



HRSP NEWSLETTER

U.S. Department of Justice, Criminal Division, Human Rights and Special Prosecutions Section

December 2023

This month, the Human Rights and Special Prosecutions Section (HRSP) brought three indictments against human rights violators: the first ever charges under the U.S. war crimes statute against four Russia-affiliated military personnel for war crimes against an American citizen in Ukraine; charges against a Tennessee man for the torture of prisoners in a Bosnian prison camp; and charges against a West Virginia woman for fraudulently obtaining citizenship by failing to disclose human rights violations she committed as a member of a police force in Bosnia and Herzegovina. Details of the indictments are below.

Four Russia-Affiliated Military Personnel Charged with War Crimes in Connection with Russia’s Invasion of Ukraine

War crimes charges against four Russia-affiliated military personnel were unsealed on December 6 in the Eastern District of Virginia. The charges include torture, inhuman treatment, and unlawful confinement of a U.S. national in Ukraine following Russia’s full-scale invasion of Ukraine in February 2022.

Suren Seiranovich Mkrtchyan, 45, Dmitry Budnik, Valerii LNU (last name unknown), and Nazar LNU were each charged in connection with their unlawful detainment of a U.S. national in the context of the armed conflict between Russia and Ukraine. The defendants are alleged to have interrogated, severely beaten, and tortured the victim. They also allegedly threatened to kill the victim and conducted a mock execution. The defendants are charged with three war crimes – unlawful confinement, torture, and inhuman treatment – and one count of conspiracy to commit war crimes. If convicted, the defendants each face a maximum penalty of life in prison.

“As the world has witnessed the horrors of Russia’s brutal invasion of Ukraine, so has the United States Department of Justice,” said Attorney General Merrick B. Garland. “That is why the Justice Department has filed the first ever charges under the U.S. war crimes statute against four Russia-affiliated military personnel for heinous crimes against an American citizen. The Justice Department will work for as long as it takes to pursue accountability and justice for Russia’s war of aggression.”

According to allegations in the indictment, Mkrtchyan and Budnik were commanding officers of military units of the Russian Armed Forces and/or the so-called Donetsk People’s Republic, and Valerii and Nazar were lower-ranking military personnel. The defendants are alleged to have been fighting on behalf of Russia in Ukraine when they allegedly committed war crimes.

In April 2022, Mkrtchyan and soldiers under his command allegedly abducted the victim, a U.S. national, from his home in the village of Mylove in the Kherson Oblast region in southern Ukraine and unlawfully confined him for at least 10 days. During the abduction, Mkrtchyan, Valerii, Nazar, and others allegedly threw the victim face down to the ground while he was naked, tied his hands behind his back, pointed a gun at his head, and severely beat him, including with the stocks of their guns. Mkrtchyan, Valerii, Nazar, and others then allegedly transported the victim to an improvised military compound in Mylove.

The indictment also alleges that Mkrtchyan and Budnik led and participated in at least two interrogation sessions during which the four defendants and others tortured the victim. During one interrogation, Mkrtchyan, Valerii, and Nazar allegedly stripped off the victim’s clothes and photographed him. The defendants and others then allegedly severely beat the victim, pointed guns at the back of his head, and threatened to shoot him. Budnik allegedly threatened the victim with death and asked for his last words. Shortly thereafter, Nazar and others allegedly conducted a mock execution. They allegedly forced the victim to the ground, put a gun to the back of his head, then moved the gun slightly and shot a bullet just past the victim’s head.

The FBI Washington Field Office and HSI Washington, D.C. Field Office, with assistance from the FBI’s International Human Rights Unit and HSI’s Human Rights Violators and War Crimes Center, investigated the war crimes allegations in partnership with the U.S. Attorney’s Office for the Eastern District of Virginia and the Justice Department’s War Crimes Accountability Team.

HRSP Trial Attorney and Lead Prosecutor for the War Crimes Accountability Team Christian Levesque, HRSP Trial Attorney Patrick Jasperse, and Assistant U.S. Attorney Alexander E. Blanchard for the Eastern District of Virginia are prosecuting the case, with significant assistance from Former Assistant U.S. Attorney Thomas W. Traxler for the Eastern District of Virginia. HRSP historians and other staff provided substantial assistance in the investigation and prosecution. The Criminal Division’s Computer Crime and Intellectual Property Section, Appellate Section, Office of Enforcement Operations, and Office of International Affairs, as well as the National Security Division, also provided valuable assistance.

Tennessee Man Charged with Torture of Prisoners in Bosnia and Herzegovina

Torture charges stemming from actions against Bosnian prisoners during the armed conflict in Bosnia and Herzegovina were unsealed on December 14 against Tennessee resident Sead Miljković. The superseding indictment in the Eastern District of Tennessee charges Miljković with three counts of inflicting torture on prisoners under his supervision.

In June 2023, Miljković, also known as Sead Dukic, was charged in a three-count indictment for passport fraud for allegedly making false statements relating to his true name and date of birth. The superseding indictment adds torture charges to the previously charged offenses.

The superseding indictment alleges that Miljković was a member of the Obezbjedenje objekata i lica (OBL), a police force of the “Autonomous Province of Western Bosnia” (APZB). The OBL was responsible for guarding APZB headquarters at the Old Fort, a castle overlooking the town of Velika Kladuša, Bosnia. Between December 1994 and August 1995, soldiers of the Bosnian Army who had been captured in fighting against APZB armed forces were transported from detention camps to perform forced labor at the Old Fort under Miljković’s and other OBL members’ supervision and control.

According to the allegations, Miljković and other OBL members inflicted severe and sustained beatings on the prisoners, including with the use of instruments such as a metal pipe, rifle butt, and shovel handle, causing the victims to lose consciousness or suffer other injuries. Miljković and other OBL members also threatened prisoners with death, intentionally withheld water even while forcing the prisoners to perform hard physical labor, forced the prisoners to fight one another, and pushed one victim’s head down on a knife or bayonet as if to impale his throat on the blade.

The maximum sentence for each of the torture charges is 20 years in prison. If convicted, a federal district court judge will determine any sentence after considering the U.S. Sentencing Guidelines and other statutory factors.

The case is being prosecuted by HRSP Trial Attorneys Elizabeth Nielsen and Chelsea Schinnour and Assistant U.S. Attorney Jay Woods of the Eastern District of Tennessee, with assistance from HSRP historians. The Justice Department’s Office of International Affairs also provided assistance.

Homeland Security Investigations Chattanooga investigated the torture allegations with support from HSI Vienna, HSI New Jersey, HSI’s Human Rights Violators and War Crimes Center, and assistance from the Diplomatic Security Service (DSS) Houston, the Chattanooga Police Department Special Victims Unit (SVU), the Hamilton County Sheriff’s Office, and the Tennessee Highway Patrol.

Naturalized U.S. Citizen Charged with Fraudulently Obtaining Citizenship by Failing to Disclose Role in Abuse of Prisoners in Bosnia and Herzegovina

A naturalized U.S. citizen from Bosnia and Herzegovina was indicted on November 30 in Morgantown, West Virginia, on criminal charges related to allegations that she lied to obtain U.S. citizenship. According to the indictment, Nada Radovan Tomanic of West Virginia, allegedly served with the Zulfikar Special Unit of the Army of Bosnia and Herzegovina during the armed conflict in that country in the 1990s. Along with other Zulfikar Special Unit soldiers, Tomanic allegedly participated in the physical and mental abuse of Bosnian Serb prisoners targeted on the basis of their ethnicity, religion, and membership in a particular social group. The indictment alleges that, when applying for naturalization, Tomanic falsely represented that she had not persecuted anyone because of their religion, membership in a particular social group, or political opinion and had never committed a crime for which she had not been arrested.

Tomanic is charged with two counts of unlawful procurement of naturalization. If convicted, she faces a maximum penalty of 10 years in prison on each count. A conviction would also result in the automatic revocation of Tomanic’s U.S. citizenship.

HRSP Trial Attorney Elizabeth Nielsen and Assistant U.S. Attorney Angel Krull for the District of Connecticut are prosecuting the case, with assistance from HRSP historians. The Justice Department’s Office of International Affairs also provided assistance.

The FBI is investigating the case, with coordination provided by the Department of Homeland Security’s Human Rights Violators and War Crimes Center and U.S. Citizenship and Immigration Services’ Office of Fraud Detection and National Security (FDNS), along with the FBI’s International Human Rights Unit.

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Members of the public who have information about human rights violators in the United States are urged to contact U.S. law enforcement through the FBI tip line at 1-800-CALL-FBI or the HSI tip line at 1-866-DHS-2-ICE, or complete the FBI online tip form at <https://www.ice.gov/webform/ice-tip-form> or the ICE online tip form at <https://tips.fbi.gov/>.

An indictment is merely an allegation, and all defendants are presumed innocent until proven guilty beyond a reasonable doubt in a court of law.

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