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Criminal Tribunal  
for the former  
Yugoslavia

Tribunal Pénal  
International pour  
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## Press Release . Communiqué de presse

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REGISTRY

GREFFE

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### **THE OMARSKA AND KERATERM CASES: FURTHER INITIAL APPEARANCE ON 10 DECEMBER 1998 OF DEFENDANTS RADIĆ, KVOČKA, ZIGIĆ AND KOS**

*The indictments against the accused have been amended  
in order to consolidate and reformulate the charges*

On 10 December 1998, Trial Chamber III (Judge May (Presiding), Judge Bennouna and Judge Robinson) will hold a hearing to enable the accused, Mladen Radić, Miroslav Kvočka, Zoran Zigić and Milojica Kos to enter a plea to the new charges brought against them in an amended indictment issued on 9 November 1998.

This hearing is public and begins at 10.00 a.m.

The amended indictment was confirmed by Judge Vohrah, following a request by the Prosecutor.

#### **Background on the amended indictment**

The amended indictment consolidates into one single indictment the charges which were initially brought against the four accused in two separate indictments, namely the Omarska indictment and the Keraterm indictment, issued on 13 February 1995 and 21 July 1995 respectively.

Like Radić, in the new indictment Kvočka and Kos are not only held responsible for acts allegedly committed under their responsibility (*"superior responsibility"*), they are also held responsible for their alleged individual participation (*"individual responsibility"*) in the crimes charged against them. Zigić is only charged with regard to his individual criminal responsibility.

The amended indictment contains new charges against all four accused. All of them are now accused of *"persecutions of Bosnian Muslims, Bosnian Croats and other non-Serbs in the Prijedor area, on political, racial or religious grounds. The persecutions included the following means: murder..., torture and beating..., sexual assault and rape..., harassment, humiliation and psychological abuse..., confinement..."*. Such persecutions are qualified as a Crime against humanity (Article 5 of the Statute).

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

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All charges against the four accused for Grave breaches of the Geneva Conventions of 1949 (Article 2 of the Statute) have been withdrawn from the indictment.

### **Background on the accused**

According to the indictment, Miroslav Kvočka was for a short time the commander of the camp prior to becoming one of the two deputies to Željko Meakić, the camp commander. Mladen Radić and Milojica Kos (aka Krle) were shift commanders who supervised one of the three shifts of guards that operated the camp.

Named in both the initial Omarska and Keraterm indictments, Zoran Zigić was allegedly among those who frequently entered the camps for the purpose of abusing, beating, torturing and/or killing detainees.

Miroslav Kvočka and Mladen Radić were detained by members of the SFOR forces on 8 April 1998, and transferred into the custody of the International Tribunal.

Milojica Kos was detained by members of the SFOR forces on 28 May 1998 and immediately transferred into the custody of the International tribunal.

Zoran Zigić voluntarily surrendered on 16 April 1998.

### **Background on the charges**

Miroslav Kvočka is charged with four counts of Crimes against humanity, and four counts of Violations of the laws and customs of war (previously three).

Mladen Radić is charged with six counts of Crimes against humanity (previously nine) and six counts of Violations of the laws and customs of war (previously eight).

Milojica Kos is charged with four counts of Crimes against humanity and four counts of Violations of the laws and customs of war (previously three).

Zoran Zigić is charged with four counts of Crimes against humanity (previously 25) and four counts of Violations of the laws and customs of war (previously 22).

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The full text of the indictment is available upon request from the Public Information Unit and can be found on the Internet.