

**THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA**

CASE NO: IT-98-32/1-R77.2

THE PROSECUTOR OF THE TRIBUNAL

AGAINST

JELENA RAŠIĆ

INDICTMENT

The Prosecutor of the International Criminal Tribunal for the former Yugoslavia ("Tribunal"), pursuant to Rule 77 of the Rules of Procedure and Evidence of the International Criminal Tribunal for the former Yugoslavia ("the Rules of the Tribunal"), charges:

JELENA RAŠIĆ

with **CONTEMPT OF THE TRIBUNAL**.

THE ACCUSED

1. **JELENA RAŠIĆ**, daughter of Momčilo, was born on 19 April 1983 in Šibenik, Croatia. At all material times, **Jelena RAŠIĆ** was acting as member of the Milan **LUKIĆ** Defence in the case of *The Prosecutor v. Milan LUKIĆ and Sredoje LUKIĆ*, IT-98-32/1-T ("**LUKIĆ & LUKIĆ** case"), then before a trial chamber of the Tribunal.

CHARGES

COUNT 1

CONTEMPT OF THE TRIBUNAL

2. On or about 18 October 2008, **Jelena RAŠIĆ** knowingly and wilfully interfered with the Tribunal's administration of justice in that she procured a false witness statement from Zuhdija TABAKOVIĆ.
3. **Jelena RAŠIĆ** met Zuhdija TABAKOVIĆ in Sarajevo, Bosnia and Herzegovina, and showed Zuhdija TABAKOVIĆ a pre-prepared witness statement for use in the *LUKIĆ & LUKIĆ* case. **Jelena RAŠIĆ** asked Zuhdija TABAKOVIĆ if he would confirm, sign and verify the statement in exchange for 1,000 euros cash. She promised him more money if he came to The Hague and testified in accordance with the statement on behalf of Milan LUKIĆ in the *LUKIĆ & LUKIĆ* case. **Jelena RAŠIĆ** knew that the statement was for use in the *LUKIĆ & LUKIĆ* proceedings relating to Milan LUKIĆ.
4. On 20 October 2008, **Jelena RAŠIĆ** met Zuhdija TABAKOVIĆ at the Novi Grad (Sarajevo) Municipality building. He signed multiple copies of the statement dated 20 October 2008, and these signatures were verified and certified by a Municipality official on the same day. **Jelena RAŠIĆ** kept the original statement and gave a copy of it to Zuhdija TABAKOVIĆ. The statement was false as Zuhdija TABAKOVIĆ had no knowledge of any of the events described in the statement.
5. After Zuhdija TABAKOVIĆ's signature on the statement was certified, **Jelena RAŠIĆ** gave Zuhdija TABAKOVIĆ an envelope containing 1,000 euros.
6. On or about 20 October 2008, **Jelena RAŠIĆ** provided Zuhdija TABAKOVIĆ a map purportedly drawn by Milan LUKIĆ to aid Zuhdija TABAKOVIĆ's testimony when recalling the matters contained within his false statement.

By all these acts and omissions, **Jelena RAŠIĆ** knowingly and wilfully interfered with the Tribunal's administration of justice and committed:

Count 1: Contempt of the Tribunal, punishable under this Tribunal's inherent powers and Rules 77(A) and (G) of the Rules of the Tribunal.

COUNT 2

CONTEMPT OF THE TRIBUNAL

7. On or about 18 October 2008, **Jelena RAŠIĆ** knowingly and wilfully interfered with the Tribunal's administration of justice in that she encouraged and/or persuaded Zuhdija TABAKOVIĆ to procure false witness statements.
8. On or about 18 October 2008 during a meeting with Zuhdija TABAKOVIĆ, **Jelena RAŠIĆ** produced to him the substance of two other pre-prepared statements to be used in the *LUKIĆ & LUKIĆ* case with the details of the makers left blank. She offered Zuhdija TABAKOVIĆ a reward to find other men born in Višegrad to sign these false statements. **Jelena RAŠIĆ** told Zuhdija TABAKOVIĆ those men would be paid for signing the statements and that they would receive more money once they testified in the *LUKIĆ & LUKIĆ* case in a manner consistent with the statements. Zuhdija TABAKOVIĆ agreed to find other men born in Višegrad to sign the statements.

By all these acts and omissions, **Jelena RAŠIĆ** knowingly and wilfully interfered with the Tribunal's administration of justice and committed or incited:

Count 2: Contempt of the Tribunal, punishable under this Tribunal's inherent powers and Rules 77(A) and/or (B) and Rule 77(G) of the Rules of the Tribunal.

COUNTS 3 & 4

CONTEMPT OF THE TRIBUNAL

9. **Jelena RAŠIĆ** knowingly and wilfully interfered with the Tribunal's administration of justice in that she procured a false witness statement from both Mr. X and Mr. Y.
10. Paragraph 8 of the Indictment (above) is incorporated by reference herein.
11. On a date between 17 October 2008 and 24 October 2008, Zuhdija TABAKOVIĆ met with Mr. X and Mr. Y, both born in Višegrad, and asked each man whether he would be willing to sign a statement in exchange for payment of 1,000 euros.
12. Both men agreed to sign a statement in exchange for payment of 1,000 euros. Mr. X and Mr. Y each knew that by putting his name to the statement and by signing it, he would be providing a false statement.
13. On 23 October 2008, Zuhdija TABAKOVIĆ met with Mr. X and Mr. Y at a café near the Novi Grad (Sarajevo) Municipality building. He accompanied each man individually and in turn—Mr. X first, then Mr. Y—from the café to the Municipality building. There, he introduced each man to **Jelena RAŠIĆ**, who accompanied Mr. X and Mr. Y in turn into the Municipality building where she completed the statements. They then signed their statements dated 23 October 2008 and had their signatures certified by a Municipality official.
14. **Jelena RAŠIĆ** kept the original of each statement dated 23 October 2008.
15. As a result of their putting their names upon the statements and signing them, both Mr. X and Mr. Y each received 1,000 euros.

By all of these acts and omissions, **Jelena RAŠIĆ** knowingly and wilfully interfered with the Tribunal's administration of justice and committed:

Count 3 (in relation to Mr. X): Contempt of the Tribunal, punishable under this Tribunal's inherent power and Rules 77(A) and (G) of the Rules of the Tribunal; and

Count 4 (in relation to Mr. Y): Contempt of the Tribunal, punishable under this Tribunal's inherent power and Rules 77(A) and (G) of the Rules of the Tribunal.

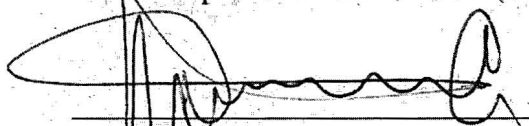
COUNT 5

CONTEMPT OF THE TRIBUNAL

16. **Jelena RAŠIĆ** knowingly and wilfully interfered with the Tribunal's administration of justice in that she procured a false witness statement from each of Zuhdija TABAKOVIĆ, Mr. X and Mr. Y.
17. On a day or days between 23 October 2008 and 6 December 2008, **Jelena RAŠIĆ** returned to Sarajevo with unsigned revised versions of the false signed statements of Zuhdija TABAKOVIĆ, Mr. X and Mr. Y. **Jelena RAŠIĆ** made contact with Zuhdija TABAKOVIĆ, gave him the three unsigned revised statements and asked him to sign his own statement and to ask Mr. X and Mr. Y respectively to sign theirs. Each statement was false.
18. Zuhdija TABAKOVIĆ agreed to and did sign his statement and agreed to obtain the signatures of the other men on their statements. All three statements dated 5 December 2008 were signed and returned to **Jelena RAŠIĆ**.
19. On 20 January 2009, Lead Counsel for the Milan LUKIĆ Defence handed over copies of the signed 5 December 2008 statements of Zuhdija TABAKOVIĆ, Mr. X and Mr. Y to the Prosecution.

By all of these acts and omissions, **Jelena RAŠIĆ** knowingly and wilfully interfered with the Tribunal's administration of justice and committed:

Count 5: Contempt of the Tribunal, punishable under this Tribunal's inherent power and Rules 77(A) and (G) of the Rules of the Tribunal.



Serge Brammertz
Prosecutor



Dated this 8th day of July 2010
At The Hague
The Netherlands