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Tribunal Pénal
International pour
l'ex-Yougoslavie

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REGISTRY

GREFFE

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ARREST AND TRANSFER OF NASER ORIĆ

On Thursday 10 April 2003, SFOR forces arrested Naser Orić in Tuzla, Bosnia and Herzegovina. The accused was transferred to the Detention Unit of the International Criminal Tribunal for the former Yugoslavia the following day.

The Indictment against Naser Orić was confirmed on 28 March 2003.

According to the Indictment, Naser Orić (born on 3 March 1967 in Potočari, municipality of Srebrenica, Bosnia and Herzegovina) was the Commander of the forces of the Army of Bosnia and Herzegovina (ABiH) in the Srebrenica area in Eastern Bosnia and Herzegovina.

The Indictment states that, *“by virtue of his position and authority as Commander, Naser Orić commanded all units that were operating within his area of his responsibility. This includes all units involved in combat activities in the municipality of Srebrenica and Bratunac, in particular the combat activities in Rupovo Brdo on 10 June 1992, Ratkovići on 21 and 27 June 1992, Ježestica on 8 August 1992, Fakovići on 5 October 1992, Bjelovac between 14 and 19 December 1992 and Kravica on 7 and 8 January 1993 and all units including the Military Police involved in the detention and custody of Serb individuals in Srebrenica”*.

The Indictment alleges that, between 24 September 1992 and 20 March 1993, members of the Military Police under the command and control of Naser Orić detained several Serb individuals in the Srebrenica Police Station and in the building behind the Srebrenica Municipal Building. According to the Indictment, *“these detainees were subjected to physical abuse, serious suffering and serious injury to body and health, and inhumane treatment by the guards and/or by others with the support of the guards. In some instances, prisoners were beaten to death. Physical abuse included beatings by various objects including wooden sticks, wooden pipes, metal bars, baseball bats, rifle butts, bare fists, kicking with boots and forced teeth extractions with rusty pliers”*. Furthermore, the Indictment alleges that Orić *“knew or had reason to know that his subordinates were about to plan, prepare or execute the imprisonment, killing and/or cruel treatment of Serbs detained at the Srebrenica Police Station and the building behind the Srebrenica Municipal Building, or had done so, and he failed to take necessary and reasonable measures to prevent such acts or to punish the perpetrators thereof”*.

The Indictment further alleges that *“during the period May 1992 to February 1993, Muslim armed units engaged in various military operations against the Army of the Serbian Republic of Bosnia and Herzegovina (hereafter: VRS) forces in Eastern Bosnia. In the course of such operations, Muslim armed units in the Municipalities of Bratunac, Srebrenica and Skelani, burnt and otherwise destroyed and plundered a minimum of fifty predominantly Serb villages and hamlets. As a result, thousands of Serb individuals fled the area”*.

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

Public Information Services/Press Unit

Churchillplein 1, 2517 JW The Hague. P.O. Box 13888, 2501 EW The Hague. Netherlands

Tel.: +31-70-512-5356; 512-5343 Fax: +31-70-512-5355

The Indictment also states that, “*These incidents of plunder and unlawful and wanton destruction not justified by military necessity, include the following villages and hamlets on or about the dates indicated: Rupovo Brdo (Vlasenica Municipality) June 1992, Ratkovići (Srebrenica Municipality) June 1992, Brađevina (Srebrenica Municipality) June 1992, Dučići (Srebrenica Municipality) June 1992, Gornji Ratkovići (Srebrenica Municipality) June 1992, Ježestica (Bratunac Municipality) August 1992, Božići (Bratunac Municipality) August 1992, Fakovići (Bratunac Municipality) October 1992, Radijevići (Bratunac Municipality) October 1992, Divovići (Bratunac Municipality) October 1992, Bjelovac (Bratunac Municipality) December 1992, Sikirići (Bratunac Municipality) December 1992, Kravica (Bratunac Municipality) January 1993, Ježestica (Bratunac Municipality) January 1993, Šiljkovići (Bratunac Municipality) January 1993.*

In addition the Indictment states that, “*Naser Orić implemented a strategy of wanton destruction to achieve his objectives. Accordingly, he did not make any or sufficient orders to prevent such wanton destruction and plunder of property*”.

The Indictment charges Naser Orić on the basis of individual criminal responsibility (Article 7(1) of the Statute) with:

- 2 counts of violations of the laws or customs of war (Articles 3 of the Statute – wanton destruction of cities, towns or villages, not justified by military necessity; plunder of public or private property)

and on the basis of superior criminal responsibility (Article 7(3) of the Statute) with:

- 4 counts of violations of the laws or customs of war (Article 3 of the Statute – murder; cruel treatment; wanton destruction of cities, towns or villages, not justified by military necessity; plunder of public or private property)

The date and time for the initial appearance of Naser Orić will be announced in due course.
