



**YUCOM**

---

Komitet pravnik za ljudska prava / Lawyers' Committee for Human Rights  
17 Svetogorska Street, 11000 Belgrade, Republic of Serbia Tel/Fax: +381 11 33 44 235; 33 444 25;  
e-mail [yucomoffice@gmail.com](mailto:yucomoffice@gmail.com)  
[www.yucom.org.rs](http://www.yucom.org.rs)

## **Human Rights and Democracy Violation Early Warning *Weekly Newsletter* No. 42**

### **ICTY Sentence in the Milan and Sredoje Lukić Case**

On the 20th of July 2009 Court Chambers of the *International Criminal Tribunal for the Former Yugoslavia* (ICTY) with **Patrick Robinson** as a Presiding Judge, has sentenced **Milan Lukić** for a life term of imprisonment and his cousin **Sredoje Lukić** to a prison sentence of 30 years. **Milan** and **Sredoje Lukić** were sentenced for war crimes and crimes against humanity committed against Bosnian Muslims in the Eastern-Bosnian town of Višegrad during the period from June 7th, 1992 until October 10th, 1994.

**Milan Lukić** was found guilty for: persecution, murder, extermination, inhumane acts and cruel treatment as crimes against humanity and war crimes, while **Sredoje Lukić** was found guilty for committing and aiding and abetting crimes of: persecution, murder, cruel treatment and inhumane acts.

**Milan Lukić** has committed the above named crimes in connection with six separate incidents :

1. Killing of 5 Bosnian Muslim men on the bank of River Drina on or about June 7<sup>th</sup>, 1992;
2. Killing of 7 Bosnian Muslims in "Varda" furniture factory on or about June 10<sup>th</sup>, 1992;
3. Burning alive 59 people (including women and children) in a barricaded house in Pionirska street in Višegrad on or about the June 14<sup>th</sup>, 1992;
4. Burning alive at least 60 people (women and children included) in a barricaded house in the Višegrad settlement of Bikavac on or about June 27<sup>th</sup>, 1992;



**YUCOM**

---

**Komitet pravnik za ljudska prava / Lawyers' Committee for Human Rights**  
17 Svetogorska Street, 11000 Belgrade, Republic of Serbia Tel/Fax: +381 11 33 44 235; 33 444 25;  
e-mail [yucomoffice@gmail.com](mailto:yucomoffice@gmail.com)  
[www.yucom.org.rs](http://www.yucom.org.rs)

5. Beating of prisoners in Uzamnica prison-camp during the time period from August 1992 until October 1994;
6. Murder of **Hajra Korić** in or about June 1992.

**Sredoje Lukić** was found guilty for two separate incidents:

1. Burning alive of 59 people (including women and children) in a barricaded house in Pionirska street in Višegrad on June 14<sup>th</sup>, 1992;
2. Beating of prisoners in Uzamnica prison-camp in the time period from August 1992 until October 1994.

Although **Sredoje Lukić** was indicted for the fire in the Bikavac settlement as well, Court Chambers decided that Prosecution had not proven "beyond reasonable doubt" that **Sredoje Lukić** was present during the burning of people in the Bikavac settlement.

Court Chambers concluded that **Milan Lukić** has personally killed at least 130 people and Presiding Judge **Patrick Robinson** who characterized **Lukić's** crimes as "*callous and vicious disregard for human life*" has stated in an oral explanation of Judgment that: "*In the all too long, sad and wretched history of man's inhumanity to man, the Pionirska street and Bikavac fires must rank high. At the close of the twentieth century, a century marked by war and bloodshed on a colossal scale, these horrific events stand out for the viciousness of the incendiary attack, for the obvious premeditation and calculation that defined it, for the sheer callousness and brutality of herding, trapping and locking the victims in the two houses, thereby rendering them helpless in the ensuing inferno, and for the degree of pain and suffering inflicted on the victims as they were burnt alive.*"

It should be mentioned as well that the indictment did not include two cases of abduction and killing -- once 16 and second time 18 Muslim and one Croat civilian (who were citizens of FRY<sup>1</sup> at that time) -- in 1992 and 1993 in the

---

<sup>1</sup> Federal Republic of Yugoslavia.



**YUCOM**

---

Komitet pravnika za ljudska prava / Lawyers' Committee for Human Rights  
17 Svetogorska Street, 11000 Belgrade, Republic of Serbia Tel/Fax: +381 11 33 44 235; 33 444 25;  
e-mail [yucomoffice@gmail.com](mailto:yucomoffice@gmail.com)  
[www.yucom.org.rs](http://www.yucom.org.rs)

townships of Sjeverin and Štrpci. Because of the crime in Sjeverin, **Milan Lukić** was already sentenced by the Belgrade District Court to 20 years imprisonment.

## **REACTIONS TO THE JUDGEMENT**

Although reports about the Judgment instantly became breaking news and dominated most prominent media in the country for days, silence from the most senior state officials -- most of all from the President **Boris Tadić** and from Prime Minister **Mirko Cvetković** and other Ministers -- was conspicuous. Especially so in light of the fact that in a majority of previous cases when ICTY has passed judgments: none of these dignitaries missed an opportunity to comment on them<sup>2</sup>. In spite of that, mid-ranking state officials, representatives of the judiciary and other prominent public figures expressed their support for the judgment - either in total, or somewhat reserved. In that sense spokesman of the Serbian *War crimes department* **Bruno Vekarić** stated that the ICTY judgment in the **Milan** and **Sredoje Lukić** case represents "[ICTY Chief Prosecutor] **Serge Bramertz's** legal victory", and that it meant "justice for victims", whereas **Dragoljub Todorović** who acts as legal representative of the families of abducted passengers from the train in Štrpci, has stated that it is not clear to him "why [former Chief Prosecutor] **Carla Del Ponte** did not include the crimes in Sjeverin and Štrpci in the indictment because there was more than enough evidence for that". The statement of Vice-President of *Sandzak Democratic Party* **Meho Omerović** that "Serbian national television - RTS should publish the information about the real nature of the crime and not only about the sentence" should be also considered. Support to the judgment was also expressed in readers' comments at numerous websites: many expressed their exasperation at the gravity of crimes committed and their belief that justice for the victims was done with this judgment.

---

<sup>2</sup> The most characteristic case was the "Vukovar tree" when the ICTY Appeals Chambers had increased the sentence to Colonel **Veselin Šljivančanin** from 5 to 17 years of imprisonment, whereupon not a single one of the most senior officials missed an opportunity to condemn the judgment. The same reaction happened when **Naser Oric** was acquitted.



**YUCOM**

---

**Komitet pravnika za ljudska prava / Lawyers' Committee for Human Rights**  
17 Svetogorska Street, 11000 Belgrade, Republic of Serbia Tel/Fax: +381 11 33 44 235; 33 444 25;  
e-mail [yucomoffice@gmail.com](mailto:yucomoffice@gmail.com)  
[www.yucom.org.rs](http://www.yucom.org.rs)

### **[Radio, TV and internet portal] B92:**

No sentence is big enough for these crimes. Nobody prevented them in two years? Who will punish those who should have stopped them? And those who did the planning and instigating??? Which river will wash us now!!

*(Ima ih više..., July 20, 2009 02:20)*

It is understandable that such monsters do not feel remorse because if they had known what remorse is, they wouldn't have done that sort of things in the first place. It is horrible what they have done. And the worst thing is that everywhere around us there are similar people with similar ideas, but there is no political climate so that they could not think that they will go unpunished for this sort of acts. *(Vukašin, July 20, 2009 11:27)*

I was a member of the Army of the Republic of Srpska during the war. I'm ashamed because of these monsters that were in our midst. Horror and fear are taking over me because of what they did and how the poor victims must have felt in those moments... There is no justice in this world, and there is no punishment harsh enough for these monsters. Shame on all those who have committed and on those who had planned and ordered, and on those who are now defending and supporting that as well, if you read this "Shame on you" *(Alex C., July 20, 2009 12:21)*

\* \* \*

Nevertheless, even if they were outnumbered, it is impossible not to mention reactions which came from the usual and well-known places (right-wing press and certain opposition politicians) and in which the stereotypes that "ICTY is one-sided" and that "Milan and Sredoje Lukić were sentenced only because they are Serbs" were prevailing. As evidence in support for these claims, the acquittals for [Bosniak warlord] **Naser Orić** and [Kosovo-Albanian] **Ramuš Haradinaj** before the ICTY were used as argument. Examples:

MP for the *Serbian Radical Party* (SRS), **Vjerica Radeta**: "This is another proof that ICTY is formed to prosecute Serbs exclusively. They are acquitting



**YUCOM**

---

**Komitet pravnik za ljudska prava / Lawyers' Committee for Human Rights**  
17 Svetogorska Street, 11000 Belgrade, Republic of Serbia Tel/Fax: +381 11 33 44 235; 33 444 25;  
e-mail [yucomoffice@gmail.com](mailto:yucomoffice@gmail.com)  
[www.yucom.org.rs](http://www.yucom.org.rs)

Albanians and Naser Orić and they are sentencing Serbs the harshest way. Not a single Serb has gotten away"<sup>3</sup>.

Official of the *Serbian Progressive Party* (SNS) **Borislav Pelević**: "If ICTY could increase Veselin Šljivančanin's sentence from 5 to 17 years, and with the same evidence and witnesses acquit Naser Orić, who --according to UNHCR -- is responsible for the death of 3.267 Serbs, than it is clear that this is anti-Serb Tribunal"<sup>4</sup>.

*Kurir* daily in its issue on of July 22<sup>nd</sup>, 2009 published a text under the headline "Injustice" which contains an emotionally intonated confession of **Milan Lukić's** sister **Draginja Baltić**. Stereotypes about "anti-Serbian tribunal" on the basis of which **Milan Lukić** was sentenced are prevailing.

\* \* \*

The *Pravda* daily on the same day carried a text headlined "Serbs were victims in Eastern Bosnia as well", which characterized the judgment as politically motivated and one-sided, whereas the ICTY is depicted as a Tribunal which is problematic and established "to prosecute Serbs only". This standpoints were supported with statements by some opposition leaders such as **Aleksandar Čotrić** (*Serbian Renewal Movement - SPO*), **Borislav Pelević** (SNS), **Dubravka Filipovski** (New Serbia), **Zoran Nikolić** (*Democratic Party of Serbia*) and others.

One should also highlight comments by some of the visitors of web-sites like *Politika*<sup>5</sup> and *Press* daily newspapers, and not just because of the fact that many of them reflect direct support to **Milan** and **Sredoje Lukić**, and in various ways justify their acts, but because of the fact that both these newspapers are known for their closeness to the Government of Serbia.

---

<sup>3</sup> *Glas javnosti daily* July 21st, 2009.

<sup>4</sup> *Glas javnosti daily* July 21st, 2009.

<sup>5</sup> As regards *Politika*, it should be noted that this newspaper is published by a house partly owned by government, and is under their direct influence.



**YUCOM**

---

**Komitet pravnika za ljudska prava / Lawyers' Committee for Human Rights**  
17 Svetogorska Street, 11000 Belgrade, Republic of Serbia Tel/Fax: +381 11 33 44 235; 33 444 25;  
e-mail [yucomoffice@gmail.com](mailto:yucomoffice@gmail.com)  
[www.yucom.org.rs](http://www.yucom.org.rs)

### *Press daily:*

Yes the sentence would be small because you are thirsty of Serbian blood; if there is justice, beasts like Haradinaj and Naser Oric would get the same sentence ... All of this is a farce which doesn't serve truth and justice but to cover up the bombing of our state and taking away our territory. If there is any comfort for Lukic that is the fact that Drina is no longer border of between Serb people. (*Mitar* July 21, 2009, 01:10)

I can't see any beasts, I see only heroes! Death to the ICTY, freedom for Seselj!! (*anonymous* July 21,2009, 01:57)

They frame us as guilty again, justice for Milan!! He is a hero and bastards from The Hague and domestic fools and traitors are presenting him as villain! (*Anonymous* July 21, 2009, 04:04)

Many thanks to Milan and Sredoje on everything what they gave to the Serbian people, some alleged crimes will never make real Serbs to forget what two of them did for the Serbian people, they were defending Serb children from Croatian and Muslim hordes of evil while some of them who are condemning them today were in America and other countries which were killing our children (Djindjic, Tadic, Dinkic)! Thank you both of you, brothers! You were dying for Serbia and Serbia repays you like this, after all, there is God who sees the treason of our holy country and everything which is orthodox, [he will punish them] the way he punished Djindjic for atrocities against the Serbian people! (*Uros* July 21, 2009, 04:10)

And I can see only people who were defending their own people, what should they have done - to stand aside and look how Naser Oric is killing, haven't they? (*anonymous* July 21, 2009, 11:04)

### *Politika* daily:

*Mixer*, Jul. 21, 2009, 14:19

And how much did Oric and Islamic terrorists from Kosovo get for murdering a couple of thousand on they own doorstep; all of them were kids, women and



**YUCOM**

---

**Komitet pravnik za ljudska prava / Lawyers' Committee for Human Rights**  
17 Svetogorska Street, 11000 Belgrade, Republic of Serbia Tel/Fax: +381 11 33 44 235; 33 444 25;  
e-mail [yucomoffice@gmail.com](mailto:yucomoffice@gmail.com)  
[www.yucom.org.rs](http://www.yucom.org.rs)

civilians. What they get will reflect the face of ICTY and Serbia. How many years for terrorism and war crimes someone in Serbia who belongs to other nationality for much bigger atrocities would get? If that Lukic is guilty and if he did something like that, he deserves punishment, but at present ICTY is not in a state to pass judgments, and Serbia even less. Neither in Serbia nor in The Hague was there someone who was found accountable for war crimes against Serbs. Consequently, another innocent victim of Serbia has fallen in the name of Government of Serbia and its accession to the EU. It is horrible to be a Serb. Yet again time has Serbia shown to Serbs who love their own people and state that there is no place for them. At the same time a message was sent to those who may intend in the future to defend their state and people, what is waiting for them. Both Serbian and The Hague courts.

*Aleksandar Karinkton, Jul. 22, 2009, 09:57*

Milan Lukic is a hero he saved Visegrad from Muslims and Muslim fanatics who were raging through the streets of the above named town, they even mistreated innocent bystanders of another nationality. The man is completely innocent.

### Outlook:

The **Milan** and **Sredoje Lukić** verdict clearly demonstrates that unbiased reporting -- if and when void of politicking stereotypes -- on the nature and magnitude of crimes tried before the ICTY, can provoke emotional and compassionate reactions and unequivocal condemnation of those crimes. However, a large number of politicians, analysts, journalists and intellectuals still persist on ICTY's anti-Serb conspiracy, and thus divert attention from what really happened and prevent a sincere confrontation with the recent past. Should Serbia's political elites continue to flirt with crimes committed in the name of Serbdom, public opinion will be anesthetized -- and partly radicalized -- to the extent that those crimes will become acceptable irrespective of their monstrous character, as numerous reactions to this verdict vividly show.

It is in such an atmosphere that further developmen of democrartic institurtions and uphold of human rights can hardly be expected.



**YUCOM**

---

**Komitet pravnika za ljudska prava / Lawyers' Committee for Human Rights**

17 Svetogorska Street, 11000 Belgrade, Republic of Serbia Tel/Fax: +381 11 33 44 235; 33 444 25;  
e-mail [yucomoffice@gmail.com](mailto:yucomoffice@gmail.com)  
[www.yucom.org.rs](http://www.yucom.org.rs)