
Documentation

Mladic, Karadzic, others indicted for war crimes

What follows are excerpts from the press statement made by the Prosecutor, Justice Richard Goldstone, in conjunction with the announcement of indictments on July 25, 1995 by the "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia Since 1991," under the United Nations. It was released in The Hague, Netherlands.

The five indictments announced today are the result of investigations begun in 1994, and in the case of the indictment in respect of Ratko Mladic and Radovan Karadzic, follows the deferral application granted in May. The indictments are illustrative of a consistent prosecution strategy, namely, the investigation and indictment of leaders in the former Yugoslavia who are suspected of being criminally responsible, either directly or indirectly, for widespread and serious violations of international humanitarian law.

The strategy includes the investigation of lower-level persons directly involved in carrying out the crimes in order to build effective cases against the military and civilian leaders who were party to the overall planning and organization of those crimes.

It is in this context that the indictments relating to specific locations and events in Bosnia-Herzegovina are incorporated in the indictment against the two Bosnian Serb leaders, Radovan Karadzic and Ratko Mladic, now indicted. Today's indictments cover a wide variety of criminal offenses and demonstrate the different degrees of participation of the accused persons. Our investigations show that the methods used in Bozanski Smac, Brcko, and Prijedor to take control of the non-Serb population are typical of the methods used in many other places throughout Bosnia-Herzegovina.

It is important to recall statements of the secretary general and the Security Council that a primary objective of the Tribunal is to establish individual responsibility for the crimes committed in the former Yugoslavia in order to avoid the attribution of collective guilt. In this regard, the reference in the indictments to "Bosnian Serb" pertains to the Bosnian Serbs who are in the military or civilian service of the authorities in Pale. No reference is intended to those Bosnian Serbs who neither support nor associate themselves with the commission of the crimes charged. . . .

That serious violations of international humanitarian law have taken place in Bosnia-Herzegovina over the past three

weeks is manifest. Once again, the media have brought us the vivid portrayal of the human tragedies which have resulted from the unlawful attacks by Bosnian Serbs on United Nations-designated "safe areas." Those events are under investigation by my Office. The criminal responsibility of Dr. Karadzic and General Mladic with regard to those and other crimes committed since the outbreak of hostilities throughout Bosnia-Herzegovina is also under investigation and, if warranted, indictments against them will be appropriately amended. The investigation in respect of Dr. Karadzic and General Mladic is not limited to the matters discussed in the indictment announced today and is still ongoing.

Pursuant to the deferral order granted on 16 May 1995 by a Trial Chamber of the Tribunal in respect of the investigation by the Government of Bosnia-Herzegovina into the alleged criminal conduct of Mico Stanisic, the investigation by the Office of the Prosecutor concerning Mico Stanisic and other senior Bosnian Serb military and civilian officials is still proceeding. We are not yet in a position to state when indictments will be issued. . . .

Karadzic and Mladic indictment

Below is the fact sheet released to media on the crimes for which Karadzic and Mladic are indicted. Twenty-one other individuals were also indicted.—Editors.

1) Crimes perpetrated against the civilian population and against places of worship.

Radovan Karadzic and Ratko Mladic, individually or in concert with others, planned, instigated, ordered or otherwise aided and abetted in the planning, preparation, execution of the persecutions on political and religious grounds of Bosnian Muslim and Bosnian Croat civilians, or knew or had reason to know that subordinates were about to do the same or had done so, and failed to take the necessary and reasonable measures to prevent such acts or to punish the perpetrators thereof.

They committed the following crimes:

A. Genocide and crimes against humanity

The acts and omissions involved were not justified by military necessity and are related to:

- *the internment of thousands of Bosnian Muslims and Croats in detention facilities* where they were subjected to widespread acts of physical and psychological abuse and to inhuman conditions. Examples are the Omarska, Keraterm, Luka and Sisica camps, which were staffed and operated by military and police personnel and their agents under the control of Radovan Karadzic and Ratko Mladic. Detention facility personnel killed detainees, seriously injured them and deliberately imposed upon them conditions intended to bring about their physical destruction. Detainees were repeatedly subject to and/or witnessed inhuman acts, including murders, rapes, and sexual assaults, tortures, beatings, robberies, as well as other forms of mental and physical abuse. In many instances, women and girls who were detained were

raped at the camps or were taken from the detention centers and raped or otherwise sexually abused at other locations.

- *the targeting of Bosnian Muslim and Bosnian Croat communities*, and in particular their political leaders, intellectuals, and professionals.

- *the deportation of thousands of Bosnian Muslim and Bosnian Croat civilians* from the areas of Slasenica, Prijedor, Bosanski Sarnac, Brcko, and Foca, including women, children, and elderly persons who were taken directly from their homes.

- *the shelling of civilian gatherings* in Sarajevo (1992, 1993, 1994), Srebrenica (1993), and Tuzla (1995) in order to kill, terrorize and demoralize the Bosnian Muslim and Bosnian Croat civilian populations.

- *the appropriation and plunder of real and personal property* of Bosnian Muslim and Bosnian Croat civilians.

- *the persecution of civilians*, including the systematic destruction of Bosnian Muslim and Bosnian Croat homes and businesses in order to insure that the inhabitants could not and would not return to their homes and communities.

- *the systematic damaging and/or destruction of sacred sites*, both Muslim and Roman Catholic.

B. War crimes and grave breaches of the Geneva Convention

The acts and omissions involved are:

- the unlawful confinement of civilians in detention facilities, and outrages upon the personal dignity of the detainees

- the deliberate attacks on the civilian population
- the destruction or willful damage to religious institutions

- the extensive destruction of property
- the appropriation and plunder of public and private property

2. Sarajevo sniping campaign

Throughout the siege of Sarajevo there has been a systematic campaign of deliberate targeting of civilians by snipers of the Bosnian Serb military, and their agents. Since April 1992, a substantial number of civilians have been killed or wounded.

The deliberate attack on the civilian population is a *violation of the laws or customs of war*.

The killing and the wounding by sniper fire on these civilians is a *crime against humanity*.

3. U.N. hostages and human shields

Between 26 May 1995 and 2 June 1995, Bosnian Serb military personnel under the direction and control of **Radovan Karadzic** and **Ratko Mladic** seized 284 U.N.-peacekeepers in many locations, and between 26 May and 19 June 1995, they selected certain U.N.-hostages for use as "human shields."

Radovan Karadzic and **Ratko Mladic** are charged with *violations of the laws or customs of war and grave breaches of the Geneva Convention*.

Proven: The Cali Cartel put Samper in the Presidency

by Our Special Correspondent

Colombian President Ernesto Samper Pizano, fast on his way to becoming ex-President, is having a rough time pretending that reality doesn't exist. Colombia's Prosecutor General, the state security bodies, and the U.S. Drug Enforcement Administration have in their possession mountains of documents, and, now, key witnesses, which prove beyond a reasonable doubt that Samper was put in power thanks to the multimillion-dollar contributions which the Cali Cartel gave his 1994 electoral campaign.

Tacitly acknowledging that his campaign did, in fact, receive drug monies, Samper went on national television on July 27 to insist: "Colombians may rest assured that if any filtering of [drug] money is proven, it happened behind my back." The same day, he sent a letter to the Investigations and Accusations Commission of the House of Representatives, the only body which can judge a President, requesting that the commission obtain from the Prosecutor General's office all evidence which it might have on him, and conduct its own investigation.

Samper gave that speech because, the day before, the treasurer of his 1994 presidential campaign, Santiago Medina, had been arrested. Medina had received some 15 billion pesos (\$20 million) in cash and checks from the Cali Cartel, for Samper's campaign. Samper won the election on June 19 by a slim margin of 1%—a squeaker victory in which the cartel's "contributions" were crucial.

The Prosecutor General ordered Medina's arrest because he could not explain, in a previous interrogation, why he had received a check for 40 million pesos (\$46,000) written by a Cali Cartel front-company, nor why this check had been used to pay expenses for Samper's campaign. According to well-informed sources, however, the Prosecutor General has now documented that the campaign conducted at least 500 million pesos (\$575,000) never recorded in its official books. To Samper's dismay, Medina, caught red-handed, decided to cooperate, and on July 28, detailed to prosecutors how the drug monies were handled by the campaign, and handed over additional documentation that proved that part of the campaign's funds were kept in a secret account in Chase Manhattan Bank in New York. That account was used not only for monies from drug-traffickers, but also for funds supplied by various multinational companies which, by law,