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International
Criminal Tribunal
for the former
Yugoslavia

Tribunal Pénal
International pour
l'ex-Yougoslavie

Press Release . Communiqué de presse
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REGISTRY

GREFFE

The Hague, 25 May 2004
JP/P.I.S./851-e

**MIRKO NORAC INDICTED BY THE ICTY FOR CRIMES AGAINST HUMANITY
AND VIOLATIONS OF THE LAWS OR CUSTOMS OF LAW**

On Thursday 20 May 2004, Judge Liu Daqun confirmed an Indictment against Mirko Norac.

The Accused

According to the Indictment, Mirko Norac was born on 19 September 1967 in Otok in the municipality of Sinj in the Republic of Croatia. In August 1990, Mirko Norac joined the Ministry of Interior. In September of that year he joined the Lučko Anti-Terrorist Unit. He was appointed Commander of the 118th Brigade of the Croatian Army (HV).

In November 1992, Mirko Norac was appointed Commander of the 6th Guards Brigade of the HV. The 6th Guards Brigade was renamed the 9th Guards Motorised Brigade. Mirko Norac remained Commander of the 9th Guards Motorised Brigade at the time of the Croatian military operation in the Medak Pocket. During this operation he was appointed Commander of Sector 1 – a combat group formed for the purposes of conducting the operation.

In 1994, Mirko Norac was promoted to the rank of Brigadier and appointed Commander of the Gospic Operational Zone. He remained in that position until 25 September 1995 when he was promoted to the rank of Major General. On 15 March 1996, Mirko Norac was appointed Commander of the Knin Corps District. He was discharged from the HV on 29 September 2000.

Individual and Superior Criminal Responsibility

According to the Indictment, Mirko Norac is individually responsible for the crimes charged against him in this Indictment pursuant to Article 7(1) of the Statute of the Tribunal. Mirko Norac is also, or alternatively, criminally responsible as a superior for the acts of his subordinates pursuant to Article 7(3) of the Statute of the Tribunal. By virtue of his high ranking position, the Indictment states that Mirko Norac “...had the power, authority and responsibility to prevent or punish serious violations of international humanitarian law committed during the Medak Pocket operation”.

Statement of the Facts

According to the Indictment, the Medak Pocket was approximately five kilometres wide and six kilometres long and situated within the self-proclaimed “Republika Srpska Krajina”. Prior to the attack, approximately 400 Serb civilians inhabited the area.

The Indictment alleges that the Croatian attack on the Medak Pocket commenced on 9 September 1993. After approximately two days of fighting, the Croatian forces, including the

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9th Guards Brigade of which Mirko Norac had command, had taken control of Divoselo, Čitluk, part of Počitelj, after which the Croatian advance halted. The Indictment states that as a result of the Croatian military operation, “...*the Medak Pocket became uninhabitable. The villages of the Pocket were completely destroyed, thereby depriving the Serbian civilian population of their homes and livelihood.*”

Background to the Charges

According to the Indictment “*before and during the Croatian military operation in the Medak Pocket, from 9 September to on or about 17 September 1993, Mirko Norac, acting individually and/or in concert with others including Janko Bobetko and Rahem Ademi, planned, instigated, ordered, committed or otherwise aided and abetted in the planning, preparation or execution of persecutions of Serb civilians of the Medak Pocket on racial, political or religious grounds.*”

The Indictment alleges that the crime of persecutions was perpetrated through the following:

- “*The unlawful killing of Serb civilians and captured and/or wounded soldiers from the Medak Pocket.*”
- “*Cruel and inhumane treatment of Serb civilians and captured and/or wounded soldiers from the Medak Pocket, by inter alia, causing serious injuries by means of shooting, stabbing, cutting of fingers, severe beatings with rifle butts, burning with cigarettes, jumping on bodies, tying bodies to a car and dragging them along the road, mutilation and other forms of mistreatment.*”
- “*Terrorising the predominantly Serb civilian population of the Medak Pocket by, inter alia, the mutilation and desecration of the body of Boja PJEVAĆ; the public killing of Boja VUJNOVIĆ by burning her alive whilst mocking her; expressing an intention to kill all civilians; placing racist graffiti on buildings; and leaving sinister and menacing messages on a destroyed building, all of which resulted in the civilian population being forced to abandon their homes and property and to leave the area permanently.*”
- “*The destruction of personal property belonging to Serb civilians of the Medak Pocket, in that on or after 9 September 1993, the Croatian forces in the area systematically destroyed up to 164 homes and approximately 148 other buildings.*”
- “*The systematic plunder of Serb civilian property during and after the military operation in the Medak Pocket by elements of the Croatian forces, in conjunction with Croatian civilians.*”

The Charges

The Indictment charges Mirko Norac on the basis of his individual criminal responsibility (Article 7(1) of the Statute) and on the basis of his criminal responsibility as a superior for the acts of his subordinates (Article 7(3) of the Statute) with:

- Two counts of crimes against humanity (Article 5 of the Statute – persecutions on political racial or religious grounds; murder, and
- Three counts of violations of the laws or customs of war (Article 3 of the Statute – murder; plunder of public or private property; wanton destruction of cities, towns or villages).

*The full text of the Indictment can be found in English on the Tribunal’s website at
www.un.org/icty*