Staff and other positions with the Government of the Republika Srpska.

The Trial Chamber found that by virtue of his position in the ARK Crisis Staff, Brđanin had substantial influence on the killings committed in context of the armed attacks by the Bosnian Serb forces on non-Serb towns, villages and neighbourhoods after 9 May 1992. It also found that Brđanin aided and abetted the commission of the acts of torture in camps and other detention facilities throughout the ARK and that his inactivity as well as his public attitude with respect to the camps and detention facilities constituted moral support to the members of the Bosnian Serb army and police to continue running these camps.

The Trial Chamber found that Brđanin aided and abetted the execution of the acts of forcible transfer and deportation through his inflammatory and discriminatory public statements, as well as through the ARK Crisis Staff's decisions which constituted practical assistance to the attacks of the Bosnian Serb forces which led to the destruction on non-Serb towns, villages and religious institutions. Brđanin was also found guilty of aiding and abetting the crime of persecution with respect to physical violence, rape and sexual assault, constant humiliation and degradation and appropriation of property. It was also found that he ordered the denial of the fundamental right to employment to Bosnian Muslims and Bosnian Croats, providing for the dismissal of virtually all non-Serbs in the ARK.

The judgment against Radoslav Brđanin is not final because both the prosecution and the defence have filed appeals against the judgment. The appeal is pending.

Convicted in the first instance of: crimes against humanity (persecutions, deportation, inhumane acts - forcible transfer); grave breaches of the 1949 Geneva Conventions (wilful killing, torture); violations of the laws or customs of war (wanton destruction of cities, town or villages or devastation not justified by military necessity, destruction or wilful damage done to historic monuments and institutions dedicated to religion) on the basis of individual criminal responsibility

Sentence (not final): 32 years' imprisonment

Appeal pending

NON-COMPLETED CASES

Born	9 February 1948 in Popovac, Čelinac municipality, Bosnia and Herzegovina
Initial indictment confirmed	14 March 1999
Arrested	6 July 1999
Transferred to ICTY	6 July 1999
Initial appearance	12 July 1999
Trial Chamber Judgment	1 September 2004

NON-COMPLETED CASES

CASE IT-00-39 ("Bosnia and Herzegovina")

MOMČILO KRAJIŠNIK



Momčilo Krajišnik is charged with participation in a joint criminal enterprise, the goal of which was to permanently remove, by force or other means, Bosnian Muslim, Bosnian Croat and other non-Serb populations from large parts of Bosnia and Herzegovina through the commission of genocide, persecutions, killings, deportations, and other crimes against humanity and violations of the laws and customs of war.

Charged with: genocide, crimes against humanity and violations of the laws or customs of war on the basis of individual criminal responsibility and superior criminal responsibility

Trial ongoing

The indictment includes crimes committed in the following municipalities: Banja Luka, Bijeljina, Bileća, Bosanska Krupa, Bosanski Novi, Bosanski Petrovac, Bratunac, Brčko, Čajniče, Čelinac, Doboj, Donji Vakuf, Foča, Gacko, Hadžići, Ilidža, Ilijaš, Ključ, Kalinovik, Kotor Varoš, Nevesinje, Novi Grad, Novo Sarajevo, Pale, Prijedor, Prnjavor, Rogatica, Rudo, Sanski Most, Šipovo, Sokolac, Teslić, Trnovo, Višegrad, Vlasenica, Vogošća and Zvornik.

The indictment includes 97 separate incidents of killings, many of which relate to dozens and even hundreds of victims. It also lists 399 detention facilities, as well as destruction of 120 mosques, Catholic churches and other cultural monuments and sacred sites.

It is alleged that Momčilo Krajišnik held a prominent position in the Bosnian Serb leadership. He was a member of the National Security Council, the expanded Presidency, the Main Board of the Serbian Democratic Party of Bosnia and Herzegovina (SDS) and president of the Bosnian Serb Assembly. According to the Indictment, by virtue of those positions, Krajišnik exercised power and control over the Bosnian Serb forces and all political and government organs and their agents who participated in the crimes alleged in the indictment.

The trial against Momčilo Krajišnik commenced on 3 February 2004 and is ongoing.

Born	20 January 1945 in Zabrdje, Novi Grad municipality, Sarajevo, Bosnia and Herzegovina
Initial indictment confirmed	26 February 2000
Surrendered	3 April 2000
Transferred to ICTY	3 April 2000
Initial appearance	7 April 2000

NON-COMPLETED CASES

CASE IT-01-47 ("Central Bosnia")

ENVER HADŽIHASANOVIĆ



On 15 March 2006, Enver Hadžihasanović was sentenced by the first instance chamber to 5 years' imprisonment for failing to take necessary and reasonable measures - as commander of the 3rd Corps of the BiH Army - to prevent or punish several crimes that forces under their command committed in the municipalities of Bugojno, Travnik and Zenica in 1993.

Convicted in the first instance of: violations of the laws or customs of war

Sentence (not final): 5 years' imprisonment

Appeal pending

The Chamber found that Mujahedin members severely beat and mentally abused five civilians from the Croatian and Serbian community in Travnik and murdered Dragan Popović on 21 October 1993 in the Orašac camp in a particularly heinous way. The Trial Chamber found Enver Hadžihasanović guilty of failing to prevent these crimes, even though on 20 October he knew that these civilians had been abducted by his subordinates. According to the Trial Chamber finding, the circumstances were such that the 3rd Corps - which was under Hadžihasanović's command - should have used force as the sole necessary and reasonable means to prevent the crimes committed.

The Trial Chamber also found Enver Hadžihasanović guilty for failing to take necessary and reasonable measures to punish members of his forces who committed the murder of Mladen Havranek, a captured member of the Bosnian Croat Army in Bugojno on 5 August 1993. Finally, the Trial Chamber found Enver Hadžihasanović guilty for failing to punish the cruel treatment of civilians and prisoners of war detained in the Music School in Zenica and at various locations in Bugojno, including the *Gimnazija* School Building, the *Slavonija* Furniture Salon, the FC *Iskra* Stadium and the *Vojin Paleksić* Elementary School Building.

Hadžihasanović was acquitted on a number of charges. For example, the Trial Chamber found that it was established that many crimes had been committed by the Mujahedin in the period prior to 13 August, but that Hadžihasanović does not bear command responsibility for those crimes because it was not proven that he had exercised effective control over the Mujahedin prior to on 13 August 1993 when they were incorporated in the 3rd Corps.

The judgment is not final because both the prosecution and the defence have filed notices of appeal. The appeal is pending.

The initial indictment against Enver Hadžihasanović and Amir Kubura also included Mehmed Alagić, who died during the pre-trial provisional release. The proceedings against him were terminated on 21 March 2003.

NON-COMPLETED CASES

Born	7 July 1950 in Zvornik, Bosnia and Herzegovina
Initial indictment confirmed	13 July 2001
Surrendered	2 August 2001
Transferred to ICTY	4 August 2001
Initial appearance	9 August 2001
Trial Chamber Judgment	15 March 2006

NON-COMPLETED CASES

CASE IT-01-47 ("Central Bosnia")

AMIR KUBURA



On 15 March 2006, Amir Kubura was sentenced by the first instance chamber to 2,5 years' imprisonment for failing - as commander of the 7th Brigade of the 3rd Corps of the BiH Army - to take necessary and reasonable measures to punish members of his forces who plundered private or public property in the village of Vareš in November 1993.

Convicted in the first instance of: violations of the laws or customs of war

Sentence (not final): 2,5 years' imprisonment

Appeal pending

The Chamber also found him guilty for failing to punish members of his forces who plundered private or public property in the villages of Šusanj, Ovnak, Brajkovići and Grahovcici, in Zenica municipality, in June 1993.

Kubura was acquitted on charges relating to a number of other crimes, since the Chamber found that the Prosecution did not prove his responsibility in those crimes beyond any reasonable doubt. Specifically, the Chamber was not satisfied that he had information about many crimes, which is a condition that must be met in order to convict an accused on the basis of command responsibility.

The judgment is not final because both the prosecution and the defence have filed notices of appeal. The appeal is pending.

The initial indictment against Enver Hadžihasanović and Amir Kubura also included Mehmed Alagić, who died during the pre-trial provisional release. The proceedings against him were terminated on 21 March 2003.

Born	4 March 1964 in Kakanj, Bosnia and Herzegovina
Initial indictment confirmed	13 July 2001
Surrendered	2 August 2001
Transferred to ICTY	4 August 2001
Initial appearance	9 August 2001
Trial Chamber Judgment	15 March 2006.

NON-COMPLETED CASES

CASE IT-01-48 ("Grabovica and Uzdol")

SEFER HALILOVIĆ



On 16 November 2005, Sefer Halilović was acquitted by the first instance chamber on the charge of murder, a violation of the laws or customs of war. The Indictment against Halilović relates to the killings committed in the villages of Grabovica and Uzdol in the Jablanica and Prozor areas in Herzegovina, in September 1993, when Halilović held a high position in the Supreme Command Staff of the BiH Army.

Acquitted

Appeal pending

The Trial Chamber found that it has been established beyond reasonable doubt that 13 inhabitants of Grabovica and 25 inhabitants of Uzdol, who took no active part in the hostilities, were murdered by members of units under the BiH Army command. However, the Chamber found that the prosecution failed to prove beyond reasonable doubt that Sefer Halilović was the commander of an operation called "Operation Neretva", which the prosecution alleged was carried out in Herzegovina. The Chamber also found that the prosecution has failed to establish that Sefer Halilović had effective control over the troops which committed the crimes in Grabovica and Uzdol.

The judgment is not final, as the prosecution filed an appeal on 16 December 2005. The Appeal is pending.

Born	6 January 1952 in Prijepolje, Serbia
Initial indictment confirmed	12 September 2001
Surrendered	25 September 2001
Transferred to ICTY	25 September 2001
Initial appearance	27 September 2001
Trial Chamber Judgment	16 November 2005.

NON-COMPLETED CASES

CASE IT-02-60 ("Srebrenica")

VIDOJE BLAGOJEVIĆ



On 17 January 2005, Vidoje Blagojević was sentenced by the first instance chamber to 18 years' imprisonment for aiding and abetting genocide, killings, forcible transfer and persecution of the Bosnian Muslim population following the fall of the Srebrenica enclave in July 1995.

At that time, Blagojević was Commander of the Bratunac Brigade of the Bosnian Serb Army and held the rank of Colonel. The Trial Chamber found that he permitted the use of Bratunac Brigade resources knowing that his acts substantially contributed to the killing of Bosnian Muslims and to the infliction of serious bodily or mental harm on the Bosnian Muslim population.

The Chamber found that Blagojević was not among the principal perpetrators in the commission of the crimes, but that he had the knowledge that the principal perpetrators had the intent to destroy in whole or in part the Bosnian Muslim group as such.

The judgment is not final, as both the prosecution and the defence have filed appeals, which are pending.

Convicted in the first instance of: complicity to commit genocide; crimes against humanity (murder, persecutions, inhumane acts - forcible transfer); violations of the laws or customs of war (murder)

Sentence (not final): 18 years' imprisonment

Appeal pending

Born	22 June 1950 in Bratunac municipality, Bosnia and Herzegovina
Indictment confirmed	30 October 1998
Arrested	10 August 2001 by SFOR
Transferred to ICTY	10 August 2001
Initial appearance	16 August 2001
Trial Chamber Judgment	17 January 2005

NON-COMPLETED CASES

CASE IT-02-60 ("Srebrenica")

DRAGAN JOKIĆ



On 17 January 2005, Dragan Jokić was sentenced by the first instance chamber to 9 years' imprisonment for aiding and abetting killings, extermination and persecution of the Bosnian Muslim population following the fall of the Srebrenica enclave in July 1995.

Convicted in the first instance of: crimes against humanity (extermination, persecutions); violations of the laws or customs of war (murder)

Sentence (not final): 9 years' imprisonment

Appeal pending

At that time, Dragan Jokić held the rank of Major with the position of Chief of Engineering of the Zvornik Brigade of the Bosnian Serb Army. From the morning of 14 July until the morning of 15 July 1995, he was the Duty Officer of the Zvornik Brigade. The trial Chamber found beyond reasonable doubt that Jokić aided and abetted the killings committed in Orahovac, Pilica, Branjevo Military Farm and Kozluk.

The Chamber found that Jokić did not play a major role in the commission of the crimes. He could not issue orders of his own, but conveyed the orders from his superiors to the members of the Engineering Company of the Zvornik brigade. However, the Chamber found that he substantially assisted in the commission of the crimes by sending machinery and members of the Engineering Company to the execution sites to take part in the burial operation.

The judgment is not final, as both the prosecution and the defence have filed appeals, which are pending.

Born	20 August 1957 in Grbavci, Zvornik municipality, Bosnia and Herzegovina
Initial indictment confirmed	31 May 2001.
Surrendered	15 August 2001
Transferred to ICTY	15 August 2001
Initial appearance	21 August 2001
Trial Chamber Judgment	17 January 2005

NON-COMPLETED CASES

CASE IT-03-67 ("Croatia, B&H, Vojvodina")

VOJISLAV ŠEŠELJ



Vojislav Šešelj is charged with participating in a joint criminal enterprise whose purpose was the permanent forcible removal, through the commission of crimes against humanity and war crimes, of a majority of the Croat, Muslim and other non-Serb populations from approximately one-third of the territory of Croatia, large parts of Bosnia and Herzegovina, and from parts of Vojvodina, in the Republic of Serbia. In Bosnia and Herzegovina, this included the following areas: Bosanski Šamac, Zvornik, five municipalities referred to as "the wider area of Sarajevo" (Ilijaš, Vogošća, Novo Sarajevo, Ilidža and Rajlovac), Bijeljina, Mostar, Nevesinje and Brčko.

Charged with: crimes against humanity and violations of the laws or customs of war on the basis of individual criminal responsibility

Case at the pre-trial stage

According to the indictment, as President of the Serbian Radical Party (SRS), Šešelj was a prominent political figure in the SFRY/FRY. He participated in the recruitment, formation, financing, supply, support and direction of Serbian volunteers connected to the SRS, commonly known as "Chetniks", or "Šešeljevci", and indoctrinated them with his extreme ethnic rhetoric so that they engaged in the forcible removal of the non-Serb populations in the targeted territories through the commission of crimes with particular violence and brutality. The crimes alleged in the indictment include, inter alia, murder, torture, forcible transfer and wanton destruction.

Born	11 October 1954 in Sarajevo, Bosnia and Herzegovina
Initial indictment confirmed	14 February 2003
Surrendered	24 February 2003
Transferred to ICTY	24 February 2003
Initial appearance	26 February 2003

NON-COMPLETED CASES

CASE IT-03-68

NASER ORÍĆ



On 30 June 2006, Naser Orić was sentenced by the first instance chamber to 2 years' imprisonment for failing to prevent the murder and cruel treatment of a number of Serb prisoners at the Srebrenica Police Station and a building behind the Srebrenica municipal building between 27 December 1992 and 20 March 1993. According to the Trial Chamber's findings, Orić, who held the position of Commander of Srebrenica Territorial Defence Staff, had reason to know about these crimes, but failed to take necessary and reasonable measures to prevent them.

Convicted in the first instance of: violations of the laws or customs of war (murder, cruel treatment) on the basis of superior criminal responsibility

Sentence (not final): 2 years' imprisonment

In sentencing, the Chamber took into account several mitigating circumstances, especially the general circumstances prevailing in Srebrenica and those particular to the accused and to the crimes committed.

The Chamber said that an unmanageable influx of refugees, critical shortages of food and other essentials, general chaos and the flight from Srebrenica of all pre-war authorities resulted in a breakdown of society in Srebrenica, including a collapse of law and order. According to the judgement, these were the circumstances when at age 25, without any relevant military and administrative experience, Orić found himself elected commander of voluntary fighters who were poorly trained, did not form part of a proper army, had very few weapons at their disposal, and without an effective link to the BiH Army and the BiH authorities.

The Trial Chamber acquitted Orić of the charge of wanton destruction of cities, towns or villages in the Srebrenica area, one reason being that it was not proven that he exercised control over the various groups of fighters participating in these attacks, not to speak of the civilians who followed the fighters.

The Chamber had earlier, on 8 June 2005, by an oral decision acquitted Orić of charges of plunder of public or private property, having established that any criminal responsibility of Naser Orić in the appropriation of cattle was offset by the necessity to acquire food for the survival of the population of Srebrenica.

Orić was released after the rendering of the judgement, as he had spent more than two years in custody.

The judgement against Naser Orić is not final. Both prosecution and defence have the right to file a notice of appeal within 30 days.

Born	3 March 1967 in Potočari, Srebrenica municipality, Bosnia and Herzegovina
Initial indictment confirmed	28 March 2003
Arrested	10 April 2003 by SFOR
Transferred to ICTY	11 April 2003
Initial appearance	15 April 2003
Released	1 July 2006

NON-COMPLETED CASES

CASE IT-03-69-PT

FRANKO SIMATOVIĆ



Jovica Stanišić is charged with participation in a joint criminal enterprise whose aim was the forcible and permanent removal of the majority of non-Serbs, principally Croats, Bosnian Muslims and Bosnian Croats, from large areas of Croatia and BiH, including, inter alia, the municipalities of Bijeljina, Bosanski Šamac, Doboј, Sanski Most, Srebrenica and Zvornik.

Charged with: crimes against humanity (including persecutions, murder, deportation and inhumane acts) and violations of the laws or customs of war (murder) on the basis of individual criminal responsibility

Case at the pre-trial stage

The indictment alleges that Simatović was commander of the Special Operations Unit of the State Security Service (DB) of Serbia. During the relevant period, secret units were established by or with the assistance of the Serbian DB (including, but not limited to, Red Berets, Arkan's Tigers and Scorpions) for the purpose of undertaking special military actions in Croatia and Bosnia and Herzegovina. It is alleged that Simatović participated in the formation, financing, supply and support of those special units and directed members and agents of the DB who participated in the perpetration of the crimes.

The charges against Simatović include the following crimes committed in BiH: the killing of non-Serb civilians in Bijeljina in the early days of April 1992, the killing of at least 16 civilians in the village of Crkvina (Bosanski Šamac municipality) in May 1992, the killing of 11 men in Trnova and 65 civilians in Sasina (Sanski Most municipality) in September 1992, and the killing of approximately 20 civilians in Zvornik in April 1992. The indictment further alleges that in June 1992 Serb forces used non-Serb detainees in Doboј as human shields and approximately 27 civilians were killed as a result of that. The indictment also relates to the death of six Bosnian Muslims captured following the fall of Srebrenica in July 1995, whose execution near the village of Trnovo was videotaped.

Simatović is also charged with the persecution, deportation and forcible transfer of Bosnian Muslims and Bosnian Croats in the mentioned municipalities.

Born	1 April 1950 in Belgrade, Serbia
Amended indictment	9 December 2003
Arrested	13 March 2003 in Serbia
Transferred to ICTY	30 May 2003
Initial appearance	2 June 2003

NON-COMPLETED CASES

CASE IT-03-69-PT

JOVICA STANIŠIĆ



Jovica Stanišić is charged with participation in a joint criminal enterprise whose aim was the forcible and permanent removal of the majority of non-Serbs, principally Croats, Bosnian Muslims and Bosnian Croats, from large areas of Croatia and BiH, including, inter alia, the municipalities of Bijeljina, Bosanski Šamac, Doboј, Sanski Most, Srebrenica and Zvornik.

Charged with: crimes against humanity (including persecutions, murder, deportation and inhumane acts) and violations of the laws or customs of war (murder) on the basis of individual criminal responsibility

Case at the pre-trial stage

According to the indictment, Stanišić was de facto head of the the State Security Service (DB) of the Republic of Serbia throughout 1991 until his formal appointment to the position he occupied from 31 December 1991 to 27 October 1998. During the relevant period, secret units were established by or with the assistance of the Serbian DB (including, but not limited to, Red Berets, Arkan's Tigers and Scorpions) for the purpose of undertaking special military actions in Croatia and Bosnia and Herzegovina. It is alleged that Stanišić participated in the formation, financing and supply of those special units and directed members and agents of the DB who participated in the perpetration of the crimes.

The charges against Stanišić include the following crimes committee in BiH: the killing of non-Serb civilians in Bijeljina in the early days of April 1992, the killing of at least 16 civilians in the village of Crkvina (Bosanski Šamac municipality) in May 1992, the killing of 11 men in Trnova and 65 civilians in Sasina (Sanski Most municipality) in September 1992, and the killing of approximately 20 civilians in Zvornik in April 1992. The indictment further alleges that in June 1992 Serb forced used non-Serb detainees in Doboј as human shields and approximately 27 civilians were killed as result of that. The indictment also relates to the death of six Bosnian Muslims captured following the fall of Srebrenica in July 1995, whose execution near the village of Trnovo was videotaped.

Stanišić is also charged with the persecutions, deportation and forcible transfer of Bosnian Muslims and Bosnian Croats from the mentioned municipalities.

Born	30 June 1950 in Ratkovo, in Vojvodina, Serbia
Amended indictment	9 December 2003
Arrested	13 March 2003 in Serbia
Transferred to ICTY	11 June 2003
Initial appearance	13 June 2003

NON-COMPLETED CASES

CASE IT-04-74 ("Herceg - Bosna")

JADRANKO PRLIĆ



Jadranko Prlić is charged with participation in a joint criminal enterprise to politically and military subjugate, permanently remove and ethnically cleanse Bosnian Muslims and other non-Croats who lived in areas on the territory of the Republic of Bosnia and Herzegovina which were claimed to be part of the Croatian Community (and later Republic) of Herceg-Bosna, and to join these areas as part of a "Greater Croatia" or in close association with it, by force, fear or threat of force, persecution, imprisonment and detention, forcible transfer and deportation, appropriation and destruction of property and other means, which constituted or involved the commission of crimes under the Tribunal's jurisdiction, including killings, rapes and inhumane acts. The indictment includes crimes committed in Prozor, Gornji Vakuf, Jablanica, Mostar, Ljubuški, Stolac, Čapljina and Vareš municipalities.

Charged with: crimes against humanity, grave breaches of the 1949 Geneva Conventions and violations of the laws or customs of war on the basis of individual criminal responsibility and superior criminal responsibility

Trial ongoing

The indictment alleges that on 14 August 1992 Prlić was appointed President of the Croat Defence Council (HVO), Herceg-Bosna's supreme executive, administrative and defence body. For most of 1992-1993, he was, other than Mate Boban, the most powerful official in the Herceg-Bosna/HVO political and governmental structures and, by late 1993, he effectively eclipsed Mate Boban. It is alleged that Prlić directed the work of and was responsible for the HVO government, including military matters, and that he signed decisions and decrees that comprised the HVO's official policy. Prlić had the power to appoint and dismiss persons in positions of significant authority in the civilian, military and judicial organs of Herceg-Bosna and the HVO. He also possessed authority to close Herceg-Bosna/HVO prisons and concentration camps.

Born	10 June 1959 in Đakovo, Republic of Croatia
Initial indictment confirmed	4 March 2004
Surrendered	5 April 2004
Transferred to ICTY	5 April 2004
Initial appearance	6 April 2004

NON-COMPLETED CASES

CASE IT-04-74 ("Herceg - Bosna")

BRUNO STOJIĆ



Bruno Stojić is charged with participation in a joint criminal enterprise to politically and military subjugate, permanently remove and ethnically cleanse Bosnian Muslims and other non-Croats who lived in areas on the territory of the Republic of Bosnia and Herzegovina which were claimed to be part of the Croatian Community (and later Republic) of Herceg-Bosna, and to join these areas as part of a "Greater Croatia" or in close association with it, by force, fear or threat of force, persecution, imprisonment and detention, forcible transfer and deportation, appropriation and destruction of property and other means, which constituted or involved the commission of crimes under the Tribunal's jurisdiction, including killings, rapes and inhumane acts. The indictment includes crimes committed in Prozor, Gornji Vakuf, Jablanica, Mostar, Ljubuški, Stolac, Čapljina and Vareš municipalities.

Charged with: crimes against humanity, grave breaches of the 1949 Geneva Conventions and violations of the laws or customs of war on the basis of individual criminal responsibility and superior criminal responsibility

Trial ongoing

The indictment alleges that from 3 July to November 1992, Stojić was head of the Department (later Ministry) of Defence of the Croat Defence Council and was in charge of the Herceg-Bosna/HVO armed forces. It was part of his responsibility to ensure that all Herceg-Bosna/HVO forces conduct themselves in accordance with the Geneva Conventions and international humanitarian law and that all prisoners, detainees and other persons held by Herceg-Bosna/HVO forces be treated in compliance with such conventions and law. It is alleged that Stojić had authority to appoint and dismiss HVO military commanders up to the level of brigade commander and that he used his authority to issue organisational, strategic and combat orders.

Born	8 April 1955 in Hamzići, Čitluk municipality, Bosnia and Herzegovina
Initial indictment confirmed	4 March 2004
Surrendered	5 April 2004
Transferred to ICTY	5 April 2004
Initial appearance	6 April 2004

NON-COMPLETED CASES

CASE IT-04-74 ("Herceg - Bosna")

SLOBODAN PRALJAK



Slobodan Praljak is charged with participation in a joint criminal enterprise to politically and military subjugate, permanently remove and ethnically cleanse Bosnian Muslims and other non-Croats who lived in areas on the territory of the Republic of Bosnia and Herzegovina which were claimed to be part of the Croatian Community (and later Republic) of Herceg-Bosna, and to join these areas as part of a "Greater Croatia" or in close association with it, by force, fear or threat of force, persecution, imprisonment and detention, forcible transfer and deportation, appropriation and destruction of property and other means, which constituted or involved the commission of crimes under the Tribunal's jurisdiction, including killings, rapes and inhumane acts. The indictment includes crimes committed in Prozor, Gornji Vakuf, Jablanica, Mostar, Ljubuški, Stolac, Čapljina and Vareš municipalities.

Charged with: crimes against humanity, grave breaches of the 1949 Geneva Conventions and violations of the laws or customs of war on the basis of individual criminal responsibility and superior criminal responsibility

Trial ongoing

The indictment alleges that from approximately March 1992 to July 1993, Slobodan Praljak served simultaneously as a senior Croatian Army officer, Assistant Minister of Defence and senior representative of the Croatian Ministry of Defence to the Herceg-Bosna/HVO government and armed forces. He served as a conduit for orders, communications and instructions from President Franjo Tuđman, Gojko Šušak and other senior officials of Croatia to the Herceg-Bosna/HVO government and armed forces, and reported to and kept Croatia's senior officials informed of developments in Bosnia and Herzegovina. It is alleged that Praljak directly and indirectly commanded Herceg-Bosna/HVO forces and operations in Bosnia and Herzegovina and issued organisational, strategic and combat orders. According to the indictment, he also had command authority over the Herceg-Bosna/HVO civilian police, when they acted under or in co-ordination with the Herceg-Bosna/HVO armed forces during times of armed conflict.

Born	2 January 1945 in Čapljina, Bosnia and Herzegovina
Initial indictment confirmed	4 March 2004
Surrendered	5 April 2004
Transferred to ICTY	5 April 2004
Initial appearance	6 April 2004

NON-COMPLETED CASES

CASE IT-04-74 ("Herceg - Bosna")

MILIVOJ PETKOVIĆ



Milivoj Petković is charged with participation in a joint criminal enterprise to politically and military subjugate, permanently remove and ethnically cleanse Bosnian Muslims and other non-Croats who lived in areas on the territory of the Republic of Bosnia and Herzegovina which were claimed to be part of the Croatian Community (and later Republic)

of Herceg-Bosna, and to join these areas as part of a "Greater Croatia" or in close association with it, by force, fear or threat of force, persecution, imprisonment and detention, forcible transfer and deportation, appropriation and destruction of property and other means, which constituted or involved the commission of crimes under the Tribunal's jurisdiction, including killings, rapes and inhumane acts. The indictment includes crimes committed in Prozor, Gornji Vakuf, Jablanica, Mostar, Ljubuški, Stolac, Čapljina and Vareš municipalities.

Charged with: crimes against humanity, grave breaches of the 1949 Geneva Conventions and violations of the laws or customs of war on the basis of individual criminal responsibility and superior criminal responsibility

Trial ongoing

The indictment alleges that from April 1992 until about 24 July 1993, Milivoj Petković served as the overall commander of the Herceg-Bosna/HVO armed forces, as "Chief of the HVO Main Staff". In his various positions and functions, Milivoj Petković exercised de jure and/or de facto command and control over the Herceg-Bosna/HVO armed forces. It is alleged that Petković exercised effective control and substantial influence over the Herceg-Bosna/HVO armed forces and was responsible for the management, organization, planning, preparation, training, discipline, supply and deployment and operations of these forces.

Born	11 October 1949 in Šibenik, Republic of Croatia
Initial indictment confirmed	4 March 2004
Surrendered	5 April 2004
Transferred to ICTY	5 April 2004
Initial appearance	6 April 2004

NON-COMPLETED CASES

CASE IT-04-74 ("Herceg - Bosna")

VALENTIN ĆORIĆ



Valentin Ćorić is charged with participation in a joint criminal enterprise to politically and military subjugate, permanently remove and ethnically cleanse Bosnian Muslims and other non-Croats who lived in areas on the territory of the Republic of Bosnia and Herzegovina which were claimed to be part of the Croatian Community (and later Republic) of Herceg-Bosna, and to join these areas as part of a "Greater Croatia" or in close association with it, by force, fear or threat of force, persecution, imprisonment and detention, forcible transfer and deportation, appropriation and destruction of property and other means, which constituted or involved the commission of crimes under the Tribunal's jurisdiction, including killings, rapes and inhumane acts. The indictment includes crimes committed in Prozor, Gornji Vakuf, Jablanica, Mostar, Ljubuški, Stolac, Čapljina and Vareš municipalities.

Charged with: crimes against humanity, grave breaches of the 1949 Geneva Conventions and violations of the laws or customs of war on the basis of individual criminal responsibility and superior criminal responsibility

Trial ongoing

The indictment alleges that in April 1992, Mate Boban appointed Valentin Ćorić Deputy for Security and Commander of the HVO Military Police. His position was later titled "Chief of the Military Police Administration" and he continued in this position until 20 November 1993. In November 1993, Valentin Ćorić was appointed Minister of Interior in the Croatian Republic of Herceg-Bosna. According to the indictment, Valentin Ćorić played a central role in the establishment, administration and operation of the HVO Military Police, which regularly played important roles in administering Herceg-Bosna/HVO prisons and detention facilities and in combat and ethnic cleansing operations.

Born	23 June 1956 in Paoča, Čitluk municipality, Bosnia and Herzegovina
Initial indictment confirmed	4 March 2004
Surrendered	5 April 2004
Transferred to ICTY	5 April 2004
Initial appearance	6 April 2004

NON-COMPLETED CASES

CASE IT-04-74 ("Herceg - Bosna")

BERISLAV PUŠIĆ



Berislav Pušić is charged with participation in a joint criminal enterprise to politically and military subjugate, permanently remove and ethnically cleanse Bosnian Muslims and other non-Croats who lived in areas on the territory of the Republic of Bosnia and Herzegovina which were claimed to be part of the Croatian Community (and later Republic)

of Herceg-Bosna, and to join these areas as part of a "Greater Croatia" or in close association with it, by force, fear or threat of force, persecution, imprisonment and detention, forcible transfer and deportation, appropriation and destruction of property and other means, which constituted or involved the commission of crimes under the Tribunal's jurisdiction, including killings, rapes and inhumane acts. The indictment includes crimes committed in Prozor, Gornji Vakuf, Jablanica, Mostar, Ljubuški, Stolac, Čapljina and Vareš municipalities.

Charged with: crimes against humanity, grave breaches of the 1949 Geneva Conventions and violations of the laws or customs of war on the basis of individual criminal responsibility and superior criminal responsibility

Trial ongoing

The indictment alleges that in 1993, Pušić held a command position in the Military Police and performed various functions, including that of President of the commission to take charge of all Herceg-Bosna/HVO prisons and detention facilities holding prisoners of war and detainees and president of the HVO Commission for Exchange of Prisoners. According to the indictment, it was part of his responsibility to classify and process Muslim detainees in accordance with the Geneva Conventions and international humanitarian law. Pušić issued orders and decisions, signed authorisations and gave instructions for the handling of Bosnian Muslim detainees, which controlled their continued detention and/or their transfer or deportation to other areas or countries.

Born	8 June 1952 in Mostar, Bosnia and Herzegovina
Initial indictment confirmed	4 March 2004
Surrendered	5 April 2004
Transferred to ICTY	5 April 2004
Initial appearance	6 April 2004

NON-COMPLETED CASES

CASE IT-04-79

MIĆO STANIŠIĆ



Miće Stanišić is charged with participation in a joint criminal enterprise the objective of which was to permanently remove and ethnically cleanse, by force or other means, Bosnian Muslim, Bosnian Croat and other non-Serb populations from the territory of the planned Serbian state by the commission of the crimes. The indictment lists crimes including persecution, murder, torture and deportation, committed in the area of the Autonomous Region of Krajina (ARK), including the municipalities of Banja Luka, Prijedor, Ključ, Sanski Most, Bosanski Novi, Kotor Varoš, Teslić, Bosanska Krupa, Bosanski Petrovac, Donji Vakuf, Čelinac, Šipovo and Prnjavor, and further in the municipalities of Bileća, Bosanski Šamac, Brčko, Doboj, Gacko, Ilijaš, Pale, Vlasenica, Višegrad, Vogošća and Zvornik.

Charged with: crimes against humanity (including persecutions, extermination, deportation and inhumane acts) and violations of the laws or customs of war (including murder and torture) on the basis of individual criminal responsibility and superior criminal responsibility

Case at the pre-trial stage

According to the indictment, from 1 April 1992, Miće Stanišić was Minister of the Serbian Ministry of Internal Affairs in BiH and as such he directed and commanded members and agents of the RS MUP who participated in the perpetration of the crimes he is charged with. It is also alleged that Stanišić instigated the commission of crimes against Bosnian Croat, Bosnian Muslim and other non-Serb populations by not taking any active steps to investigate, arrest, and/or punish the perpetrators of such crimes.

Born	30 June 1954 in Ponor, Pale municipality, Bosnia and Herzegovina
Initial indictment confirmed	25 February 2005
Surrendered	11 March 2005
Transferred to ICTY	11 March 2005
Initial appearance	17 March 2005

NON-COMPLETED CASES

CASE IT-04-81

MOMČILO PERIŠIĆ



According to the indictment, Momčilo Perišić was Chief of General Staff of the Yugoslav Army (VJ) from about 26 August 1993 to 24 November 1998. According to the indictment, Perišić, as the most senior officer in the VJ who had overall authority and responsibility for its functioning, planned, instigated, ordered, committed or otherwise aided and abetted the planning, preparation and execution of crimes committed in three separate locations - Sarajevo, Zagreb and Srebrenica.

Charged with: crimes against humanity (including extermination, persecutions and inhumane acts) and violations of the laws or customs of war (including murder and attacks on civilians) on the basis of individual criminal responsibility and superior criminal responsibility

Case at the pre-trial stage

The indictment alleges that Perišić used his authority to provide substantial military assistance to the Republika Srpska Army (VRS), with the knowledge that it was being used, in significant part, to perpetrate crimes. According to the indictment, the assistance included uninterrupted material and logistical support including weapons, ammunition and other combat equipment and, in some instances, sending regular VJ troops stationed in the Federal Republic of Yugoslavia (SRJ) into BiH. It is alleged that such assistance was provided despite official representations by the FRY government that it was not militarily involved in the conflicts in Croatia or BiH.

Born	22 May 1944 in Koštunići, Serbia
Indictment confirmed	22 February 2005
Surrendered	7 March 2005
Transferred to ICTY	7 March 2005
Initial appearance	9 March 2005

NON-COMPLETED CASES

CASE IT-04-83

RASIM DELIĆ



Rasim Delić, as Commander of the Main Staff of the Army of Bosnia and Herzegovina (ARBiH) is charged with failing to prevent and punish his subordinates who committed murders, rape and cruel treatment against Bosnian Croat and Bosnian Serb victims committed in the municipalities of Travnik and Zavidovići in 1993 and 1995 respectively. The indictment specifically deals with crimes alleged to have been committed by the Mujahedin and members of the 'El Mujahid' Unit of the ARBiH 3rd Corps.

Charged with: violations of the laws or customs of war (murder, cruel treatment, rape) on the basis of superior criminal responsibility

Case at the pre-trial stage

It is alleged that on 8 June 1993, the Mujahedin murdered and wounded several dozens of Bosnian Croat civilians and members of the Croatian Defence Council (HVO) captured in the village of Maline in Travnik municipality. According to the indictment, Delić was put on notice of the crimes, but nevertheless failed to take the proper steps to punish the perpetrators.

The indictment further lists crimes committed in the Kamenica camp, located in the Gostović valley, about 10 kilometres south from Zavidovići, and operated by the soldiers from the 'El Mujahid' unit. According to the indictment, approximately 60 soldiers of the Army of the Serbian Republic of Bosnia and Herzegovina (VRS) who were captured in Vizuća in September 1995 and taken to the camp are missing and presumed dead. Three women captured in Vozuća were beaten and kicked, hit with metal sticks and rifle butts and subjected to sexual assaults, including rape.

It is alleged that on 24 July 1995, one VRS prisoner was decapitated in the Kamenica camp and all the other prisoners were forced to kiss the severed head. The VRS prisoners were tortured and beaten and some received electrical shocks.

The indictment alleges that Rasim Delić was put on notice that soldiers from the El Mujahed unit had a propensity to commit crimes, and particularly crimes against captured enemy combatants and civilians and that the El Mujahed unit was operating the Kamenica Camp. Nevertheless, he failed to take the proper steps to prevent the crimes that occurred in this camp.

Born	4 February 1949 in Čelić, Lopare municipality, Bosnia and Herzegovina
Indictment confirmed	16 February 2005
Surrendered	28 February 2005
Transferred to ICTY	28 February 2005
Initial appearance	3 March 2005

NON-COMPLETED CASES

CASE IT-05-88-PT ("Srebrenica")

VINKO PANDUREVIĆ



Vinko Pandurević is charged with genocide against the Bosnian Muslim population in Srebrenica in July 1995, the extermination and killing of thousands of Bosnian Muslim men and boys from the Srebrenica enclave and the persecution and forcible transfer of Bosnian Muslim population from the enclaves of Srebrenica and Žepa.

Charged with: genocide, crimes against humanity and violations of the laws or customs of war on the basis of individual criminal responsibility and superior criminal responsibility

Case at the pre-trial stage

According to the indictment, during the relevant period, Pandurević was a Lt. Colonel in command of the Zvornik Brigade of the VRS and he issued orders to forces participating in the attack on the Srebrenica and Žepa enclaves. It is also alleged that on 15 July 1995 he personally authorised the detention, summary execution and burial of thousands of Bosnian Muslim men from Srebrenica held in schools in Ročević, Kula, and the Pilica Cultural Centre, and that he had knowledge of and assisted in many other executions.

Born	25 June 1959 in Jasik, Sokolac municipality, Bosnia and Herzegovina
Initial indictment confirmed	7 December 2001
Surrendered	23 March 2005
Transferred to ICTY	23 March 2005
Initial appearance	31 March 2005

NON-COMPLETED CASES

CASE IT-05-88-PT ("Srebrenica")

DRAGO NIKOLIĆ



Drago Nikolić is charged with genocide against the Bosnian Muslim population in Srebrenica in July 1995, the extermination and killing of thousands of Bosnian Muslim men and boys from the Srebrenica enclave and the persecution and forcible transfer of Bosnian Muslim population from the enclaves of Srebrenica and Žepa.

Charged with: genocide, crimes against humanity and violations of the laws or customs of war on the basis of individual criminal responsibility

Case at the pre-trial stage

According to the indictment, during the relevant time, Nikolić was Chief of Security of the Zvornik Brigade and was responsible for managing the brigade's Military Police Company. It is alleged that Nikolić assisted in the transportation and organising of Muslim men from Bratunac to detention areas in the Zvornik area, including the schools at Orahovac, Petkovci, Ročević, Kula and the Pilica Cultural Centre, from 13 through 16 July 1995, and oversaw and supervised their summary execution. It is alleged that, based on his position and by virtue of the authority vested in him by Vinko Pandurević, he had responsibility for the handling of all of the Bosnian Muslim prisoners and for ensuring their safety and welfare.

Nikolić is also charged with assisting in the operation to re-bury bodies of Muslims victims killed in the Zvornik Brigade zone of responsibility.

Born	9 November 1957 in Brana Bačić, Bratunac municipality, Bosnia and Herzegovina
Initial indictment confirmed	6 September 2002
Surrendered	17 March 2005
Transferred to ICTY	17 March 2005
Initial appearance	23 March 2005

NON-COMPLETED CASES

CASE IT-05-88 ("Srebrenica")

MIHORAD TRBIĆ



Milorad Trbić is charged with genocide against the Bosnian Muslim population in Srebrenica in July 1995, the extermination and killing of thousands of Bosnian Muslim men and boys from the Srebrenica enclave and the persecution and forcible transfer of Bosnian Muslim population from the enclaves of Srebrenica and Žepa.

Charged with: genocide, crimes against humanity and violations of the laws or customs of war on the basis of individual criminal responsibility

Case at the pre-trial stage

According to the indictment, at relevant time, Trbić was an assistant to and directly reported to Drago Nikolić, the Chief of Security of the Zvornik Brigade. He was responsible, inter alia, for helping in managing the Military Police Company. It is alleged that Trbić assisted in organising the transportation, detention, security and execution of Muslim men to detention sights in the Zvornik area and that, on 14 July 2005, he personally executed several of the Muslim victims at the execution field near the school in Orahovac. It is further alleged that Trbić assisted in the operation to re-bury bodies of Muslims victims killed in the Zvornik Brigade zone of responsibility.

On 4 May 2006, the prosecution filed a request to refer the case to Bosnia and Herzegovina. The request is pending before the Referral Bench.

Born	22 February 1958 in Ponijevo, Zenica municipality, Bosnia and Herzegovina
Initial indictment confirmed	10 February 2005
Surrendered	7 April 2005
Transferred to ICTY	7 April 2005
Initial appearance	13 April 2005

NON-COMPLETED CASES

CASE IT-05-88-PT ("Srebrenica")

LJUBIŠA BEARA



Ljubiša Beara is charged with genocide against the Bosnian Muslim population in Srebrenica in July 1995, the extermination and killing of thousands of Bosnian Muslim men and boys from the Srebrenica enclave and the persecution and forcible transfer of Bosnian Muslim population from the enclaves of Srebrenica and Žepa.

Charged with: genocide, crimes against humanity and violations of the laws or customs of war on the basis of individual criminal responsibility

Case at the pre-trial stage

The indictment alleges that, on the evening of 11 July and morning of 12 July, Ratko Mladić and members of his staff developed a plan to murder the hundreds of able bodied men identified from the crowd of Muslims in Potočari. Ljubiša Beara, Chief of the Main Staff Security Organ, was given authority for organising and co-ordinating the detention, transportation, summary execution and burial of the Muslim victims.

It is further alleged that Beara organised the gathering together, detention, transportation and execution of Muslim men along the Konjević Polje - Milići - Srebrenica road on 13 July 1995; assisted in the transportation of Muslim men to detention centres in the Zvornik area from 13 through 16 July, and oversaw and supervised their summary execution. According to the indictment, Beara also participated in the operation to capture Muslim men fleeing from the Žepa enclave over the Drina River to Serbia early August 1995.

Born	14 July 1939 in Sarajevo, Bosnia and Herzegovina
Initial indictment confirmed	26 March 2002
Transferred to ICTY	10 October 2004
Initial appearance	9 November 2004 and 11 November 2004

NON-COMPLETED CASES

CASE IT-05-88-PT ("Srebrenica")

VUJADIN POPOVIĆ



Vujadin Popović is charged with genocide against the Bosnian Muslim population in Srebrenica in July 1995, the extermination and killing of thousands of Bosnian Muslim men and boys from the Srebrenica enclave and the persecution and forcible transfer of Bosnian Muslim population from the enclaves of Srebrenica and Žepa.

Charged with: genocide, crimes against humanity and violations of the laws or customs of war on the basis of individual criminal responsibility

Case at the pre-trial stage

According to the indictment, Popović was the Assistant Commander of Security on the staff of the Drina Corps. He was, inter alia, responsible for managing the units of the Drina Corps Military Police and for co-ordinating with the bodies of the MUP. It is alleged that Popović was a participant at the meeting at the Hotel Fontana at 10:00 hours 12 July 1995 with General Mladić and others, the purpose of which was to arrange for the departure and transportation of the Muslims to leave Srebrenica and to intimidate the Muslims so they would leave the Srebrenica area.

The indictment also alleges that Popović was present on duty in Potočari on 12 July 1995 overseeing the transportation of Muslims to areas outside of the RS; he assisted in the transportation and organisation of Muslim men from Bratunac to detention areas in Zvornik and oversaw and supervised their summary execution.

Born	14 March 1957 in Popovići, Šekovići municipality, Bosnia and Herzegovina
Initial indictment confirmed	26 March 2002
Surrendered	14 April 2005
Transferred to ICTY	14 April 2005
Initial appearance	18 April 2005

NON-COMPLETED CASES

CASE IT-05-88-PT ("Srebrenica")

LJUBOMIR BOROVČANIN



Ljubomir Borovčanin is charged with genocide against the Bosnian Muslim population in Srebrenica in July 1995, the extermination and killing of thousands of Bosnian Muslim men and boys from the Srebrenica enclave and the persecution and forcible transfer of Bosnian Muslim population from the enclaves of Srebrenica and Žepa.

Charged with: genocide, crimes against humanity and violations of the laws or customs of war on the basis of individual criminal responsibility and superior criminal responsibility

Case at the pre-trial stage

According to the indictment, on 10 July 1995, Borovčanin was appointed Commander of a joint force of MUP units and was ordered to report to Radislav Krstić, then Chief of Staff of the Drina Corps of the Army of Republika Srpska (VRS). It is alleged that he was, inter alia, responsible for planning and directing the activities of all the subordinate formations under his command, in accordance with the directives received from his higher command.

The indictment further alleges that Borovčanin was present in Potočari on 12 and 13 July 1995 commanding MUP troops in the separation of Muslim men from their families with full knowledge that those men would be summarily executed.

Borovčanin is also charged with planning and organising the detention and transfer of Muslim men along the Konjević Polje - Milići road on 13 July 1995 and that the same day he was personally present at the Kravica warehouse when hundreds of Muslim prisoners were summarily executed by or in the presence of troops under his command and he did nothing to prevent those executions.

Born	27 February 1960 in Han Pijesak, Bosnia and Herzegovina
Initial indictment confirmed	6 September 2002
Surrendered	1 April 2005
Transferred to ICTY	1 April 2005
Initial appearance	7 April 2005

NON-COMPLETED CASES

CASE IT-05-88-PT ("Srebrenica")

RADIVOJE MILETIĆ



Radivoje Miletic is charged with the persecution and forcible transfer of the Bosnian Muslim population from the Srebrenica and Žepa enclaves and the killing of Bosnian Muslim men and boys from the Srebrenica enclave.

Charged with: crimes against humanity and violations of the laws or customs of war (including murder, persecutions, forcible transfer and deportation) on the basis of individual criminal responsibility

According to the indictment, at the relevant period, Miletic was Chief of Operations and Training and was standing in for the Chief of Staff of the Main Staff of the VRS. As such, he was the primary facilitator through which the Commander's intent, orders and directives were organised and processed for execution by the Staff and subordinate units.

Case at the pre-trial stage

The indictment alleges that Miletic drafted Operational Directive 7, which was signed by President Radovan Karadzic on 21 March 1995 and called for the VRS to, inter alia, "create an unbearable situation of total insecurity with no hope of further survival or life for the inhabitants of Srebrenica and Žepa". It is alleged that Miletic took part in and helped implemented the policy to restrict humanitarian aid to the Muslim populations of Srebrenica and Žepa.

It is further alleged that Miletic monitored the surrender of Muslim forces after the fall of Srebrenica and Žepa and the activities of VRS units in the areas and communicated this information to his superiors, including Radovan Karadzic.

Born	6 December 1947 in Štović, Foča municipality, Bosnia and Herzegovina
Initial indictment confirmed	10 February 2005
Surrendered	28 February 2005
Transferred to ICTY	28 February 2005
Initial appearance	2 March 2005

NON-COMPLETED CASES

CASE IT-05-88-PT ("Srebrenica")

MILAN GVERO



Milan Gvero is charged with the persecution and forcible transfer of the Bosnian Muslim population from the Srebrenica and Žepa enclaves and the killing of Bosnian Muslim men and boys from the Srebrenica enclave.

Charged with: crimes against humanity and violations of the laws or customs of war (including murder, persecutions, forcible transfer and deportation) on the basis of individual criminal responsibility

Case at the pre-trial stage

According to the indictment, at the relevant period, Milan Gvero was the Assistant Commander for Morale, Legal and Religious Affairs of the Main Staff of the VRS and reported directly to General Mladić.

The indictment alleges that Gvero contributed to the operation of forcible transfer and deportation of the Bosnian Muslim population, inter alia, by releasing to the public media a false statement concerning the attacks on the enclaves in order to assist in the take-down of the Srebrenica enclave; he assisted in the attack on Srebrenica by lying to UNPROFOR about Muslim attacks and VRS intentions and actions with respect to the enclave, knowing that one of the main objectives was to force the Muslim population to leave Srebrenica; and after the fall of the Srebrenica enclave, he lied to international representatives in order to block the UN's and other international organisations' access to Srebrenica.

Born	4 December 1937 in Mrkonjić-Grad, Bosnia and Herzegovina
Initial indictment confirmed	10 February 2005
Surrendered	24 February 2005
Transferred to ICTY	24 February 2005
Initial appearance	2 March 2005

NON-COMPLETED CASES

CASE IT-95-5/18 ("BiH and Srebrenica")

RADOVAN KARADŽIĆ



According to the indictment, between 1 July 1991 and 30 November 1995, Radovan Karadžić participated in the charged crimes in order to secure control of those areas of Bosnia and Herzegovina which had been proclaimed part of the Serbian republic and which included the following municipalities (among others): Banja Luka, Bijeljina, Bileća, Bosanska Krupa, Bosanski Novi, Bosanski Petrovac, Bosanski Šamac, Bratunac, Brčko, Čajniče, Čelinac, Doboј, Donji Vakuf, Foča, Gacko, Hadžići, Ilidža, Ilijaš, Jajce, Ključ, Kalinovik, Kotor Varoš, Nevesinje, Novi Grad, Novo Sarajevo, Pale, Prijedor, Prnjavor, Rogatica, Rudo, Sanski Most, Šekovići, Šipovo, Sokolac, Teslić, Trnovo, Višegrad, Vlasenica, Vogošća, Zavidovići and Zvornik.

Charged with: genocide, crimes against humanity, violations of the laws or customs of war and grave breaches of the 1949 Geneva Conventions on the basis of individual criminal responsibility and superior criminal responsibility

At large

According to the indictment, Bosnian Serb forces acting under the direction and control of Radovan Karadžić and others were engaged in a variety of actions that by 30 November 1995 resulted in the death or forced departure of a significant portion of the Bosnian Muslim, Bosnian Croat and other non-Serb groups from those municipalities and in and around the Srebrenica enclave.

The indictment specifically relates to the following criminal acts that are alleged to have been committed in the mentioned municipalities in 1992: the killing of Bosnian Muslims and Bosnian Croats during and after the attacks; killings in detention camps; the causing of serious bodily or mental in detention camps; murder, sexual violence, torture and beatings of detainees in police stations and army barracks; and the detention of Bosnian Muslims and Bosnian Croats under conditions of life calculated to bring about their physical destruction.

The indictment also relates to an alleged terror campaign of shelling and sniping upon Sarajevo between 1 April 1992 and 30 November 1995.

It is further alleged that in March 1995, Radovan Karadžić, as supreme commander instructed the Bosnian Serb forces to create an unbearable situation of total insecurity with no hope of further survival of life for the inhabitants of Srebrenica. According to the indictment, between 11 and 18 July 1995, Bosnian Serb forces executed thousands of Bosnian Muslim men captured at several different locations in and around the Srebrenica enclave.

The alleged crimes are characterised, inter alia, as genocide, extermination, persecution, deportation and unlawful terror upon civilians. Karadžić is also charged with taking of UN military observers and UN peacekeepers as hostage in 1995.

During the relevant period, Radovan Karadžić held the following positions: from 12 July 1990 until 19 July 1996, he was President of the Serb Democratic Party (SDS); from 12 May until 17 December 1992, he

NON-COMPLETED CASES

was President of the Presidency of the Serbian republic; from 17 December 1992 to 19 July 1996, he was President of Republika Srpska and Supreme Commander of the armed forces. It is alleged that Karadžić, acting individually or in concert with others, directed and controlled the Bosnian Serb forces and all SDS and government authorities who participated in the crimes alleged in the indictment. He is also alleged to have known or had reason to know that Bosnian Serb forces were committing the crimes he is charged with, but despite his authority failed to take the necessary and reasonable measures to prevent such acts or punish the perpetrators thereof.

Born	19 June 1945 in Šavnik municipality, Montenegro
Initial indictment confirmed	24 July 1995 (Bosnia and Herzegovina) 16 November 1995 (Srebrenica)

NON-COMPLETED CASES

CASE IT-95-5/18 ("BiH & Srebrenica")

RATKO MLADIĆ



Ratko Mladić is charged with genocide, crimes against humanity and war crimes committed with the aim to eliminate or permanently remove Bosnian Muslim, Bosnian Croat and other non-Serb inhabitants from large areas of Bosnia and Herzegovina.

Charged with: genocide, crimes against humanity and violations of the laws or customs of war on the basis of individual criminal responsibility and superior criminal responsibility

At large

The indictment alleges that from May 1992, Bosnian Serb forces under the command and control of General Ratko Mladić took control of municipalities in the Serbian Republic of BiH, primarily in the north-western region of BiH and in eastern Bosnia. Thousands of non-Serbs were deported or forcibly transferred from these municipalities. Many non-Serbs were killed, and many others were held in detention facilities, where they were physically and psychologically abused and subjected to cruel and inhumane conditions. In addition, non-Serb homes, businesses, and religious sites and property were looted, destroyed or appropriated.

It is alleged that Mladić planned, prepared, facilitated or executed a protracted military campaign of artillery and mortar shelling and sniping into civilian areas of Sarajevo and upon its civilian population and institutions, killing and wounding civilians.

According to the indictment, General Mladić and Bosnian Serb forces entered Srebrenica on 11 July 1995. It is alleged that over 7,000 Bosnian Muslim prisoners captured in the area around Srebrenica were summarily executed between 13 and 19 July 1995. From August through about November 1995, VRS units under the command and control of Ratko Mladić participated in an organised and comprehensive effort to conceal the killings and executions of the Bosnian Muslims of Srebrenica by re-burying, in isolated locations, bodies exhumed from mass graves.

The alleged crimes were qualified, *inter alia*, as genocide, extermination, persecution, deportation and unlawful terror upon civilians. Mladić is also charged with taking of UN military observers and UN peacekeepers as hostage in 1995.

It is alleged that from 12 May 1992 until at least 22 December 1996, as Commander of the Main Staff, Mladić was the most senior officer of the Army of Republika Srpska (VRS), subordinate only to the Presidency/President of the Republika Srpska. As such he had overall authority and responsibility for the functioning of the VRS and was responsible for planning and directing all operations of the VRS, and for monitoring the activities of all subordinate officers and units. He is held individually criminally responsible for the alleged crimes, which he instigated, ordered, committed, or in whose planning, preparation or execution he otherwise aided and abetted.

According to the indictment, Mladić was personally responsible for ensuring that Bosnian Serb forces under his command respected and applied the rules of international law governing the conduct of warfare. He knew or had reason to know that crimes alleged in the indictment were about to be

NON-COMPLETED CASES

committed or had been committed by his subordinates and he failed to take necessary and reasonable measures to prevent such acts or punish the perpetrators thereof.

Born	12 March 1942 in Kalinovik municipality, Bosnia and Herzegovina.
Initial indictment confirmed	24 July 1995 (Bosnia and Herzegovina) 16 November 1995 (Srebrenica)

NON-COMPLETED CASE

CASE IT-05-88-PT ("Srebrenica")

ZDRAVKO TOLIMIR



Zdravko Tolimir is charged with genocide against the Bosnian Muslim population in Srebrenica in July 1995, the extermination and killing of thousands of Bosnian Muslim men and boys from the Srebrenica enclave and the persecution and forcible transfer of Bosnian Muslim population from the enclaves of Srebrenica and Žepa.

Charged with: genocide, crimes against humanity and violations of the laws or customs of war on the basis of individual criminal responsibility

At large

According to the indictment, at the relevant time, Tolimir was Assistant Commander for Intelligence and Security of the Main Staff of the VRS and reported directly to the Commander of the Main Staff, General Ratko Mladić. By virtue of his position, he had responsibility to ensure the safety and welfare of all Bosnian Muslim prisoners taken after the fall of the Srebrenica enclave, in the zone of responsibility of the Drina Corps, but failed to do so.

According to the indictment, Tolimir supervised the 10th Sabotage Detachment on 16 July 1995 when elements of this unit summarily executed more than 1,700 Muslim men and boys at the Branjevo Military Farm and the Pilica Cultural Centre. It is further alleged that Tolimir participated in the forcible transfer and deportation of the Muslim population of Srebrenica and Žepa, *inter alia*, by organising and leading the psychological and propaganda activities related to the operation in the enclaves and giving orders related to and coordinated the forcible transfer of men.

Born	27 November 1948 in Glamoč municipality, Bosnia and Herzegovina
Indictment confirmed	10 February 2005

NON-COMPLETED CASE

CASE IT-99-36 ("Krajina")

STOJAN ŽUPLJANIN



Stojan Župljanin is charged with participation in a joint criminal enterprise to eliminate or permanently remove, by force or other means, Bosnian Muslims and Bosnian Croats from the territory of the planned Serb state in Bosnia and Herzegovina in 1992. He is, inter alia, charged with persecutions, murders, torture, deportation and wanton destruction committed in the area of the Autonomous Region of Krajina (ARK), that included the following municipalities (among others): Banja Luka, Prijedor, Ključ, Sanski Most, Bosanski Novi, Kotor Varoš, Teslić, Bosanska Krupa, Bosanski Petrovac, Donji Vakuf, Čelinac, Šipovo and Prnjavor.

Charged with: crimes against humanity (persecutions, extermination, murder, torture, deportations, inhumane acts, forcible transfer) and violations of the laws or customs of war (murder, torture, cruel treatment, wanton destruction of cities, towns or villages or devastation not justified by military means, destruction or wilful damage done to historic monuments and institutions dedicated to religion) on the basis of individual criminal responsibility and superior criminal responsibility

At large

According to the indictment, as commander of the Regional Security Services Centre of Banja Luka, Župljanin had overall authority and responsibility for the functioning of the police within the ARK. He contributed to achieving the objectives of the joint criminal enterprise by ordering, commanding and directing members and agents of the police who participated in the perpetration of the crimes. He represented the police on the ARK Crisis Staff which worked to co-ordinate and implement the overall plan to seize control of and "ethnically cleanse" the territory of the ARK.

Born	28 September 1951 in Maslovare, Kotor Varoš municipality, Bosnia and Herzegovina
Second amended indictment	6 October 2004



PERSONS PUBLICLY INDICTED BY THE ICTY FOR WAR CRIMES

Warrants of Arrest are issued on behalf of the
International Criminal Tribunal for the former Yugoslavia



ZORAN ĐIŠIĆ
Commander-in-Chief of Forces
Born: 17.11.48
Rank: Major-General, General-Major
Warfare zone: 1991-95
Area: Foca



VESKO ĐIŠIĆ
Deputy Commander-in-Chief
Born: 27.02.48
Rank: Colonel
Warfare zone: 1991-95
No known area



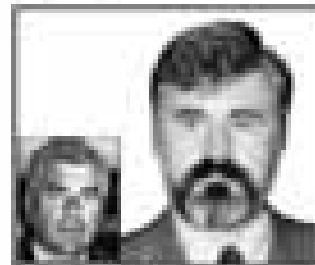
ŽELJKO RAČIĆ
Deputy Commander-in-Chief
Born: 19.02.49
Rank: Colonel & Major-General
Warfare zone: 1991-95
Area: Foca



VUKO BRADIĆ
Member-in-Chief of Forces
Born: 18.04.48
Rank: Colonel, Major & Major-General
Warfare zone: 1991-95
No known area



VUKO TOŠIĆ
Deputy Chief of Forces
Born: 07.01.48
Rank: Colonel, Major & Major-General
Warfare zone: 1991-95
No known area



ŽUPLJANIĆ
Member-in-Chief of Forces
Born: 04.02.49
Rank: Colonel, Major & Major-General
Warfare zone: 1991-95
No known area

Updated as of:

**8 DECEMBER
2005**

Please note that
appearances may have
changed

Mapping Agency &
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100-107/05

OUTREACH PROGRAMME OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA AND OPEN SOCIETY FUND BOSNIA AND HERZEGOVINA



Photo provided courtesy of The International Criminal Tribunal for the former Yugoslavia (ICTY)

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The Outreach Programme is a United Nations Trust Fund and as such is entirely funded by voluntary contributions. Since 2004 it has been entirely supported by the European Commission.

Conferences - Seminars - Training events

In association with regional partners, Outreach has planned and organised many conferences, seminars and training events for victims' representatives and their families, NGO activists, legal professionals, journalists and students across the former Yugoslavia.

Press Releases

The Outreach Programme provides ICTY press releases in B/C/S and Albanian. If you wish to receive press releases, please contact one of the Outreach offices.

ICTY Documents in B/C/S Aand Albanian

The Outreach Programme ensures that ICTY documents are available to wider public in B/C/S, as well as Albanian and Macedonian. These include judgments, indictments, decisions and orders, as well as all basic legal documents (such as the Statute, Rules of Procedure and Evidence, Rules governing Defence and Detention matters, etc.). The documents are available on the ICTY website, but many are also available as hard copies or on CD-ROMs that can be requested from Outreach offices.

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www.un.org/icty (in English)

www.un.org/icty/index-b.html (in Bosnian/Croatian/Serbian)

OPEN SOCIETY FUND BOSNIA AND HERZEGOVINA

Open Society Fund Bosnia and Herzegovina (OSF BiH) is an independent, nonprofit organization established in 1993 as a part of the Soros Foundation Network that is dedicated to promotion of the open society.

Through its programs the OSF BiH strives to contribute to the development of public policies that are based on democratic principles, respect for human rights and the integration of the BiH society. The current program priorities involve changing the values in educational system, strengthening the local governance, combating corruption and empowering Roma associations.

Furthermore, OSF BiH has recently conducted the study "Democracy Assessment in BiH" aimed at identifying both strengths and weaknesses of current democratic practice in the country. This baseline study will be the starting point for stimulating debate around current political and public discourse within BiH.

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Bosnia and Herzegovina**

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**Open Society Fund Bosnia and Herzegovina in cooperation with
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