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International
Criminal Tribunal
for the former
Yugoslavia

Tribunal Pénal
International pour
l'ex-Yougoslavie



Press Release

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TRIALCHAMBER

CHAMBRE DE 1ERE
INSTANCE

The Hague, 19 July 2005
CT/MOW/990e

MIROSLAV BRALO PLEADS GUILTY

- One count of crimes against humanity
- Three counts of violations of the laws or customs of war
- Four counts of grave breaches of the Geneva Conventions

Today, Tuesday 19 July 2005, Trial Chamber I held a hearing to consider a Plea Agreement between Miroslav Bralo and the Office of the Prosecutor (OTP).

The indictment

According to the proposed amended indictment agreed between the accused and the OTP as part of the Plea Agreement, Miroslav Bralo also known as “Cicko”, was a member of the anti-terrorist platoon of the 4th Military Police Battalion of the Croatian Defence Council (HVO), also known as the Jokers (Dzokeri).

The indictment generally alleges that, from at least January 1993 until through at least mid-July 1993, the HVO were engaged in an armed conflict with the armed forces of the Government of the Republic of Bosnia and Herzegovina (BiH). It further alleges that from the outset of hostilities in January 1993, the HVO attacked villages chiefly inhabited by Bosnian Muslims in the Lašva River Valley region in central Bosnia and Herzegovina. These attacks resulted in the death and wounding of numerous civilians.

In addition, the indictment alleges that other civilians were detained, transported from their places of residence, forced to perform manual labour, were tortured, subjected to sexual assaults, and other physical and mental abuse. Hundreds of Bosnian Muslims 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.

The proposed amended indictment alleges that Miroslav Bralo participated, with others, in the surprise attack on the village of Ahmići. According to the indictment, “*Miroslav Bralo committed and aided and abetted in the execution of persecutions, inter alia, in the following ways*”: killing of Muslim civilians in relation to the attack on Ahmići; participating in the destruction of the lower mosque in Ahmići; participating in the forcible transfer of Muslim residents of Ahmići; and burning of Muslim residences in the village of Ahmići.

The indictment states that,

“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 Ahmići 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 Ahmići 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 Krišto, Josip Jukić (“Dugi”), Velimir Benić (“Ninja One”), Fabian Vujica (“Little Fabo”), and Zlatko LNU [last name unknown], 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 Salkić and his wife Redžiba Salkić, and Miroslav Bralo killed their daughter, Mirnesa Salkić, with his knife.

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On 16 April 1993, Miroslav Bralo participated, with others, in the surprise attack on the village of Ahmići. The purpose and objective of the attack were to ethnically cleanse the village, 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.

On a day between 16 April 1993 and 30 April 1993, Miroslav Bralo and Nikica Šafradin (“Cico”) took custody of 14 Muslim men, women and children who were members of the Salkić family and members of the Mehmet Čeremić family, all of whom were interdicted in the area of Kratine after having fled their homes following the attacks on Ahmići and Nadioci....On the same day, Nikica Šafradin(“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”.

The indictment also specifically charges Miroslav Bralo with the confinement and repeated rape and torture of a Bosnian Muslim woman, Witness A. According to the proposed amended indictment, Witness A was taken to the “bungalow” on 15 May 1993 by members of the “Jokers” and interrogated. During her interrogation, a Bosnian Croat soldier (Victim B) who had been badly beaten, was brought to the room where she was being interrogated and beaten by Miroslav Bralo in her presence. The indictment goes on to state that,

“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.”

One day later, on 16 May 1996, Witness A was taken 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” and repeatedly raped.

The amended indictment further alleges that, in concert with others, Miroslav Bralo “maintained the confinement of Bosnian Muslim civilians and forced them to dig trenches around the village of Kratine. At gun point, the prisoners worked under adverse weather conditions with limited food and rest”. Furthermore, the proposed amended indictment alleges that Miroslav Bralo forced Muslim prisoners to practice a ritual of the Catholic religion under threat of physical harm and death.

The amended indictment also alleges that 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”.

The Plea Agreement

At the hearing Miroslav Bralo entered a guilty plea to the following eight counts listed in the proposed amended indictment:

- one count of persecutions on political, racial and religious grounds, a crime against humanity, punishable under Articles 5(h) and 7(1) of the Statute of the Tribunal (“Statute”);
- one count of murder, a violation of the laws or customs of war, punishable under Article 3 and 7(1) of the Statute;
- one count of torture or inhuman treatment, a grave breach of the Geneva Conventions, punishable under Articles 2(b) and 7(1) of the Statute;
- one count of torture, a violation of the laws or customs of war, punishable under Articles 3 and 7(1) of the Statute;
- one count of outrages upon personal dignity including rape, a violation of the laws or customs of war, punishable under Articles 3 and 7(1) of the Statute;
- two counts of unlawful confinement, a grave breach of the Geneva Conventions, punishable under Articles 2(g) and 7(1) of the Statute.
- one count of inhuman treatment, a grave breach of the Geneva Conventions, punishable under Articles 2(b) and 7(1) of the Statute.

At the hearing, the Trial Chamber accepted the proposed amended indictment and stated it was satisfied that the Plea Agreement met the requirements of the Rules of Procedure and Evidence.

The Trial Chamber suggested a tentative date of 16 September 2005 for the parties to submit their written briefs. A further tentative date of 10 October 2005 was suggested by the Trial Chamber for the Sentencing Hearing.

The full text of the Plea Agreement is available upon request at the Media Office. Courtroom proceedings can be followed on the Tribunal's website www.un.org/icty.