

### Press Advisory

*(Exclusively for the use of the media. Not an official document)*

The Hague, 6 March 2008  
NJ/MOW/PA329e

### Gotovina and Others Trial to Begin on 11 March 2008

The trial of the three Croatian Generals, Ante Gotovina, Ivan Čermak and Mladen Markač, charged with crimes committed during the 1995 'Operation Storm' military offensive in Croatia, will begin on Tuesday, 11 March 2008 at 9:00 in Courtroom III.

The three are accused of participating in Joint Criminal Enterprise which the Prosecution maintains intended to forcibly and permanently remove the ethnic Serb population from the Krajina region of Croatia. The Operation Storm offensive lasted from 4 August to 15 November 1995. The three accused are alleged key members of the Joint Criminal Enterprise. According to the indictment, other members included Franjo Tudjman, the President of Croatia, Gojko Šušak, the Minister of Defence, Janko Bobetko, the chief of main staff of Croatian Army until July 1995 and his successor in that position from July 1995, Zvonimir Červenko. All four have since died.

During the three months of the operation the three are alleged to have been in command of Croatian forces that committed numerous violations of international humanitarian law in the South Krajina region including the following crimes listed in the indictment:

Murder of at least 37 Krajina Serbs in the Knin, Orlić, Kistanje, Ervenik and Donji Lapac municipalities.

Systematically torching or otherwise destroying and plundering villages inhabited by Krajina Serbs including those in the municipalities of Benkovac, Donji Lapac, Drniš, Ervenik, Gračac, Kistanje, Knin, Lišane Ostrovičke, Lovinac, Nadvoda, Obrovac, Oklaj, Orlić, Polaca, Titova Korenica and Udbina.

Inhumane treatment of large numbers of Krajina Serbs including shooting, beating, stabbing, threatening and burning them.

Planning, instigating and aiding forcible transfer and deportations of Krajina Serbs from the southern parts of the region to Bosnia and Herzegovina and Serbia, as well as preventing their return.

The indictment alleges that Gotovina was the overall operational commander of Operation Storm in the southern part of Krajina and that he played an active part in the planning and preparation of the military action. According to the prosecution, he also knew of the widespread destruction, killings and inhumane treatment of Krajina Serbs but failed to prevent the crimes or punish and discipline his subordinates.

Čermak, was named the Knin Garrison Commander on the first day of Operation Storm and the Croatian government's representative tasked with dealing with the international community and the media concerning the military action. The prosecution maintains that he was responsible for maintaining order, as well as disciplining and supervising the conduct of military and police personnel – a task he allegedly failed to fulfill during the operation.

Markač was the commander of the Special Police and as such is alleged to have had effective control over all members of these units involved in Operation Storm. The indictment also alleges he was in charge of the Croatian army's rocket and artillery units attached to or subordinated to his command during the relevant period.

### Background

The Initial indictment against Gotovina was filed on 8 June 2001 and was amended in July the same year. Initial charges against Čermak and Markač were laid 24 February 2004 and amended in December 2005. The joinder indictment was filed on 21 July 2006, then a modified version was filed 2 March 2007. The Trial Chamber currently has before it a proposed amended joinder indictment filed 22 February 2008 by the Prosecution.

After more than four years on the run Gotovina was arrested in Spain in December 2005. Markač and

Čermak surrendered to the Tribunal days after the indictment was filed in 2004. All three pleaded not guilty to the counts in the joinder indictment on 5 December 2006.

Čermak and Markač were granted provisional release three times since 2004, the latter's being terminated in December 2007 due to his violation of the conditions. Cermak returned in to the custody of the Tribunal on 5 March 2008.

\*\*\*\*\*

**International Criminal Tribunal for the former Yugoslavia**  
For more information, please contact our Media Office in The Hague  
Tel.: +31-70-512-5343; 512-5356 Fax: +31-70-512-5355 - Email: [press@icty.org](mailto:press@icty.org)