Transcript of the International Agency's Joint Press Conference at CPIC

Subject: **JOINT PRESS CONFERENCE – 11 April 2003**

1. The following attended a special Press Conference held at the CPIC at 13:00 hours on Friday,11 April 2003:

Agency	Spokesperson	Topic
a. SFOR	Captain Dale MacEachern	• SFOR detained Naser Oric.
b. ICTY	Refik Hodzic	• The Indictment against Naser Oric

2. Twenty-nine members of the media including four television crews attended the conference.

3. The transcript of the questions and answers is attached.

Captain Dale MacEachern – SFOR

Good afternoon, as I indicated in my press release this morning, the subject of this press conference is Mr. Naser Oric.

Yesterday, 10 April 2003, at approx 10p.m. local time, SFOR detained Naser Oric. The International Criminal Tribunal for the Former Yugoslavia indicted Mr. Oric for war crimes committed during the 1992-1995 war in Bosnia & Herzegovina. I will leave the details of the indictment to my colleague from the ICTY.

This morning at approx 3 a.m., ICTY confirmed the identity of

Mr. Oric and then formally arrested him. SFOR transferred Mr. Oric to The Hague and then handed him over to ICTY at approx 8 a.m.

Mr. Oric did not resist being taken into custody and no casualties were sustained during the conduct of this operation.

This operation was conducted in accordance with SFOR's authority to detain Persons Indicted for War Crimes (PIFWCs). The Supreme Allied Commander Europe, as overall commander for the NATO contingent in Bosnia and Herzegovina, has kept the Secretary General fully appraised of this action. SFOR will continue to do its part by carrying out its mission in a firm and unbiased manner.

Let me remind you that these people impede the progress and development of Bosnia and Herzegovina. They force people to live in the past and they ensure their own freedom by means of blackmail, fear and extortion. They drain money from the pockets of people who have precious little of it. Ultimately they deny the people of BiH a better future. As the Secretary General of NATO, Lord Robertson, indicated yesterday here in Sarajevo, NATO and SFOR are committed to bringing these people to justice and to bringing increasing pressure to bear on their support networks.

SFOR calls on leaders within both the Federation and Republic Srpska in Bosnia & Herzegovina to continue to cooperate in support of these operations.

Thank You.

Refik Hodzic – ICTY

On Thursday 10 April 2003, SFOR forces arrested Naser Orić in Tuzla, Bosnia and

Herzegovina. The accused was transferred to the Detention Unit

of the International Criminal Tribunal for the former Yugoslavia the following day. The Indictment against Naser Orić was confirmed on 28 March 2003. According to the Indictment, Naser Orić (born on 3 March 1967 in Poto~ari, municipality of Srebrenica, Bosnia and Herzegovina) was the Commander of the forces of the Army of Bosnia and Herzegovina (ABiH) in the Srebrenica area in Eastern Bosnia and Herzegovina.

The Indictment states that, *"by virtue of his position and authority as Commander, Naser Oric commanded all units that were operating within his area of his responsibility. This includes all units involved in combat activities in the municipality of Srebrenica and Bratunac, in particular the combat activities in Rupovo Brdo on 10 June 1992, Ratkovi}i on 21 and 27 June 1992, Je`estica on 8 August 1992, Fakovi}i on 5 October 1992, Bjelovac between 14 and 19 December 1992 and Kravica on 7 and 8 January 1993 and all units including the Military Police involved in the detention and custody of Serb individuals in Srebrenica ".*

The Indictment alleges that, between 24 September 1992 and 20 March 1993, members of the Military Police under the command and control of Naser Oric detained several Serb individuals in the Srebrenica Police Station and in the building behind the Srebrenica Municipal Building. According to the Indictment, "*these detainees were subjected to physical abuse, serious suffering and serious injury to body and health, and inhumane treatment by the guards and/or by others with the support of the guards. In some instances, prisoners were beaten to death. Physical abuse included beatings by various objects including wooden sticks, wooden pipes, metal bars, baseball bats, rifle butts, bare fists, kicking with boots and forced teeth extractions with rusty pliers".* Furthermore, the Indictment alleges that Orić "*knew or had reason to know that his subordinates were about to plan, prepare or execute the imprisonment, killing and/or cruel treatment of Serbs detained*

at the Srebrenica Police Station and the building behind the Srebrenica Municipal Building, or had done so, and he failed to take necessary and reasonable measures to prevent such acts or to punish the perpetrators thereof".

The Indictment further alleges that "*during the period May 1992 to February 1993, Muslim armed units engaged in various military operations against the Army of the Serbian Republic of Bosnia and Herzegovina (hereafter: VRS) forces in Eastern Bosnia. In the course of such operations, Muslim armed units in the Municipalities of Bratunac, Srebrenica and Skelani, burnt and otherwise destroyed and plundered a minimum of fifty predominantly Serb villages and hamlets. As a result, thousands of Serb individuals fled the area".*

The Indictment also states that, "*These incidents of plunder and unlawful and wanton destruction not justified by military necessity, include the following villages and hamlets on or about the dates indicated: Rupovo Brdo (Vlasenica Municipality) June 1992, Ratkovići (Srebrenica Municipality) June 1992, Brađevina (Srebrenica Municipality) June 1992, Dučići (Srebrenica Municipality) June 1992, Gornji Ratkovići (Srebrenica Municipality) June 1992, Ježestica (Bratunac Municipality) August 1992, Božići (Bratunac Municipality) August 1992, Fakovići (Bratunac Municipality) October 1992, Radijevići (Bratunac Municipality) October 1992, Divovići (Bratunac Municipality) October 1992, Bjelovac (Bratunac Municipality) December 1992, Sikirići (Bratunac Municipality) December 1992, Kravica (Bratunac Municipality) January 1993, Ježestica (Bratunac Municipality) January 1993, Šiljkovići (Bratunac Municipality) January 1993.*

In addition the Indictment states that, "*Naser Oric implemented a strategy of wanton destruction to achieve his objectives. Accordingly, he did not make any or sufficient orders to prevent such wanton destruction and plunder of property".*

The Indictment charges Naser Oric on the basis of individual criminal

responsibility (Article 7(1) of the Statute) with:

- 2 counts of violations of the laws or customs of war (Articles 3 of the Statute – wanton destruction of cities, towns or villages, not justified by military necessity; plunder of public or private property)

and on the basis of superior criminal responsibility (Article 7(3) of the Statute) with:

- 4 counts of violations of the laws or customs of war (Article 3 of the Statute – murder; cruel treatment; wanton destruction of cities, towns or villages, not justified by military necessity; plunder of public or private property)

The date and time for the initial appearance of Naser Oric will be announced in due course.

Questions and Answers

Q: Amra Kebo – Oslobodenie

I have two questions. First one is for SFOR. Was this operation really necessary? We know that Naser Oric on several occasions witnessed before the Hague investigators and he himself on several occasions reiterated that he would willingly and voluntarily hand himself over to the ITY, to the ICTY excuse me.

A: Captain Dale MacEachern – SFOR

As I have said in my statement Mr. Oric did not resist being taken into custody. And we have standard operating procedures in the way we must conduct our operations. And we employed those standard operating procedures in this operation like we do in all our operations.

Q: Amra Kebo – Oslobodenie

Yeah but he himself said on several occasions that he would hand himself over, that he would surrender. And on several occasions he talked with the investigators voluntarily so what my question is was it really necessary for SFOR to detain him when he said that he will voluntarily go to the Hague? He was not he wasn't a runaway. He wasn't running away from anybody.

A: Captain Dale MacEachern – SFOR

All I can with respect to that again is we have standard operating procedures in which we conduct our operations and it's crucial that we adhere to them and that we do that with all our operations of a similar nation and we that's one of the ways in which we conduct ourselves in an unbiased manner. And we applied those standard operating procedures in this operation like we do in all our operations.

Q: Amra Kebo – Oslobodenie

Did the Hague Tribunal ask you to detain him?

A: Captain Dale MacEachern – SFOR

I don't have that information.

Q: Amra Kebo – Oslobodenie

I have a question for the ICTY. Did the Hague Tribunal inform the local authorities about this arrest because if I remember properly last time when General Aligich Hasanovich was arrested the authorities were informed and then the Federal Ministry of Interior carried out the detention itself?

A: Refik Hodzic – ICTY

Well it's a question for the federal prosecutor but I can tell you this. This arrest was carried out in accordance with operational reasons. For operative reasons that's the

explanation that the prosecutor's office the ICTY prosecutor's office provided. That was their explanation and I cannot dwell on that to much. The warrant is given to the prosecutor and then the prosecutor it's his decision whether he will serve that warrant on SFOR or given local authorities. Why did he decide to serve this warrant this particular warrant on SFOR I do not know but it does not necessarily mean that we are not happy with the level of co-operation between the federation and the ICTY.

Q: Amra Kebo – Oslobodenie

Okay, if he's released on provisional freedom do you think that will happen because he said he would voluntarily surrender?

A: Refik Hodzic – ICTY

I cannot speculate on that. I really cannot tell you that.

Q: Bisic Almedin – Nezavisne Novine

Question for SFOR. Was this indictment served on the Federal Ministry of Justice. That is to say were they informed about this?

A: Refik Hodzic – ICTY

Well I will answer this question because it's not an SFOR question because the charges are issued by the court, by the Hague Tribunal and then the Tribunal as I have just described distributes the warrant the way it's see fit and SFOR does not have anything to do with informing Ministry of Justice with anything so that's the court's prerogative. In this case the Hague Tribunal did not serve the warrant on the Ministry of Justice before hand.

Q: Fedad Forto – Fena

I have a question for Refik. If all the counts are proved at

the court what's the sentence we're looking at?

A: Refik Hodzic – ICTY

Well you know the life sentence is the longest and the judges decide on everything else.

Q: Fedad Forto – Fena

Is it possible that he will get life sentence?

A: Refik Hodzic – ICTY

Well theoretically speaking yes.

Q: Aida Cerkez-Robinson – AP

What does it mean operational reasons? Operative reasons, what does it mean?

A: Refik Hodzic – ICTY

You will have to ask the prosecutor's Office. The Hague prosecutor's office because they know what it is. Those are probably reasons that condition good development of a given operation so that was their assessment. The indictment was confirmed when the charges were raised. Well the procedure of the tribunal is actually that once the charges are raised then it's when the judge reviews the indictment and when he establishes that there is enough evidence corroborating for the indictment to be taken prima face that the evidence corroborates that the person in question the indictee is responsible for that particular crime so it's the 28th.

Q: Nedigko Zelenovic – SRNA

Did we have similar cases before in the Federation that first an indictment was served, that is to say SFOR was informed and only then the local authorities?

A: Refik Hodzic – ICTY

I really don't know, I would have to check that out. But in the event of sealed indictments, SFOR is always informed beforehand or at least parallel. Well as I just said in the event of sealed indictments, arrest warrants are always served on SFOR at least that's the procedure as far as I am familiar with and sometimes parallel it is served on local authorities as well but it's always, always served on SFOR.

Q: Sabina Arslanagic – AFP

Did it ever happen that it was not served on local authorities?

A: Refik Hodzic – ICTY

I cannot tell you off the top, I would have to check that out.

Q: Ankica Posavyak – HRT

A minute ago you said several persons. Do you have more precise information about the number of persons? How many Serbs are we talking about?

A: Refik Hodzic – ICTY

I will give you the indictment and the indictment contains all the necessary information.

Q: Eana Filipovic – RFE

Question for SFOR. SFOR members entered today the enclosure of the Agreenes factor in Pale. Do you have any more information to offer.

A: Captain Dale MacEachern – SFOR

At this point what I can do only because it is an ongoing operation is I can confirm to you or pardon me, for you, that yes we are conducting an operation in the general area of Pale. However, I cannot get into details because the operation is ongoing and were I to do that then I'm

compromising the security of the soldiers conducting the operations and I'm not prepared to do that.

Q: Daria Sito-Sucic – Reuters

Is this operation in the framework of regular activities of SFOR

A: Captain Dale MacEachern – SFOR

It is normal framework operations for SFOR. As I've mentioned before the commander has a wide spectrum of various types of tools if you will that he can apply in carrying out his mandate. And these fit within that yes.

Q: Amra Kebo – Oslobodenie

Captain can you clarify from the SFOR point of view, what does it mean operational reasons. When I'm asking this question I'm referring to Naser Oric's arrest. Is that security is it something else?

A: Captain Dale MacEachern – SFOR

Are you asking why the indictment was served thru SFOR vice the local authorities? I can't speak to that.