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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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**REGISTRY**

**GREFFE**

The Hague, 11 October 2004  
JP/ P.I.S/ 900-e

**INITIAL APPEARANCE OF LJUBIŠA BEARA TO TAKE PLACE**  
**ON TUESDAY 12 OCTOBER 2004**

The initial appearance of Mr. Ljubiša Beara will take place before Judge Iain Bonomy on Tuesday 12 October 2004 at 3p.m. in Courtroom I.

*Background on the Case*

On 26 March 2002, Judge Wolfgang Schomburg confirmed the Indictment against Ljubiša Beara. The Indictment was kept under seal until 21 October 2002, when Judge Schomburg unsealed it and made the warrants for his arrest and surrender public. On Sunday 10 October 2004, Ljubiša Beara was transferred to the ICTY Detention Unit.

*Factual allegations*

The Indictment alleges that during the attack on the Srebrenica enclave by Bosnian Serb forces in July 1995, and the subsequent killings and executions of Bosnian Muslim men and boys, Ljubiša Beara was a Colonel and Chief of Security of the Main Staff of the Bosnian Serb Army ("VRS"). As Chief of Security, Ljubiša Beara's responsibilities included managing the Main Staff units of the Military Police, as well as coordinating with the bodies of the Ministry of the Interior ("MUP") in the six VRS corps' zones of responsibility. He also had responsibility for dealing with captured Bosnian Muslim prisoners from Srebrenica from 11 July 1995 until 1 November 1995.

In the several days following the attack on Srebrenica, the VRS forces captured, detained, summarily executed, and buried over 7,000 Bosnian Muslim men and boys from the Srebrenica enclave, and forcibly transferred the Bosnian Muslim women and children of Srebrenica out of the enclave. According to the Indictment, Ljubiša Beara committed, planned, instigated, ordered and otherwise aided and abetted in the planning, preparation and execution of the charged crimes.

*Joint Criminal Enterprise*

It is alleged that Ljubiša Beara, together with other VRS and MUP officers and units as identified in the Indictment, was a member of and knowingly participated in a Joint Criminal Enterprise, the common purpose of which was, among other things: to forcibly transfer the women and children from the Srebrenica enclave to Kladanj on 12 July and 13 July 1995; and to capture, detain, summarily execute by firing squad, bury, and rebury over 7,000 Bosnian Muslim men and boys aged 16 to 60 from the Srebrenica enclave from 12 July 1995 until on or about 19 July 1995.

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

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## *Charges*

The Indictment charges Ljubiša Beara on the basis of his individual criminal responsibility (Article 7(1) of the Statute) with:

- One count of genocide (Article 4 of the Statute – genocide; alternatively, complicity to commit genocide),
- Four counts of crimes against humanity (Article 5 of the Statute – extermination, murder, persecutions on political, racial and religious grounds, inhumane acts (forcible transfer)), and
- One count of violations of the laws or customs of war (Article 3 of the Statute – murder).

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*The full text of the Indictment can be found in English, French and BCS on the Tribunal's web site at [www.un.org/icty](http://www.un.org/icty)*