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ERDEMOVIĆ CASE: SENTENCING HEARING POSTPONED

The sentencing hearing in the ERDEMOVIĆ case, initially scheduled on Friday 20 February 1998 at 9 a.m., has been rescheduled in order to allow time for the Sentencing Judgment to be translated and made available at the same time in English and in French.

The Decision will now be handed down on **Thursday 5 March at 9 AM.**

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INITIAL APPEARANCE OF MILAN SIMIĆ AND MIROSLAV TADIĆ ON TUESDAY 17 FEBRUARY

*Provisions have already been made by the Registry in case
the number of prisoners exceeds the number of cells*

Milan SIMIĆ and Miroslav TADIĆ, the two indicted persons who voluntarily and unconditionally turned themselves in on Saturday 14 February, will appear **on Tuesday 17 February 1998, at 2.30 PM**, before a Trial Chamber in order to enter a plea of guilty or not guilty to each count they are charged with in the indictment (see below).

This hearing, called Initial Appearance hearing, will be held before Trial Chamber I presided over by Judge Claude Jorda.

The accused will be assisted collectively by Igor Pantelić, a lawyer from Belgrade, and Borislav Pisarević, a lawyer from Bosanski Šamac.

NO SHORTAGE OF DETENTION SPACE

The surrender of Milan SIMIĆ and Miroslav TADIĆ brings the number of accused in custody to 22. Measures have already been taken in order to increase the capacity of the ICTY's Detention Unit (24 cells at present).

BACKGROUND ON THE INDICTMENT AND THE ACCUSED

Milan SIMIĆ and Miroslav TADIĆ were indicted on 21 July 1995, along with four other individuals who are still at large, for their alleged involvement in the "campaign of terror" undertaken in 1992 against the Bosnian Croats and Muslim population of the municipality of Bosanski Šamac by Serb military and paramilitary forces from Bosnia and elsewhere.

The indictment alleges that "in 1991, almost 17,000 Bosnian Croats and Muslims, of a total population of about 33,000 lived in the municipality of Bosanski Šamac. By May 1995, fewer than 300 of the Bosnian Croat and Muslim residents remained. (...) Because of its location at the northwestern edge of the "Posavina Corridor", control of Bosanski Šamac was important to Serb efforts to create a Serb-controlled land bridge between Serbia and the Krajina Serbs in Croatia and western Bosnia and Herzegovina".

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

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International
Criminal Tribunal
for the Former
Yugoslavia

Tribunal Pénal
International pour
l'ex-Yougoslavie

The accused

Milan SIMIĆ, born in 1958, trained as an economist, was a member of the Fourth Detachment, and after 17 April 1992 became Chairman of the Executive Board of the Bosanski Šamac Assembly.

Miroslav TADIĆ (also known as Miro Brko), born in 1937, from Odžak municipality, formerly a teacher, ran the cafe "AS" in Bosanski Šamac and served as Simo Zarić's deputy in connection with the Fourth Detachment (a Serb territorial defense unit). After 17 April 1992, Miroslav Tadić became chairman of the Bosanski Šamac "Exchange Commission."

The charges

Counts 1-2 Deportation and Transfer

From about 17 April 1992 through at least 4 September 1992, (...) Miroslav TADIĆ participated in the planning of, and preparation for, the unlawful deportation and forcible transfer of hundreds of Bosnian Croat and Muslim residents, including women, children and the elderly, from their homes in the Bosanski Šamac municipality to other countries or to other parts of the Republic of Bosnia and Herzegovina not controlled by Serb forces. By these actions (...) Miroslav TADIĆ planned, instigated, ordered or committed:

Count 1: a Grave Breach of the Geneva Conventions of 1949 (hereafter Grave Breach) recognised by Article 2(g)(unlawful deportation or transfer) of the Tribunal Statute;

Count 2: a Crime against Humanity recognised by Article 5(d)(deportation) of the Tribunal Statute. (...)

Counts 24-26 Beating of Muhamed Bičić

On an occasion sometime between about 1 June and 30 June 1992, in the hallway of the gymnasium of the Bosanski Šamac primary school, Milan SIMIĆ and several others kicked Muhamed Bičić and beat him repeatedly with iron bars and chair legs. By these actions, Milan SIMIĆ committed or otherwise aided and abetted:

Count 24: a Grave Breach recognised by Article 2(c) (willfully causing great suffering) of the Tribunal Statute;

Count 25: a Violation of the laws or Customs of War recognised by Article 3 of the Tribunal Statute and Article 3(1)(a)(cruel treatment) of the Geneva Conventions;

Count 26: a Crime against Humanity recognised by Article 5(i)(inhumane acts) of the Tribunal Statute.
