

Kovacevic's Arrest And Indictment

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There was no need to change the mandate of the international Stabilisation Force (SFOR) in Bosnia: a slightly more liberal and pro-active interpretation of it sufficed. Or, as Chief Prosecutor Louise Arbour said in February this year in an interview for the newsletter Tribunal, it was enough to have "a good faith interpretation that does not pursue the deliberate intention to avoid the mandate altogether."

The arrest was carried out in the town of Prijedor by members of the British SAS as part of SFOR. It is to be hoped that the operation, in which one indictee was arrested and another killed, is not just the exception that will confirm that an unduly restrictive interpretation remains the rule.

Although the main factors on which the political will of the so-called international community depends swear that last week's operation is "an important signal of the (new) resolution of the world community in general," as Britain's Defence Secretary George Robertson claimed on Sunday), previous experiences with false signals of alleged determination would counsel caution.

It is probably true, as various international figures claim, that after the Prijedor action, Radovan Karadzic, Ratko Mladic and others indicted for war crimes can no longer sleep soundly in their beds, but it is also true that the purpose of international justice, and of those whose duty it is to enforce it, is not merely to give criminals sleepless nights.

At this point it is, therefore, legitimate to say "Seeing is believing!" And, of course, to continue the public pressure, such as, for example, the pressure aroused by the "Arrest Now!" campaign of a coalition of international human rights organisations, so that the "seeing" comes as soon as possible. because each delay only prolongs the damage, both to Bosnia as envisaged in the Dayton agreement and to international justice in general.

The Prijedor operation was carried out on the basis of a sealed indictment and a secret arrest-warrant, which Judge Elisabeth Odio-Benito confirmed on March 13, 1997. For those who have followed the trial of Dusko Tadic, who was judged and pronounced guilty for crimes in Prijedor, the indictment of Simo Drljaca and Milan Kovacevic was no surprise. That is especially the case for Drljaca, who, as the notorious chief of the Prijedor police, was mentioned by many former inmates of the Omarska, Keraterm and Trnopolje camps who testified against Tadic.

On Friday July 4, addressing the judges at the end of his pre-sentencing hearing, Tadic specifically mentioned Drljaca as one among a dozen people who, he said, were responsible for the crimes for which he was pronounced guilty.

As one of those potentially most responsible for crimes on a horrific scale in the municipality of Prijedor (where more than 52,000 non-Serbs, mainly Muslims, were ethnically cleansed, that is, killed or expelled), Simo Drljaca is also mentioned several times in the report of the UN Commission of Experts (known as the Bassiouni Commission).

Evidently, he himself was not very surprised when the SAS came for him. He got his gun out quickly, but he did not have a chance. Prijedor holds an inglorious record in the number of war crimes indictees: of a total of 77 indictees known so far (excluding those indictments which remain sealed) 32 people have been indicted for crimes in Prijedor and its camps.

Prijedor also takes the lead in the number of most serious indictments: of a total of seven people indicted for genocide, four come from Prijedor (in addition to Drljaca and Kovacevic, the commanders of the Omarska and Keraterm camps, Zeljko Meakic and Dusko Sikirica, are indicted for genocide). The others accused of genocide are Karadzic and Mladic (twice: in a "general" indictment and in the Srebrenica indictment) and Goran Jelusic, commander of the camp in Brcko.

Both the accused, Drljaca and Kovacevic, wer members of the Crisis Staff of the Serb Municipality of Prijedor, the body that held all executive power in the municipality at all times relevant to the indictment. Drljaca worked in the Crisis Staff as the Chief of Police, and Kovacevic as President of the Executive Board of the municipality of Prijedor.

According to the indictment, the members of the Crisis Staff acted in concert in planning and deciding the complete range of operations to the conduct of hostilities and the destruction of the non-Serb community in the municipality. The Crisis Staff worked in concert with the military and police authorities involved in

those attacks.

In addition, the Crisis Staff planned and authorised the establishment of camps at Omarska, Keraterm and Trnopolje; supported the continued operation of those camps, and had authority to control the conduct of those camps. Drljaca was responsible for briefing both outside visitors and Serb Democratic Party (SDS) leaders while escorting them on visits to the camps.

As President of the Executive Board, Kovacevic occupied the second most important position on the Crisis Staff, in terms of de jure authority. he was responsible for arranging the details of visits to the camps by reporters and he provided most of the information about the camps at the briefings with visitors to the Crisis Staff.

According to the indictment, Drljaca and Kovacevic, between April 30 and December 31, 1992, in collaboration with others, planned, instigated and ordered the establishment of the camps at Omarska, Keraterm and Trnopolje and the detention in these camps of Bosnian Muslims and Bosnian Croats from the municipality of Prijedor.

The conditions in the camps were calculated to deteriorate the health of those detained, with the ultimate intention of destroying part of the Bosnian Muslim and Bosnian Croat groups. The indictees also knew or had reason to know that their subordinates who staffed the detention facilities were killing or causing serious physical or mental harm to the Bosnian Muslims and Bosnian Croats detained, again with the intention of destroying in part the national, ethnic or religious groups they came from.

Drljaca and Kovacevic had failed to take measures to prevent such acts or to punish the perpetrators of them. By these acts and omissions, the prosecutor concluded that Drljaca and Kovacevic were complicit in the commission of genocide.

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