#### PART 1.

### THE PRIJEDOR GENOCIDE

The Prijedor genocide<sup>[1][2][3]</sup>, refers to numerous war crimes committed during the Bosnian war by the Serb political and military leadership mostly on Bosniak civilians in the Prijedor region of Bosnia-Herzegovina. After the Srebrenica genocide, it is the second largest massacre committed during the Bosnian war in 1992. Around 5,200 Bosniaks and Croats from Prijedor are missing or were killed during the massacre period, and around 14,000 people in the wider region of Prijedor (Pounje).<sup>[4]</sup>

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# **Background**

Following Slovenia's and Croatia's declarations of independence in June 1991, the situation in the Prijedor municipality rapidly deteriorated. During the war in Croatia, the tension increased between the Serbs and the communities of Bosniaks and Croats.

Bosniaks and Croats began to leave the municipality because of a growing sense of insecurity and fear amongst the population which was caused by Serb propaganda which became increasingly visible. The municipal newspaper Kozarski Vjesnik started publishing allegations against the non-Serbs. The Serb media propagandised the idea that the Serbs had to arm themselves. Terms like Ustasha (Ustaše), Mujahideen (Mudžahedini) and Green Berets (Zelene beretke) were used widely in the press as synonyms for the non-Serb population. Radio Prijedor disseminated propaganda insulting Croats and Bosnian Muslims. As one result of the takeover of the transmitter station on Mount Kozara in August 1991 by

the Serbian paramilitary unit the *Wolves of Vucak*, TV Sarajevo was cut off. It was replaced by broadcasts from Belgrade and Banja Luka with interviews of Serb radical politicians and renditions of Serb nationalistic songs which would previously have been banned.<sup>[5]</sup>

### Political developments before the takeover

On January 7, 1992, the Serb members of the Prijedor Municipal Assembly and the presidents of the local Municipal Boards of the SDS proclaimed the Assembly of the Serbian People of the Municipality of Prijedor and implemented secret instructions that were issued earlier on December 19, 1991. The "*Organisation and Activity of Organs of the Serbian People in Bosnia and Herzegovina in Extraordinary Circumstances*" provided a plan for the SDS take-over of municipalities in BiH, it also included plans for the creation of Crisis Staffs. [6] Milomir Stakić, later convicted by ICTY of mass crimes against humanity against Bosniak and Croat civilians, was elected President of this Assembly. Ten days later, on January 17, 1992, the Assembly endorsed joining the Serbian territories of the Municipality of Prijedor to the Autonomous Region of Bosnian Krajina in order to implement creation of a separate Serbian state on ethnic Serbian territories. [5]

On April 23, 1992, the SDS decided *inter alia* that all Serb units immediately start working on the takeover of the municipality in co-ordination with JNA (later Army of Serbia and Montenegro and Army of Republika Srpska). By the end of April 1992, a number of clandestine Serb police stations were created in the municipality and more than 1,500 armed Serbs were ready to take part in the takeover. [5]

#### **Takeover**

A declaration on the takeover prepared by the Serb politicians from SDS was read out on Radio Prijedor the day after the takeover and was repeated throughout the day. When planning the anticipated takeover, it was decided that the 400 Serb policemen who would be involved in the takeover would be sufficient for the task. The objective of the takeover was to take over the functions of the president of the municipality, the vice-president of the municipality, the director of the post office, the chief of the police etc.

In the night of the April 29/30, 1992, the takeover of power took place. Employees of the public security station and reserve police gathered in Cirkin Polje, part of the town of Prijedor. Only Serbs were present and some of them were wearing military uniforms. The people there were given the task of taking over power in the municipality and were broadly divided into five groups. Each group of about twenty had a leader and each was ordered to gain control of certain buildings. One group was responsible for the Assembly building, one for the main police building, one for the courts, one for the bank and the last for the post-office. [5]

ICTY concluded that the takeover by the Serb politicians was as an illegal coup d'état, which was planned and coordinated a long time in advance with the ultimate aim of creating a pure Serbian municipality. These plans were never hidden and they were implemented in a coordinated action by the Serb police, army and politicians. One of the leading figures was Milomir Stakić, who came to play the dominant role in the political life of the Municipality. [5]

# Armed attacks against the civilians

After the takeover, civilian life was transformed in a myriad ways. Tension and fear increased significantly among the non-Serb population in Prijedor municipality. There was a marked increase in the military presence of Serb formations in the town of Prijedor. Armed soldiers were placed on top of all the high rise buildings in Prijedor town and the Serb police established checkpoints throughout the town of Prijedor.

In the Stakić case, the ICTY concluded that many people were killed during the attacks by the Serb army on predominantly Bosnian Muslim villages and towns throughout the Prijedor municipality and several massacres of Bosnian Muslims took place and that a comprehensive pattern of atrocities against Bosnian Muslims in Prijedor municipality in 1992 had been proved beyond reasonable doubt. [7]

### **Propaganda**

After the takeover, Radio Prijedor propagated Serb nationalistic ideas characterising prominent non-Serbs as criminals and extremists who should be punished for their behaviour. One example of such propaganda was the derogatory language used for referring to non-Serbs such as mujahedin, Ustasa or Green Berets. Both the printed and broadcast media also spread what can be only considered as blatant lies according to ICTY conclusion about non-Serb doctors: Dr. Mirsad Mujadžić of the Bosniak politicians was accused of injecting drugs into Serb women making them incapable of giving birth to male children and Dr. Željko Sikora, a Croat, referred to as the Monster Doctor, was accused of making Serb women abort if they were pregnant with male children and of castrating the male babies of Serbian parents. Moreover, in a "Kozarski Vjesnik" article dated June 10, 1992, Dr. Osman Mahmuljin was accused of deliberately having provided incorrect medical care to his Serb colleague Dr. Živko Dukić, who had a heart attack. Dr. Dukić's life was saved only because Dr. Radojka Elenkov discontinued the therapy allegedly initiated by Dr. Mahmuljin. The appeals were broadcast aimed at the Serbs to lynch the non-Serbs. Moreover, forged biographies of prominent non-Serbs, including Prof. Muhamed Ćehajić, Mr. Crnalić, Dr. Eso Sadiković and Dr. Osman Mahmuljin, were broadcast. According to ICTY conclusion in Stakić verdict Mile Mutić, the director of Kozarski Vjesnik and the journalist Rade Mutić regularly attended meetings of Serb politicians (local authorities) in order to get informed about next steps of spreading propaganda. [5][8]

# **Strengthening of Serb forces**

In the weeks following the takeover, the Serb authorities in Prijedor worked to strengthen their position militarily in accordance with decisions adopted on the highest levels. On May 12, 1992, the self-appointed *Assembly of the Serbian People* established the Serbian Army under Ratko Mladić's command by bringing together former JNA (later Army of Serbia and Montenegro and Army of Republika Srpska) units.<sup>[5]</sup>

Major Radmilo Željaja issued an ultimatum calling for all Bosniak citizens to hand over their weapons to the Serbian Army and to declare their loyalty to the Serbian Republic and to respond to the mobilisation call-ups. The ultimatum issued also contained a threat that any

resistance would be punished. For the most part, the civilian population complied with these requests turning in their hunting rifles and pistols as well as their permits and in the belief that if they handed in their weapons they would be safe. House searches performed by soldiers of the homes of the non-Serb population were common and any weapons found were confiscated. [5]

# Marking of non-Serb houses

Many non-Serbs were dismissed from their jobs in the period after the takeover. The general tendency is reflected in a decision of the Serb regional authorities i.e. Crisis Staff of the Autonomous Region of Krajina (ARK) dated June 22, 1992, which provides that all socially-owned enterprises, joint-stock companies, state institutions, public utilities, Ministries of the Interior, and the Army of the Serbian Republic may only be held by personnel of Serbian nationality. [5]

The announcements broadcast on the radio also obliged non-Serbs to hang a white cloth outside their homes as a demonstration of their loyalty to the Serbian authorities. Charles McLeod, who was with the ECMM and visited Prijedor municipality in the last days of August 1992, testified that while visiting a mixed Serb/Bosnian Muslim village he saw that the Bosniak (Bosnian Muslim) houses were identified by a white flag on the roof. This is corroborated by the testimony of Barnabas Mayhew (ECMM), who testified that the Bosnian Muslim houses were marked with white flags in order to distinguish them from the Serb houses. [5]

#### **Attack on Hambarine**

Hambarine was predominantly Bosniak village in Prijedor municipality. On May 22, 1992, Serb controlled Yugoslav People's Army (JNA) issued an ultimatum to the residents of Hambarine. The residents were to surrender several individuals alleged involved in attack on JNA. The ultimatum was not complied with and around noon the next day the shelling of Hambarine began. The shelling came from three directions from the north-west in the Karane area, from the area of Urije and from the area of Topic Hill. There were two or three Serb tanks and approximately a thousand soldiers during the attack. The bombardment of Hambarine continued until about 15:00. The Bosniak residents tried to defend the village, but they were forced to flee to other villages or to the Kurevo woods to escape the shelling. There were approximately 400 refugees, mostly women, children and elderly people, who fled Hambarine as a result of the attack that saw the Serb soldiers kill, rape and torch houses. A military operation was consequently concentrated on the Kurevo forest. [5]

### **Attack on Kozarac**

The area of Kozarac, surrounding Kozarac town, comprises several villages, including Kamičani, Kozaruša, Susici, Brđani, Babići. Before the Bosnian War approximately 98 to 99% of the inhabitants of Kozarac were Bosniaks, and the rest of the population were Gypsies, Ukrainians, Croats and Serbs. [5]

After the Serb takeover of Prijedor, the population of Kozarac tried to control the perimeter of their town and organized patrols. After the attack on Hambarine, another ultimatum was issued for the town of Kozarac. Radmilo Željaja delivered the ultimatum on Radio Prijedor, threatening to raze Kozarac to the ground if residents failed to comply. Following the ultimatum, negotiations took place between the Bosniak and the Serb sides which were unsuccessful. Stojan Župljanin, later accused of war crimes by ICTY and one of the most wanted fugitive besides Radovan Karadžić and Ratko Mladić, who led the Serb delegation, said that, unless his conditions were met, the army would take Kozarac by force. As of May 21, 1992, the Serb inhabitants of Kozarac started to leave the town. Kozarac was subsequently surrounded and the phone lines were disconnected. On the night of 22 and 23 May 1992, detonations could be heard in the direction of Prijedor and fires could be seen in the area of Hambarine. [5]

The attack started on May 25, 1992 and ended on May 27, at 13:00 hrs. Military convoy comprising two columns approached Kozarac, they opened fire on the houses and checkpoints and, at the same time, shells were fired from the hills. The shooting was aimed at people fleeing from the area. The shelling was intense and unrelenting. Over 5,000 Serb soldiers and combatants participated in the attack. Serb forces included 343rd Motorised Brigade (an enlarged motorized battalion) supported by two 105 mm howitzer batteries and one M-84 tank squadron. After the shelling, Serb forces shot people in their homes and that those who surrendered were taken to a soccer stadium of Kozarac where some men were randomly shot. After the people had been killed or fled their homes, the soldiers set fire to the houses. There was extensive destruction of property in Kozarac as a result of the attack. The houses had been not only destroyed, but leveled to the ground using heavy machinery. The medical centre in Kozarac was damaged during the attack. The attack continued until May 26, 1992 when it was agreed that the people should leave the territory of Kozarac. A large number of people in Kozarac surrendered that day. The Serb authorities explained that all those who wished to surrender should form a convoy and that a ceasefire would be in effect during this period. It was later learned that when the convoy, which left that day, reached the Banja Luka-Prijedor road the women and men were separated. The women were taken to Trnopolje and the men to Omarska and Keraterm concentration camps, which shocked the world when BBC reporters discovered them. A large numbers of women and children arrived in Prijedor on the day of the attack. The Prijedor intervention platoon, led by Dado Mrđa, Zoran Babić and others intervened and began to mistreat the women and children. Some time later in that day, buses arrived, and they ordered women and children to board these buses for Trnopolie camp. [5]

No wounded had been allowed out of Kozarac. For example, according to Dr. Merdžanić's testimony before ICTY he had not been given permission to arrange the evacuation of two injured children, one of whom had her legs completely shattered, and he had instead been told that all the *dirty Muslims* (in Serbian language: balija) should die there, as they would be killed in any event. In the attack at least 100 people were killed, and 1,500 deported to concentration camps. A report sent by colonel Dragan Marčetić to the Serb Army Main Staff dated May 27, 1992 states that the wider area of Kozarac village, i.e. the area of the village of Kozaruša, Trnopolje, Donji Jakupovići, Gornji Jakupovići, Benkovac, Rakovic has been entirely freed of Bosniaks (80–100 Bosniaks were killed, about 1,500 captured and around 100–200 persons were at large on Mt. Kozara). [5]

The Report of the Commission of Experts in Bosnia v. Serbia Genocide Case before the International Court of Justice states that the attack on Kozarac lasted three days and caused many villagers to flee to the forest while the soldiers were shooting at 'every moving thing'. Survivors calculated that at least 2,000 villagers were killed in that period. The villagers' defence fell on May 26. Serbs then reportedly announced that the villagers had 10 minutes to reach the town's soccer stadium. However, many people were shot in their homes before given a chance to leave. One witness reported that several thousand people tried to surrender by carrying white flags, but three Serb tanks opened fire on them, killing many. [9]

### Camps

During and after Kozarac and Hambarine massacres, Serb authorities set up concentration camps and determined who should be responsible for the running of those camps.<sup>[5]</sup>

### Keraterm camp

Keraterm factory was set up as a camp on or around May 23/24, 1992. There were four rooms in the camp, Room 2 being the largest and Room 3 the smallest. By late June 1992, there were about 1,200 people in the camp. Every day people were brought in or taken away from the camp. The numbers increased considerably by late July. The detainees were mostly Bosnian Muslims and to a lesser extent Croats. The detainees slept on wooden pallets used for the transport of goods or on bare concrete in a big storage room. The conditions were cramped and people often had to sleep on top of each other. In June 1992, Room 1 held 320 people and the number continued to grow. The detainees were given one meal a day, made up of two small slices of bread and some sort of stew. The rations were insufficient for the detainees. [5]

#### Omarska camp

The Omarska mines complex was located about 20 km from the town of Prijedor. The first detainees were taken to the camp sometime in late May 1992 (between 26 and 30 May). The camp buildings were almost completely full and some of the detainees had to be held on the area between the two main buildings. That area was lit up by specially installed spotlights after the detainees arrived. Female detainees were held separately in the administrative building. According to the Serb authorities documents from Prijedor, there were a total of 3,334 persons held in the camp from May 27 to August 16, 1992. 3,197 of them were Bosniaks (i.e. Bosnian Muslims), 125 were Croats. [5]

With the arrival of the first detainees, permanent guard posts were established around the camp, and anti-personnel landmines were set up around the camp. The conditions in the camp were horrible. In the building known as the "White House", the rooms were crowded with 45 people in a room no larger than 20 square meters. The faces of the detainees were distorted and bloodstained and the walls were covered with blood. From the beginning, the detainees were beaten, with fists, rifle butts and wooden and metal sticks. The guards mostly hit the heart and kidneys, when they had decided to beat someone to death. In the "garage", between 150-160 people were "packed like sardines" and the heat was unbearable. For the first few days, the detainees were not allowed out and were given only

a jerry can of water and some bread. Men would suffocate during the night and their bodies would be taken out the following morning. The room behind the restaurant was known as "Mujo's Room". The dimensions of this room were about 12 by 15 metres and the average number of people detained there was 500, most of whom were Bosniaks. The women in the camp slept in the interrogations rooms, which they would have to clean each day as the rooms were covered in blood and pieces of skin and hair. In the camp one could hear the moaning and wailing of people who were being beaten up.<sup>[5]</sup>

The detainees at Omarska had one meal a day. The food was usually spoiled and the process of getting the food, eating and returning the plate usually lasted around three minutes. Meals were often accompanied by beatings. The toilets were blocked and there was human waste everywhere. Ed Vulliamy, a British journalist, testified that when he visited the camp, the detainees were in a very poor physical condition. He witnessed them eating a bowl of soup and some bread and said that he had the impression they had not eaten in a long time. They appeared to be terrified. The detainees drank water from a river that was polluted with industrial waste and many suffered from constipation or dysentery. No criminal report was ever filed against persons detained in the Omarska camp, nor were the detainees apprised of any concrete charges against them. Apparently, there was no objective reason justifying these people's detention. [5] The Omarska camp was closed immediately after a visit by foreign journalists in early August.On 6 or 7 August 1992, the detainees at Omarska were divided into groups and transported in buses to different destinations. About 1,500 people were transported on 20 buses. [5]

# Trnopolje camp

The Trnoplje camp was set up in the village of Trnoplje on May 24, 1992. The camp was guarded on all sides by the Serb army. There were machine-gun nests and well-armed posts pointing their guns towards the camp. There were several thousand people detained in the camp, the vast majority of whom were Bosnian Muslim and some of them were Croats. According to approximation, on August 7, 1992 there were around 5,000 people detained there. Women and children were detained at the camp as well as men of military age. The camp population had a high turnover with many people staying for less than a week in the camp before joining one of the many convoys to another destination or concentration camps. The quantity of food available was insufficient and people often went hungry. Moreover, the water supply was insufficient and the toilet facilities inadequate. The majority of the detainees slept in the open air. The Serb soldiers used baseball bats, iron bars, rifle butts and their hands and feet or whatever they had at their disposal to beat the detainees. Individuals were who taken out for questioning would often return bruised or injured. Many women who were detained at the Trnopolje camp were taken out of the camp at night by Serb soldiers and raped or sexually assaulted. [5]

Slobodan Kuruzović, the commander of the Trnopolje camp, estimated that between 6,000 and 7,000 people passed through the Trnopolje camp in 1992. Those who passed through the camp were not guilty of any crime. The International Red Cross arrived in the camp in mid-August 1992. A few days later the detainees were registered and received a registration booklet. The camp was officially closed down on September 30, although there is evidence

to suggest that some 3,500 remained for a longer period, until they were transferred to Travnik in Central Bosnia. [5] Other detention facilities

There were also other facilities in Prijedor which were used to detain Bosniak and other non-Serb people. Such detention facilities included Yugoslav People's Army barracks, Miška Glava Community Centre and police building in Prijedor known as SUP building. [10]

The Yugoslav People's Army barracks in Prijedor were known as the Žarko Zgonjanin barracks. It was used as transition detention center. Some people who were fleeing the cleansing of Bišćani were trapped by Serb soldiers and taken to a command post at Miška Glava. The next morning they were called out, interrogated and beaten. This pattern continued for four or five days. Several men from the village of Rizvanovići were taken out by soldiers and have not been seen since. Around 100 men were arrested in the woods near Kalajevo by Yugoslav People's Army soldiers and reserve police and taken to the Miška Glava dom (cultural club). The detention cells were located behind the main SUP building (police building). There was also a courtyard where people were called out at night and beaten up. Prisoners detained in this building were also regularly threatened and insulted. Guards would curse them by calling them "balija", a derogative term for Muslim peasants of low origin. [5]

## Killings in the camps

Numerous killings, both inside and outside the camps were committed during the Prijedor ethnic cleansing.

On the basis of the evidence presented at the *Stakić trial*, the Trial Chamber finds that over a hundred people were killed in late July 1992 in the Omarska camp. Around 200 people from Hambarine arrived in the Omarska camp sometime in July 1992. They were initially accommodated in the structure known as the *White House*. Early in the morning, around 01:00 or 02:00 on July 17, 1992, gunshots were heard that continued until dawn. Dead bodies were seen in front of the White House. The camp guards, one of whom was recognised as Zivko Marmat, were shooting rounds into the bodies. *Everyone was given an extra bullet that was shot in their heads*. The bodies were then loaded onto a truck and taken away. There were about 180 bodies in total. <sup>[5]</sup>

On July 24 1992, the massacre at Keraterm camp known as the Room 3 massacre was committed as one of the first larger massacres committed inside the camp. New Bosniak detainees from the earlier cleansed Brdo area were incarcerated in the Room 3. For the first few days, the detainees were denied food as well as being subjected to beatings and abuse. On the day of the massacre, a large number of Serb soldiers arrived in the camp, wearing military uniforms and red berets. A machine-gun was placed in front of Room 3. That night, bursts of shooting and moans could be heard coming from Room 3. A machine gun started firing. The next morning there was blood on the walls in Room 3. There were piles of bodies and wounded people. The guards opened the door and said: *Look at these foolish dirty Muslims – they have killed each other*. The area outside Room 3 was covered with blood. A truck arrived and one man from Room 1 volunteered to assist with loading the bodies onto the truck. Soon after, the truck with all the bodies left the compound. The volunteer from

Room 1 reported that there were 128 dead bodies on the truck. As the truck left, blood could be seen dripping from it. Later that day, a fire engine arrived to clean Room 3 and the surrounding area. [5]

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### A PRIJEDOR TIMELINE: 1980 to 1995

Quotations are from the United Nations Security Council's Prijedor Report and related U.N. documents.

[Note: indented paragraphs bear on Prijedor specifically.]

#### Prelude to war

- 4 May 1980: Tito dies; collective Yugoslav presidency is established.
- 6 December 1989: Slobodan Milosevic elected present of Serbia. He begins his push for a Greater Serbia by laying claim to all areas where Serbs live.
- April-May 1990: Elections in Slovenia and Croatia set the stage for independence in those republics.
- November 1990: the SDA (Party of Democratic Action, which had strong Muslim support) wins a plurality but not majority of seats in the Prijedor Assembly. The municipal government of Prijedor is now split between Serbs and Muslims.
- 25 March 1991: Milosevic and Franjo Tudman secretly agree to divide Bosnia

- between Croatia and Serbia.
- Prijedor's Serbs establish Serb shadow government in Prijedor under Milomir Stakic.
- April 1991: Serbian politicians declare the Bosanska Krajina Srpska Autonomna Oblast (the Serbian Autonomous Region of the Bosnian Krajina).
- The Prijedor Assembly votes down a proposal to join what is essentially a secessionist state.
- 25 June 1991: Croatia and Slovenia proclaim independence.

### Prelude to genocide

- August 1991: War between Croatian forces and the Serb-dominated Yugoslav National Army begins.
- At the same time, a heavily armed brigade from Serbia arrives in Prijedor. Serbian military authorities fail to persuade the Muslim population to join their war against Croatia.
- Throughout 1991: Light weaponry is brought in from Serbia and distributed to Serbs in Prijedor under the false pretext of defense against Muslim extremists.
- Fall 1991: In Prijedor, Serbs secretly begin to set up a parallel administration called the Serb Municipality of Prijedor. They set up nine new police stations and arm the police.
- September 1991: UN establishes an arms embargo against all of Yugoslavia.
- October 1991: Bosnian parliament proclaims the sovereignty of the Republic of Bosnia-Herzegovina. Serb deputies belonging to the SDS (Serb Nationalist Party) walk out.
- 9 January 1992: The Assembly of the Serbian People in Bosnia and Herzegovina declares a separate Serb Republic.
- February 1992: In Prijedor and elsewhere, Serbs establish "Crisis Committees" (Krizni Stab).
- March 1992: Referendum is held on independence of Bosnia-Herzegovina; most Serbs boycott referendum. Of those voting, 99 percent vote in favor of an independent Bosnia-Herzegovina.
- March 3, 1992: Bosnian Parliament declares Bosnia-Herzegovina an independent republic.
- March 1992: In Prijedor, Serb artillery is moved into place on Mount Kozara.
- 21-28 March 1992: Serbs seize control of television transmitter near Prijedor on Mt. Kozara; transmissions from Zagreb and Sarajevo are blocked.
- 6 April 1992: EEC recognizes independence of Bosnia Herzegovina. In Sarajevo, Serb snipers attack peaceful demonstrators supporting a multiethnic Yugoslavia.
- 14 April 1992: Serbs erect roadblocks around Prijedor.
- 27 April 1992: Bosnia-Herzegovina decrees that the JNA (now a Serbian army, formerly the Yugoslav army) must leave the country.
- 28 April 1992: Due to mounting danger, UN military observers in Prijedor and nearby Banja Luka are withdrawn.
- 29 April 1992: Forged fax "surfaces"; it purports to order Bosnian territorial defense units to attack the JNA. The effect is to further agitate Serbs.
- 30 April 1992: The Serb Prijedor Crisis Staff takes over all government offices in Prijedor in order to "secure their survival."

- o The seizure of government offices takes twenty-five minutes.
- o What had previously been the Serb shadow government assumes control.
- Identification papers are now required of everyone.
- Massive firings of non-Serbs begin.
- o Serb police are ordered to follow Serbian law, not Bosnian law.
- o Serb authorities intensify pressure on non-Serbs to give up any weapons.
- Mid to late May, 1992: Serbian military personnel remaining in Bosnia convert JNA units into the Bosnian Serb Army, to be commanded by General Ratko Mladic. The Bosnian Serb Army would work jointly with a number of Serb paramilitary units.
- Mid May, 1992: Men belonging to ultra-nationalist paramilitary group under the leadership of Arkan (Zeljko Raznjatovic) move into Hotel Prijedor.
- 23 May to 1 June 1992: Due to series of ultimatums, non-Serbs in Prijedor surrender remaining weapons to Serb authorities.

# **Genocide in Prijedor**

- 23 May 1992: Village of Hambarine (pop. 2499) shelled and stormed. Approximately 100 villagers are killed or wounded; many more flee.
- 24 May 1992: Kozarac area (non-Serb pop. 27,000) shelled and stormed. As many as 5,000 people are killed in the Kozarac area in the days that follow.
- 35 non-Serb police officers are executed in front of the primary school.
- Serb soldiers fire upon a column of non-Serb citizens leaving Korazac, killing men, women, and children.
- "Young Muslim women" are "shepherded to Serb military positions," where they are sexually abused.
- Eight elderly non-Serbs are "shepherded into a cellar and massacred."
- 24-25 May 1992: Serbs open concentration camps at Trnopolje, Omarska, and Keraterm. Serbs focus efforts on imprisoning and otherwise eliminating Muslim and Croat leaders, including business leaders and intellectuals.
- 30 May 1992 and after: Stari Grad, Prijedor's "Old Town," is razed. Civilians who live in the area are transported to Logor Trnopolje, where they are kept without food for several days. Women and children are eventually released; men are detained.
- 30-31 May 1992: Serbs move through additional parts of the city of Prijedor, targeting and forcing out non-Serb inhabitants. Men not killed are taken to Omarska and Keraterm; women and children who are not killed are taken to Trnopolje.
   Dozens of corpses of non-Serbs are observed piled throughout the city.
- Early June 1992: All non-Serbs are required to wear white armbands and hang white flags from the windows of their homes.
- July 1992: Throughout Prijedor, Serbs destroy buildings "built in a traditional Muslim style."
- Starting 20 July 1992: The area on the left bank of the Sana River is shelled.
  - o "A total of more than 1500 people [are] killed on 20 July 1992 alone."
  - Women and children are separated from the men; the latter are executed or transported to concentration camps.
  - o When Omarska and Keraterm are filled, men on one bus destined for the

camps are shot to death by Serb soldiers.

- Houses are systematically looted and destroyed.
- 23 July 1992: Serbs encircle the town of Carakovo, southwest of Prijedor. "Hundreds
  of people [are] killed—shot, burnt alive, beaten, or tortured to death in other ways."
  At least 760 non-Serbs are killed.
- 20-25 July 1992: In Lisina, "between 70 and 100 Muslim civilians [are] killed" by Serbs.
- End of July 1992: Serbs kill between 100 and 120 Muslim civilians from Jugovci.
- 1 August 1992: In Redak, south of Ljubija, Serbs kill 200 Muslim civilians.
- Mid-August 1992: Omarska and Keraterm camps are closed; surviving prisoners divided into groups; some are executed, and others are sent to camps at Manjaca and Trnopolje.
- 21 August 1992: 228 prisoners are massacred at Koricanske Stijene on Mount Vlasic. Recounted a survivor, "they brought us to the very edge . . . facing the abyss. Then people started screaming, yelling. . . . I leaped into the abyss. . . . When I became conscious, I realized that through some incredible luck I was not injured. . . So I took a body of a man and I covered myself. . . . And then they started shooting. . . ."
- 5 November 1992: Serbs are observed burning the remains of people killed in Lisina in July. The odor is smelled "kilometers away."
- Early October 1992: Trnopolje camp is closed. Many prisoners remain in the camp because their homes have been destroyed or taken.
- 17 December1992: Radovan Karadzic becomes president of a Bosnian Serb state.

#### **Aftermath**

- 1993-1995: Random and targeted killings continue. Many of the Muslims and Catholics remaining in Prijedor and the surrounding area are forcibly deported; their property is confiscated.
- 22 February 1993: The U.N. Security Council establishes the International Criminal Tribunal for the Former Yugoslavia (ICTY).
- February 1994: A Croat-Bosniak (Catholic-Muslim) federation is established in Bosnia; joint Croat-Bosniak forces afterwards try to retake territory controlled by Bosnian Serbs.
- July 1995: U.N. "safe haven" of Srebrenica falls; Serbs massacre of more than 8,000 Bosnian men and boys.
- 29 August 1995: NATO begins Operation Deliberate Force against the Bosnian Serb insurgents.
- 16-17 September: The Bosnian army retakes extensive territories in western Bosnia, including Klju $\ddot{A}\Omega$  and Sanski Most. Bosnia forces move towards Prijedor but fail to reach the city.
- Late September-early October 1995: Serbs fleeing advancing Bosnian forces seek refuge in Prijedor; they initiate a second wave of "ethnic cleansing," pushing out Prijedor's remaining Muslims and Catholics.
- 12 October 1995: General ceasefire takes effect in Bosnia-Herzegovina, before Prijedor can be recaptured.
- 14 December 1995: The Dayton Peace Accords are signed by Slobodan Milosevic (Serbia), Franjo Tudman (Croatia), and Alija Izetbegovic (Bosnia-Herzegovina). The

agreement leaves about half the territory of Bosnia-Herzegovina in the hands of the Bosnian Serbs. The Prijedor municipality remains in the Serb-controlled part of Bosnia.

### **Attacks on Surrounding Areas**

The Prijedor Opstina, or municipality, includes seventy-two towns and villages. Following the Serb takeover of Prijedor's government, those towns and villages with large non-Serb populations came under heavy attack. Some civilians were shot as they fled or surrendered; others were captured and taken to nearby concentration camps. Homes were ransacked and burned, and mosques and Catholic churches were systematically destroyed. Towns targeted include Hambarine, Kozarac, Carakovo, Lisina, Jugovci, Volaric, and Redak.

#### Omarska

"The main objective of the concentration camps, especially Omarska but also Keraterm, seems to have been to eliminate the non-Serbian leadership. Political leaders, officials from the courts and administration, academics and other intellectuals, religious leaders, key business people and artists - the backbone of the Muslim and Croatian communities - were removed, apparently with the intention that the removal be permanent. . . . Its depletion rendered the group at large defenseless against abuses of any kind." — from the U.N.'s Prijedor Report

Located about twenty kilometers southwest of Prijedor, Omarska is an iron mining and ore processing facility that in May of 1992 was transformed into one of the most brutal prison camps in Bosnia. An estimated 5000 Muslim and Catholic civilians, thirty-seven of them women, were illegally held as prisoners at Omarska.

Torture, starvation, and dehumanizing conditions were part of daily life. On any given day dozens of prisoners might be killed. Many of the atrocities occurred at the infamous White House, a first-aid station for miners that in the summer of 1992 became a torture and killing chamber.

The exact number of people killed at Omarska is not known. The camp was closed in late August of 1992 following exposure of the atrocities in news reports by Ed Vulliamy and Roy Gutman. "Omarska was a monstrosity," wrote Vulliamy, "an inferno of murder, torture and rape. It was a stain upon our century."

#### Keraterm

A former ceramic tile factory, Keraterm was located on the eastern outskirts of Prijedor. It began operating on 25 May 1992 and held up to 1,500 prisoners.

According to testimony taken by the U.N., "conditions in Keraterm were atrocious; prisoners were crowded into its [four] rooms, as many as 570 in one room, with barely space to lie down on the concrete floors. . . Prisoners were called out, attacked with bars and batons and made to beat each other. . . . Some who were called out never returned . . . "

On 24 July 1992, Keraterm detainees were locked into Room 3 and the doors were bolted. Soldiers then began machine-gunning them. The dead and wounded, some 160 to 200 men, were taken away in a truck.

### **Trnopolje**

Trnopolje, located near Kozarac, consisted of a two-storied school building and what had been a municipal center with an attached theater.

Trnopolje held as many as 4000 prisoners, most of whom were women, children, and older men. When Omarska and Keraterm were closed in August, surviving prisoners were moved to Trnopolje.

Conditions at Trnopolje were dangerous, though somewhat less lethal than those at Omarska and Keraterm. Prisoners were interrogated, beaten and sometimes executed. No food was distributed except that brought by the local population, including Serbs.

Rape was especially prevalent. Girls between the ages of sixteen and nineteen were at the greatest risk, though at least one victim was as young as twelve. Some women were subjected to gang rapes.

Trnopolje was also a center for deportation. Deported prisoners were often first forced to sign an agreement to "voluntarily" relinquish all of their property.

In early October 1992, Trnopolje was officially closed, though some prisoners remained, since their homes had been destroyed or taken by others.

#### **War Crimes Trials**

Many of the people who committed crimes in Prijedor—and many more who benefited from those crimes—remain at large. The effort to bring justice to Prijedor continues.

The International Criminal Tribunal for the former Yugoslavia, or ICTY, was established in 1993 by a U.N. Security Council resolution. Located at The Hague in the Netherlands, the ICTY was established to prosecute war crimes and crimes against humanity committed during the wars following the breakup of the former Yugoslavia. The ICTY has been credited with documenting the extent of war crimes and with convicting many perpetrators. It has also been criticized for handing out short prison sentences and for letting many perpetrators

go free.

Following are summaries of the ICTY's proceedings for five of the principal war criminals in Prijedor.

Dusko Tadic: Tadic was indicted in 1995 for crimes committed in 1992 at Omarska, Keraterm, and Trnopolje. His actions in these camps were considered especially cruel and included beatings and rape. (Rape charges were dropped because of witnesses' fear of testifying.) He was also accused of forcing prisoners to sexually mutilate one another.

On 7 May 1997, Tadic became the first person to be convicted of war crimes since the war crimes trials of Word War II. According to an ICTY case information sheet, Tadic was found guilty of crimes against humanity and violations of the laws or customs of war.

Simo Drljaca: Simo Drljaca was the police chief of Prijedor after the Serbs took control on 30 April 1992. The ICTY indicted him for genocide, crimes against humanity, and war crimes. He was killed resisting arrest by NATO forces in Prijedor on 10 July 1997.

Zeljko Mejakic: Zeljko Mejakic was the commander of the Omarska concentration camp, where he presided over interrogations. He also presided over killings, severe beatings, and sexual assaults. He was responsible for the generally brutal living conditions imposed on the prisoners.

Mejakic was brought to the ICTY on 4 July 2003. On 7 July 2003, he pleaded "not guilty" to all counts of his indictment. His case was referred to the state court of Bosnia-Herzegovina on 9 May 2006. Today, Mejakic is still awaiting trial.

Milomir Stakic: As President of the Crisis Staff and Head of the Municipal Council for National Defense, Milomir Stakic, according to an ICTY Case Information Sheet, "instigated the military attacks which began in May 1992 on locations in Prijedor municipality inhabited principally by Bosnian Muslims and Bosnian Croats. The Prijedor Crisis Staff cooperated with and thereby aided and abetted the Bosnian Serb Army" in its attacks on non-Serbs. Stakic played a pivotal role in "a campaign designed to destroy Bosnian Muslims and Bosnian Croats . . . as national, ethnical, racial, or religious groups, in Prijedor municipality."

Stakic was charged with war crimes and crimes against humanity. On 31 July 2003, he was sentenced to life imprisonment. The sentence was later reduced to forty years' imprisonment.

Zoran Zigic: Zigic was indicted for violations of the laws or customs of war which included murder, torture, and cruel treatment. He was also indicted for crimes against humanity and for persecuting non-Serbs on political, racial and/or religious grounds.

Zigic surrendered voluntarily on16 April 1998 and was transferred to the ICTY. On 20 April 1998, he pleaded "not guilty" to all counts of his indictment. On 2 November 2001, he was sentenced to 25 years' imprisonment.

# The Search for the Missing

Since the cessation of war in 1995, dozens of mass graves have been found throughout Bosnia, many in the vicinity of Prijedor. Additional grave sites are uncovered every year.

Many of these graves are secondary graves—that is, graves that Serbs moved to new sites in their efforts to hide evidence. The Kevljani mass gravesite, located a few miles outside of Prijedor, is an example. Excavated in the summer of 2004, it yielded the remains of 456 people. Documents found with the remains indicated that they had died in Keraterm and Omarska.

DNA testing is aiding in the identification of remains. Since 2000, the International Commission on Missing Persons (ICMP) has collected more than 75,000 blood samples from surviving family members, many in St. Louis. These samples enable forensic experts to match family DNA to the DNA found in exhumed remains. On August 27, 2007, the ICMP announced that it had made its 10,000 identification based on a familial DNA match.

The ICMP estimates that 13,000 victims of the Bosnian war and genocide are still unaccounted for. Nearly 1000 of them are from the vicinity of Prijedor.

# **Epilogue**

The war in Bosnia-Herzegovina produced an estimated three million refugees.

Estimates of the number killed in Bosnia-Herzegovina between 1992 and 1995 range from nearly 100,000 to 250,000. Of those, at least 27,000 Bosnian Muslim civilians died as a result of ethnic cleansing. As of October 2007, more than 13,000 people remain missing.

In Prijedor, some 53,000 Bosnian Muslims and Croats were killed or deported in 1992 alone. The number killed is not known; it is likely in excess of 5000.

Many of the perpetrators of genocide in Bosnia remain unpunished. To this date, Radovan Karadzic, the wartime president of Republika Srpska, and Ratko Mladic, the chief military commander, remain at large.

Prijedor remains part of Republica Srpska. Its Muslim and Catholic populations have been decimated, though some of those displaced are slowly returning to rebuild old neighborhoods. Many of the perpetrators of crimes in Prijedor remain in key business and governmental positions. They continue to profit from "ethnic cleansing."

The Bosnian Diaspora now numbers more than 1 million people—nearly a quarter of Bosnia's pre-war population. Approximately 400,000 Bosnians live in the U.S. Some 50,000

live in St. Louis, making it one of the largest Bosnian communities outside of Bosnia.

```
1991 1993 Reduction New Arrivals
Serbs 47,745 53,637 --- 5,892

Musli 49,454 6,124 43,350 ---
Croats 6,300 3,169 3,131 ---
Others 8,971 2,621 6,350 ---
```

U.N. statistics showing the reduction of Muslim and Croat populations in Prijedor between 1991 and 1993.

### Omarska camp

Omarska camp was a concentration camp run by Bosnian Serb forces, in Omarska, a mining town near Prijedor in northern Bosnia and Herzegovina, set up during Prijedor massacre for Bosniak and Croat men and women. [1][2] Functioning in the first months of the Bosnian War in 1992, it was one of 677 detention centers and camps throughout Bosnia during the war. While nominally a "investigation center" or "assembly point" for members of the non-Serb population, [1] Human Rights Watch classified Omarska as a concentration camp. [3]

The International Criminal Tribunal for the Former Yugoslavia, located in The Hague, has found several individuals guilty of crimes against humanity perpetrated at Omarska. [4] Murder, torture, rape, and abuse of prisoners was common. About 6,000 Bosniaks and Croats were held in appalling conditions at the camp for about five months in the spring and summer of 1992. Hundreds died of starvation, punishment beatings and ill-treatment. UN prosecutors compared the camps to those run by Nazis. [2]

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#### Overview

The camp existed from about May 25 to about August 21, 1992, where the Serb military and police unlawfully segregated, detained and confined some of more than 7,000 Bosniaks and Bosnian Croats captured in the ethnic cleansing of the municipality of Prijedor. Bosnian Serb authorities termed it an *investigation centre* and the detainees were accused for alleged *paramilitary activities*. <sup>[6]</sup>

By the end of 1992, the war would result in the death or forced departure of most of the Bosniak and Croat population of Prijedor municipality; about 7,000 people were missing from a population of 25,000, and there are 145 mass graves and hundreds of individual graves in the extended region. There is, however, conflicting information about how many people were killed at this camp. According to the survivors, usually about 30, and sometimes as many as 150 men were singled-out and killed in the camp every night. The U.S. State Department and other governments believe that, at a minimum, hundreds of detainees, whose identities are known and unknown, did not survive; many others were killed during the evacuation of the camps in the area. [6]

# **Prijedor massacre**

A declaration on the Prijedor takeover prepared by Bosnian-Serb politicians of the Serbian Democratic Party was read out on Radio Prijedor the day after the takeover and was repeated throughout the day. When planning the anticipated takeover, it was decided that the 400 Serb policemen who would be involved in the takeover would be sufficient for the task. The objective of the takeover was to take over the functions of the president of the municipality, the vice-president of the municipality, the director of the post office, the chief of the police etc. In the night of the April 29/30, 1992, the takeover of power took place. Serb employees of the public security station and reserve police gathered in Cirkin Polje, part of the town of Prijedor. The people there were given the task of taking over power in the municipality and were broadly divided into five groups. Each group of about twenty had a leader and each was ordered to gain control of certain buildings. One group was responsible for the Assembly building, one for the main police building, one for the courts, one for the bank and the last for the post-office. [6]

ICTY concluded that the takeover by the Serb politicians was as an illegal coup d'état, which was planned and coordinated a long time in advance with the ultimate aim of creating a pure Serbian municipality. These plans were never hidden and they were implemented in a coordinated action by the Serb police, army and politicians. One of the leading figures was Milomir Stakić, who came to play the dominant role in the political life of the Municipality. <sup>[6]</sup>

# The camp

In May 1992, intensive shelling and infantry attacks on Bosniak areas in the municipality caused the Bosniak survivors to flee their homes. The majority of them surrendered or were

captured by Serb forces. As the Serb forces rounded up the Bosniak and Croat residents, they forced them to march in columns bound for one or another of the prison camps that the Serb authorities had established in the municipality. On about May 25, 1992, about three weeks after Serbs took control of government in the municipality, and two days after the start of large scale military attacks on Bosniak population centers, the Serb forces began taking prisoners to the Omarska camp. During the next several weeks, the Serb forces continued to round up Bosniaks and Croats from Kozarac area near Prijedor, and other places in the municipality and send them in the camps. Many of Bosniak and Croat intellectuals and politicians were sent to Omarska. While virtually all of the prisoners were male, there were also 37 women detained in the camp, who served food and cleaned the walls of the torture rooms, and were being repeatedly raped in the canteen; bodies of five of them had been exhumed. [6]

The Omarska mines complex was located about 20 km from the town of Prijedor. The first detainees were taken to the camp sometime in late May 1992 (between 26 and 30 May). The camp buildings were almost completely full and some of the detainees had to be held on the area between the two main buildings. That area was lit up by specially installed spotlights after the detainees arrived. Female detainees were held separately in the administrative building. According to the Serb authorities documents from Prijedor, there were a total of 3,334 persons held in the camp from May 27 to August 16, 1992. 3,197 of them were Bosniaks (i.e. Bosnian Muslims), 125 were Croats. [6]

Within the area of the Omarska mining complex that was used for the camp, the camp authorities generally confined the prisoners in three different buildings: the administration building, where interrogations and killings took place; the crammed hangar building; the "white house," where the inmates were tortured; and on a cement courtyard area between the buildings known as the "pista", an L-shaped strip of concrete land in between, also a scene of torture and mass killings. There was another small building, known as the "red house", where prisoners were sometimes taken in order to be summarily executed. [4][8]

With the arrival of the first detainees, permanent guard posts were established around the camp, and anti-personnel landmines were set up around the camp. The conditions in the camp were horrible. In the building known as the "White House", the rooms were crowded with 45 people in a room no larger than 20 square meters. The faces of the detainees were distorted and bloodstained and the walls were covered with blood. From the beginning, the detainees were beaten, with fists, rifle butts and wooden and metal sticks. The guards mostly hit the heart and kidneys, when they had decided to beat someone to death. In the "garage", between 150-160 people were "packed like sardines" and the heat was unbearable. For the first few days, the detainees were not allowed out and were given only a jerry can of water and some bread. Men would suffocate during the night and their bodies would be taken out the following morning. The room behind the restaurant was known as "Mujo's Room". The dimensions of this room were about 12 by 15 metres and the average number of people detained there was 500, most of whom were Bosniaks. The women in the camp slept in the interrogations rooms, which they would have to clean each day as the rooms were covered in blood and pieces of skin and hair. In the camp one could hear the moaning and wailing of people who were being beaten up. [6]

The detainees at Omarska had one meal a day. The food was usually spoiled and the process of getting the food, eating and returning the plate usually lasted around three minutes. Meals were often accompanied by beatings. The toilets were blocked and there was human waste everywhere. Ed Vulliamy, a British journalist, testified that when he visited the camp, the detainees were in a very poor physical condition. He witnessed them eating a bowl of soup and some bread and said that he had the impression they had not eaten in a long time. They appeared to be terrified. The detainees drank water from a river that was polluted with industrial waste and many suffered from constipation or dysentery. No criminal report was ever filed against persons detained in the Omarska camp, nor were the detainees apprised of any concrete charges against them. Apparently, there was no legitimate reason justifying these people's detention. [6]

Murder, torture, rape, and abuse of prisoners was common. Detainees were kept in inhuman conditions and an atmosphere of extreme mental and physical violence pervaded the camp. <sup>[5]</sup> The camp guards and frequent visitors who came to the camps used all types of weapons and instruments to beat and otherwise physically abuse the detainees. In particular, Bosnian Muslim and Bosnian Croat political and civic leaders, intellectuals, the wealthy, and non-Serbs who were considered as "extremists" or to have resisted the Bosnian Serbs were especially subjected to beatings and mistreatment which often resulted in death. <sup>[9]</sup>

Inmates being run to the camp canteen - image from Penny Marshall crew video footage

In addition, Omarska and Keraterm camps also operated in a manner designed to discriminate and subjugate the non-Serbs by inhumane acts and cruel treatment. These acts included the brutal living conditions imposed on the prisoners. There was a deliberate policy of overcrowding and lack of basic necessities of life, including inadequate food, polluted water, insufficient or non-existent medical care and unhygienic and cramped conditions. The prisoners all suffered serious psychological and physical deterioration and were in a state of constant fear. [10]

Killings were usually by shooting, beating or cutting of throats, although on one night of frenzied killing, prisoners were incinerated on a pyre of burning tyres. The dead would be loaded onto trucks by their friends or with bulldozers. Sometimes prisoners were taken to dig the graves; they did not return. On the basis of the evidence presented at the *Stakić trial*, the Trial Chamber finds that over a hundred people were killed in late July 1992 in the Omarska camp. Around 200 people from Hambarine arrived in the Omarska camp sometime in July 1992. They were initially accommodated in the structure known as the *White House*. Early in the morning, around 01:00 or 02:00 on July 17, 1992, gunshots were heard that continued until dawn. Dead bodies were seen in front of the White House. The camp guards, one of whom was recognised as Zivko Marmat, were shooting rounds into the bodies. *Everyone was given an extra bullet that was shot in their heads*. The bodies were then loaded onto a truck and taken away. There were about 180 bodies in total. [6]

The Omarska camp was closed immediately after a visit by foreign journalists in early August. On 6 or 7 August 1992, the detainees at Omarska were divided into groups and

transported in buses to different destinations. About 1,500 people were transported on 20 buses. [6]

#### Death toll

As part of the ethnic cleansing operations, these four camps helped the Crisis Committee of the Serbian District of Prijedor to reduce the non-Serb population of Prijedor from more than 50,000 in 1992 to little more than 3,000 in 1995, and even fewer subsequently. While precise calculations about the number who actually died in these camps are difficult to make, US State Department officials, along with representatives of other Western governments, have estimated that between 4,000 and 5,000 people perished at Omarska. Omarska.

A member of the United Nations (UN) Commission of Experts testified during the Duško Tadić trial at the International Criminal Tribunal for the former Yugoslavia (ICTY) that their number was in the thousands, but she could not be precise, despite the fact that Serbian officials confirmed there were no large scale releases of prisoners sent there. A member of the Crisis Committee, Simo Drljača, who served as chief of police for Prijedor, has stated that there were 6,000 "informative conversations" (meaning interrogations) in Omarska, Keraterm and Trnopolje, and that 1,503 non-Serbs were transferred from those three camps to Manjača camp, leaving 4,497 unaccounted for (according to Human Rights Watch, 1997).<sup>[12]</sup>

#### International reaction

In early August 1992, reporters Ed Vulliamy (*The Guardian*) Penny Marshall and Ian Williams (ITN and Channel Four News) ) gained access to Omarska camp. <sup>[14]</sup> Their reporting served as one of the catalysts of a UN effort to investigate war crimes committed in the conflict. <sup>[15]</sup> The camp was closed less than a month after its exposure caused international uproar.

# **1997-2000** controversy

There was academic and media controversy regarding the events that took place in Omarska and Trnopolje in 1992, due to claims of false reporting and "lies". These allegations, promoted by the state-controlled Radio Television of Serbia and the British Living Marxism (LM) paper, prompted the Independent Television News (ITN) network to accuse the LM of libel; the ITN won the case in 2000, effectively forcing the paper to close down. [12]

### **Recent developments**

### **Trials**

The Republika Srpska officials responsible for running the camp have since been indicted and found guilty of crimes against humanity and war crimes.

 Camp commandants Dragoljub Prcac, Milojica Kos, Miroslav Kvocka and Mlado Radic, and a local taxi driver, Zoran Zigic were all found guilty of crimes against humanity. Kvocka, Prcac, Kos and Radic were sentenced to five, six, seven and 20 years respectively: Zigic was given the longest term, 25 years. [2]

- Željko Mejakić was found guilty of crimes against humanity (murder, imprisonment, torture, sexual violence, persecution, and other inhumane acts) as a direct perpetrator of one instance of mistreatment and under the theory of command responsibility as the de facto commander of Omarska camp. He was also found guilty under the theory of joint criminal enterprise for furthering the camp's system of mistreatment and persecution of detainees. Defendant Mejakić was sentenced to 21 years' long-term imprisonment.
- Momčilo Gruban was found guilty of crimes against humanity (murder, imprisonment, torture, sexual violence, persecution, and other inhumane acts) under the theory of command responsibility for crimes committed in the Omarska camp, and under the theory of joint criminal enterprise. Defendant Gruban was sentenced to 11 years' imprisonment. [16]
- Duško Knežević was found guilty of crimes against humanity (murder, torture, sexual violence, persecution, and other inhumane acts) as a direct perpetrator of crimes committed in the Omarska and Keraterm camps. He was also found guilty under the theory of joint criminal enterprise for furthering the Omarska and Keraterm camps' systems of mistreatment and persecution of detainees. Defendant Knežević was sentenced to 31 years' long-term imprisonment.

### The Judgment of the ICJ

The ICJ presented its judgment in Bosnian Genocide Case on 26 February 2007, in which it had examined atrocities committed in detention camps, including Omarska, in relation to Article II (b) of the Genocide Convention. The Court stated in its judgment:

Having carefully examined the evidence presented before it, and taken note of that presented to the ICTY, the Court considers that it has been established by fully conclusive evidence that members of the protected group were systematically victims of massive mistreatment, beatings, rape and torture causing serious bodily and mental harm during the conflict and, in particular, in the detention camps. The requirements of the material element, as defined by Article II (b) of the Convention are thus fulfilled. The Court finds, however, on the basis of evidence before it, that it has not been conclusively established that those atrocities, although they too may amount to war crimes and crimes against humanity, were committed with the specific intent (dolus specialis) to destroy the protected group, in whole or in part, required for a finding that genocide has been perpetrated. [17]

#### **Exhumations**

In 2004, a mass grave a few hundred meters from the Omarska site, unearthed the remains of 456 persons from the camp. <sup>[18]</sup> "There is no doubt whatsoever that there are hundreds of bodies as yet unfound within the mine of Omarska and its vicinity," said president of the Bosnian government's Commission for Tracing Missing Persons. <sup>[19]</sup> The International

Commission for Missing Persons (ICMP) has been active in advocating the exhumation and identification of their bodies from mass graves around the area; with their help, a number of victims have been identified through DNA testing. [20]

### **Memorial controversy**

More recently Mittal Steel company has purchased the Omarska mining complex and is planning to resume extraction of iron ore from the site, and the project of Omarska war memorial was halted by extremists from both sides. Mittal Steel announced in Banja Luka on December 1, 2005 that the company will build and finance a memorial in the 'White House'. Many Bosnian Serbs believe there should not even be a memorial, while many Bosniaks believe it should not be built until all the victims have been located and only then if the whole mine - which is currently working again - is used for the memorial site. [21]

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### Keraterm camp

**Keraterm camp** was a concentration camp (also referred to as prison and detention camp) near the town of Prijedor in northern Bosnia and Herzegovina during the Bosnian War from 1992 to 1995. <sup>[1]</sup> The camp was founded by the authorities of Republika Srpska (RS) and was used to collect and confine civilians of Bosniak and Bosnian Croat nationality. According to ICTY indictment more than 3,000 detainees were held at Keraterm and some 300 of them were killed.

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#### The camp

The Keraterm camp was located on the site of a ceramics factory, just outside the city of Prijedor. According to reports, prisoners were kept in four halls, formerly used as storehouses at the ceramics factory. The Keraterm camp's prisoner population was all male. Most of the men at the camp were reported to be between the ages of 15 and 60. However, in mid-July 1992, approximately 12 to 15 Bosniak women were brought to Keraterm, raped, and transported to the Omarska camp. About 85% of all prisoners were Bosniaks while about 15% were Bosnian Croats. [2]

According to the indictment, the detainees were, among other things, subjected to physical violence, constant humiliation, degradation, inhumane conditions, and fear of death. Severe beatings were commonplace. All manner of weapons were used during these beatings, including wooden batons, metal rods, baseball bats, lengths of thick industrial cable that had metal balls affixed to the end, rifle butts, and knives. The killings, beatings, sexual assaults, and other cruel and humiliating actions were committed. [3]

# **Recent developments**

The Rebublika Srpska officials responsible for running the camp have since been convicted for genocide, crimes against humanity and war crimes. Duško Knežević was found guilty of the criminal offence of Crimes against Humanity and sentenced him to a long-term imprisonment of 31 years. <sup>[4]</sup> Željko Mejakić was found guilty for the criminal offense of Crimes against Humanity and sentenced him to the long-term imprisonment of 21 years. <sup>[5]</sup>

Duško Sikirica, commander of the Keraterm camp, pleaded guilty to crimes against humanity and was sentenced to a jail term of fifteen years. Dušan Fuštar was found guilty for having participated, by acting and failing to act, in a joint criminal enterprise and sentenced him to 9 years imprisonment for "having failed to exercise his authority and prevent the crimes." Predrag Banović who pleaded guilty to 25 charges and was sentenced to 8 years in prison. Damir Došen was sentenced to 5 years imprisonment. Dragan Kolundžija was sentenced to 3 years imprisonment.

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# Trnopolje camp

**Trnopolje camp** was a concentration camp established in the village of Trnopolje near the city of Prijedor in northern Bosnia and Herzegovina in the first months of the Bosnian War.

According to the local Bosnian Serb authorities Trnopolje was "a transit camp" for members of the non-Serb, mainly Bosniak, population of the Prijedor region. The camp was purportedly established and run by the authorities of Republika Srpska and local paramilitary Serb police to confine and detain members of the non-Serb (Bosniak and Bosnian Croat) civilian population found "innocent" after "investigation". The other Prijedor camps, Omarska, Keraterm and Manjača, served to detain those being "interrogated" or found "guilty" (and "awaiting trial").

Trnopolje has also been described variously as a ghetto, a prison and a detention camp. However the Report of the United Nations Commission of Experts to the Security Council (the Bassiouni Commission Report) determined that "Logor Trnopolje" was "a concentration camp"<sup>[1]</sup>, functioning as a staging area for mass deportations mainly of women, children, and elderly men, and described the Omarska and Keraterm camps to which the adult non-Serb men were taken as death camps<sup>[2]</sup>).

The Report used the Bosnian word "logor" specifically to distinguish the Prijedor camps from the wide range of institutions encompassed by the English term "camp". The use of the term was intended to establish the link with the inhumane characteristics of their regimes. [3]

"... the regime at the Trnopolje camp was far better than in Omarska and Keraterm; none the less harassment and malnutrition was a problem for all the inmates. Rapes, beatings and other kinds of torture and even killings were not rare. ... Albeit Logor Trnopolje was not a death camp like Logor Omarska or Logor Keraterm, the label «concentration camp» is none the less justified for Logor Trnopolje due to the regime prevailing in the camp."<sup>[4]</sup>

The total number of camp inmates reportedly varied on average between 4,000 and 7,000 people<sup>[5]</sup>.

The camp's existence was discovered by the international media in July 1992. [citation needed] Footage of Omarska and Trnopolje filmed by a team of British journalists was shown around the world and caused public outrage which led to the closure of the camps.

According to the ICTY prosecution several hundred non-Serbs were killed at Trnopolje. In August 1992, during the closure of the camp, some 200 former male inmates were separated and killed in the Koricani Cliffs massacre. <sup>[6]</sup>

Claims published subsequently by the British magazine Living Marxism (LM) that footage filmed at Trnopolje deliberately misrepresented the situation in the camp eventually prompted the Independent Television News (ITN) network to sue LM for libel. Following ITN's victory in a court case in which the evidence given by the camp doctor led LM to abandon its defence, the magazine declared itself bankrupt, avoiding payment of the large damages awarded. Although conclusively refuted LM's claims of misrepresentation continue to circulate, accompanied by allegations that the media images were part of a campaign of media demonisation of the Serbs rather than the reporting of ethnic cleansing and acts of genocide.

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### The camp

The camp, which was situated on the grounds of a school and a community center ("dom") and approximately three hundred square meters in size, was enclosed by wire fencing, including barbwire, and surrounded by machine gun emplacements. According to subsequent testimony from witnesses, compared to other detention camps in the region Trnopolje was a relatively low-security staging area for the forcible deportation of non-Serbs from the Prijedor area. Detainees were fed only sporadically, but were allowed to forage for food outside the detention area's perimeter, explaining the widely varying nourishment

conditions of the inmates. [11] The Stakić Trial Judgment described the conditions as follows, noting that they were slightly better than at Omarska and Keraterm:

"The detainees were provided with food at least once a day and, for some time, the families of detainees were allowed to bring food. However the quantity of food available was insufficient and people often went hungry. Moreover, the water supply was insufficient and the toilet facilities inadequate. The majority of the detainees slept in the open air. Some devised makeshift . . . shelters of blankets and plastic bags. While clearly inadequate, the conditions in the Trnopolje camp were not as appalling as those that prevailed in Omarska and Keraterm." [12]

The majority of the detainees were Bosniaks from north-west Bosnia, however Croats and other non-Serbs were also held at Trnopolje. The camp population consisted for the most part of women and children who had been expelled from their homes and whose male family members had been detained in other locations. Reports place the number of detainees at between 1,500 and 7,000 during the summer and early fall of 1992. [13][14]

Rapes, beatings and other kinds of torture, and even killings, were not rare. The first period was allegedly the worst in Trnopolje, with the highest numbers of inmates killed, raped, and otherwise mistreated and tortured. The Serb soldiers used baseball bats, iron bars, rifle butts and their hands and feet or whatever they had at their disposal to beat the detainees. Individuals were who taken out for questioning would often return bruised or injured. The people killed in the camp were usually removed soon after by some camp inmates who were ordered by the Serbs to take them away and bury them. Killings occurred frequently in the Trnopolje camp. The number of those killed is reportedly between 200 and 500. In the Judgment in the Brđanin case, the Trial Chamber found that in the period from 28 May to October 1992:

"numerous killings occurred in Trnopolje camp. A number of detainees died as a result of the beatings received by the guards. Others were killed by camp guards with rifles. The Trial Chamber also [found] that at least 20 inmates were taken outside the camp and killed there." [12]

Several witnesses testified that women who were detained at the Trnopolje camp were taken out of the camp at night by Serb soldiers and raped or sexually assaulted. There are reports that young girls between 10 and 14 years old were also raped. [19] A victim of rape in the camp confirmed that several women and young girls, including a 13 year old one, were raped in the camp or taken out at night for this purpose. [20] The rape of 30-40 prisoners on 6 June 1992 is reported by both the Report of the Commission of Experts (Vol. IV, Ann. VIII, pp. 251-253) and a publication of the United States State Department. [12]

# The Judgment of the ICJ

The ICJ presented its judgment in Bosnian Genocide Case on 26 February 2007, in which it had examined atrocities committed in detention camps, including Trnopolje, in relation to Article II (b) of the Genocide Convention. The Court stated in its judgment:

"Having carefully examined the evidence presented before it, and taken note of that presented to the ICTY, the Court considers that it has been established by fully conclusive evidence that members of the protected group were systematically victims of massive mistreatment, beatings, rape and torture causing serious bodily and mental harm during the conflict and, in particular, in the detention camps. The requirements of the material element, as defined by Article II (b) of the Convention are thus fulfilled. The Court finds, however, on the basis of evidence before it, that it has not been conclusively established that those atrocities, although they too may amount to war crimes and crimes against humanity, were committed with the specific intent (dolus specialis) to destroy the protected group, in whole or in part, required for a finding that genocide has been perpetrated." [12]

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