

THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA**CASE NO. IT-95-14****THE PROSECUTOR OF THE TRIBUNAL****AGAINST**

Dario KORDIC
Tihofil also known as Tihomir BLASKIC
Mario CERKEZ
Ivan also known as Ivica SANTIC
Pero SKOPLJAK
Zlatko ALEKSOVSKI

INDICTMENT

Richard J. Goldstone, Prosecutor of the International Criminal Tribunal for the former Yugoslavia, pursuant to his authority under Article 18 of the Statute of the International Criminal Tribunal for the former Yugoslavia ("The Statute of the Tribunal"), charges that:

1. Serious violations of international humanitarian law took place during the period of May 1992 to May 1993, when the armed forces of the Croatian Defence Council (hereinafter referred to as HVO) of the Croatian Community of Herceg-Bosna (hereinafter referred to as HZ-HB) attacked the Muslim civilian population in the towns, villages and hamlets of the Lasva Valley area of Central Bosnia generally and specifically in the municipalities of Vitez and Busovaca and the civilian population of the nearby city of Zenica, in the territory of the Republic of Bosnia and Herzegovina.

THE ACCUSED

2. **Dario KORDIC** was born on 14 December 1960 in Sarajevo, in the Republic of Bosnia and Herzegovina. From at least 1991 until the present, he has been an active and influential member of a Bosnian Croat political party named the Croatian Democratic Union of Bosnia and Herzegovina (hereinafter referred to as HDZBiH). From at least 22 September 1992 until the present, he has been Vice-President and a member of the Presidency of HZ-HB and from on or about 10 July 1994, he has been Chairman of the HDZBiH.

3. **Tihofil BLASKIC**, son of Ivo, was born on 2 November 1960 in the village of Brestovsko, municipality of Kiseljak, in the Republic of Bosnia and Herzegovina. He is a career military officer who graduated from the Military Academy in Belgrade in 1983 and formerly served as a Captain in the Yugoslav Peoples Army (JNA). At all times material to this indictment, he held the rank of Colonel and was the Commander of the Central Bosnia Operative Zone of the HVO. Since about August 1993, he has held the rank of General and is the Chief of Staff of the HVO with his headquarters in Mostar.

4. **Mario CERKEZ**, son of Tugomir, was born on 27 March 1959 in the village of Rijeka, municipality of Vitez, in the Republic of Bosnia and Herzegovina. His Official Personal Identification No. is 2703959193612. In 1992, during the formation of the HVO forces in Vitez, he became the commander of the HVO Brigade stationed in the municipality of Vitez. He held that position until at least the end of May 1993 and during the HDZBiH/HVO take over of the municipal functions within Vitez municipality. He is currently residing in Vitez.

5. **Ivan SANTIC**, son of Stipe, was born in 1942 and is married to Marica. He is a chemical engineer and was formerly the Technical Manager in the Sintevit factory in Vitez. He was Mayor of the municipality of Vitez from at least May 1992 and at all times material to this indictment. He held this position during the HDZBiH/HVO take over of the municipal functions within Vitez municipality. He is currently residing in Vitez.

6. **Pero SKOPLJAK**, son of Ante, was born on 4 June 1943 in Vitez, in the Republic of Bosnia and Herzegovina. His Official Personal Identification No. is 0406943193610, and he was a graduate of the Faculty of Theology of the Roman Catholic Church. He was formerly the President of the Executive Committee of Vitez HDZBiH Electoral Assembly and Chief of Police, at the Public Security Station, of Vitez municipality in Central Bosnia from at least October 1992 to May 1993. He is now an official in the Office of the Vice-President of HZ-HB.

7. **Zlatko ALEKSOVSKI**, son of Tale and Eva (nee Stanko), was born on 08 January 1960 in Pakrac, Pakrac municipality, in the Republic of Croatia. He completed studies at the "Veljko Vlahovic" Faculty of Political Sciences, Department of Sociology, in Sarajevo on 28 September 1983. From 23 February 1987, he was employed as a counsellor at the "Zenica Correction House" until on or about 29 January 1993, when he left to become commander of the prison facility at Kaonik, near Busovaca. After May 1993, he left Kaonik to become the Head of the District HVO "Heliodrom" prison in Mostar, which was also under the administration HZ-HB.

SUPERIOR AUTHORITY

8. **Dario KORDIC** was elected President of the HDZBiH Party in the municipality of Busovaca in 1991. This party was the main Bosnian Croat political party in the Republic of Bosnia and Herzegovina. On 18 November 1991, he participated in the formation of HZ-HB and was a signatory to the Decision establishing HZ-HB in the Republic of Bosnia and Herzegovina. That Bosnian Croat political entity was proclaimed by the HDZBiH to include the municipalities of Travnik, Vitez, Novi Travnik, Busovaca and Kiseljak. By at least 10 May 1992, Kordic became the Vice-President of the HVO in HZ-HB. By at least 22 May 1992, he became one of two Vice-Presidents of HZ-HB and remained so at all times material to this indictment.

9. **Dario KORDIC** was, by virtue of his position as a Vice-President of HZ-HB, also a member of the Presidency, being the legislative body of HZ-HB. According to Article 7 of the Decision on Founding the Croatian Community of Herceg-Bosna, dated 3 July 1992, its Presidency consists of the President, two Vice-Presidents and the Secretary.

10. **Dario KORDIC**, by virtue of holding various political positions from time to time, culminating in his positions as Vice-President of HZ-HB and the HVO, and by virtue of his political power base in Central Bosnia, exerted power, influence and control over the political and strategic aims and operations of the HVO in the Central Bosnia Operative Zone (one of the four HVO military operative zones within HZ-HB) at all times material to this indictment.

11. **Dario KORDIC** demonstrated power, influence, authority and control on numerous occasions and in numerous ways including, but not limited to, negotiating cease-fire agreements, issuing orders that were directly or indirectly of a military nature, representing himself as a HVO Colonel, dressing in a HVO uniform, having a military operations room in his office in Busovaca, countermanding cease-fire agreements when the terms were not suitable to him, issuing orders for the arrest or release of influential Muslims held prisoner by the HVO and negotiating the passage of relief convoys or United Nations vehicles through check-points in Central Bosnia.

12. **Tihofil BLASKIC**, since the establishment of the HVO on 8 April 1992, was instrumental in the implementation of the structure and functioning of the HVO in the Central Bosnia Operative Zone. From at least May 1992, he was a Colonel in the HVO and the Commander of the Central Bosnia

Operative Zone and remained so at all times material to this indictment. **Tihofil BLASKIC's** authority and duties as a commander are set forth in the Decree on the Armed Forces of the Croatian Community of Herceg-Bosna, dated 17 October 1992. That Decree provides, *inter alia*, that he is responsible for the combat readiness of the troops under his command, the mobilisation of the armed forces and police units, and the authority to appoint commanders.

13. **Tihofil BLASKIC** has demonstrated or exercised his control in military matters in a variety of ways including, but not limited to, negotiating cease-fire agreements, negotiating with United Nations officials, establishing the organisational structures of the Armed Forces of the HVO, appointing and relieving military commanders, deploying troops, artillery and other units under his command, issuing orders to municipal HVO headquarters, acting as a liaison with senior Croatian Army officials and controlling external military units operating within his area of command.

14. **Mario CERKEZ**, from at least August 1992, was the Commander of the HVO Brigade situated in the municipality of Vitez, and remained so at all times material to this indictment. His position within the HVO meant he came under the Command of **Tihofil BLASKIC**, the HVO Central Bosnia Operative Zone Commander at the time. The "Viteska" Brigade headquarters was situated in the Hotel Vitez, the same building as **BLASKIC's** headquarters. **Mario CERKEZ's** authority and duties as a commander are set forth in the Decree on the Armed Forces of the Croatian Community of Herceg-Bosna, dated 17 October 1992, which provides, *inter alia*, that he is responsible for the combat readiness of the troops under his command, the mobilisation of the armed forces and police units, and the authority to appoint commanders.

15. **Mario CERKEZ** has demonstrated or exercised his control in military matters in a variety of ways including, but not limited to, negotiating cease-fire agreements with opposing civil and military figures from within the Muslim community, negotiating with United Nations officials, appointing military commanders, issuing orders to deploy troops and other units under his command and controlling the detention and treatment of detained civilians during times of military conflict.

16. **Ivan SANTIC** was the Mayor of the municipality of Vitez from at least May 1992 until May 1993. He represented the Bosnian Croat population of Vitez within the HDZBiH. By virtue of his political and official position, he exerted considerable power, influence, authority and control over the political and strategic military aims of the HVO in the municipality of Vitez.

17. **Ivan SANTIC** has demonstrated or exercised his control over civil and military matters within the Vitez Municipality in a variety of ways including, but not limited to, negotiating cease-fire agreements with opposing civil and military figures from within the Muslim community, negotiating with United Nations officials, controlling the municipal and governmental functions within Vitez municipality and controlling the detention and treatment of detained civilians during times of military conflict.

18. **Pero SKOPLJAK** was a President of the HDZBiH Executive Committee for the municipality of Vitez. From at least October 1992 until May 1993 he was the Chief of Police in the municipality of Vitez. By virtue of his political and official position, he exerted power, influence, authority and control over the political and strategic military aims of the HVO in the municipality of Vitez.

19. **Pero SKOPLJAK** has demonstrated or exercised his control over civil, police and military matters within the municipality of Vitez in a variety of ways including, but not limited to, negotiating cease-fire agreements with opposing civil and military figures from within the Muslim community, negotiating with United Nations officials, controlling the municipal and governmental functions and, controlling the detention and treatment of detained civilians during times of military conflict.

20. **Zlatko ALEKSOVSKI** was an official at the Zenica prison from 23 February 1987 until leaving

to be the commander of the detention facility at Kaonik, near Busovaca, on or about 29 January 1993. He was in charge of Kaonik Prison and was in a position of superiority to everyone else in the camp. As commander, he met International Committee of the Red Cross (hereinafter referred to as ICRC) and European Community Monitoring Mission (hereinafter referred to as ECMM) officials and provided them with lists of detained persons and acknowledged his position of commander of the facility and his understanding of the Geneva Conventions in relation to the detention and treatment of prisoners in his charge.

21. **Zlatko ALEKSOVSKI** has demonstrated or exercised his control over the detention facility of Kaonik Prison in a variety of ways including, but not limited to, formal meetings with ICRC and ECMM officials, accepting the custody of arrested persons by HVO units, allowing the unlawful interrogation of detained persons and, allowing them to be used for unlawful forced labour (digging trenches) and human shields.

22. GENERAL ALLEGATIONS

22.1 At all times relevant to this indictment, a state of international armed conflict and partial occupation existed in the Republic of Bosnia and Herzegovina, in the territory of the former Yugoslavia.

22.2 All acts or omissions herein set forth as grave breaches of the Geneva Conventions of 1949 (hereafter "grave breaches"), recognised by Article 2 of the Statute of the Tribunal, occurred during that international armed conflict and partial occupation.

22.3 In each paragraph charging crimes against humanity, a crime recognised by Article 5 of the Statute of the Tribunal, the alleged acts or omissions were part of a widespread, large-scale or systematic attack directed against a civilian population, specifically the Bosnian Muslim population of the Lasva Valley region of the Republic of Bosnia and Herzegovina.

22.4 All of the victims referred to in the charges contained in this indictment were, at all relevant times, persons protected by the Geneva Conventions of 1949.

22.5 All of the accused in this indictment were required to abide by the mandate of the laws and customs governing the conduct of war, including the Geneva Conventions of 1949.

22.6 The general allegations contained in paragraphs 8 through to 22.5 are realleged and incorporated into each of the related charges set out below.

CHARGES

23. Between 01 May 1992 and 31 May 1993, Bosnian Muslims were persecuted on political, racial and religious grounds throughout the Lasva Valley area. **Dario KORDIC** and **Tihofil BLASKIC**, during those times, and throughout the Lasva Valley area, did, by their acts and omissions, and in concert with others, commit a crime against humanity by persecuting Bosnian Muslims on political, racial and religious grounds. They are criminally responsible for the murder and wounding of Muslim civilians or detainees, the attacking and bombarding of undefended towns, villages and dwellings, deliberate attacks on the civilian population, the unlawful destruction of businesses, homes, personal property and livestock, the unlawful treatment of detainees, the targeting of political leaders and professionals by murdering them or detaining them in detention facilities for extended periods of time, the plundering of homes and personal property, the transferring or forcing of civilians to move out of the Lasva Valley to predominantly Muslim populated regions and the commission of other inhumane acts. Persecution was carried out by one or more of the aforementioned means, some of which are more particularised below.

24. In January and April 1993, HVO forces or their agents, under the direction and control of **Dario Kordic and Tihofil Blaskic**, planned and executed a systematic campaign of bombarding, attacking and destroying towns, villages and hamlets in the Lasva Valley area, or parts thereof, whose inhabitants were predominantly Bosnian Muslims. These communities, and their Bosnian Muslim inhabitants, were selected and targeted on political, racial and religious grounds. The attacks on these communities were conducted by HVO forces, which in the Vitez municipality included members of the Viteska Brigade, under the direction and control of **Mario CERKEZ**. The Bosnian Muslim communities that were attacked in the Lasva Valley area had few or no Bosnia and Herzegovina Army (hereinafter referred to as ABiH) troops present in or near the community. Many of the attacks commenced early in the morning when most of the inhabitants were in their homes and asleep. At least one hundred defenceless Bosnian Muslim civilians, including women, children, the elderly and the infirm, were killed and many wounded or harmed in their homes, in their yards, while attempting to escape from the HVO attacks or bombardments or after they had been detained by the HVO.

25. In late April 1993, when ABiH forces were involved in a counter-offensive against the HVO in or near the Lasva Valley area, HVO forces or their agents, under the direction and control of **Dario Kordic and Tihofil BLASKIC**, bombarded civilians gathering in the central shopping area of Zenica, resulting in the deaths of at least 17 civilians and the wounding of many others.

26. Between 1 January and at least 31 May 1993, in the municipalities of Busovaca and Vitez, hundreds of Bosnian Muslim civilians that had not escaped from or been killed in HVO attacks, were systematically selected and rounded up on political, racial or religious grounds by HVO forces or their agents, under the direction and control of **Dario KORDIC and Tihofil BLASKIC**. These Bosnian Muslim civilians, including the many wounded in the attacks, were taken and detained by HVO forces or their agents, some of which included members of the Viteska Brigade, which was under the direction and control of **Mario CERKEZ**. These civilians were interned, along with captured Muslim combatants, in detention facilities located at diverse locations in the Lasva Valley area. These facilities include, but are not limited to the:

Vitez Cinema Complex,
Kaonik Prison near Busovaca,
Vitez Veterinary Station,
Dubravica Elementary School, and
Several Muslim Homes in Gacice.

27. These detention facilities were staffed, operated or controlled by the HVO or their agents, under the direction and control of **Dario KORDIC and Tihofil BLASKIC**.

28. The hundreds of Bosnian Muslim civilians described in paragraph 26, were detained in these facilities for various lengths of time on the basis of political, racial and religious grounds until they were either killed, transferred or forced to move to Muslim dominated areas outside the Lasva Valley area generally, and specifically outside the municipalities of Vitez, Novi Travnik and Busovaca.

29. While detained, many of the Muslim civilians and captured Muslim combatants were subjected by the HVO or their agents, under the direction and control of **Dario KORDIC and Tihofil BLASKIC**, to inhumane treatment including, being kept in cramped or overcrowded facilities, being provided with inadequate food or water, being provided with inadequate or no medical treatment for the infirm or wounded, being subjected to physical or psychological abuse and intimidation, being repeatedly forced to dig trenches for the HVO at numerous and diverse locations at or near lines of confrontation between the HVO and the ABiH, thereby subjecting such detainees to mental and physical harm, being subjected to use as human shields at diverse locations in the Lasva Valley area in order to protect HVO military installations or troops from forces hostile to the HVO and some being shot or beaten to death by the HVO.

30. On 19 April 1993, **Mario CERKEZ**, having previously controlled the arrest and detention of hundreds of Muslim civilians through his command of HVO units in Vitez, stated that the HVO would kill 2,200 Muslim civilians detained in Vitez unless pressure was put on the ABiH and civil authorities to stop the ABiH counter-offensive in the Vitez area. This threat was reaffirmed on 20 April 1993 by **Pero SKOPLJAK** and **Ivan SANTIC** and they were thus able, through threats, intimidation and coercion, to force the signing of a document beneficial to the interest of the HVO and potentially detrimental to the interests of the ABiH. Thereafter, **Mario CERKEZ**, **Pero SKOPLJAK** and **Ivan SANTIC** allowed the continued detention of the Muslim civilian detainees who were under their care and control, the inhumane treatment of the detainees, the use of detained persons for forced labour (digging trenches) and the use of detained persons as human shields. During such time of detention some of them were murdered or otherwise killed.

31. From January 1993 until at least the end of May 1993, **Zlatko ALEKSOVSKI** accepted hundreds of detained Bosnian Muslim civilians from the HVO or their agents into his custody at the detention facilities in Kaonik. The detainees were from a widespread area including, but not exclusive to, Vitez and Busovaca municipalities. Many of the detainees under his control were subjected to inhumane treatment, including, but not limited to, excessive and cruel interrogation, physical and psychological harm, forced labour (digging trenches), in hazardous circumstances, being used as human shields and some were murdered or otherwise killed.

32. Persecution, throughout the Lasva Valley area, involved the systematic and wanton destruction of Bosnian Muslim homes, personal property, livestock and businesses by the HVO armed forces, police, and their agents, or third parties with their acquiescence, under the direction or control of **Dario KORDIC** and **Tihofil BLASKIC**. Between October 1992 and the end of May 1993, Bosnian Muslim property was singled out on the basis of political, racial, and religious grounds and systematically destroyed, either before the hostilities commenced or during or after the HVO attacks on the Muslim civilian population in the Lasva Valley area. The effect of this unlawful, excessive and wanton destruction of hundreds of Bosnian Muslim homes, personal property and livestock, not justified by military necessity, was to ensure that the inhabitants who had not been killed, could not or would not return to their homes and communities in the Lasva Valley area. The towns, villages and hamlets, or Muslim portions thereof, where extensive destruction occurred include, but are not limited to:

TOWN/VILLAGE APPROXIMATE PERIOD OF DESTRUCTION

Ahmici April 1993
 Busovaca January 1993 to May 1993
 Gacice April 1993
 Kacuni April 1993
 Loncari April 1993
 Nadioci April 1993
 Ocenici April 1993
 Pirici April 1993
 Putis April 1993
 Santici April 1993
 Sivri Selo April 1993
 Stari Vitez April 1993
 Veceriska/Donja Veceriska April 1993
 Vitez December 1992 to May 1993

33. Beginning in January 1993 and through to May 1993, HVO forces or their agents, under the direction or control of **Dario KORDIC** and **Tihofil BLASKIC**, on the basis of political, racial and religious grounds, unlawfully bombarded the central shopping area of Zenica and systematically attacked hundreds of undefended dwellings or buildings in numerous towns, villages and hamlets in

diverse locations in the Lasva Valley area that were owned, and many of which were occupied, by Bosnian Muslim civilians, and were of no military significance at the time of the attack or bombardment, in order to kill, terrorise, or demoralise the Bosnian Muslim population. These incidents resulted in hundreds of Bosnian Muslim civilian casualties in numerous locations including but not limited to :

LOCATION COMMENCEMENT DATE

Ahmici 16 April 1993, 5.30 a.m.
 Busovaca January 1993 and 26 April 1993
 Gacice 20 April 1993, 5.50 a.m.
 Kacuni January 1993
 Loncari 17 April 1993
 Nadioci 16 April 1993, 5.30 a.m.
 Ocenici 19 April 1993
 Pirici 16 April 1993, 6.00 a.m.
 Putis 16 April 1993
 Santici 16 April 1993, 5.30 a.m.
 Sivrino Selo 16 April 1993
 Stari Vitez 16 April 1993, 5.45 a.m.
 Veceriska/Donja Veceriska 16 April 1993, 5.30 a.m.
 Vitez 16 April 1993, 5.15 a.m.
 Zenica 19 April 1993

34. All events described in paragraphs 23-33 were directed against Bosnian Muslim civilians on political, racial and religious grounds. Individually and collectively, these actions were on such a large scale and widespread basis, and implemented in such a systematic fashion, that they have effectively destroyed or removed almost the entire Muslim civilian population from those areas of the Lasva Valley where the HVO and the Bosnian Croat administration has taken control.

COUNTS 1 - 3 (CRIMES AGAINST HUMANITY)

35. **Dario KORDIC** and **Tihofil BLASKIC**, between 1 May 1992 and 31 May 1993, individually, and in concert with others, planned, instigated, ordered or otherwise aided and abetted in the planning, preparation or execution of the following crimes:

1. persecutions of Bosnian Muslims in the Lasva Valley area of the Republic of Bosnia and Herzegovina, on political, racial and religious grounds,
2. bombardments and attacks which caused the death of over one hundred Bosnian civilians in the Lasva Valley area and the city of Zenica, in the Republic of Bosnia and Herzegovina,
3. inhumane acts against Bosnian civilians in the Lasva Valley area, and civilians in the central shopping district of the city of Zenica, in the Republic of Bosnia and Herzegovina,

and, or in the alternative, 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.

By these acts and omissions **Dario KORDIC** and **Tihofil BLASKIC** committed :

Count 1: a CRIME AGAINST HUMANITY as recognised by Articles 5(h) (persecution on political, racial, and religious grounds), 7(1) and 7(3) of the Statute of the Tribunal (as described in paragraphs 23-34, which are incorporated in full herein);

Count 2: a **CRIME AGAINST HUMANITY** as recognised by Articles 5(a) (murder), 7(1) and 7(3) of the Statute of the Tribunal (as described in paragraphs 24-25 which are incorporated in full herein);

Count 3: a **CRIME AGAINST HUMANITY** as recognised by Articles 5(i) (inhumane acts), 7(1) and 7(3) of the Statute of the Tribunal (as described in paragraphs 23, 28-34, and all references to the wounding or harming of many Bosnian civilians as set out in paragraphs 24-25, all of which are incorporated in full herein).

COUNTS 4 - 7

(GRAVE BREACHES AND VIOLATION OF THE LAWS OR CUSTOMS OF WAR) (WILFUL KILLING AND WOUNDING OF BOSNIAN MUSLIM CIVILIANS)

36. **Dario KORDIC, Tihofil BLASKIC and Mario CERKEZ, between 1 January and 31 May 1993**, and as described in paragraphs 24-25 of this indictment, both of which are incorporated in full herein, individually, and in concert with others, planned, instigated, ordered or otherwise aided and abetted in the planning, preparation, or execution of the murder of over one hundred civilians and the wounding of many others in the Lasva Valley area and in the city of Zenica, in the Republic of Bosnia and Herzegovina and, or in the alternative, 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.

By these acts and omissions **Dario KORDIC, Tihofil BLASKIC, and Mario CERKEZ** committed:

Count 4: a **GRAVE BREACH** as recognised by Articles 2(a) (wilful killing), 7(1) and 7(3) of the Statute of the Tribunal;

Count 5: a **GRAVE BREACH** as recognised by Articles 2(c) (wilfully causing great suffering or serious injury to body or health), 7(1) and 7(3) of the Statute of the Tribunal;

Count 6: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** as recognised by Articles 3 (deliberate attack on the civilian population and individual civilians), 7(1) and 7(3) of the Statute of the Tribunal;

Count 7: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognised by Article 3, 7(1), and 7(3) of the Statute of the Tribunal and Article 3(1)(a)(murder) of the Geneva Conventions of 1949.

COUNTS 8 - 10

(GRAVE BREACHES AND VIOLATION OF THE LAWS OR CUSTOMS OF WAR) (UNLAWFUL TREATMENT OF BOSNIAN MUSLIM DETAINEES)

37. **Dario KORDIC, Tihofil BLASKIC, Mario CERKEZ, Ivan SANTIC, Pero SKOPLJAK and Zlatko ALEKSOVSKI**, between 1 January and 31 May 1993, and as otherwise described in paragraphs 23 and 26-31 this indictment, all of which are incorporated in full herein, individually, and in concert with others, planned, instigated, ordered or otherwise aided and abetted in the planning, preparation or execution of the unlawful treatment of Bosnian Muslim detainees in the Lasva Valley area of the Republic of Bosnia and Herzegovina and, or in the alternative, 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.

By these acts and omissions **Dario KORDIC, Tihofil BLASKIC, Mario CERKEZ, Ivan SANTIC, Pero SKOPLJAK and Zlatko ALEKSOVSKI** committed:

Count 8: a **GRAVE BREACH** as recognised by Articles 2(b) (inhuman treatment), 7(1) and 7(3) of the Statute of the Tribunal;

Count 9: a **GRAVE BREACH** as recognised by Articles 2(c) (wilfully causing great suffering or serious injury to body or health), 7(1) and 7(3) of the Statute of the Tribunal;

Count 10: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** (outrages upon the personal dignity) as recognised by Articles 3, 7(1) and 7(3) of the Statute of the Tribunal.

COUNTS 11 - 13

(GRAVE BREACH AND VIOLATIONS OF THE LAWS OR CUSTOMS OF WAR) (ATTACKS, BOMBARDMENTS, AND DESTRUCTION OF CIVILIAN PROPERTY)

38. **Dario KORDIC, Tihofil BLASKIC and Mario CERKEZ**, between 1 January and 31 May 1993 and otherwise as described in paragraphs 23-25 and 32-33 of this indictment, all of which are incorporated in full herein, individually, and in concert with others, planned, instigated, ordered or otherwise aided and abetted in the planning, preparation or execution of the unlawful attacking, bombarding and destruction of Bosnian Muslim dwellings, businesses, buildings, personal property and livestock in the Lasva Valley area of the Republic of Bosnia and Herzegovina, and, or in the alternative, 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.

By these acts and omissions **Dario KORDIC, Tihofil BLASKIC and Mario CERKEZ**, committed:

Count 11: a **GRAVE BREACH** as recognised by Articles 2(d) (extensive destruction of property), 7(1) and 7(3) of the Statute of the Tribunal;

Count 12: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** (wanton destruction of dwellings or other installations that are used only by the civilian population, including places of religious worship) as recognised by Articles 3, 7(1) and 7(3) of the Statute of the Tribunal;

Count 13: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** (attacks on dwellings or other installations that are used only by the civilian population, including places of religious worship) as recognised by Articles 3, 7(1) and 7(3) of the Statute of the Tribunal.

Richard J. Goldstone
Prosecutor

November 1995
The Hague,
The Netherlands