

THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

CASE NO: IT-98-29-I

THE PROSECUTOR OF THE TRIBUNAL

AGAINST

STANISLAV GALIC

INDICTMENT

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

STANISLAV GALIC

with **CRIMES AGAINST HUMANITY** and **VIOLATIONS OF THE LAWS AND CUSTOMS OF WAR** as set forth below:

BACKGROUND:

1. Sarajevo is the capital of Bosnia and Herzegovina and is situated on an east-to-west axis along the Miljacka River valley in central Bosnia. The city is dominated by steep surrounding mountain slopes. To the east there is a dense city centre making up a residential and commercial old town which spreads up the adjacent hillsides. There are new municipalities with commercial development and extensive residential accommodation on more open ground to the west. The city traces its history back nearly two thousand years. Before 1992, Sarajevo was a flourishing multi-ethnic community and a cultural and economic centre in the former Yugoslavia. A 1991 census indicated that the city and immediate surroundings had a population of some 525,980, with an ethnic composition of 49.3% Muslim, 29.9% Serb, 6.6% Croat, 10.7% describing themselves as Yugoslav and 3.5% other groups. Sarajevo accounted for 11% of the population of Bosnia and Herzegovina.

2. Shortly after Bosnia and Herzegovina was internationally recognised as an independent state on 06 April 1992, armed hostilities broke out in Sarajevo. Even before the conflict began, armed forces supporting the Serbian Democratic Party (SDS) and elements of the Yugoslav People's Army (JNA), including units of the 4th Corps of the 2nd Military District, occupied strategic positions in and around Sarajevo. The city was subsequently subjected to blockade and relentless bombardment and sniper attacks from these positions. Much of the bombardment and sniping was from positions in the hills around and overlooking Sarajevo, from which the attackers had a clear, detailed and commanding view of the city and its civilian population.

3. On or around 20 May 1992, after a partial withdrawal of JNA forces from Bosnia, the 2nd Military District was effectively transformed into part of the Bosnian Serb Army (VRS - "Vojska Republika Srpska"). As part of this transformation, the 4th Corps, 2nd Military District, became the Sarajevo Romanija Corps with its headquarters in Lukavica Barracks just to the south west of

Sarajevo.

4. (a) For forty-four months, the Sarajevo Romanija Corps implemented a military strategy which used shelling and sniping to kill, maim, wound and terrorise the civilian inhabitants of Sarajevo. The shelling and sniping killed and wounded thousands of civilians of both sexes and all ages, including children and the elderly.

(b) The Sarajevo Romanija Corps directed shelling and sniping at civilians who were tending vegetable plots, queueing for bread, collecting water, attending funerals, shopping in markets, riding on trams, gathering wood, or simply walking with their children or friends. People were even injured and killed inside their own homes, being hit by bullets that came through the windows. The attacks on Sarajevo civilians were often unrelated to military actions and were designed to keep the inhabitants in a constant state of terror.

(c) Because of the shelling and sniping against civilians, the life of every Sarajevo inhabitant became a daily struggle to survive. Without gas, electricity or running water, people were forced to venture outside to find basic living necessities. Each time they did, whether to collect wood, fetch water or buy some bread, they risked death. In addition to the sheer human carnage that the shelling and sniping caused, the endless threat of death and maiming caused extensive trauma and psychological damage to the inhabitants of Sarajevo.

THE ACCUSED:

5. **STANISLAV GALIC** was born the son of Dusan, on 12 March 1943, in Goles village, Banja Luka Municipality. He has held the rank of Major General in the Bosnian Serb army (VRS). He assumed command of the Sarajevo Romanija Corps on or about 10 September 1992 and remained in that position until about 10 August 1994, during which time, the forces under his command and control conducted a campaign of sniping and shelling against the civilian population of Sarajevo.

GENERAL ALLEGATIONS

6. The Sarajevo Romanija Corps formed a significant part of the VRS under the ultimate command of Ratko MLADIC, the Commander of the Main Staff and Radovan KARADZIC, initially President of the Presidency of the Bosnian Serb administration in Bosnia and Herzegovina and, subsequently, as President of the "Republika Srpska" and designated Supreme Commander of its armed forces.

7. By 10 September 1992 the Sarajevo Romanija Corps controlled all the Bosnian Serb territory around Sarajevo, including established confrontation lines and artillery positions.

8. **STANISLAV GALIC**, during his period as Corps Commander of the Sarajevo Romanija Corps, was in a position of superior authority to approximately 18,000 military personnel, formed into 10 brigades.

9. As Corps Commander of the Sarajevo Romanija Corps, **STANISLAV GALIC** demonstrated his authority and control over forces comprising and attached to the Sarajevo Romanija Corps, *inter alia*, by participating in negotiations and the implementation of a heavy weapons total exclusion zone (TEZ), controlling access of UNPROFOR and other UN personnel to territory around Sarajevo and, in particular, heavy weapon sites.

10. **STANISLAV GALIC** bears individual criminal responsibility for planning, instigating,

ordering, committing, or otherwise aiding and abetting, in the planning, preparation or execution of the campaign of shelling and sniping against the civilian population of Sarajevo and the acts set forth below by the forces and persons under his command, pursuant to Article 7(1) of the Statute of the Tribunal.

11. **STANISLAV GALIC** also bears individual criminal responsibility as a Commander of the Sarajevo Romanija Corps, responsible for the conduct of subordinates in respect of whom he was in a position of superior authority. **STANISLAV GALIC** is responsible for the acts and omissions of his subordinates, knowing, or having reason to know, that the subordinates were about to commit such acts, or had done so, failing to take reasonable steps to prevent such acts, or to punish the perpetrators thereof. By failing to take the actions required of a person in superior authority, **STANISLAV GALIC** is responsible for the acts and omissions set forth below pursuant to Article 7 (3) of the Statute of the Tribunal.

12. At all material times relevant to this indictment, an armed conflict existed in Bosnia and Herzegovina in the territory of the former Yugoslavia.

13. Wherever a crime against humanity, a crime recognised by Article 5 of the Statute of the Tribunal, is charged in this indictment, the alleged acts or omissions were part of a widespread or systematic or large scale attack directed against a civilian population.

14. Wherever a violation of the laws or customs of war, a crime recognised by Article 3 of the Statute of the Tribunal, is charged in this indictment, the acts or omissions were directed against civilian persons.

15. All Counts in this indictment allege the totality of the campaigns of sniping and shelling against the civilian population but the scale was so great that the Schedules to the individual groups of counts in this indictment set forth only a small representative number of individual incidents for specificity of pleading.

16. At all relevant times, **STANISLAV GALIC** was required to abide by the laws or customs governing the conduct of war.

CHARGES:

COUNT 1 (INFLECTION OF TERROR)

From about 10 September 1992 to about 10 August 1994, **STANISLAV GALIC**, as Commander of Bosnian Serb forces comprising or attached to the Sarajevo Romanija Corps, conducted a protracted campaign of shelling and sniping upon civilian areas of Sarajevo and upon the civilian population thereby inflicting terror and mental suffering upon its civilian population.

By his acts and omissions, **STANISLAV GALIC** is responsible for:

COUNT 1: Violations of the Laws or Customs of War (unlawfully inflicting terror upon civilians as set forth in Article 51 of Additional Protocol I and Article 13 of Additional Protocol II to the Geneva Conventions of 1949) punishable under Article 3 of the Statute of the Tribunal.

**COUNTS 2 to 4
(SNIPING)**

Between 10 September 1992 and 10 August 1994, **STANISLAV GALIC**, as Commander of Bosnian Serb forces comprising or attached to the Sarajevo Romanija Corps, conducted a coordinated and protracted campaign of sniper attacks upon the civilian population of Sarajevo, killing and wounding a large number of civilians of all ages and both sexes, such attacks by their nature involving the deliberate targeting of civilians with direct fire weapons. Specific instances of these attacks include, by way of representative allegations, those matters set forth in the First Schedule to this indictment.

By his acts and omissions, **STANISLAV GALIC** is responsible for:

COUNT 2: Crimes against Humanity (murder) punishable under Article 5(a) of the Statute of the Tribunal.

COUNT 3: Crimes against Humanity (inhumane acts-other than murder) punishable under Article 5(i) of the Statute of the Tribunal.

COUNT 4: Violations of the Laws or Customs of War (attacks on civilians as set forth in Article 51 of Additional Protocol I and Article 13 of Additional Protocol II to the Geneva Conventions of 1949) punishable under Article 3 of the Statute of the Tribunal.

**COUNTS 5 to 7
(SHELLING)**

Between 10 September 1992 and 10 August 1994, **STANISLAV GALIC**, as Commander of Bosnian Serb forces comprising or attached to the Sarajevo Romanija Corps, conducted a coordinated and protracted campaign of artillery and mortar shelling onto civilian areas of Sarajevo and upon its civilian population. The campaign of shelling resulted in thousands of civilians being killed or injured. Specific instances of this shelling include, by way of representative allegations, the matters set forth in the Second Schedule to this indictment.

By his acts and omissions, **STANISLAV GALIC** is responsible for:

COUNT 5: Crimes against Humanity (murder) punishable under Article 5(a) of the Statute of the Tribunal.

COUNT 6: Crimes against Humanity (inhumane acts-other than murder) punishable under Article 5(i) of the Statute of the Tribunal.

COUNT 7: Violations of the Laws or Customs of War (attacks on civilians as set forth in Article 51 of Additional Protocol I and Article 13 of Additional Protocol II to the Geneva

Conventions of 1949) punishable under Article 3 of the Statute of the Tribunal.

Date:

Signed:

Louise Arbour

Prosecutor

THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

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SECOND SCHEDULE TO THE INDICTMENT

COUNTS 1 -TERROR and 5 to 7 -SHELLING

- 01 June 1993: Two 82 mm mortar shells were fired in quick succession upon a civilian crowd of approximately 200 in Dobrinja 3B, a residential settlement, who were watching a football game. Twelve people were killed and 101 wounded. The origin of fire was from VRS positions east south east of Dobrinja.
- 12 July 1993: An 82 mm mortar shell hit a civilian group of about 100 people waiting for water near a communal water tap near 155 Aleja B Bujica in Dobrinja, a residential settlement. Twelve people were killed and fifteen wounded. The origin of fire was Nedzarici, VRS held territory.
- 06 December 1993: Two 122 mm artillery shells hit the area of " Ciglane Market" in Djure Dakovica Street. Four people were killed and thirteen wounded. The origin of fire was VRS held territory at Poljine.

- 22 January 1994: Three 82 mm mortar shells landed in the area of Alipasino Polje, one on a car park and two near civilian apartment blocks. Children were playing on sleds in the snow in the area. These shells killed six people, including two children, and wounded five. The origin of fire was from the VRS held territory near the Institute for the Blind in Nedzarici.
- 04 February 1994: A large group of civilians waiting for distribution of humanitarian aid in Dobrinja residential area was hit by a salvo of three 120 mm mortar shells killing eight people and wounding 23. The origin of fire was from VRS territory, the confrontation lines being only 300 meters distant.
- 05 February 1994: A 120 mm mortar shell hit a crowded open air market called "Markale" situated in a civilian area of Old Town Sarajevo, killing 66 people and wounding over 140. The origin of fire was VRS held territory NNE at Spicasta Stijena or Mrkovici.

Dated

Louise Arbour
Prosecutor