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**JADRANKO PRLIĆ, BRUNO STOJIĆ, SLOBODAN PRALJAK, MILIVOJ PETKOVIĆ,
VALENTIN ČORIĆ AND BERISLAV PUŠIĆ**

INITIAL APPEARANCE

Today, Tuesday 6 April 2004, the initial appearance of Jadranko Prlić, Bruno Stojić, Slobodan Praljak, Milivoj Petković, Valentin Čorić and Berislav Pušić was held at the International Criminal Tribunal for the former Yugoslavia (ICTY) in Courtroom I before Judge Alphons Orié. This followed their transfer to the ICTY Detention Unit yesterday. The six accused pleaded not guilty to all 26 counts contained in the Indictment.

The Indictment against four of the accused -- Jadranko Prlić, Bruno Stojić, Slobodan Praljak and Milivoj Petković -- was made public on Friday 2 April 2004, pursuant to an Order from Judge Jean-Claude Antonetti.

Judge Antonetti further ordered the public disclosure of the Indictment against the final two accused, Valentin Čorić and Berislav Pušić, yesterday.

Background on the Case

According to the Indictment, the "Croatian Community of Herceg-Bosna" declared its existence on 18 November 1991 as a political and territorial entity on the territory of what was then the Socialist Republic of Bosnia and Herzegovina ("SRBiH"). In August 1993, the "Croatian Community of Herceg-Bosna" declared itself the "Croatian Republic of Herceg-Bosna". Mate Boban was the President of the "Croatian Community of Herceg-Bosna" from its inception, and continued as President of the "Croatian Republic of Herceg-Bosna" until approximately February 1994. By actions taken on 8 April 1992 and 15 May 1992, various "Herceg-Bosna" leaders, including Mate Boban, established the Croatian Defence Council ("HVO") as "Herceg-Bosna's" armed forces and government, describing the HVO as "Herceg-Bosna's" "supreme" executive, administrative and defence body.

The Accused

Jadranko Prlić, son of Mile, was born on 10 June 1959 in Djakovo, in the Socialist Republic of Croatia. According to the Indictment, on 15 May 1992, Mate Boban appointed Prlić head of the HVO Department of Finance and on 14 August 1992, he appointed him President of the "Herceg-Bosna's" supreme executive, administrative and defence body -- the HVO. After the "Croatian Community of Herceg-Bosna" became the "Croatian Republic of Herceg-Bosna" in late August 1993, Prlić's title or position changed from President to Prime Minister (with his functions remaining largely the same). He continued in this position through the time covered in the Indictment. The Indictment states that for most of 1992-1993, he was, other than Mate Boban, the most powerful official in the "Herceg-Bosna"/HVO political and governmental structures, and, by late 1993, he effectively eclipsed Mate Boban. As president, Prlić had *de jure* and or *de facto* power, effective control and/or substantial influence over the "Herceg-Bosna"/HVO government and military. It is alleged that he directed the work of and was responsible for the HVO government, including military matters. He signed decisions and decrees that comprised the HVO's official policy. According to the

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Indictment Prlić had the power to appoint and dismiss persons in positions of significant authority in the civilian, military and judicial organs of “Herceg-Bosna” and the HVO. He also possessed authority to close “Herceg-Bosna” prisons and concentrations camps.

Bruno Stojić, son of Žarko, was born on 8 April 1955 in the village of Hamzići, in Čitluk municipality, in the SRBiH. The Indictment alleges that on 3 July 1992, Mate Boban named Bruno Stojić head of the HVO Department (later Ministry) of Defence, and he remained in this position until November 1993. On 16 December 1993, he was named Head of the “Croatian Republic of Herceg-Bosna’s” Office for the Production and Sales of Weapons and Military Equipment. As such he was that body’s top political and management official, in charge of the “Herceg-Bosna”/HVO armed forces. He exercised *de jure* and/or *de facto* power, effective control and substantial influence over all parts and branches of such forces’ operations. According to the Indictment, his areas of authority and responsibility included, among others: security, including the work of the HVO Military Police and an HVO intelligence service known as the Security and Information Service (“SIS”); moral education, which included information and propaganda; defence-related health, medical and sanitation services, which were responsible for conditions and services in the “Herceg-Bosna”/HVO prisons and detention facilities; and military production and logistics. It is alleged that Stojić had authority to appoint and dismiss HVO military commanders up to the level of brigade commander. He could and did issue organisational, strategic and combat orders. He exercised authority and effective control over HVO prisons and detention facilities, in whole or in part, through the HVO Military Police and the head of such police, Valentin Ćorić.

Slobodan Praljak, also known as “Brada”, son of Mirko was born on 1 or 2 January 1945, in the town of Čapljina, in Čapljina municipality, SRBiH. According to the Indictment, on about 14 March 1992, Slobodan Praljak became Assistant Minister of Defence for the Republic of Croatia, and worked closely with the Minister of Defence, Gojko Šušak. On 10 September 1992, Croatian President Franjo Tuđman appointed him to be one of 14 members of the Republic of Croatia’s Council of National Defence, and he remained in this position until at least 15 June 1993. On 13 May 1993, Praljak was named to the Republic of Croatia’s state commission for relations with the United Nations Protection Force (“UNPROFOR”). From approximately March 1992 to July 1993, Praljak served simultaneously as a senior Croatian Army officer, Assistant Minister of Defence and senior representative of the Croatian Ministry of Defence to the “Herceg-Bosna”/HVO government and armed forces. According to the Indictment, he served as a conduit for orders, communications and instructions from President Franjo Tuđman, Gojko Šušak and other senior officials of Croatia to the “Herceg-Bosna”/HVO government and armed forces, and reported to and kept Croatia’s senior officials informed of developments in Bosnia and Herzegovina. During this period, it is alleged that he played a prominent role in securing weapons and ammunition for the “Herceg-Bosna”/HVO armed forces. He directly and indirectly commanded “Herceg-Bosna”/HVO forces and operations in Bosnia and Herzegovina. The Indictment states that from approximately 24 July 1993 to 9 November 1993, he served as top overall military commander of “Herceg-Bosna”/HVO armed forces. In his various positions and functions, Praljak exercised *de jure* and/or *de facto* command and control over “Herceg-Bosna”/HVO forces. At times relevant to the Indictment, he exercised effective control and substantial influence over “Herceg-Bosna”/HVO armed forces (including the operative zone commanders). The Indictment alleges that he was responsible for the management, organisation, planning, preparation, training, discipline, supply, deployment and operational, strategic and combat orders. He also had command authority over the “Herceg-Bosna”/HVO civilian police, when they acted under or in coordination with the “Herceg-Bosna”/HVO armed forces during times of armed conflict. He was closely involved in all aspects of “Herceg-Bosna”/HVO military planning and operations.

Milivoj Petković, son of Jerko, was born on 11 October 1949 in Šibenik, Socialist Republic of Croatia. According to the Indictment, on or around 14 April 1992, Croatian Army General Janko Bobetko assigned Milivoj Petković to the command of the Croatian Army’s forward command centre in the town of Grude, in Bosnia and Herzegovina, which was or became the top command staff of the “Herzeg-Bosna”/HVO armed forces. From April 1992 until about 24 July 1993, he served as the overall commander of the “Herceg-Bosna”/HVO armed forces as Chief of the HVO Main Staff. When Praljak was named the top HVO commander on or about 24 July 1993, Petkovic continued as one of the very top “Herceg-Bosna” commanders. On or about 26 April 1994, Petković was again named the overall HVO commander, and he remained in this position until about 5 August 1994. The Indictment alleges that in his various positions and functions, Petković exercised *de jure* and/or *de facto* command and control over the “Herceg-Bosna”/HVO armed forces. At all times relevant to the Indictment, he exercised effective control and substantial influence over the “Herceg-Bosna”/HVO

armed forces (including the operative zone commanders). It is alleged that he was responsible for the management, organisation, planning, preparation, training, discipline, supply and deployment and operations of the “Herceg-Bosna”/HVO forces. He issued organisational, strategic and combat orders. He also had command authority over the “Herceg-Bosna/HVO” civilian police, when they acted under or in coordination with the “Herceg-Bosna/HVO” armed forces during times of armed conflict. He was closely involved in all aspects of “Herceg-Bosna/HVO” military planning and operations.

Valentin Ćorić, son of Andrija, was born on 23 June 1956 in the village of Paoča, in Čitluk Municipality, in the SRBiH. The Indictment alleges that in April 1992, Mate Boban appointed Valentin Ćorić Deputy for Security and Commander of the HVO Military Police. His position was later titled “Chief of the Military Police Administration” (within the HVO Department, later Ministry of Defence), and he continued in this position until 20 November 1993. According to the Indictment, on or around 20 November 1993, Ćorić was appointed Minister of Interior in the “Croatian Republic of Herceg-Bosna”. In his various positions and functions, Ćorić, from at least April 1992 to late 1993, played a central role in the establishment, administration and operation of the HVO military police. He had *de jure* and/or *de facto* command and control of the HVO Military Police, which regularly played important roles in administering “Herceg-Bosna”/HVO prisons and detention facilities (including the release and transfer of prisoners and detainees) and in combat and ethnic cleansing operations. Ćorić exercised effective control and substantial influence over the HVO military police, and had the authority and responsibility to command and discipline members of the HVO military police. It was also part of the duties of the military police, which Ćorić commanded, to investigate alleged crimes by “Herceg-Bosna”/HVO armed forces.

Berislav Pušić, also known as “Berto” or “Berko”, son of Andrija, was born on 8 June 1952, in the town of Mostar, in Mostar municipality, in the SRBiH. According to the Indictment, in 1992, Pušić became an officer in the HVO military police in Mostar and held a command position in the military police in 1993. By an order dated 22 April 1993, Ćorić assigned Pušić to act on behalf of the HVO military police in exchanging Bosnian Muslim detainees held by the HVO. On 11 May 1993, Stojić appointed Pušić as an HVO Liaison officer to UNPROFOR. According to the Indictment, on 5 July 1993, Prlić appointed Pušić as Head of the Service for the Exchange of Prisoners and Other Persons. On 6 August 1993, Stojić appointed Pušić as president of the commission to take charge of all “Herceg-Bosna”/HVO prisons and detention facilities holding prisoners of war and detainees. During 1993, Pušić was also president of the HVO Commission of Exchange of Prisoners. The Indictment alleges that as a result of his various positions and functions, he was an instrumental, high-level official in the “Herceg-Bosna”/HVO system concerning the detention, use, release, exchange, transfer and deportation of Bosnian Muslims. Based on his *de jure* and/or *de facto* powers, he exercised effective control and substantial influence over various components and personnel in this system. It was part of his responsibility to classify and process Muslim detainees in accordance with the Geneva Conventions and international humanitarian law. It is alleged that he issued orders and decisions, signed authorisations and gave instructions for the handling of Bosnian Muslim detainees, which controlled their continued detention and/or their transfer or deportation to other areas or countries.

Factual Allegations – Joint Criminal Enterprise

The Indictment, alleges that “*from on or before 18 November 1991 to about April 1994 and thereafter, various persons established and participated in a joint criminal enterprise*”. The purpose of the joint criminal enterprise was to “*politically and military subjugate, permanently remove and ethnically cleanse Bosnian Muslims and other non-Croats who lived in areas on the territory of the Republic of Bosnia and Herzegovina which were claimed to be part of the “Croatian Community (and later Republic) of Herceg-Bosna”, and to join these areas as part of a “Greater Croatia”*”. According to the Indictment, “*the territorial ambition of the joint criminal enterprise was to establish a Croatian territory with the borders of the Croatian Banovina, a territorial entity that existed from 1939 to 1941*”. Allegedly, “*it was part of the joint criminal enterprise to engineer the political and ethnic map of these areas so that they would be Croat-dominated, both politically and demographically*”.

According to the Indictment, numerous persons participated in this joint criminal enterprise. They included Franjo Tuđman, the President of the Republic of Croatia; Gojko Šušak, the Minister of Defence of the Republic of Croatia; Janko Bobetko, a senior General in the Army of the Republic of Croatia; Mate Boban, President of the “Croatian Community (and Republic) of Herceg-Bosna”, as well as the six charged in this Indictment.

The Indictment alleges that, as part of and in the course of the actions described in the Indictment, involving ethnic cleansing on a widespread and systematic basis, and in furtherance of the joint criminal enterprise, Jadranko Prlić, Milivoj Petković, Bruno Stojić and Slobodan Praljak, Valentin Čorić and Berislav Pušić, together with other leaders and members of the “Herceg-Bosna”/HVO authorities and forces, engaged in:

- Instigation and fomentation of political, ethnic or religious strife, division and hatred.
- Use of force, intimidation and terror.
- Appropriation and destruction of property.
- Detention and imprisonment.
- Forcible transfer and deportation.
- Forced labour.

It is alleged that the “Herceg-Bosna”/HVO campaign of attacks and ethnic cleansing took place in the municipalities of Prozor, Gornji Vakuf, Jablanica, Mostar, Ljubuški, Stolac, Čapljina and Vareš. This included crimes allegedly committed in the villages of Sovići and Doljani, the Heliodrom and Vojno camps, and the Dretelj and Gabela District Military Prisons.

The Charges

The six Accused are charged on the basis of both their individual and superior criminal responsibility under Articles 7(1) and 7(3) of the Statute respectively for:

- nine counts of grave breaches of the Geneva conventions (wilful killing; inhuman treatment (sexual assault); unlawful deportation of a civilian; unlawful transfer of a civilian; unlawful confinement of a civilian; inhuman treatment (conditions of confinement); inhuman treatment; extensive destruction of property, not justified by military necessity and carried out unlawfully and wantonly; appropriation of property, not justified by military necessity and carried out unlawfully and wantonly).
- nine counts of violations of the laws or customs of war (cruel treatment (conditions of confinement); cruel treatment; unlawful labour; wanton destruction of cities, towns or villages, or destruction not justified by military necessity; destruction or wilful damage done to institutions dedicated to religion or education; plunder of public or private property; unlawful attack on civilians; unlawful infliction of terror on civilians; cruel treatment), and
- eight counts of crimes against humanity (persecutions on political, racial and religious grounds; murder; rape; deportation; inhumane acts (forcible transfer); imprisonment; inhumane acts (conditions of confinement); inhumane acts).

*The full text of the Indictment is available upon request from the Public Information Services.
It is also available on the ICTY Internet site: www.un.org/icty*