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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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TRIAL CHAMBER
CHAMBRE DE 1ERE
INSTANCE

The Hague, 18 January 2002
JL/P.I.S./654-c

BRĐANIN AND TALIĆ TRIAL TO BEGIN WEDNESDAY 23 JANUARY 2002

Please be advised that following an order dated 17 January 2002 by pre-trial Judge Carmel Agius, the Brđanin and Talić trial will now commence on Wednesday 23 January 2002 at 9 a.m., and not on Monday 21 January 2002 as previously scheduled.

The trial will take place in Courtroom I before Trial Chamber II composed of Judge Agius (Presiding), Judge Janu and Judge Taya.

The pre-trial Judge also ordered that a pre-trial conference be held on Monday 21 January 2002 at 9.30 a.m.

BACKGROUND ON THE ACCUSED

Radoslav Brđanin was born on 9 February 1948 in Popovac, Municipality of Čelinac, Bosnia and Herzegovina, and Momir Talić was born on 15 July 1942 in Piskavica, Bosnia and Herzegovina.

It is alleged that, as a prominent member of the Serbian Democratic Party (SDS), a deputy to the Council of Municipalities of the Assembly of Bosnia and Herzegovina, and the Vice-President of the "Autonomous Region of Krajina" ("ARK") Assembly from 25 April 1991, Radoslav Brđanin played a leading role in the establishment of structures for the take-over of power in the Banja Luka region by the Bosnian Serb authorities. As President of the "ARK" Crisis Staff from 5 May 1992, he held the most important position of executive authority in the "ARK".

According to the indictment Momir Talić was posted to the JNA 5th Corps in Banja Luka on 26 July 1991 as Chief of Staff/Deputy Commander of the Corps. On 19 March 1992, Momir Talić became the Commander of the JNA 5th Corps/1st Krajina Corps, with the authority to direct and control the actions of all forces assigned to the JNA 5th Corps/1st Krajina Corps or within his control. All plans for military engagement and attack had to be approved by him before any forces were committed to battle or other operations.

Radoslav BRĐANIN

- Detention by SFOR: 6 July 1999
- Transferred to ICTY: 6 July 1999
- Initial appearance: 12 July 1999, entered a plea of "not guilty" to all counts; 11 January 2000, entered a plea of "not guilty" to all counts in the amended indictment

Internet address: <http://www.un.org/icty>

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Momir TALIĆ

- Detention in Vienna by Austrian authorities: 25 August 1999
- Transferred to ICTY: 25 August 1999
- Initial Appearance: 31 August 1999, entered a plea of “not guilty” to all counts; 11 January 2000, entered a plea of “not guilty” to all counts in the amended indictment

BACKGROUND ON THE INDICTMENT

The Indictment (“Krajina”)

The corrected version of the fourth amended indictment, filed on 10 December 2001, alleges that in 1991 the leaders of the SDS, through Crisis Staffs, began preparations for the physical take-over of power in the municipalities of Bosnia and Herzegovina where the Serbs did not have clear control, and for the subsequent implementation of a general plan of ethnically cleansing the areas considered to be “Serbian”. By the end of 1992, hundreds of Bosnian Muslims and Bosnian Croats were dead and thousands had been forced from those areas.

According to the indictment, beginning in 1991, the leadership of the Bosnian Serb nationalists in the “ARK”, in order to create support for the SDS programme amongst the Bosnian Serb people, promoted and disseminated propaganda that portrayed the Bosnian Muslims and Bosnian Croats as fanatics intending to commit genocide on the Serbian people to gain control of Bosnia and Herzegovina. This created amongst Serbs the willingness to commit crimes against their neighbours under the banner of defending the Serbian people.

CHARGES

The indictment charges both Brđanin and Talić on the basis of individual criminal responsibility (Article 7(1) of the Statute of the Tribunal) and superior criminal responsibility (Article 7(3)) with:

- Genocide (Article 4 – genocide; complicity in genocide),
- Crimes against humanity (Article 5 – persecutions; extermination; torture; deportation; inhumane acts (forcible transfer)),
- Violations of the laws or customs of war (Article 3 – wanton destruction of cities, towns or villages or devastation not justified by military necessity; destruction or wilful damage done to institutions dedicated to religion), and
- Grave breaches of the 1949 Geneva Conventions (Article 2 – wilful killing; torture; unlawful and wanton extensive destruction and appropriation of property not justified by military necessity).

THE PARTIES

Office of the Prosecutor :
Miss Joanna Korner
Mr. Andrew Cayley

Counsel for the accused :
For Radoslav Brđanin :
Mr. John Ackerman
For Momir Talić :
Mr. Xavier De Roux
Mr. Michel Pitron
