

United Nations
Nations UniesInternational Criminal Tribunal
for the former YugoslaviaTribunal Pénal International
pour l'ex-Yugoslavie

“MEDAK POCKET” (IT-02-62)

JANKO BOBETKO

JANKO BOBETKO	<i>Indicted for persecutions on political, racial and religious grounds; murder, plunder of public or private property; wanton destruction of cities, towns or villages</i>
	Chief of the Main Staff of the Croatian Army from 20 November 1992 to 15 July 1995
	<ul style="list-style-type: none"> - Deceased on 29 April 2003 - Proceedings terminated on 24 June 2003

*Crimes indicted for (examples):***Persecutions, murder** (crimes against humanity)**Murder, plunder of public or private property, wanton destruction of cities, towns or villages**
(violations of the laws or customs of war)

Before, during, and in the aftermath of the Croatian military operation in the Medak Pocket, from 9 September 1993 until about 17 September 1993, acting individually and/or in concert with others, Janko Bobetko 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 crime of persecutions was perpetrated through the following:

- The unlawful killing of at least 100 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, causing serious injuries by means of shooting, stabbing, cutting of fingers, severe beatings, 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 mutilating and desecrating victims' bodies, public killings, burning people alive, expressing an intention to kill all civilians, placing racist graffiti on buildings, leaving sinister and menacing messages on a destroyed building, and other similar activities, 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 from the Medak Pocket by systematically destroying up to 164 homes and approximately 148 other buildings (and their contents) by the use of explosives and fire;
- The systematic plunder of Serb civilian property during and after the military operation by elements of the Croatian forces in conjunction with Croatian civilians, who unlawfully removed personal goods such as electrical items and furniture from buildings that were, or were about to be, destroyed, removed animals and farm equipment, dismantled buildings and carried parts thereof away by truck.

JANKO BOBETKO	
Born	10 January 1919 in the village of Crnac, municipality of Sisak, Croatia
Indictment	17 September 2002, made public on 20 September 2002

RELATED CASES

by geographical area

ADEMI AND NORAC (IT-04-78) "MEDAK POCKET"

INDICTMENT AND CHARGES

The indictment against Janko Bobetko was confirmed on 17 September 2002 and made public on 20 September 2002.

The indictment alleged that in the early morning of 9 September 1993 the Croatian forces commenced their attack on the Medak Pocket, an area to the south of the city of Gospić in Croatia. Croatian forces comprising of Croatian Army (HV) units from the Gospić Operational Zone and units of the special forces of the Ministry of Interior (MUP) entered the Pocket. After approximately two days of fighting, they had taken control of the villages of Divoselo, Čitluk and a part of Počitelj, after which the Croatian advance halted.

According to the indictment, during the relevant period, Janko Bobetko was the chief of the Main Staff of the HV, with the rank of Corps General. As chief of the Main Staff, he was the most senior military commander of the HV, exercising authority over, and responsibility for, all formations within the HV which were subordinated to the Main Staff. In this capacity, he was directly responsible to the commander in chief ("the supreme commander"), President Franjo Tuđman, to whom he acted as principal military adviser. Bobetko was also the principal military adviser to the Minister of Defence, Gojko Šušak.

The indictment further alleged that during the Medak Pocket operation at least 100 Serbs, including 29 local Serb civilians, were unlawfully killed and others sustained serious injury. The Croatian forces also killed at least five Serb soldiers who had been captured and/or wounded. A majority of the buildings in the villages of the Medak Pocket were destroyed after the Croatian forces had taken effective control.

According to the indictment, during the above period, property belonging to Serb civilians was plundered by the Croatian forces, or by persons in civilian clothes under the supervision of the Croatian forces.

Janko Bobetko was charged on the basis of individual criminal responsibility (Article 7(1) of the Statute) and on the basis of superior criminal responsibility (Article 7(3) of the Statute) with:

- Persecutions on political, racial and religious grounds; murder (crimes against humanity, Article 5)
- Murder; plunder of public or private property; and wanton destruction of cities, towns or villages (violations of the laws or customs of war, Article 3)

TERMINATION OF PROCEEDINGS

Janko Bobetko died on 29 April 2003. On 24 June 2003, the Trial Chamber issued the decision terminating trial proceedings against the accused.