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THE INTERNATIONAL CRIMINAL TRIBUNAL  
FOR THE FORMER YUGOSLAVIA

IT-97-24-I

THE PROSECUTOR  
OF THE TRIBUNAL

AGAINST

SIMO DRLJAČA  
MILAN KOVAČEVIĆ  
MILOMIR STAKIĆ

**INDICTMENT**

The Prosecutor of the International Criminal Tribunal for the Former Yugoslavia, pursuant to her authority under Article 18 of the Statute of the International Criminal Tribunal for the Former Yugoslavia ("The Statute of the Tribunal"), charges:

**SIMO DRLJAČA, MILAN KOVAČEVIĆ, and MILOMIR STAKIĆ  
with GENOCIDE**

**BACKGROUND:**

During the early morning hours of 30 April 1992, Bosnian Serb forces, under the direction and control of the municipality of Prijedor Crisis Staff (or Krizni Štab), seized control of the town of Prijedor. The seizure of physical control of the town and all the municipal functions was the culmination of preparations that had begun covertly in 1991, in conjunction with Bosnian Serb efforts throughout Bosnia and Herzegovina, and became overt in early 1992 after the public announcement by the "Assembly of the Serbian People in Bosnia and Herzegovina" of the "Republic of the Serbian People of Bosnia and Herzegovina" on 9 January 1992.

In the weeks following 30 April 1992, the Crisis Staff implemented or authorized increasingly strict restrictions on the lives of non-Serbs in the municipality of Prijedor. All non-Serbs who held positions in the municipal government organizations who did not publicly express full support for the new order and Serbian leaders were expelled from their positions. Businesses and economic organizations quickly followed in the same manner dismissing almost all non-Serb

employees. Roadblocks were set up throughout the municipality, particularly around predominately non-Serb villages and in Prijedor town. These roadblocks were used to prevent non-Serbs from leaving the vicinity of their homes or villages. All non-Serbs were repeatedly exhorted and warned to turn in all weapons. During this period, similar types of policies and actions were being implemented in municipalities throughout the self proclaimed Serb republic in Bosnia and Herzegovina.

On about 23 May 1992, approximately three weeks after the Bosnian Serbs forcibly took control of the governmental authority in the municipality of Prijedor, a coordinated attack was executed by Serbian forces, including JNA units, territorial defence (TO) units, paramilitary units, and police units, combining intensive artillery and tank shelling followed by infantry assaults on Bosnian Muslim and Bosnian Croat areas in the municipality of Prijedor. Between April and July 1992, attacks following the same pattern were being conducted by Serbian forces across Bosnia-Herzegovina, and thousands of Bosnian Muslim and Bosnian Croat civilians, including women, children and elderly persons, were systematically rounded up and interned in detention facilities or camps. These detention facilities were staffed and operated by military and police personnel and their agents, under the control of Bosnian Serb military and civilian authorities. In addition, Bosnian Serb police and military interrogators not directly assigned to the guard staff of the camps had unfettered access to all of the detention facilities and operated in conjunction with the personnel in control of these detention facilities.

In the municipality of Prijedor, the majority of Muslim and Croat residents who survived the initial attack fled their homes and were seized by Serb and Bosnian Serb forces. They were then forced to march in columns bound for one or another of the prison camps or detention facilities that the Bosnian Serb authorities had established in the municipality. The Serb and Bosnian Serb forces pulled many Muslims and Croats from the columns and shot or beat them on the spot. After being herded to collection areas, most prisoners were taken to the Omarska, Keraterm or Trnopolje camps. A number of both male and female prisoners were taken to the police station in Prijedor for interrogation before being taken to a camp or released. While at the police station many of the detainees were severely maltreated both physically and psychologically.

During the next several weeks, the Serb and Bosnian Serb forces continued to round up Muslims and Croats from Kozarac, Prijedor town, and other places in the municipality and interned them in the camps at

Omarska, Keraterm, and Trnopolje. The final large scale military attack conducted by the Serb and Bosnian Serb forces in the municipality occurred on about 20 July 1992 against the predominately Muslim villages in the hilly region known as the "Brdo," on the west side of the Sana river. Many of those who had escaped capture after the attacks on the other areas of the municipality in May 1992 had fled to the "Brdo" area. Those who survived the attack on the "Brdo" were also taken to Omarska, Keraterm or Trnopolje camps.

Omarska camp was located in part of an iron ore mining complex. Keraterm camp was set up in the disused portion of the Keraterm ceramics factory. Trnopolje camp was a complex of several buildings in the village of Trnopolje, including a school, a cinema and cultural centre, and the fields that surrounded them.

Within the area of the Omarska mining complex that the Bosnian Serb authorities used for the camp, the camp authorities generally confined the prisoners in three different buildings: the administration building, where interrogations took place and most of the women were confined, the garage or hangar building, and the "white house," a small building where particularly severe beatings were administered; and on a cement courtyard area between the buildings known as the "pista". There was another small building, known as the "red house", where prisoners were sometimes taken but most often did not emerge alive. Many of Prijedor's Muslim and Croat intellectuals, professional and political leaders were sent to Omarska. There were approximately 40 women in the camp, and all the other prisoners in the camp were men.

At Keraterm camp the prisoners were held in a part of a long structure that consisted of four large storage rooms originally intended to store ceramic tiles which were manufactured at the factory. The prisoners referred to these storage areas as rooms 1, 2, 3 and 4. All of the prisoners at Keraterm were men, generally of military age, that is between the ages of 16 and 60.

Trnopolje camp comprised a group of buildings including a school and community cultural centre. The majority of the women, children and the elderly were interned at this camp. A number of families managed to stay together or were allowed to stay together and were interned together at Trnopolje. A number of Bosnian Muslims and Croats who were detained at Trnopolje had fled to the camp because it was far too dangerous to stay in their own homes and villages. After the camps at Omarska and Keraterm were closed the surviving prisoners were taken to Trnopolje and Manjača camps.

## THE ACCUSED

1. **SIMO DRLJAČA** was born on 6 August 1947 in the Municipality of Bosanska Krupa of the Republic of Bosnia and Herzegovina. On the 30 April 1992, he was officially appointed the Chief of the Public Security Station (SJB) for the municipality of Prijedor. During 1992, he also served as a member of the municipality of Prijedor Crisis Staff. In 1993, he was appointed as the Deputy Minister of the Interior for the self proclaimed "Republika Srpska." He later returned to Prijedor and became Chief of a newly established regional police district, the CJB of Prijedor. He currently works for the Ministry of the Interior and holds an official position within "Republika Srpska."

2. **MILAN KOVAČEVIĆ aka "Mićo"** was born in the Republic of Bosnia and Herzegovina. In 1992, he served as the President of the Executive Board of the municipality of Prijedor, and was a member of the municipality of Prijedor Crisis Staff. He is an anesthetist by profession and is currently serving as the Director of the Prijedor Hospital.

3. **MILOMIR STAKIĆ** was born on 19 February 1962 in the municipality of Prijedor of the Republic of Bosnia and Herzegovina. In 1992, he served as the President of the Municipal Assembly of Prijedor municipality and as a member of the municipality of Prijedor Crisis Staff. He is a doctor by profession and is currently serving again as President of the municipality of Prijedor.

## SUPERIOR AUTHORITY

### **SIMO DRLJAČA**

4. During the period from 30 April 1992 to 31 December 1992, **SIMO DRLJAČA** was both a member of the municipality of Prijedor Crisis Staff and the Chief of the Public Security Station (SJB) for the municipality of Prijedor.

5. In his role as a member of the Crisis Staff, **SIMO DRLJAČA** was a part of the body that held executive power in the municipality of Prijedor at all times relevant to this indictment. The members of the Crisis Staff acted in concert in planning and deciding the complete range of operations related to the conduct of the hostilities and the destruction of the non-Serb community in the municipality. The Crisis Staff worked in

concert with the military and police authorities involved in the attack upon the Bosnian Muslim and Bosnian Croat people of the municipality and had the authority to control the actions of the police forces involved in those attacks. In addition, the Crisis Staff planned and authorized the establishment of the camps at Omarska, Trnopolje and Keraterm, supported the continued operation of those camps, and had authority to control the conduct of those camps. **SIMO DRLJAČA** was responsible for briefing both outside visitors and SDS leaders while escorting them during visits to the camps.

6. As the Chief of Police, **SIMO DRLJAČA**, had the authority to direct and control all the actions of the members of the Prijedor police, both active and reserve during the period from 29 April 1992 to 31 December 1992.

### **MILAN KOVAČEVIĆ**

7. During the period from 29 April 1992 to 31 December 1992, **MILAN KOVAČEVIĆ** was both a member of the municipality of Prijedor Crisis Staff and the President of the Executive Board of the municipality of Prijedor.

8. In his role as a member of the Crisis Staff, **MILAN KOVAČEVIĆ** was part of the body that held executive power in the municipality of Prijedor at all times relevant to this indictment and the body referred to in paragraph 5 above.

9. As the President of the Executive Board of the municipality of Prijedor, **MILAN KOVAČEVIĆ** occupied the second most important position on the Crisis Staff, in terms of *de jure* authority. He was the individual responsible for arranging the details for visits to the camps by reporters and who provided most of the information about the camps at the briefings with visitors to the Crisis Staff.

### **MILOMIR STAKIĆ**

10. During the period from 29 April 1992 to 31 December 1992, **MILOMIR STAKIĆ** was both a member of the municipality of Prijedor Crisis Staff and the President of the Municipal Assembly of Prijedor.

11. In his role as a member of the Crisis Staff, **MILOMIR STAKIĆ** was part of the body that held executive power in the municipality of

Prijedor at all times relevant to this indictment and the body referred to in paragraph 5 above.

12. As the President of the Municipal Assembly of Prijedor, **MILOMIR STAKIĆ** occupied the most important position on the Crisis Staff, in terms of *de jure* authority. He had the final voice and authority in deciding all issues within the municipality.

## CHARGE

### COUNT 1 (GENOCIDE)

19. Between April 1992 and January 1993, **SIMO DRLJAČA, MILAN KOVAČEVIĆ**, and **MILOMIR STAKIĆ** did, in the territory of the Republic of Bosnia and Herzegovina, by their acts and omissions, commit genocide.

20. Beginning in the Spring of 1992, the Crisis Staff of the municipality of Prijedor, including **SIMO DRLJAČA, MILAN KOVAČEVIĆ**, and **MILOMIR STAKIĆ** planned, organized and implemented the creation of a number of detention facilities or camps, including the Omarska, Keraterm and Trnopolje camps. These camps were staffed and operated by military and police personnel and their agents, under the control of the Bosnian Serb military and civilian members of the Crisis Staff. In addition, other Bosnian Serb police, military and civilians not directly assigned to the guard staff of the camps had unfettered access to all of the detention facilities and operated in conjunction with the personnel in control of these detention facilities.

21. In none of the camps were the detainees afforded proper judicial process and their internment was not justified by military necessity. They were detained primarily because of their religious and ethnic identification. The conditions in the Omarska, Keraterm and Trnopolje camps were abject and brutal. Bosnian Serb military and police personnel in charge of these facilities, their staff, and other persons who visited the camps, all of whom were subject to the authority and control of the Crisis Staff, killed, sexually assaulted, tortured, and otherwise physically and psychologically abused the detainees in the camps.

22. At Omarska and Keraterm, the camps were deliberately operated in a manner designed to inflict upon the detainees conditions intended to bring about their physical destruction with the intent to destroy, in part,

the Bosnian Muslim and Bosnian Croat people as national, ethnic or religious groups. Serious violations of international humanitarian law of a similar pattern were committed in both Omarska and Keraterm camps. Detainees were continuously subjected to or forced to witness inhumane acts, including murder, rape and sexual assaults, torture, beatings and robbery, as well as other forms of mental and physical abuse. Daily food rations provided to detainees amounted to starvation rations. Medical care for the detainees was insufficient or non-existent and the general hygienic conditions prevalent at these camps were grossly inadequate.

23. At Omarska, prisoners were crowded together with little or no facilities for personal hygiene. They were fed starvation rations once a day and given only a few minutes to go to the canteen area, eat and then leave. The little water they received was often foul. Prisoners had no changes of clothing and no bedding. They received no medical care. Killings and severe beatings of prisoners were commonplace. The camp guards, who were both police and military personnel, and others who came to the camp and physically abused the prisoners, used all manner of weapons during these beatings, including wooden batons, metal rods and tools, lengths of thick industrial cable, rifle butts and knives. Both female and male prisoners were beaten, raped, sexually assaulted, tortured and humiliated. Hundreds of the detainees, whose identities are known and unknown, did not survive the camp.

24. Keraterm camp was located at a former ceramics factory in Prijedor. Conditions for prisoners were similar to those in Omarska camp. Detainees were so crowded in the four rooms that, on many occasions, they could not lie down. The detainees were not permitted to move around freely in the camp. Whether detained in the rooms or on the open area outside, they were only allowed to move when specifically permitted to do so, usually only to receive their starvation rations or to go to the toilet. On a daily basis, the camp leadership, the camp guards, who were both police and military personnel, and others who came to the camp to abuse the detainees, subjected the detainees to inhuman conditions, physical violence, constant humiliation, degradation and fear of death. Many detainees were executed in the camp. On one night in July, 1992, more than 150 military-aged men from the "Brdo" region were executed. Severe beatings were commonplace. All manner of weapons were used during these beatings, including wooden batons, metal rods, baseball bats, lengths of thick industrial cable, rifle butts and knives. The beatings, sexual assaults, tortures, and other cruel and humiliating actions were generally inflicted in full view of other detainees and were accompanied by derogatory and humiliating comments to the victims or their families and general threats to the other

detainees. After they were beaten, tortured, or sexually assaulted, the detainees were carried, dragged or forced to crawl back into their rooms, without any form of care for their injuries. Hundreds of detainees, whose identities are known and unknown, did not survive the camp.

25. Trnopolje camp was established at the site of a former school and adjacent buildings in Trnopolje village. It was the largest camp and the location to which Bosnian Muslim and Bosnian Croat women, children, and the elderly were taken. Some men of military age also managed to go directly to the Trnopolje camp. The buildings in the camp were quickly filled and the remaining detainees had to find shelter in makeshift huts of plastic and excess materials or remain out in the open fields. The hygiene facilities were grossly inadequate. Minimal rations were provided on a sporadic basis, with female detainees eventually being allowed to leave the camp to forage for food in the surrounding village. The camp served as the staging point for the mass deportation of all those who survived the initial attacks and camp regime. It also served a much more sinister purpose: the sexual assault, rape, and torture of many of the women detained there by camp personnel, who were both police and military personnel, and by other military units from the area who came to the camp for that specific purpose. In many instances, the women and girls were taken from the camp and raped, tortured, or sexually abused at other locations. In addition, many prisoners both male and female were killed, beaten and otherwise physically and psychologically maltreated by the camp personnel and other Serbs and Bosnian Serbs who were allowed into the camp.

26. Between 30 April 1992 and 31 December 1992, **SIMO DRLJAČA, MILAN KOVAČEVIĆ, and MILOMIR STAKIĆ**, in concert with others, planned, instigated, and ordered the establishment of the camps at Omarska, Keraterm and Trnopolje and the detention therein of Bosnian Muslims and Bosnian Croats from the municipality of Prijedor under conditions calculated to bring about the physical destruction of the detainees, with the intent to destroy part of the Bosnian Muslim and Bosnian Croat groups, as such. Further, between 30 April 1992 and 31 December 1992, **SIMO DRLJAČA, MILAN KOVAČEVIĆ, and MILOMIR STAKIĆ** knew or had reason to know that their subordinates who staffed the detention facilities were killing or causing serious physical or mental harm to Bosnian Muslims and Bosnian Croats with the intent to destroy them, in part, as a national, ethnic or religious group or had done so and failed to take necessary and reasonable measures to prevent such acts or to punish the perpetrators thereof.

**By these acts and omissions, SIMO DRLJAČA, MILAN KOVAČEVIĆ, and MILOMIR STAKIĆ were complicit in the commission of GENOCIDE, punishable under Articles 4(3)(e) and 7(1) and (3) of the Statute of the Tribunal.**

Signed by.....*Graham T. Blewitt*.....

Graham Thomas Blewitt  
Deputy Prosecutor  
on behalf of the Prosecutor  
Pursuant to Rule 38 (B)  
of the Rules of Procedure and Evidence

*13 March 1997.*