

THE PROSECUTOR OF THE TRIBUNAL

AGAINST

MIROSLAV BRALO
also known as "CICKO"

AMENDED INDICTMENT

Carla Del Ponte, Prosecutor of the International Criminal Tribunal for the former Yugoslavia, pursuant to her authority under Article 18 of the Statute of the International Criminal Tribunal for the former Yugoslavia ("Statute of the Tribunal") alleges that:

1. On 6 March 1992, the Republic of Bosnia and Herzegovina declared its independence.
2. From at least 3 July 1992, the Croatian Community of Herzeg-Bosna ("HZ HB") considered itself an independent political entity inside the Republic of Bosnia and Herzegovina.
3. From at least January 1993 through at least mid-July 1993, the HZ HB armed forces, known as the Croatian Defence Council ("HVO"), were engaged in an armed conflict with the armed forces of the government of the Republic of Bosnia and Herzegovina.
4. From the outset of hostilities in January 1993, the HVO attacked villages chiefly inhabited by Bosnian Muslims in the Lasva Valley region in Central Bosnia and Herzegovina. These attacks resulted in the death and wounding of numerous civilians.
5. In addition, other civilians were detained, transported from their places of residence, forced to perform manual labor, tortured, and subjected to sexual assaults and other physical and mental abuse. Hundreds of Bosnian Muslims civilians were arrested by the HVO and taken to locations such as the Vitez Cinema Complex and the Vitez Veterinary Station which were being used as detention facilities.
6. While imprisoned, numerous Bosnian Muslim prisoners were brought to the front lines where HVO soldiers forced them to dig protective trenches to protect HVO soldiers from being shot by snipers of the Army of Bosnia and Herzegovina ("ABiH"). On several occasions Bosnian Muslim prisoners were killed and wounded while digging these protective trenches.
7. One of the locations relevant to this indictment where Bosnian Muslim prisoners were forced to dig trenches was at Kratine, a small hamlet in the Vitez municipality.

THE ACCUSED

8. **MIROSLAV BRALO** also known as "Cicko" was born in Kratine in the municipality of Vitez

on 13 October 1967. During all times relevant to this indictment, **MIROSLAV BRALO** was a member of the "Jokers", the anti-terrorist platoon of the 4th Military Police Battalion of the HVO.

GENERAL ALLEGATIONS

9. At all times relevant to this indictment, a state of international armed conflict existed in the Republic of Bosnia and Herzegovina in the territory of the former Yugoslavia.

10. All acts or omissions set forth herein as grave breaches of the Geneva Conventions of 1949 (hereinafter "Grave Breach") and punishable under Article 2 of the Statute of the Tribunal occurred during that armed conflict.

11. At all times relevant to this indictment, the victims referred to in the charges contained herein were persons protected by the Geneva Conventions of 1949.

12. At all times relevant to this indictment, the accused was required to abide by all laws or customs governing the conduct of war.

13. The accused is individually responsible for the crimes alleged against him in this indictment pursuant to Article 7(1) of the Statute of the Tribunal. Individual criminal responsibility includes committing, or otherwise aiding and abetting in the execution of any crimes referred to in Articles 2, 3 and 5 of the Statute of the Tribunal.

14. Persecutions charged in this indictment were part of a widespread and systematic attack on the civilian population, principally the Bosnian Muslim population of Vitez Municipality in the Republic of Bosnia and Herzegovina.

15. The general allegations contained in paragraphs 9 through 14 are realleged and incorporated into each of the charges set forth below.

THE CHARGES

COUNT 1 PERSECUTIONS

16. From 15 April 1993 to a day no later than 30 April 1993, **MIROSLAV BRALO** individually and together with other members of the HVO, including members of the 4th Military Police Battalion, the "Jokers", and the Viteska Brigade, committed persecutions of Bosnian Muslims on political, racial or religious grounds in the villages of Ahmici, Nadioci and their environs.

17. **MIROSLAV BRALO** committed and aided and abetted in the execution of persecutions, *inter alia*, in the following ways:

Killings of Muslim civilians in relation to the attack on Ahmici

18. On the evening of 15 April 1993, **MIROSLAV BRALO** was released from Kaonik Prison in order to participate in the HVO attack of the village of Ahmici that was scheduled for the following day and he proceeded to the "bungalow," the headquarters of the "Jokers". At that location

MIROSLAV BRALO subordinated himself to the "Jokers" and he engaged in preparations for a surprise attack on Ahmici that was to occur at 0530 hours the following morning. In the early morning hours of 16 April 1993, **MIROSLAV BRALO** and his colleagues, Stipo Kristo, Josip Jukic ("Dugi"), Velimir Benic ("Ninja One"), Fabian Vujica ("Little Fabo"), and Zlatko LNU, left the "bungalow" under cover of darkness. They went on foot to the adjacent settlement of Nadioci and entered the residence of a Muslim family, that of Osman Salkic, where Stipo Kristo and Josip Jukic shot and killed Osman Salkic and his wife Redziba Salkic, and **MIROSLAV BRALO** killed their daughter, Mirnesa Salkic, with his knife. See the attached Schedule A.

19. On 16 April 1993, **MIROSLAV BRALO** participated, with others, in the surprise attack on the village of Ahmici. The purpose and objective of the attack were to ethnically cleanse Ahmici, to kill all the Muslim males of military age, to burn all Muslim residences, and to forcibly expel all the Muslim residents from the village.

20. On a day between 16 April 1993 and 30 April 1993, **MIROSLAV BRALO** and Nikica Safradin ("Cico") took custody of 14 Muslim men, women and children who were members of the Salkic family and members of the Mehmet Ceremic family, all of whom were interdicted in the area of Kratine after having fled their homes following the attacks on Ahmici and Nadioci. These persons are listed in Schedule A. On the same day, Nikica Safradin ("Cico") and **MIROSLAV BRALO**, escorted, under threat of firearms, the aforementioned persons in the direction of the Kaonik prison and whilst en route through a forested area Nikica Safradin ("Cico") shot and killed all 14 persons being escorted. While these killings took place, **MIROSLAV BRALO** stood guard over the victims, preventing any possibility of flight. The bodies of the victims were left in the forest.

Destruction of the lower mosque in Ahmici

21. On 16 April 1993, while participating in the attack on Ahmici, **MIROSLAV BRALO** and Josip Jukic ("Dugi") planted approximately 4 kilograms of explosives in and around the lower mosque in Ahmici and detonated the same, thereby completely destroying the lower mosque.

Forcible transfer of Muslim residents of Ahmici

22. On 16 April 1993, **MIROSLAV BRALO** participated in the attack on Ahmici. During this attack, the residences of Muslim inhabitants were systematically attacked by **MIROSLAV BRALO** and other members of the HVO and the Muslim inhabitants of Ahmici were systematically expelled by force or threat of force from their residences and driven from the village.

Burning of Muslim residences in the village of Ahmici

23. On 16 April 1993, **MIROSLAV BRALO**, personally set fire to numerous Muslim residences in the village of Ahmici and aided and abetted others in setting fire to other Muslim residences. He personally set fire to these residences by using incendiary materials at his disposal including incendiary bullets and assisted when others did the same.

24. **MIROSLAV BRALO** committed the above acts with discriminatory intent or knowledge of the discriminatory intent of others.

By these acts and omissions, **MIROSLAV BRALO** committed and aided and abetted in the execution of:

COUNT 1: PERSECUTIONS, a CRIME AGAINST HUMANITY, punishable under Articles 5(h) and 7(1) of the Statute of the Tribunal.

**COUNT 2
(MURDER)**

25. On a day between 21 April 1993 and 10 May 1993, in the area of the village of Kratine, **MIROSLAV BRALO** and other HVO soldiers arrested three unarmed Muslim men (Fuad Kermo, a person who the accused believes to be Ibrahim Pezer and another person whose identity is unknown) who were making their way from the villages of Jelinak, Loncari and Travnik.

26. **MIROSLAV BRALO** and others took the three Muslim men into a nearby barn, where **MIROSLAV BRALO** and others beat the three men.

27. Several hours later, **MIROSLAV BRALO** took the same three Muslim males into a wooded area and killed them.

By the foregoing acts and omissions, **MIROSLAV BRALO** committed:

COUNT 2: a VIOLATION OF THE LAWS OR CUSTOMS OF WAR (murder) punishable under Articles 3 and 7 (1) of the Statute of the Tribunal.

**COUNTS 3-6
(TORTURE, RAPE AND UNLAWFUL CONFINEMENT)**

28. Between 15 May 1993 and an unknown date in July 1993, Witness A was repeatedly raped by **MIROSLAV BRALO** and by other members of the "Jokers".

29. On 15 May 1993, Witness A, a Bosnian Muslim woman, was taken to the "bungalow" by members of the "Jokers" where she was interrogated by Anto Furundzija and by others at his direction.

30. At one point during her protracted interrogation by Anto Furundzija, a Bosnian Croat soldier (Victim B) who had been badly beaten, was brought into the room where she was being interrogated. Victim B was beaten in her presence by **MIROSLAV BRALO** who also threatened to kill Witness A. During the course of her interrogation, and in order to obtain information from her, **MIROSLAV BRALO**, in the presence of other soldiers, repeatedly raped Witness A, penetrating her vagina with his penis. Whilst raping Witness A, **MIROSLAV BRALO** bit Witness A about the body, including her nipples, and repeatedly threatened to kill her. The aforesaid Anto Furundzija was present throughout the entire incident and did nothing to stop or curtail **MIROSLAV BRALO**'s actions.

31. On 16 May 1993, Witness A was taken from the "bungalow" to a weekend house in the area of Nadioci where she was confined against her will by **MIROSLAV BRALO** and other members of the "Jokers". Whilst at that location, Witness A was repeatedly raped by members of the "Jokers" with the knowledge of **MIROSLAV BRALO**.

By the foregoing acts and omissions, **MIROSLAV BRALO** committed and aided and abetted in the execution of the following crimes:

COUNT 3: a **GRAVE BREACH** (torture or inhuman treatment) punishable under Articles 2(b) and 7(1) of the Statute of the Tribunal;

COUNT 4: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** (torture) punishable under Articles 3 and 7(1) of the Statute of the Tribunal;

COUNT 5: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** (outrages upon personal dignity including rape) punishable under Articles 3 and 7(1) of the Statute of the Tribunal; and

COUNT 6: a **GRAVE BREACH** (unlawful confinement) punishable under Articles 2(g) and 7(1) of the Statute of the Tribunal.

COUNT 7
(UNLAWFUL CONFINEMENT OF CIVILIANS)

32. Between 21 April 1993 and 10 May 1993, **MIROSLAV BRALO** in concert with other HVO soldiers maintained the confinement of Bosnian Muslim civilians and forced those civilians to dig trenches around the village of Kratine. At gun point, the prisoners worked under adverse weather conditions with limited food and rest. In addition, **MIROSLAV BRALO** forced Muslim prisoners to practice a ritual of the Catholic religion under threat of physical harm and death.

By the foregoing acts and omissions, **MIROSLAV BRALO** individually, and in concert with others, committed:

COUNT 7: a **GRAVE BREACH** (unlawful confinement of civilians), punishable under Articles 2(g) and 7(1) of the Statute of the Tribunal.

COUNT 8
(INHUMAN TREATMENT)

33. Between on 21 April 1993 and 10 May 1993, in the area of the village of Kratine, **MIROSLAV BRALO** individually and in concert with others did use and participated in the using of civilians as "human shields" in forcing Bosnian Muslim civilians to dig trenches on the front lines to protect HVO soldiers from gun fire by ABiH snipers.

By the foregoing acts and omissions, **MIROSLAV BRALO** committed:

COUNT 8: a **GRAVE BREACH** (inhuman treatment) punishable under Articles 2(b) and 7(1) of the Statute of the Tribunal.

Carla Del Ponte
Prosecutor

Dated this 18th day of July 2005
At The Hague

SCHEDULE A

The dates of birth of the persons referred to in paragraph 18 who were killed are:

1. Osman Salkic, 6 April 1931
2. Redziba Salkic, 2 April 1938
3. Mirnesa Salkic, approximately 1964

The names of the 14 persons referred to in paragraph 20 who were killed, and their dates of birth, are:

1. Nermin Salkic, 10 October 1982
2. Melisa Salkic, 31 January 1985
3. Fatima Salkic, 12 January 1961
4. Adis Salkic, 20 December 1978
5. Adisa Salkic, 20 August 1981
6. Alena Salkic, approximately 1986
7. Senad Salkic, approximately 1977
8. Emsad Salkic, approximately 1956
9. Nihada Salkic, approximately 1959
10. Mehmed Cerimic, 18 November 1946
11. Edin Cerimic, 27 September 1976
12. Elvedin Cerimic, 7 September 1979
13. Ajsa Cerimic, approximately 1952
14. Sanela Cerimic, approximately 1986

The dates of birth of the persons referred to in paragraph 25 who were killed are:

1. Fuad Kermo, 22 August 1968
2. Ibrahim Pezer, 29 August 1967