

ETHNIC CLEANSING IN PRIJEDOR

“Since my departure, since that 23rd of May [1992] when they came to our house to get me, I have been living in another world. It seems to me that everything that is happening to me is just an ugly dream, just a nightmare. And I simply cannot understand how something like this is possible.... I just keep wondering whom and how much I have offended so that I have to go through all this. But I still believe in justice, and I believe in truth, and I believe that this will all be cleared up.”¹

These are the words of Professor Muhamed Čehajić, the former municipal president of Prijedor, a town in north-west Bosnia and Herzegovina that has become synonymous with some of the most notorious crimes committed during the war in the former Yugoslavia. After Serb forces took control of the municipality on 30 April 1992, he was the first person to be denied access to his office at the municipal building. Muhamed Čehajić sent these words in a letter to his wife shortly after his arrest on the afternoon of 23 May. Eventually he was transferred to the Omarska Camp where he was later killed.² Muhamed Čehajić’s words exemplify the suffering of many thousands who were victims of crimes committed by Bosnian Serb forces in a widespread and systematic manner in the Prijedor municipality in 1992.

Muhamed Čehajić’s words also reflect the hope of many victims for justice. The International Criminal Tribunal for the former Yugoslavia has dedicated itself to pursuing justice for victims like Professor Čehajić from many places in the former Yugoslavia. In Prijedor municipality alone, the Tribunal has charged 27 individuals, and so far convicted 13.

The most senior perpetrator who the Tribunal found guilty of crimes committed in Prijedor was Milomir Stakić, formerly the highest-level Bosnian Serb political leader in the municipality after Bosnian Serb forces took it over. The Tribunal sentenced Milomir Stakić to 40 years’ imprisonment for his responsibility in exterminating, murdering and persecuting thousands of non-Serb civilians in the municipality. The Trial Judgement stated that there was a “... comprehensive pattern of atrocities against Muslims in Prijedor in 1992 which has been proved beyond reasonable doubt.”³ The Tribunal’s judgements against other perpetrators establish a host of harrowing facts about the suffering of many thousands of victims, included killings on a massive scale in the Omarska, Keraterm and Trnopolje camps, in Bosnian Muslim towns and villages throughout the municipality, and on Mount Vlašić, all of which were part of this comprehensive pattern of atrocities.

An Illegal Coup d’Etat

Due to the considerable number of cases the Tribunal has tried relating to crimes committed in Prijedor, there are now a number of facts that cannot be disputed. Among these facts are those about the first steps Bosnian Serb political, police and other forces took to seize control of the Prijedor municipality.

Serb political forces were worried about the shifting demographic balance in favour of the Muslim population. It became one of the central issues in the municipality’s political life during 1991 and 1992.

During the war in Croatia in 1991, tension increased between the Serb community in Prijedor and its Muslim and Croat communities. There was a huge influx of Serb refugees from Slovenia and Croatia into the municipality. At the same time, Muslims and Croats began to leave because of a growing sense of insecurity and fear.

Pro-Serb propaganda became increasingly visible. A Serbian paramilitary unit called the “Wolves of Vučjak” seized the transmitter station on Mount Kozara in August 1991. TV Sarajevo was cut off and replaced by broadcasts from Belgrade and Banja Luka. These broadcasts contained interviews with Serbian Democratic Party (SDS) politicians who argued that while Serbs sought to preserve Yugoslavia, the Muslims and Croats wanted to destroy it. The Serb media propagated

the idea that Serbs had to arm themselves in order to avoid being massacred like they were during World War II.

At the meeting of the Prijedor Municipal Board of the SDS on 27 December 1991, SDS representatives decided to overthrow Prijedor's existing, legitimate, authorities and replace them with SDS or SDS-loyal personnel, and form independent Serb bodies. At the session on 7 January 1992, the Serbian members of the Prijedor Municipal Assembly and the presidents of the local Municipal Boards of the SDS proclaimed the Assembly of the Serbian People of the Municipality of Prijedor. Milomir Stakić was elected President of this Assembly.

By the end of April 1992, a number of clandestine Serb police stations were created in the municipality and more than 1,500 armed men were ready to take part in seizing control of Prijedor's governing institutions. In the night of 29 to 30 April 1992, Serb forces took control of Prijedor "without a single bullet fired". Serb employees of the public security station and reserve police gathered in Ćirkin Polje, part of the town of Prijedor. They were broadly divided into five groups. One group was responsible for the Municipal Assembly building, one for the SUP building, one for the courts, one for the bank and the last for the post-office.

In the Milomir Stakić case the Trial Chamber found that the takeover of Prijedor was an illegal coup d'état, which had been planned and coordinated for months, and which had as its final goal the creation of a Serbian municipality eventually to form part of an envisaged pure Serbian state.⁴

Widespread and Systematic Atrocities

However, it is after Bosnian Serb political, military and police forces took control of Prijedor that they committed the majority of the crimes that the Tribunal has tried. It was then that they established the Omarska, Keraterm and Trnopolje camps, which were notorious for the depravity of the crimes committed there. The evidence in a number of cases before the Tribunal demonstrated that the Omarska, Keraterm and Trnopolje camps were not set up by chance: they were the result of an intentional policy to impose a system of discrimination against the non-Serb population of Prijedor.

The world has come to know of the Omarska camp's brutality through images broadcast in the international media that showed emaciated prisoners. The images, which were taken by British television company ITN, ignited the world public's disbelief and drew quick condemnation. Just as quickly, controversy surrounding the footage followed, with some claiming that it was fake, and that the crimes that occurred in and outside the camps never happened.

In August 1992, then Republika Srpska President Radovan Karadžić granted British TV ITN permission to go to Prijedor to investigate allegations of human rights abuses in a number of camps that had been set up in the area. The film crew asked the prisoners what was happening in the camp. They also asked the prisoners how long they had been there, where they came from, whether they had been beaten and other questions. Some of the prisoners answered these questions. Others said: "thank you for trying to help us but don't make our position worse than it already is".

This television footage was introduced in just about every case that the Tribunal tried relating to the Omarska camp, formerly an iron ore mine. The job of the Tribunal's Judges is precisely to verify the authenticity and veracity of every piece of evidence that they admit. On every occasion that this footage was introduced, the defence had an opportunity to contest it. In each case, the court accepted the images as genuine. Indeed, independently of the Tribunal, the ITN footage was also the subject of a libel action in Great Britain. The jury returned a unanimous verdict in that case and also found the film to be genuine. The magazine that disputed the photos authenticity was ordered to pay 375,000 pounds in damages.

What the Tribunal's cases relating to crimes committed in the Omarska camps show beyond a reasonable doubt is that the ITN images provide but the smallest glimpse into the horrors that

occurred there. The Omarska camp was established as a camp primarily for non-Serb detainees. Although there were some Serb persons held within the camp, they were in the minority. It was established in late May 1992 and was closed for good at the end of August 1992. The majority of the prisoners were held in the camp until about 6 August. During this period of almost three months, more than 3,334 detainees passed through the camp. Living conditions were appalling and the prisoners were constantly mistreated.⁵

The first person that the Tribunal held accountable for crimes committed in the Omarska camp was Duško Tadić, formerly the President of the local Serb Democratic Party (SDS). The Tribunal found him guilty of a range of crimes committed across Prijedor and the surrounding villages, both in the camps and during the initial roundup of non-Serbs that occurred during the takeover of the municipality by the SDS. This initial takeover included the attack on the town of Kozarac near Prijedor, on 24 May 1992, which included two days of artillery barrage and an assault by a mechanised brigade of troops. As a result, some 800 civilians out of a population of around 4,000 were killed.⁶ When the town had been captured, Bosnian Serb forces proceeded to round up the entire non-Serb population and drive them out of the area on foot. During the course of the ethnic cleansing of Kozarac, many more civilians were beaten, robbed and murdered by Bosnian Serb paramilitary and military forces.

During the occupation of Kozarac, Duško Tadić participated in collecting and forcibly transferring civilians. Members of the Bosnian Serb forces singled out many civilians, removed them from the column of those being forced out and shot them. After the take-over of Prijedor and the outlying areas, Bosnian Serb forces confined thousands of Muslim and Croat civilians in the Omarska, Keraterm and Trnopolje camps.

Duško Tadić, while holding no official position within the camp structure, used to visit the camps. Speaking to Duško Tadić at his Sentencing Judgement the Trial Chamber stated:

“...that on ten separate occasions you beat, stabbed and kicked 19 Muslim men in Kozarac, the Prijedor Barracks and the Omarska and Keraterm camps, and you aided and abetted in the beating of one Muslim prisoner and the sexual mutilation of another at the Omarska camp. Further, the Trial Chamber found that you killed two Muslim men in Kozarac by slitting their throats. ...You committed these offences intentionally and with sadistic brutality, using knives, whips, iron bars, the butt of a pistol, sticks and by kicking the victims and tightening a noose around the neck of one of them until he became unconscious.”⁷

During the trial Duško Tadić presented an alibi as defence and said that he was living in Banja Luka working at the Orlovci checkpoint. Further, the accused testified under solemn declaration that he had never been to the Omarska or Keraterm camps nor had he participated in ethnic cleansing in Kozarac. He testified that he had been to Trnopolje on five occasions but was never inside the camp.⁸ In fact the Trial Chamber found his account of where he had been untruthful⁹ and furthermore that he attempted to use his wife as an alibi. The Judges found him guilty of cruel treatment and inhumane acts.¹⁰

Other accused who stood trial and were convicted before the Tribunal for crimes committed in the camps were Miroslav Kvočka, duty officer at Omarska, Mlađo Radić and Milojica Kos both shift commanders in Omarska, Dragoljub Prcać, camp administrator in Omarska and Zoran Žigić who had no official position but was found guilty of crimes committed in all three camps, Omarska, Keraterm and Trnopolje. When summarising the findings in the case Judge Almiro Rodrigues stated the following about conditions in the Omarska camp;

“The prisoners were fed little, the food was usually rotten, and they had almost no water. There were no real toilets and they had to use buckets or the corner of the room to relieve themselves, or else soil themselves. The sick or wounded detainees received little or no treatment. In general, the men were wasted, weakened, and exhausted from the fact of living in a climate of violence and fear. They did not know when their name would be called out. They knew, however, that when their name was called, it was not so much

for interrogation as for beating.... Some women were molested; others, or even the same, were raped. In other words, there was no area of the camp where a detainee could feel safe or, quite simply, hope not to be beaten or subjected to some form of violence... A father was beaten to death in front of his son. The men shrieked with pain. There was blood on the walls and on the ground. The men who came out of there alive had open wounds, could not stand, or were unconscious. The corpses removed from there had open wounds to the skull, severed joints, slit throats. Some of the victims were ultimately executed with a bullet...”¹¹

The Chamber did not find that Miroslav Kvočka, Dragoljub Prcać, Milojica Kos, Mlađo Radić and Zoran Žigić were involved in the conception of the camps or in the decision to open them. However, the Trial Chamber did find that they were perfectly aware of the system of persecution set in place in the camps, that they participated in it and were fully aware of what they were doing.

In regards to crimes committed in the Keraterm camp, a former ceramic factory on the outskirts of Prijedor, all three accused - Dušan Sikirica, the commander, and Damir Došen and Dragan Kolundžija, the shift commanders - pleaded ‘not guilty’ at their initial appearances and a trial commenced. It was not until after receiving a decision that the Trial Chamber would not dismiss the charges against them that each individual entered into a plea agreement with the Prosecution. In their plea agreements, Dušan Sikirica, Damir Došen, and Dragan Kolundžija conceded that there was ample evidence to show that the Bosnian Muslims, Bosnian Croats and other non-Serbs were subjected to inhumane conditions during their confinement in the Keraterm camp. From about 24 May to 5 August 1992 these conditions included insufficient food and water, inadequate medical care and treatment, overcrowding and lack of fresh air, exercise and proper hygiene. When admitting his guilt Duško Sikirica stated the following;

“After I saw and I understood the consequences, I wish to tell the Trial Chamber that I deeply regret everything that happened in Keraterm while I was there. I feel only regret for all the lives that have been lost and the lives that were damaged in Prijedor, in Keraterm, and unfortunately, I contributed to the destruction of these lives. I am especially sorry that I did not have enough moral courage and power to prevent some or all of the terrible things that happened. I would like to be able to turn back the clock and act differently. I understand that by taking responsibility for my role in these events I have to be punished, and I hope that what happened to me will be a good lesson to anyone anywhere who finds himself in similar circumstances in the future...”¹²

When sentencing the three men the Trial Chamber found that during the summer of 1992, Keraterm camp was a place where, “... the detainees were subjected to inhumane conditions ... that there was an atmosphere of terror, arising from humiliation, harassment and psychological abuse, that caused serious physical and mental harm to those who witnessed these events.”¹³

Another accused who pleaded guilty to committing crimes in the Keraterm camp was Predrag Banović, formerly a guard there. He admitted to participating in five murders, beating twenty-five detainees and shooting two others at the camp. He admitted that he knew of the system of ill-treatment at the camp and participated in mistreating, beating and killing detainees in order to further it. For these crimes the Trial Chamber sentenced him to eight years’ imprisonment.

In addition to crimes committed in the camps, the Tribunal’s cases also covered other crimes committed outside them in Prijedor municipality. Darko Mrđa, a member of the Prijedor police “intervention squad” admitted to participating in a particularly heinous crime that occurred on 21 August 1992 at Mount Vlašić.

Darko Mrđa participated in escorting an organised convoy of Muslim or non-Serb civilians from Tukovi and the Trnopolje camp in Prijedor towards the municipality of Travnik. At a location on the road along the Ilomska River, between Skender Vakuf and Mount Vlašić, the convoy stopped.

At this location, Darko Mrđa and other members of the intervention squad actively implemented orders to separate military-aged men from the rest of the convoy. Darko Mrđa was among those who personally selected the approximately 200 men who were loaded into two buses. Darko Mrđa and the other members of the intervention squad took these men to Korićanske Stijene. The men from one bus were ordered off it, escorted to the side of the road above a deep ravine, ordered to kneel, and then were shot and killed. The men from the other bus were taken off in smaller groups of two or three and then shot and killed. Together with the other members of the intervention squad, Darko Mrđa personally and directly participated in unloading, guarding, escorting, shooting and killing the unarmed men at Korićanske Stijene. Of the 200 men loaded onto the buses, only 12 survived.

For his participation in this crime Darko Mrđa received a sentence of 17 years'. He stated: "...I participated in separating and killing these innocent people. I have sincere remorse with respect to that ... And it is very difficult for me to face what happened at Korićanske Stijene"¹⁴

Crimes that these perpetrators committed at the Omarska, Keraterm and Trnopolje camps, and on Mount Vlašić were part of a widespread and systematic campaign. Biljana Plavšić, one of the highest-level leaders of the Republika Srpska during the war, pleaded guilty in 2003 to participating in developing and implementing this campaign to separate ethnic groups. She admitted that its result was the death and expulsion of thousands of victims, most in circumstances of great brutality. In relation to crimes committed in Prijedor, Biljana Plavšić acknowledged that killings and beatings occurred at Omarska and that its detainees were treated inhumanely.¹⁵ At her sentencing hearing she stated, "...the knowledge that I am responsible for such human suffering and for soiling the character of my people will always be with me."¹⁶ The Trial Chamber sentenced Biljana Plavšić to eleven years in prison.

The Future

Trials into crimes committed in Prijedor are still on-going at the Tribunal. The case against Mićo Stanišić is in pre-trial, Momčilo Krajišnik's case is at trial and the case against Radoslav Brđanin, who received a sentence of 32 years in prison, is on appeal. Three accused are still at large: Stojan Župljanin, the chief of the Regional Security Services Centre (CSB) in Banja Luka, and two of the most senior leaders charged with crimes in this area, as well as a host of others across Bosnia and Herzegovina, Republika Srpska President Radovan Karadžić and commander of the Republika Srpska Army (VRS) Ratko Mladić.

That serious and heinous crimes occurred in Prijedor now cannot be denied. Not every individual story can be told but the Tribunal has investigated and tried a number of those persons who bear the greatest responsibility for crimes committed in Prijedor. The Tribunal will try the remaining accused before it and will work in partnership with local courts in their efforts to hold accountable those who participated in the "...hellish orgy of persecution" that occurred in the Omarska, Keraterm and Trnopolje camps, and elsewhere in the former Yugoslavia.¹⁷

¹ *Prosecutor v. Stakić* Case No. : IT-97-24, Testimony of witness Minka Čehajić, who read a letter from her husband Muhamed, 15 May 2002.

² Judgement, *Prosecutor v. Stakić* Case No.: IT-97-24, 31 July 2003, paragraph 174

³ Summary of Judgement, *Prosecutor v. Stakić* Case No.: IT-97-24, 31 July 2003

⁴ Judgement, *Prosecutor v. Stakić* Case No. : IT-97-24, 31 July 2003, paragraphs 44-84

⁵ Summary of Judgement, *Prosecutor v. Kvočka et al.* Case No.: IT-98-30/1, 2 November 2001

⁶ Opinion and Judgement, *Prosecutor v. Tadić* Case No: IT-94-1, 7 May 1997, paragraph 565

⁷ Sentencing Judgement *Prosecutor v. Tadić* Case No: IT-94-1, 14 July 1997

⁸ Opinion and Judgement, *Prosecutor v. Tadić* Case No: IT-94-1, 7 May 1997, paragraph 479

⁹ Opinion and Judgement, *Prosecutor v. Tadić* Case No: IT-94-1, 7 May 1997

¹⁰ Opinion and Judgement, *Prosecutor v. Tadić* Case No: IT-94-1, 7 May 1997, paragraphs 726 and 730

¹¹ Summary of Judgement, *Prosecutor v. Kvočka et al.* Case No.: IT-98-30/1, 2 November 2001

¹² *Prosecutor v. Sikirica et al.* IT-95-8, Statement by Duško Sikirica, 19 September 2001

¹³ Sentencing Judgement, *Prosecutor v. Sikirica et al.* IT-95-8, 13 November 2001 paragraph 30

¹⁴ *Prosecutor v. Mrđa* Case No. : IT-02-95, Sentencing Hearing, Statement of Darko Mrđa, 22 October 2003

¹⁵ *Prosecutor v. Plavšić* Case No. Č IT-00-39/40, Factual Basis for Plea of Guilt, 30 September 2002

¹⁶ *Prosecutor v. Plavšić* Case No. Č IT-00-39/40, Statement of Biljana Plavšić 17 September 2002

¹⁷ Summary of Judgement, *Prosecutor v. Kvočka et al.* Case No.: IT-98-30/1, 2 November 2001