

## **Zdravko Tolimir, Radivoje Miletic, Milan Gvero (IT-04-80-I)**

### **Author: IWPR**

Status: Tolimir at large, Miletic and Gvero in detention at the Scheveningen detention unit. The Accused Zdravko Tolimir was born on November 27, 1948. He served as the Assistant Commander for Intelligence and Security on the main staff of the Bosnian Serb Army, VRS, reporting directly to army chief General Ratko Mladic. It was during Tolimir's appointment in this role that the offensive against Srebrenica (Operation Krivaja 95) and Zepa and the subsequent crimes took place. He remains at large. Radivoje Miletic was born on December 6, 1947, and served as the Chief of Operations and Training on the VRS main staff, also reporting directly to Mladic. Miletic later stood in for the Chief of Staff for the VRS main staff during Operation Krivaja 95, the attack on the Zepa enclave, and the subsequent criminal activity. He surrendered voluntarily and was transferred to The Hague on February 28, 2005. Milan Gvero Served as the Assistant Commander for Morale, Legal, and Religious Affairs on the VRS Main Staff, again, directly subordinate to Mladic, in the period when the operations in and around Srebrenica and Zepa were taking place. He surrendered and was transferred to The Hague on February 24, 2005.

The Indictment The three defendants named in the indictment are each charged on the following five counts: Murder, as a Crime Against Humanity (charged under Articles 5(a) and 7(1) of the Statute of the Tribunal); and as a Violation of the Laws and Customs of War (Articles 3 and 7(1)); Persecutions, a Crime Against Humanity (Articles 5(h) and 7(1)); the Inhumane Act of Forcible Transfer, a Crime Against Humanity (Articles 5(i), and 7(1)); and Deportation, a Crime Against Humanity (Articles 5(d) and 7(1)).

Proceedings All three were indicted on February 10, 2005. The initial appearance of Miletic and Gvero took place on March 2, 2005. Gvero immediately pleaded "not guilty", while Miletic waited to enter a plea on the grounds that he did not understand his indictment. He later also entered a plea of "not guilty".

Factual Allegations The prosecutor makes the case that the indictees were part of a Joint Criminal Enterprise to remove the Muslim population of Srebrenica through deportation or execution. Their roles in the execution of this aim are many and various, but are generally associated with misinformation and propaganda, the coordination and monitoring of criminal activities, and formulation of the actual strategy to accomplish the ends of the enterprise. As members of the Enterprise, the indictees bear responsibility for the crimes that took place.

Relevant Issues

Highlights of the Trial

Composition of the Court Trial Chamber II Judge Kevin Parker, Presiding Judge Krister Thelin Judge Christine Van Den Wyngaert

Initial Appearance Judge Carmel Agius

Pre-Trial Judge Judge Christine Van Den Wyngaert

Office of the Prosecutor Carla Del Ponte

Counsel for the Defense Peter Morrissey for Radivoje Miletic Steven Powles for Milan Gvero

Court Documents:

Indictment

IWPR Stories:

Gvero Trial to Probe Zepa Fate

Briefly Noted

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**Topic:** Srebrenica Case Files

**Focus:** International Criminal Tribunal for the former  
Yugoslavia

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