

Indictment against Milan Zec withdrawn

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INDICTMENT AGAINST MILAN ZEC WITHDRAWN

On 26 July 2002, the Indictment against Milan Zec, confirmed by Judge Patricia Wald on 27 February 2001, was withdrawn following an Order by Judge Amin El Mahdi, of Trial Chamber I.

This followed a confidential motion to withdraw the Indictment filed by the Prosecution on 18 July 2002, which stated that further investigations following the confirmation of the Indictment revealed that the evidence at this stage was insufficient to maintain charges against the accused.

This did not, however, exclude the possibility of a further prosecution being brought against Milan Zec on the same charges or on other charges based on supplementary evidence obtained during ongoing investigations, the Prosecution submitted.

Background

Factual allegations

In the Indictment withdrawn on 26 July 2002, Milan Zec was charged on the basis of individual criminal responsibility (Article 7 (1)) with 16 counts of violations of the laws or customs of war. The Indictment alleged that forces of the Yugoslav Peoples' Army ("JNA") under his command and that of Pavle Strugar, Miodrag Jokic and Vladimir Kovacevic launched an attack against the Dubrovnik region of Croatia from Montenegro, Bosnia and Herzegovina, and from the Adriatic Sea on 1 October 1991. The aim of the attack was to secure control of those areas of Croatia that were intended for inclusion in the so-called "Dubrovnik Republic". It was the objective of the JNA and the Serbian and the Montenegrin governments to detach this area from Croatia and to annex it to Serbia/Montenegro and other areas intended for Serb control in Croatia and Bosnia.

The Indictment alleged that between 1 October and 31 December 1991, JNA forces killed and wounded numerous civilians in and around the city of Dubrovnik through acts of unlawful shelling. Further, the forces systematically plundered public, commercial and private property in the areas surrounding Dubrovnik of which they subsequently gained control and systematically destroyed public, commercial and religious buildings, as well as private dwellings.
