

VIEW FROM THE HAGUE

THEY ALLEGEDLY CARRIED OUT THE ETHNIC CLEANSING PLAN

On Tuesday, the International Criminal Tribunal for the former Yugoslavia held the initial appearance in yet another case relating to crimes committed on the territory of the so-called Herceg-Bosna. The hearing in this case, whose six accused are the highest-ranking surviving leaders of the so-called Croatian Community of Herceg-Bosna (HZ HB), which declared itself to be the Croatian Republic of Herceg-Bosna (HR HB) in 1993, took place just a day after the six accused voluntarily surrendered to the Tribunal, and just three days after the Republic of Croatia received the final warrant for their arrests.

The six individuals named in the Herceg Bosna indictment are Jadranko Prlić, Bruno Stojić, Slobodan Praljak, Milivoj Petković, Valentin Ćorić and Berislav Pušić. Jadranko Prlić was president of the HZ HB and later the HR HB Prime Minister. Bruno Stojić was a high-level political official and head of the Herceg-Bosna department (later Ministry) of defense. Slobodan Praljak was the Republic of Croatia's Assistant Minister of Defense, a senior liaison with the Herceg-Bosna/HVO government and armed forces, and for a time the HVO's commander. Milivoj Petković was the HVO's Chief of Staff. Valentin Ćorić headed the HVO's military police and Berislav Pušić chief of the Herceg-Bosna/HVO office for exchange of prisoners of war.

The indictment alleges that these men formed a key component of a joint criminal enterprise presided over by the Republic of Croatia's former president, the late Franjo Tuđman, and its former defense minister, the late Gojko Šušak. The indictment also names the late General Janko Bobetko of the Croatian Army and the late President of the HR HB, Mate Boban, as participants in the alleged joint criminal enterprise.

The Tribunal's indictment charges the accused with leading a plan to ethnically cleanse Bosnian Muslims and other non-Croats from territories that they claimed as part of Herceg-Bosna with a view to joining them to a "Greater Croatian" state. The indictment states that on 27 December 1991, President Tuđman summarised the joint criminal enterprise's objective as follows: "[I]t is time that we take the opportunity to gather the Croatian people inside the widest possible borders."

The indictment alleges that the accused resorted to violence and criminal acts to achieve their plan to ethnically cleanse Herceg-Bosna of its Bosnian Muslim and non-Croat population. It charges them with involvement in driving from their homes Bosnian Muslim and other non-Croat civilians, including Serbs, killing them, destroying their property and persecuting them in various ways. These included denying them freedom of movement, summarily dismissing them from their jobs and depriving them of humanitarian assistance, detaining them without legal cause in inhumane conditions, and subjecting them to beatings, sexual assaults and torture. According to the indictment, the accused were involved in disseminating information and propaganda to Bosnian Croats that Bosnian Muslims were threatening to oppress and exterminate them. They were also involved in securing the Republic of Croatia's assistance in order to further their plans to ethnically cleanse Western Bosnia.

The indictment sets out a chronology of the major incidents of ethnic cleansing that began in the spring and early summer of 1992. At this time the Herceg-Bosna/HVO destroyed Mostar's Serbian Orthodox Church and nearby Serb houses, and held many Serbs in detention camps. Fighting between Bosnian Muslim and Bosnian Croat forces erupted in October 1992.

The indictment states that in April 1993 Herceg-Bosna/HVO forces set about a broad campaign of persecutions, military actions, arrests and expulsions to enforce their demands to claim a number of municipalities in Western Bosnia. This campaign involved attacks on the city of Mostar on the Neretva river, in which the accused were involved in the expulsion of large numbers of Bosnian Muslims to the eastern part of the city and the detention of hundreds of others in a camp called the Heliodrom.

From June through September 1993, the indictment alleges that Herceg-Bosna/HVO forces systematically arrested, mistreated and evicted tens of thousands of Bosnian Muslim men, women, children and elderly from their homes, detained them and/or transferred them to other areas or deported them to other countries. To cite but one example among many set out in the indictment's 60 pages, the HVO repeatedly raped and sexually assaulted approximately fifty civilian Bosnian Muslim women and girls, who they detained, together with their children, in the Vojno camp in Mostar municipality.

The indictment charges each of the accused with both directly participating in the execution of these crimes and with command responsibility; that is, for failing to take measures to prevent such crimes, or punish the perpetrators who were their subordinates.

The Tribunal welcomes the prompt surrender of these six accused to answer the very serious charges against them. This raises once more the question of the other persons indicted by the Tribunal who have not yet surrendered. Fifteen of them are known to reside or to spend time in Serbia and Montenegro.

Outreach Programme

outreach@icty.org