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International Tribunal for the
Prosecution of Persons
Responsible for Serious Violations of
International Humanitarian Law
Committed in the Territory of the
former Yugoslavia since 1991

Case No.: IT-09-92-PT

Date: 24 February 2012

IN TRIAL CHAMBER I

Before: Judge Alphons Orie, Presiding
Judge Bakone Justice Moloto
Judge Christoph Flügge

Registrar: Mr. John Hocking

THE PROSECUTOR

v.

RATKO MLADIĆ

Public
with
Public Annexes A-F

PROSECUTION PRE-TRIAL BRIEF

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

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v.

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Public Annexes A-F*

PROSECUTION PRE - TRIAL BRIEF

Pursuant to Rule 65ter(E)(i) of the Rules of Procedure and Evidence the Prosecution submits its Pre- trial Brief with the following Annexes:

1. Public Annex A: Narrative of Crimes in the Municipalities¹
2. Public Annex B: Summary of Evidence to be Adduced in Support of the Crimes Enumerated in Schedules A through G of the Indictment²
3. Public Annex C: Maps Relevant to the Indictment
4. Public Annex D: Organigrams of Military and Police Units³
5. Public Annex E: Charts and Tables Relevant to Political Structures
6. Public Annex F: Glossary

1. The submission of this Pre-Trial Brief in conjunction with the Prosecution Witness List and Exhibit List filed on 10 February 2012 completes the requirements of Rule 65 *ter* (E).⁴

¹ For the purposes of clarity, the Prosecution summarises its case with respect to the municipalities charged in the Indictment in this single separate narrative.

² Annex B contains a comprehensive but not exhaustive list of the evidence the Prosecution will adduce with respect to each crime enumerated in Schedules A to G in the Indictment.

³ The organigrams in Annex D are best viewed on a computer monitor.

⁴ Rule 65*ter*(E)(i) and (iii) requires the Prosecution's Pre-trial Brief to include any admissions by the parties and information about whether the authenticity of exhibits is challenged by the Defence.

2. To protect the security and privacy of witnesses until they come before the Trial Chamber the Prosecution has referenced the evidence of particular witnesses by using their witness reference numbers.

Words: 43,974
(including Annex A)

Respectfully submitted,



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Dated this 24th day of February 2012
At The Hague, The Netherlands

Discussions regarding such matters are ongoing, have been reported to the Chamber and will be the subject of a separate filing.

TABLE OF CONTENTS

I. Introduction.....	5
II. MLADIĆ Was a Key Member of an Overarching JCE to Permanently Remove Bosnian Muslims and Bosnian Croats from Bosnian Serb-claimed Territory in BiH.....	8
A. Bosnian Serb Response to Independent BiH	8
B. Territories claimed by the Bosnian Serbs	9
C. Ethnic separation, the need for ethnically homogeneous territories and genocidal intent	10
D. Preparation and Implementation of Steps	16
1. The Six Strategic Objectives	18
2. Establishment of the VRS and MLADIĆ’s appointment as Commander of the VRS Main Staff	20
3. Implementation of the Six Strategic Objectives.....	20
E. Organs and Individuals Executing the Objectives of the JCE and MLADIĆ’s Role and Contribution	22
1. Serb Forces’ Participation in the JCE.....	23
2. RS Political and Governmental Organs’ Participation in the JCE	37
F. Execution of the Over-Archiving JCE and Crimes Committed to Permanently Remove Bosnian Muslims and Bosnian Croats from Bosnian Serb-Claimed Territory	47
1. Eastern Bosnia in 1992	47
2. The Autonomous Region of Krajina (“ARK”) in 1992.....	51
3. Sarajevo Area in 1992	54
III. Sarajevo Campaign of Sniping and Shelling.....	58
A. MLADIĆ Shared a Common Plan to Spread Terror Among the Civilian Population of Sarajevo Through a Campaign of Shelling and Sniping	58
B. MLADIĆ was a Key Member of a JCE to Spread Terror Among the Civilian Population of Sarajevo.....	60
1. SRK Participation in the JCE	61
2. KARADŽIĆ’s Participation in the JCE	62
3. JNA, Crisis Staffs, Paramilitary and MUP/TO Participation in the JCE	62
C. Crimes Committed in the Execution of the JCE to Terrorise the Civilian Population	63
IV. Srebrenica.....	66
A. MLADIĆ was a Key Member of the JCE to Eliminate Bosnian Muslims in Srebrenica	66
B. The Common Plan to Eliminate Bosnian Muslims in Srebrenica	69
C. The Build-up and Attack on Srebrenica enclave.....	70
D. After the Fall of Srebrenica.....	72
E. MLADIĆ was a Key Member of the JCE to Eliminate Bosnian Muslims in Srebrenica	75
F. MLADIĆ’s Contribution to the JCE to Eliminate the Bosnian Muslims in Srebrenica	76
1. The killing operation	82
2. Attempts to cover up the crimes at Srebrenica.....	89
G. Participants in the JCE to Eliminate the Bosnian Muslims in Srebrenica.....	90
H. MLADIĆ Committed the Crime of Genocide.	90
V. Hostages.....	93
A. MLADIĆ was a Key Member of the JCE to Take Hostages in 1995.....	93
VI. Other Modes of Liability under Article 7(1)	97
VII. Criminal Liability Under Article 7(3) of the Statute	101
A. MLADIĆ was in Effective Command and Control of the VRS, and Forces Integrated and Re-subordinated to the VRS	101
B. MLADIĆ Knew, or Had Reason to Know, that His Subordinates Might Commit and had Committed Crimes	103
C. MLADIĆ Failed to Take Necessary and Reasonable Measures to Prevent the Crimes and to Punish the Perpetrators.	105

Annex A: Events in the Municipalities.....	109
Banja Luka.....	109
Bijeljina.....	111
Foča.....	112
Ilidža.....	115
Kalinovik.....	116
Ključ.....	117
Kotor Varoš.....	120
Novi Grad.....	123
Pale.....	124
Prijedor.....	125
Rogatica.....	131
Sanski Most.....	133
Sokolac.....	136
Vlasenica.....	138
Index of Pre-Trial Brief and Annex A.....	140

I. INTRODUCTION

1. During the time period covered by the Indictment,⁵ **Ratko MLADIĆ**,⁶ the Commander of the Main Staff of the Bosnian Serb Army (VRS)⁷, was the most powerful operational military leader among the Bosnian Serbs, subordinate only to the Republika Srpska Supreme Commander Radovan KARADŽIĆ. Between 12 May 1992 and November 1995, together with other Bosnian Serb military, political, and civilian leaders, as well as Serb leaders and officials from Serbia and Croatia, **MLADIĆ** participated in a common criminal purpose, the objective of which was to forcibly and permanently remove Bosnian Muslims and Bosnian Croats from targeted regions of Bosnia and Herzegovina (BiH) through a campaign of crimes.

2. On 12 May 1992, the VRS was established and **MLADIĆ** was appointed Commander of the VRS Main Staff. By that time, the implementation of the common criminal purpose had already commenced. Physical take-overs of municipalities within Serb-targeted territories began in late March 1992, and continued over the ensuing weeks and months. During and after these take-overs, Serb forces and Bosnian Serb Political and Governmental Organs⁸ expelled, killed, detained and mistreated thousands of Bosnian Muslim and Bosnian Croats. Thousands more fled in fear for their lives.

3. As of 12 May 1992, the VRS, acting under **MLADIĆ**'s command and control, participated in these crimes. **MLADIĆ** and the VRS also co-operated with other elements of Bosnian Serb Forces (BSF)⁹ and with Bosnian Serb Political and

⁵ Fourth Amended Indictment, 16 December 2011, hereinafter "Indictment".

⁶ Hereinafter "the Accused" or "**MLADIĆ**."

⁷ The Bosnian Serb Army was originally called the "Army of the Serbian Republic of Bosnia and Herzegovina. Before the end of 1992 the name was changed to the Army of Republika Srpska or the "VRS".

⁸ As defined in paragraph 11 of the Indictment.

⁹ In this brief, the term "Bosnian Serb Forces" (BSF) is used as a collective noun to refer to the groups of armed individuals who participated in the events and crimes described in the Indictment. Therefore, the term "Bosnian Serb Forces", although used consistently in this brief, describes a slightly different constellation of perpetrators depending upon the crimes it is used in reference to. The following is a summary of these differences.

See footer on next page for summary of defined terms.

Governmental Organs in implementing the common criminal purpose. By late 1992, most Muslims and Croats had been forced out of the territories claimed by the Bosnian Serb leadership (BSL).

4. Throughout the remainder of the Indictment period, **MLADIĆ** and other JCE members¹⁰ and tools prevented the return of expelled non-Serbs, continued the persecution of non-Serbs remaining in Bosnian Serb-held territory, and cleansed or attempted to cleanse the few remaining Bosnian Muslim enclaves.

5. While participating in this overarching persecutory campaign, **MLADIĆ** also participated in formulating and executing three other discrete criminal objectives, all of which were related to, and ultimately furthered, the objective of the overarching campaign.

6. Between 12 May 1992 and November 1995, **MLADIĆ** participated in a campaign of sniping and shelling against the besieged city of Sarajevo in order to spread terror among its civilian population. This terror campaign commenced in April 1992. Following the establishment of the VRS, the Sarajevo-Romanija Corps (SRK), acting under **MLADIĆ**'s command and control, was principally responsible for implementing this campaign. **MLADIĆ** and **KARADŽIĆ** were key participants in

Crime	Indictment Term	Description
Municipalities	"Serb Forces"	"Members of the MUP, VRS, JNA, VJ, TO, the Serbian MUP, Serbian and Bosnian Serb paramilitary forces and volunteer units, and local Serbs." (Indictment, para.12)
Sarajevo	"Sarajevo Forces"	"Until 20 May 1992, members of the JNA operating in or with responsibility over the Sarajevo area; members of the VRS, in particular the Sarajevo Romanija Corps; and members of other elements of the Serb Forces operating in or with responsibility over the Sarajevo area." (Indictment, para. 17)
Srebrenica	"Bosnian Serb Forces"	"VRS, TO, the MUP and Bosnian Serb paramilitary forces and volunteer units." (Indictment, para. 13(k)).
Srebrenica (organised killings)	"Srebrenica Forces"	"Members of the VRS and MUP operating in or with responsibility over territory within the Drina Corps area of responsibility and/or Trnovo municipality and a Serbian MUP units called the Scorpions." (Indictment, para.22)
Hostages	"Bosnian Serb Forces"	<i>Same as above.</i>

For clarity, the precise definition of the term BSF, as it is intended for each section of this Brief, is provided in the first footnote of each section: i) for the overarching JCE *see* fn.12 ; for the Sniping and Shelling JCE *see* fn.405 ; for the Srebrenica JCE *see* fn.485 ; for the Hostages JCE *see* fn.682.

¹⁰ The named members of the overarching JCE were: Radovan **KARADŽIĆ**; Momčilo **KRAJIŠNIK**; Slobodan **MILOŠEVIĆ**; Biljana **PLAVŠIĆ**; Nikola **KOLJEVIĆ**; Mićo **STANIŠIĆ**; Momčilo **MANDIĆ**; Jovica **STANIŠIĆ**; Franko **SIMATOVIĆ**; Željko **RAŽNATOVIĆ** (aka "Arkan") and Vojislav **ŠEŠELJ**. The Indictment also refers to unspecified members of several institutions and organisations. (Indictment, para.11).

this campaign, which also involved other Bosnian Serb military and political leaders. The BSL used its ability to modulate the level of terror in Sarajevo as a bargaining chip to secure concessions from the BiH Government and the international community, as a means of exacting revenge for events elsewhere, and to prevent BiH from becoming a viable independent state.

7. By mid-1995, Srebrenica was one of the last remaining Bosnian Muslim enclaves in Bosnian Serb held territory. On 6 July 1995, BSF under **MLADIĆ**'s command and under **KARADŽIĆ** as Supreme Commander, attacked Srebrenica. On the days following the attack **MLADIĆ**, **KARADŽIĆ** and others formed a criminal objective to eliminate the Bosnian Muslims in Srebrenica. On 11 July 1995 BSF took over the enclave. Over the ensuing days and weeks, BSF under **MLADIĆ**'s command and control murdered over 7,000 Bosnian Muslim men and boys and forcibly transferred the remaining Bosnian Muslim population out of the enclave.

8. In May and June 1995, **MLADIĆ**, **KARADŽIĆ**, and others formulated and implemented a criminal objective to take UN personnel hostage in order to prevent NATO air strikes against Bosnian Serb military targets. The air strikes threatened Bosnian Serb military capabilities and thus the ability of the BSL to realise its military and political goals. VRS and RS MUP forces captured over 200 UN peacekeepers and military observers and detained them at various locations, including those with strategic or military significance to the BSL.

9. As described in this Brief, **MLADIĆ** is criminally responsible for the crimes charged in the Indictment through his participation in each of these criminal objectives.¹¹

¹¹ *Stakić* AJ, paras.64-65; *Brđanin* AJ, paras.410-413.

II. MLADIĆ WAS A KEY MEMBER OF AN OVERARCHING JCE TO PERMANENTLY REMOVE BOSNIAN MUSLIMS AND BOSNIAN CROATS FROM BOSNIAN SERB-CLAIMED TERRITORY IN BIH¹²

10. In the face of Yugoslavia's dissolution, Serbian and Bosnian Serb military and civilian leaders, including Radovan KARADŽIĆ, the paramount leader of the Bosnian Serbs, were determined to prevent Bosnian Serbs from being separated from other Serbs in the former Yugoslavia by the establishment of a sovereign and independent BiH. In furtherance of their aims, on 12 May 1992, KARADŽIĆ and other members of the Bosnian Serb leadership established their own army and selected MLADIĆ to command it. From that point forward, MLADIĆ led the VRS in implementing an ongoing criminal objective of creating an ethnically separate entity on large portions of BiH through the forcible removal of hundreds of thousands of Bosnian Muslims and Croats.

A. Bosnian Serb Response to Independent BiH

11. As Yugoslavia disintegrated, republics moved towards independence. Serb leaders opposed this prospect, determined to prevent Croatia or BiH from becoming independent countries where sizeable Serb populations would be a minority and be separated by a border from other Serbs in former Yugoslavia. Slobodan MILOŠEVIĆ, president of the Republic of Serbia, and the BSL adamantly opposed any separation of Serbs in Bosnia or Croatia.¹³ As early as 1990, KARADŽIĆ warned that efforts by Bosnian Muslims or Croats to alter the nature of the Bosnian state would be dealt with by force.¹⁴

12. Working closely with MILOŠEVIĆ and other Serb leaders, the BSL pursued a two-pronged approach to ensure that Serbs would remain in a common state: engaging in negotiations to secure a common state, while simultaneously preparing the organs, entities and conditions for forcible ethnic separation and the creation of a Serb state carved out of BiH. A similar process had earlier started in Croatia.

¹² With respect to the overarching JCE described in paras. 8 to 13 of the Indictment and this section of the brief, the term Bosnian Serb Forces (BSF) is used as an equivalent term to "Serb Forces" as that term is defined in para. 12 of the Indictment. Paragraph 12 states in relevant part:

Members of the MUP, VRS, JNA, VJ, TO, the Serbian MUP, Serbian and Bosnian Serb paramilitary forces and volunteer units, and local Bosnian Serbs ("Serb Forces").

¹³ 65ter11100; 65ter03154.

¹⁴ 65ter07315; 65ter07499; *See, also*, 65ter03154.

13. Croatia's steps toward independence represented the first challenge to the determination of Serb leaders that Serbs would not be separated by a state border. In response, Croatian Serbs,¹⁵ guided by MILOŠEVIĆ and collaborating with other Serb leaders – including **MLADIĆ** and **KARADŽIĆ** – earmarked territories considered Serb, created separate Serb institutions to resist Croatian authority, declared autonomy and then independence and forcibly took control of approximately one-third of Croatian territory, killing thousands of Croats and expelling hundreds of thousands from their homes. As Commander of the JNA's 9th Corps based in Knin, **MLADIĆ** contributed to this effort by commanding military operations that involved the expulsion of ethnic Croats from Serb-targeted areas of Croatia.¹⁶

14. The objective of seizing and controlling territory by forcibly removing Bosnian Muslims and Bosnian Croats, as well as many of the same preparatory steps, would be repeated in BiH, with many of the same key participants, including: high ranking JNA officers, among them **MLADIĆ**; political leaders such as MILOŠEVIĆ and **KARADŽIĆ**; senior members of the Serbian MUP including Jovica STANIŠIĆ; political party leaders, including Vojislav ŠEŠELJ, and paramilitary leaders such as Željko RAŽNATOVIĆ aka "Arkan." The latter two became known for their extreme political stances and/or military actions related to both Croatia and BiH.¹⁷ The volunteers and paramilitaries associated with them became widely feared following extensive reporting of the atrocities committed against non-Serbs.¹⁸

B. Territories claimed by the Bosnian Serbs

15. Although ethnic Serbs constituted approximately one third of BiH's population, the BSL claimed the majority of BiH's territory, including areas in which hundreds of thousands of Muslims and Croats resided.¹⁹ The BSL asserted that Bosnian Serb territory should include areas the BSL claimed were majority Serb prior to the genocide of World War II (and where Serbs were now a minority),²⁰ a concept

¹⁵ Led by Milan BABIĆ, Milan MARTIĆ, Goran HADŽIĆ.

¹⁶ RM518.

¹⁷ 65ter08764; 65ter12886; 65ter02575; 65ter14000; 65ter14001; 65ter11826; 65ter11764; 65ter11810; 65ter11808; 65ter08764; 65ter12886; 65ter02575; 65ter14002; 65ter14000; 65ter14001; 65ter22723; 65ter11826; 65ter11764; 65ter11810 and 65ter11808.

¹⁸ *See, e.g.*, 65ter13068; 65ter13069 and 65ter22729.

65ter22495A; 65ter22456; and 65ter22467.

¹⁹ *See* Annex C (ethnic map); RM517; 65ter02337; *also* 65ter22394; and 65ter07617.

²⁰ RM517.

that became enshrined in the RS Constitution.²¹ **MLADIĆ** himself made frequent references to history and events from the recent or distant past to justify Serb control of territories in which Muslims were a majority, or explain the risks represented by their presence.²²

16. As discussed below, by late 1992, BSF had conquered many of these territories and Muslims and Croats had been killed, detained or expelled or had fled in fear.

C. Ethnic separation, the need for ethnically homogeneous territories and genocidal intent

17. Although they sought territories on which hundreds of thousands of Muslims and Croats lived, the BSL considered it untenable for Serbs to live with them in those territories.

18. In the months prior to **MLADIĆ**'s appointment as VRS Main Staff Commander, **KARADŽIĆ** repeatedly underscored that Muslims and Croats represented an existential threat to the Serbs. **KARADŽIĆ** insisted that Serbs faced the "same plans, the same villains and the same victims" as World War II;²³ that Serbs were unwilling to "go back to slavery;"²⁴ that Muslims were preparing laws to subjugate Serbs,²⁵ and that Muslims would quickly "overwhelm you with their birth-rate and their tricks."²⁶

19. On 21 December 1991, **KARADŽIĆ** declared that the Serbs in BiH "should aim for as much separation as possible,"²⁷ despite BiH's ethnically-intermingled

²¹ 65ter07187 and 65ter07191.

²² 65ter22906, Time-code 08:55-11:14,

The enemy of the Serb people from the First and the Second World War is trying to achieve its war goals by breaking up Yugoslavia and by chopping up of the Serb people. The breaking up of Yugoslavia mark two centuries of the liberation struggle of the Serbs in a single state. We are unjustly condemned to a long suffering, humiliation, exodus, and assimilation.... By resisting the invasion of the Ustashism and militant Islamism, which is threatening the Serb genus with extinction, the Serb people have organized itself politically and militarily in time, forming its political and state institutions, the organs of administration, police and army, which is capable of defending its people and providing completely the territory, independence and the constitutional order of our fatherland Serb Republic of Bosnia and Herzegovina .

See also, 65ter02352, p. 45.

²³ 65ter02331 (24 October 1991).

²⁴ 65ter02337 (21 December 1991).

²⁵ 65ter02339 (9 January 1992).

²⁶ 65ter07929 (28 February 1992).

²⁷ 65ter02337.

character.²⁸ This meant reconfiguring BiH's demographics. To that end, in January 1992, while the BSL was still exploring the possibility of a negotiated solution with the Croatian leadership, KARADŽIĆ's political ally Nikola KOLJEVIĆ met with Croatian leaders to discuss the reorganisation of BiH with the aim of "the homogeneity of certain areas,"²⁹ through property and population transfers.³⁰

20. In selecting **MLADIĆ** to head the VRS, KARADŽIĆ and other members of the BSL chose a commander who shared their demographic goals and would lead the VRS in implementing those goals militarily in Serb-claimed territories in BiH. KARADŽIĆ acknowledged that he had "asked for **MLADIĆ**" based on **MLADIĆ**'s conduct as a JNA commander in Croatia.³¹ KARADŽIĆ knew that this conduct included **MLADIĆ**'s participation in the expulsion of ethnic Croats from Serb-targeted areas of Croatia.³²

21. **MLADIĆ** shared the views of KARADŽIĆ and other members of the BSL on the existential threat posed by Muslims and Croats. At the 16th Assembly Session on 12 May 1992, which established the VRS and appointed **MLADIĆ** VRS Main Staff Commander, **MLADIĆ** said that the BSL was "creating an army which will ... protect our children from the conquering ambitions of Nazi mercenaries."³³

22. From the moment of his appointment **MLADIĆ** viewed his role – and that of the VRS – as protecting the Bosnian Serbs from this threat by realising through military force the ethnic separation that KARADŽIĆ and other members of the BSL had been advocating. At the same Assembly session **MLADIĆ** referred to the challenge that would be faced by reconfiguring BiH 's demographics, acknowledging both the difficulty in "shifting" "people and peoples" "from here to there" – something he knew from his experience in Croatia – and the unfavorable demographics in certain Serb-claimed territories:

People and peoples are not pawns nor are they keys in one's pocket that can be shifted from here to there. It is something easily said but difficult to achieve.³⁴

²⁸ 65ter02342.

²⁹ 65ter03202.

³⁰ 65ter03202.

³¹ 65ter02412, p.317.

³² RM518.

³³ 65ter02352, p. 45.

³⁴ 65ter02352, pp. 36-37 (*emphasis added*).

23. **MLADIĆ** disseminated among his subordinates the message that they were waging an ethnic war to protect Serbs from annihilation. His directives echoed the statements of **KARADŽIĆ** and other members of the BSL in emphasising the existential threat posed by non-Serbs. He declared that the VRS's task was "to protect Serbian populations from genocide and extermination"³⁵ and to "fight for physical survival of the Serbs in this territory"³⁶ characterizing the conflict as "a defensive war for our freedom and against the genocide of the Serbian people."³⁷ **MLADIĆ** announced that **TUĐMAN** and **IZETBEGOVIĆ** had agreed on "joint operations aimed at crushing the SRBH Army and subjugating and exterminating the Serbian people"³⁸ and that the enemy's "ultimate goal" was "annihilating the Serbs in the former Bosnia and Herzegovina as well as in the Balkans".³⁹ He characterised the Muslim side as a "fanatic adversary, who will be merciless to us and our people"⁴⁰ and instructed his subordinates to inform their forces of the "significance of military victory for survival of the Serbian people in BiH."⁴¹

24. **MLADIĆ** and the VRS generally used facially ambiguous terms such as "liberate" or "očistiti" (meaning "mop up" or "cleanse") in his orders to target territories. However, the context of these orders makes clear that **MLADIĆ** was directing his subordinates to remove Bosnian Muslims and Bosnian Croats from those targeted territories.

25. At the time of his appointment on 12 May 1992, **MLADIĆ** knew⁴² that Serb forces had already begun expelling Bosnian Muslims and Croats from targeted territories. Rather than changing course, **MLADIĆ** led the VRS in continuing this pattern of expulsions and other crimes against non-Serbs. As detailed below, **MLADIĆ** understood that, as VRS Commander, it was his role to implement

³⁵ First directive for further actions, 6 June 1992, 65ter03710.

³⁶ Second directive for further operations, 22 July 1992, 65ter05986.

³⁷ Fourth directive for further operations, 19 November 1992, 65ter03782.

³⁸ Third directive for further operations, 3 August 1992, 65ter03747.

³⁹ Fourth directive for further operations, 19 November 1992, 65ter03782.

⁴⁰ Second directive for further operations, 22 July 1992, 65ter05986.

⁴¹ Second directive for further operations, 22 July 1992, 65ter05986.

⁴² For example, at the 16th Session, Miroslav VJEŠTICA reported that all the Muslims had been "evacuated" from the right bank of the Una river ("on the right bank of the Una river there are no more Muslims in Serbian Municipality of Bosanska Krupa) and would be unlikely to be allowed to return in light of the "happy news" that the Una was to be the border (65ter02353, pp.24-25).

militarily the “Six Strategic Objectives”, the first and most important of which was to separate the Serbian people from the other two ethnic communities in BiH.⁴³

26. In accordance with the Strategic Objectives, the VRS and other Serb forces expelled and committed other crimes against non-Serbs in Serb-targeted territories.⁴⁴ **MLADIĆ** received reports of such crimes.⁴⁵ Instead of taking steps to punish or stop them, he lauded his units for “liberat[ing] the territories we consider ours.”⁴⁶ **MLADIĆ** congratulated his forces and presided over the reward and promotion of individuals and units involved in expelling and committing other crimes against non-Serbs in those claimed territories.⁴⁷

⁴³ See e.g., 65ter02412.

⁴⁴ Details of crimes committed by Serb Forces in implementing the Strategic Objectives, and in furtherance of the overarching JCE, are described below, and further details are contained in Annexes A and B.

⁴⁵ For example: on 6 May 1992, at a meeting with General MANDARIĆ, **MLADIĆ** recorded in his notebook that “in Bratunac, 2 /?/ of the SDS /Serbian Democratic Party/ are killing all Muslims by slitting their throats” and “2 detachments of the Bratunac TO, they brought in all the cutthroats from Vukovar, and killed everyone they laid their hands on in Ranče near Milići.” (65ter19581, p. 253).

On 2 June 1992 the 1KK reported to the VRS Main Staff that “the Muslim population of the sector of Lišna village has been moved out due to the failure of Muslim extremists to surrender weapons.” (65ter02837).

On 6 June 1992, at a meeting with “leading representatives of the state and political leadership”, including KARADŽIĆ, **MLADIĆ** recorded that “There are no Muslims now in Bratunac municipality. It is a fully liberated town, there are even no villages which cut off the roads.” (65ter19582, p. 101).

On 7 June 1992, **MLADIĆ** was informed of “a significant number of prisoners” in Rajlovac (in Novi Grad Municipality) and Iliđza including “women and children;” (65ter19582, p. 120).

On 14 June 1992 the 1KK reported to the VRS Main Staff that “the attempt to expel [Muslim and Croat refugees] to central Bosnia failed because of transportation difficulties and their resistance to leave their places /of residence/.” (65ter02847).

On 30 June 1992, at a meeting with representatives of eastern Bosnian municipalities, Marko PAVLOVIĆ of Zvornik Municipality reported to **MLADIĆ** and KARADŽIĆ that “We were most active in evicting the Muslims... Some of them wanted to move out, while we demanded it” and the President of Bratunac Municipality reported that “according to the last census it was 64:36 in favour of the Muslims. In Bratunac municipality we now have two Muslims.” (65ter19582, pp. 253, 258).

On 22 August 1992 the 1KK reported to the Main Staff that a group of policemen escorting a column of refugees across Mt. Vlašić “killed them ... and threw them down a ravine” (65ter06645).

A 3 September 1992 KK report to the Main Staff notes the “unbearable” conditions in camps, the “large number of arrested citizens for whom there is no evidence or criminal reports that they participated in the armed rebellion” and that the CSB Prijedor “committed a massacre in the Skender Vakuf area of over 150 men who wanted to leave the territory of the Krajina AR / Autonomous Region /.” (65ter10665).

On 4 November 1992, the 1KK reported to the VRS Main Staff that “about 40 Green Berets members were killed and about 200 were captured. A brutal massacre of the captured members of the Green Berets started because of the wounding of four and killing of one soldier of the Kotor Varoš Light Infantry Brigade, and the burning of wounded soldiers on the Gola Planina (Jajce).” (65ter02608.).

⁴⁶ Second directive for further operations, 22 July 1992, 65ter05986.

⁴⁷ 65ter10657 (**MLADIĆ**’s 1 July 1992 tribute to the 1KK, Eastern Bosnia Corps, Air Force and anti-aircraft defense for successfully organizing and implementing the “breakthrough, expansion and cleansing of corridor in Bosanska Posavina, between eastern and western Bosnia”); 65ter11758 (reporting on rewards to units of the VRS. Among the rewarded units were various units of the 1KK

27. In his fourth operational directive, issued on 22 November 1992 when the pattern of expulsions by BSF was well-established, **MLADIĆ** ordered the expulsion of the population of several Muslim enclaves in targeted territories in eastern Bosnia. He ordered the DK to “force [the enemy] to leave the Birač, Žepa and Goražde areas together with the Muslim population.”⁴⁸ This task formed part of the broader goal, articulated by **MLADIĆ** as, “the final liberation of all the territories of Republika Srpska”.⁴⁹

28. After BiH’s ethnic structure had been dramatically altered by the forcible removal of Muslims and Croats, **MLADIĆ** praised the army’s achievements. In April 1993, he characterised the war as “our just struggle for national liberation and survival,” an effort which had “saved its people from complete genocide and extermination.”⁵⁰

29. **KARADŽIĆ** and other members of the Bosnian Serb political leadership underscored the need to preserve the Serb homogeneity achieved through the “liberation” of territories by the VRS and other Serb forces. In January 1993, **KARADŽIĆ** assured **MILOŠEVIĆ** and other Serbian leaders that much progress had already been made toward the goal of national homogeneity, citing in particular the example of Zvornik: “There was fifty-fifty of us in Zvornik. The number of inhabitants of Zvornik is now the same, approximately 50,000, and they are all Serbs.”⁵¹ At the 10 January 1994 Assembly Session – attended by **MLADIĆ** – the Head of the Deputies’ Club Vojislav **MAKSIMOVIĆ** insisted on a “firm attitude that the Muslims and Croats will not be allowed to return to the areas under our rule” and that “any thought about having 500 or more Muslims within our future country is out of the question.” **KARADŽIĆ** responded that he was “correct” and explained how that would be assured.⁵²

including the 43rd Motorized Brigade of the 1KK, which was the main unit involved in the 1992 attacks on Hambarine and Kozarac in Prijedor, which involved widespread crimes against non-Serbs (*see*, 65ter11012, p.131 and 65ter02838).

65ter08655 (noting the rewarding of SRK Rogatica Brigade Commander Rajko **KUŠIĆ** following his involvement in crimes in Rogatica. *See*, Annexes A (Municipality Narrative) and B (Scheduled Crimes); As Commander of the 2nd Romanija Brigade, Radislav **KRSTIĆ** was involved in the massacre at Novoseoci (Schedule A8.1). He was subsequently promoted to Drina Corps Commander and in that role participated in crimes in Srebrenica (*see*, Part IV below at p.74).

⁴⁸ Fourth directive for further operations, 22 November 1992, 65ter03782, p.5.

⁴⁹ Fourth directive for further operations, 22 November 1992, 65ter03782, p.4.

⁵⁰ 65ter08775; *see also*, 65ter11758 (2 July 1994).

⁵¹ 65ter06009.

⁵² 65ter02388.

30. In order to realise the goal of ethnic separation, **MLADIĆ** intended to destroy a part of the Bosnian Muslim⁵³ and Bosnian Croat groups. The targeted groups lived on territories claimed by the BSL where the continued existence of a substantial Muslim and Croat population could not be tolerated.⁵⁴ Thus, acts committed in effecting the ethnic divide from 12 May 1992 until 31 December 1992 – including killings, the infliction of serious bodily and mental harm, and the imposition of conditions of life in towns, villages and detention facilities aimed at the physical destruction of Bosnian Muslims and Bosnian Croats – constituted acts of genocide.⁵⁵

31. **MLADIĆ**'s genocidal intent is reflected by the commission of these acts – as well as the widespread forcible transfer of Bosnian Muslims and Bosnian Croats and the destruction of their religious and cultural sites -- by VRS forces acting under his command and control throughout Serb-targeted areas of BiH. Further, as noted above, **MLADIĆ** praised and rewarded his units, well aware of their crimes. Indeed, **MLADIĆ** viewed these crimes as necessary in order to protect the Serbs from annihilation at the hands of Muslims and Croats. As he explained to the RS Assembly in January 1994, "... this is our historical chance to create a state. Not any kind of state, but in all-Serbian state with... as little enemies as possible, those who could be our potential enemies, and raise against us again in a few years." He warned, "we have to understand that Muslims and Croats, who are like this, represent a danger"; the enemy is "determined to fight until the last one of us lives." In light of the threat posed by Muslims and Croats, **MLADIĆ** declared: "My concern is not that they will create the state. My concern is to have them vanish completely."⁵⁶

32. **MLADIĆ**'s support for his subordinates' crimes did not just reflect his own intent, but also the beliefs and aims of his Supreme Commander. In 1991 **KARADŽIĆ** warned that if it came to war in BiH, "They will disappear, that people will disappear from the face of the earth if they, if they insist now..."⁵⁷ At the 17th Assembly Session

⁵³ The Bosnian Muslim national group is a specific, distinct national group covered by Article 4 of the Tribunal's Statute: *Krstić* AJ, para.6.

⁵⁴ In relation to the municipalities specified in paragraph 37 of the Indictment, a number of factors, including (1) the large percentage of non-Serbs residing in the municipality prior to the war, (2) the particular strategic territorial importance of the municipality, and (3) the reluctance of non-Serbs to leave the municipality, led to conduct carried out in the implementation of the JCE that reflected an intent to destroy.

⁵⁵ These acts of genocide are in relation to Count 1 of the Indictment. Acts of genocide in relation to Count 2 are discussed in Part IV below.

⁵⁶ 65ter02388, pp.47-49 (*emphasis added*).

⁵⁷ 65ter20360. *See also*, 65ter20220; 65ter20371.

in July 1992 – attended by **MLADIĆ**'s Chief of Staff and Deputy Commander **MILOVANOVIĆ**⁵⁸ – **KARADŽIĆ** declared that there was “truth” in one Assembly Deputy’s statement that “the Muslims have been planted to us as a people whose executioners we are to be.”⁵⁹ **KARADŽIĆ** then added “...this conflict was roused in order to eliminate the Muslims... They think that they are being nationally established, but in fact they are vanishing.”⁶⁰

33. The full realisation of **MLADIĆ**'s genocidal intent was delayed by increased monitoring by international observers of events in the territory, and by BSL's desire to avoid international censure. For example, the killing, mistreatment, and other crimes against non-Serbs in the Autonomous Region of the Krajina (ARK) were interrupted by the discovery of camps, including Omarska and Trnopolje, by international journalists in the summer of 1992.⁶¹

D. Preparation and Implementation of Steps

34. In late 1991 and early 1992, as BiH moved towards independence, the BSL, under **KARADŽIĆ**'s leadership, began creating parallel Serb civilian and military structures in municipalities throughout BiH. The BSL established a separate Bosnian Serb Assembly on 24 October 1991.⁶² On or about 20 December 1991, at a meeting in the Holiday Inn in Sarajevo, **KARADŽIĆ** distributed to municipality leaders instructions for the establishment of clandestine bodies, the Serbian Crisis Staffs (Variant A/B). The confidential instructions established the bodies that would be among the primary instruments through which **KARADŽIĆ** and other members of the BSL asserted control over territories and removed non-Serbs.⁶³

35. Variant A municipalities were ones in which Serbs constituted a majority; in Variant B municipalities, Serbs were a minority. Variant A/B directed municipal leaders to implement the instructions in two stages. In the first stage Variant A/B municipal leaders were to form Crisis Staffs, proclaim Serb Assemblies and carry out “preparations for the formation of municipal government bodies.”⁶⁴ In the second stage they would, *inter alia*, mobilise Serbian police and subordinate them to JNA

⁵⁸ 65ter02355, pp.18-19.

⁵⁹ 65ter02355, p.41.

⁶⁰ 65ter02355, p86.

⁶¹ 65ter17992; 65ter06993; 65ter15600;RM056.

⁶² 65ter03179; 65ter07432, p4.

⁶³ 65ter16826.

command, and call up JNA reserves and TO units. Variant A/B stipulated that Crisis Staffs cooperate with the commands and staffs of the JNA.

36. On 14 February 1992, KARADŽIĆ activated the second stage of Variant A/B,⁶⁵ thus instructing municipal leaders, as the minutes of one local SDS board reflect, “to establish control in our territories, that each should secure his own area.”⁶⁶

37. At the same time, Mićo STANIŠIĆ, a member of the newly-formed Council of Ministers and soon to be appointed RS Minister of the Interior, and Momčilo MANDIĆ, the future RS Deputy Minister of the Interior and Minister of Justice, led the effort to establish a separate Bosnian Serb MUP.⁶⁷

38. On 18 March 1992, at the 11th Assembly session, KRAJIŠNIK stressed the need to begin the actual and physical process of seizing territory: “[...] it would be good if we could do one thing for strategic reasons: if we could start implementing what we have agreed upon, the ethnic division on the ground.”⁶⁸

39. The BSL ensured that the forces were well armed before the take-overs. Taking control the territories Serb Territorial Defence (TO) and volunteer units were established, and many JNA commanders, by then in charge of a largely ethnically Serb force, co-ordinated closely with Crisis Staffs.⁶⁹

40. On 24 March 1992, KARADŽIĆ referred to the planned formation of the Serb MUP and assumption of territorial control.⁷⁰ He told the Assembly “very soon, we can form whatever we want [...] There are reasons why this could happen in two or three days.” At that moment, he advised, all the Serbian municipalities, including the “newly established” ones, would “assume control of the entire territory of the municipality concerned.” Shortly after that, “in the next three or four days, there will be a single method used and you will be able to apply it in the municipalities you represent, including both things that must be done as well as how to do them. How to

⁶⁴ 65ter02551, pp3,7.

⁶⁵ 65ter03214.

⁶⁶ 65ter11101, p4.

⁶⁷ 65ter06881.

⁶⁸ 65ter02348, p13(*emphases added*). Also, 65ter02348.pp37-39.

⁶⁹ 65ter03905; also, 65ter20360, p7; 65ter02412, pp304,374-375.

⁷⁰ 65ter02349.

separate the police force, take the resources that belong to the Serbian people and take command.”⁷¹

41. On 31 March 1992, the Law on Internal Affairs entered into force and MANDIĆ sent a dispatch to BiH authorities stating that the BiH Ministry of Interior was abolished on the territory of the Serbian Republic, which effectively established the separate Bosnian Serb MUP.⁷² That same day, the first forcible municipality take-over, in Bijeljina commenced, and within a few weeks, Bosnian Serb authorities and forces had completed a series of forcible take-overs of municipalities. By 12 May 1992, when the VRS was established and MLADIĆ was appointed its Commander, Bosnian Serb authorities had already taken over many municipalities.⁷³

1. *The Six Strategic Objectives*

42. On 6 May 1992, MLADIĆ – then Deputy Commander and Chief of Staff of the JNA 2nd Military District in Sarajevo – met with KARADŽIĆ and a group of JNA generals. KARADŽIĆ emphasized the imperative of ethnic separation and articulated three other goals that would become Strategic Objectives Two, Three, and Six:

It would be a disaster if we did not separate with them... We are on the threshold of achieving our centuries-old dream of creating our own state without many internal enemies... It would be good to carry out the demarcation (a) in order for us to separate, b) for us to form a corridor.) - c) for the Drina not to be the border d) to reach the coast-⁷⁴

43. The next day, 7 May 1992, at a meeting attended by MLADIĆ, KARADŽIĆ, and KRAJIŠNIK, the participants again discussed the Strategic Objectives, this time articulating all six objectives. MLADIĆ recorded their discussion in his military notebook.

1600 hrs – MEETING

KRAJIŠNIK:

Strategic Goals:

1-To separate from the Croats and Muslims forever-2-Make a corridor from Krajina to Serbia -3-Establish a link with Serbia on the Drina, and cut off the Muslim’s link (Sandžak) -4-Neretva-A natural border with the Croats -5-A

⁷¹ 65ter02349, p.22 (*emphasis added*).

⁷² 65ter03228.

⁷³ 65ter03231; 65ter03656; RM228; 65ter10702; 65ter06406; 65ter02863; 65ter08332; 65ter03019.

⁷⁴ 65ter19581, pp.256-259.

part of Sarajevo is to be ours-The Muslims can have their part of the city and a link with their territory -6-To have a passage to the sea.⁷⁵

44. **MLADIĆ's** notes above, written almost a week before the 16th Assembly Session, confirmed his comments at the Session and show that he participated in formulating the Six Strategic Objectives prior to his official appointment as VRS Main Staff Commander:

Please, let us not set before ourselves goals that will bring us down, let us set before ourselves the goals we can achieve... I already said this a few days ago... I said this in Nevesinje before the top leadership of the Serbian Republic of Bosnia and Herzegovina, and before an even more select political leadership in Belgrade... I have read, mulled over for a long time and discussed within the most select circle of comrades whom we convened, the strategic goals that are of substance (...)⁷⁶

45. At the 16th Assembly Session, both the VRS and the Presidency of the Serbian Republic of Bosnia and Herzegovina (Presidency) were established; **KARADŽIĆ**, Biljana **PLAVŠIĆ** and Nikola **KOLJEVIĆ** were elected Presidency members; and **KARADŽIĆ** announced the "Six Strategic Objectives of the Serbian People in Bosnia and Herzegovina":⁷⁷

The strategic objectives or priorities of the Serbian people in Bosnia and Herzegovina are to:

1. Establish State borders separating the Serbian people from the other two ethnic communities.
2. Set up a corridor between Semberija and Krajina.
3. Establish a corridor in the Drina river valley, that is, eliminate the Drina as a border separating Serbian States.
4. Establish a border on the Una and Neretva rivers.
5. Divide the city of Sarajevo into Serbian and Bosnian Muslim parts and establish effective State authorities in both parts.
6. Ensure access to the sea for Republika Srpska.⁷⁸

46. **KARADŽIĆ** elaborated on the first strategic goal, explaining that it meant "separation from those who are our enemies and who have used every opportunity, especially in this century, to attack us, and who would continue with such practices if we were to stay together in the same state."⁷⁹ **KRAJIŠNIK** emphasized that "[t]he first goal is the most important one, and in relation to all other goals, all other goals are sub-items of the first one."⁸⁰

⁷⁵ 65ter19581, p.262.

⁷⁶ 65ter02353.

⁷⁷ 65ter02353; See 65ter03432.

⁷⁸ 65ter02353.

⁷⁹ 65ter02353, p.13.

⁸⁰ 65ter02353, p. 49.

47. The remaining goals were geographically orientated, defining the territory within which the first strategic goal was to be implemented.⁸¹

2. *Establishment of the VRS and MLADIĆ's appointment as Commander of the VRS Main Staff*

48. At the 16th Assembly Session, the Decision on establishing the Army of the Serbian Republic of Bosnia and Herzegovina (later renamed the Army of the Republika Srpska or VRS) was adopted and **MLADIĆ** was appointed Commander of the Main Staff.⁸² **KARADŽIĆ** later explained that he selected **MLADIĆ**: "Gentlemen, we got the officers we asked for. I asked for **MLADIĆ**."⁸³

49. Entries in **MLADIĆ**'s notebook show that his appointment and the creation of the VRS was co-ordinated and endorsed by the JNA. On 5 May 1992, prior to meeting with General **ADŽIĆ**, then Chief of the General Staff of the JNA, **MLADIĆ** made a list of questions about the Bosnian Serb army such as its "character, goal and name", its "relationship towards non-Serb population in the territory", command and control, headquarters, and financing.⁸⁴ On 9 May 1992, **MLADIĆ** met with General **PANIĆ**, who told **MLADIĆ** "you will be holding a very important duty. (...)"⁸⁵ And on 11 May 1992, a day before his official appointment, General Momčilo **PERIŠIĆ** referred to **MLADIĆ** as follows:

- NINKOVIĆ and I undertook an initiative with **KARADŽIĆ** for **MLADIĆ** to come here
- He showed with his own example what a JNA officer should be like.-
- You have the right person, if you support him, you will get what you want.-
- (...)
- I am proud to be with you
- we are proving to the Ustashas that we have surpassed them at every level.-
- **MLADIĆ** presented things with a lot of emotion and logic.-⁸⁶

3. *Implementation of the Six Strategic Objectives*

50. Primary responsibility for implementing the Strategic Objectives militarily fell to **MLADIĆ** and the VRS. **MLADIĆ** told the Assembly at the 16th Session that "the thing we are doing needs to be guarded as our deepest secret."⁸⁷ **MLADIĆ** and his

⁸¹ See Annex C (ethnic map).

⁸² 65ter02353, p.57.

⁸³ 65ter02412, p.317.

⁸⁴ 65ter19581, p.246.

⁸⁵ 65ter19581, pp.266-268.

⁸⁶ 65ter19581, pp.292-293.

⁸⁷ 65ter02353.

commanders turned the strategic goals into operational imperatives for the VRS,⁸⁸ and moved forwards in the ensuing weeks and months to cement existing gains and “liberat[e] territories which by birthright are ours.”⁸⁹

51. Seven fundamental directives for VRS military operations were issued from June 1992 to March 1995, commencing with **MLADIĆ**’s military formulation of the strategic goals on 6 June 1992 and culminating in **KARADŽIĆ**’s seventh directive for the attack on Srebrenica, issued on 8 March 1995. By late July 1992, with the issuance of the second directive, **MLADIĆ** recorded that the VRS had achieved two of the most fundamental objectives, the establishment of “corridors” in the East and West which made possible “the centuries long aspiration” of the Serbian people to join with Serbia.⁹⁰

52. The military campaign achieved much of its objective in a relatively short time. By July 1992, the BSL were already considering whether they had conquered enough territory to consider relinquishing some in final negotiations.⁹¹

53. By late 1992, displaced Muslims in eastern Bosnia had gathered in enclaves in the Birač, Žepa and Goražde regions. On 19 November 1992, in Directive No. 4, **MLADIĆ** ordered the DK to “exhaust the enemy, inflict the heaviest possible losses on him and force him to leave the Birač, Žepa and Goražde areas together with the Muslim population.”⁹² The DK implemented this order, and during the winter and early spring of 1993, forced the Muslim population towards Srebrenica.⁹³ In April 1993, the planned overrunning of Srebrenica⁹⁴ was thwarted when international forces intervened, forcing **KARADŽIĆ** to order that all operations against Srebrenica cease.⁹⁵ United Nations Protection Forces (UNPROFOR) established Safe Areas for the displaced Muslim population trapped in the enclaves.

54. Negotiations between the warring parties continued throughout the conflict under the auspices of the International Conference on the Former Yugoslavia and,

⁸⁸ 65ter03905.

⁸⁹ 65ter03905.

⁹⁰ 65ter05986.

⁹¹ 65ter02418, pp68-69.

⁹² 65ter03782, p5.

⁹³ 65ter04472; 65ter13816; 65ter09705; 65ter09807; 65ter06062; 65ter13805; 65ter11103; 65ter05501; 65ter13830; 65ter09540; 65ter09535; 65ter13849; 65ter13854; 65ter09561; RM345; RM297.

⁹⁴ 65ter11103.

⁹⁵ 65ter11087.

from April 1994, the Contact Group.⁹⁶ The BSL participated in these negotiations with a view to consolidating their military gains and the *de facto* ethnic separation, and realising their vision of a sovereign Serb state on supposedly historically Serb territory,⁹⁷ but repeatedly rejected peace proposals because they were deemed not to meet the BSL conditions.⁹⁸

55. Meanwhile, the VRS continued military actions in a manner that demonstrated the connection between the strategic objectives and military operations, including major operations in, *inter alia*, the following areas between 1993 and 1995: Goražde, Trnovo, Kladanj, Bihać, Orašje and the wider Sarajevo area.⁹⁹ Forces from the MUP of the Republic of Serbia and the Republic of Serbian Krajina (RSK), including the Scorpions unit, participated in these military activities.¹⁰⁰

56. Operations such as “Lukavac-93” from 7 July to 15 August 1993, aimed at the “liberation of Trnovo, Jahorina, Bjelašnica and Igman”,¹⁰¹ and “Zvijezda-94” from 29 March to 25 April 1994, to “capture and take hold of, at any cost, the entire right bank of the Drina river”¹⁰² in the wider area of Goražde, illustrate the effective functioning of the fused RS military-political leadership that was in place throughout the conflict.

57. Further details on the implementation of the Strategic Objectives by the VRS are included below and in the Annexes A and B.

E. Organs and Individuals Executing the Objectives of the JCE and MLADIĆ’s Role and Contribution

58. As Commander of the VRS Main Staff, **MLADIĆ** exercised command and control over the VRS as VRS units forcibly removed Bosnian Muslims and Croats pursuant to the common criminal purpose. **MLADIĆ** and the VRS co-operated with other elements of BSF with Bosnian Serb Political and Governmental Organs in implementing that criminal purpose.

⁹⁶ RM517.

⁹⁷ 65ter02358, p8; 65ter22399, pp1-6; 65ter07498, pp130,157; 65ter03429.

⁹⁸ 65ter02374; 65ter02376, p18; 65ter02418, p76.

⁹⁹ 65ter11461, PartII, pp192-201.

¹⁰⁰ RM280; RM620; 65ter08586; 65ter08590; 65ter09104; 65ter11217; 65ter11218; 65ter06290; 65ter06291; 65ter06293; 65ter06294; 65ter09692; 65ter09746; 65ter11220; 65ter04048; 65ter09802; 65ter11221; 65ter22339; 65ter10921.

¹⁰¹ 65ter14027; 65ter14026; 65ter09744; 65ter09583; 65ter20842; 65ter20882; 65ter11153; 65ter21316;.

¹⁰² 65ter08714; 65ter14024; 65ter08977; 65ter09108; 65ter08849; 65ter08540; 65ter08189; RM510; RM177; RM501.

I. Serb Forces' Participation in the JCE

(a) JNA/TO/VJ

59. Completing a process that had begun in Croatia, the JNA, in co-operation with the BSL, transformed from an army whose purpose it was to protect all peoples in the former Yugoslavia into an army which solely protected the interests of the Serbian people.¹⁰³ As discussed above, **MLADIĆ**'s role as a JNA officer in Croatia exemplifies this transformation. By 1992, the JNA consisted mostly of officers and soldiers of Serb ethnicity pursuing the Serb cause.¹⁰⁴ When the JNA formally departed from BiH in May 1992, hundreds of JNA officers, including **MLADIĆ**, remained in BiH or were deployed to BiH and became members of the VRS, at the same time retaining their status as members of the JNA/VJ.¹⁰⁵ As discussed above, senior JNA members assisted in establishing the VRS and securing **MLADIĆ**'s appointment.

60. A close relationship of co-ordination, co-operation and support existed between the SDS leadership, the Serb TO and the JNA before the JNA's withdrawal and the establishment of the VRS in mid-May 1992.¹⁰⁶ In co-operation with the SDS, the JNA clandestinely provided weaponry and equipment to the Serbs in BiH prior to the outbreak of hostilities (a pattern which the Vojska Jugoslavije/Yugoslav Army "VJ", as the JNA later became known) continued until the end of the war).¹⁰⁷ In March 1992, General KUKANJAC described the JNA's close working relationship with the SDS leadership, noting that the JNA had distributed 51,900 weapons, and the SDS had distributed 17,298 weapons to Bosnian Serb volunteer units in his military district. The volunteers, totalling 69,198 persons, were persons "... outside the JNA

¹⁰³ 65ter03845; 65ter11099.

¹⁰⁴ RM620.

¹⁰⁵ 65ter11096; 65ter03905, p.79; 65ter09304; 65ter11097. This was achieved, in part, through an earlier restructuring of the JNA. on 31 December 1991. Five Military Districts and a Naval District were dissolved and four Military Districts were established. They were:

- 1st Military District (Belgrade) N Serbia, Vojvodina and NE Bosnia-Herzegovina.
- 2nd Military District (Sarajevo) Rest of BiH
- 3rd Military District (Skopje) S Serbia, Kosovo and Macedonia
- 4th Military District (Titograd) Montenegro and SE Bosnia-Herzegovina
- Naval District Command was moved from Split to Kumbor in Montenegro.

¹⁰⁶ 65ter11012, pp68-81; 65ter03905.

¹⁰⁷ 65ter02412, p51; 65ter03905, pp13-15,158-159.

and TO establishment.”¹⁰⁸ When the municipality takeovers began in BiH at the end of March 1992, the JNA was largely aligned with the Bosnian Serbs.¹⁰⁹

Military Career of Ratko MLADIĆ	
Date	Position
7 September 1982	Appointed as Administrator for Section for Operations & Training, 3rd Army Command, Skoplje Garrison.
8 November 1983	Transferred for the needs of Service to position of Commander 164th Infantry Regt "B", 41st Infantry Division, 3rd Army, Ohrid Garrison,
14 November 1983	Promoted to the rank of Infantry Lt Col,
15 November 1985	Commander 164th Infantry Regt "B", 41st Infantry Division, 3rd Army, Ohrid Garrison,
18 August 1986	Acting commander, 39th Infantry Brigade 26th Infantry Division, 3rd Army, Štip Garrison (transferred for service requirements),
1 September 1986	Sent for training to JNA Command Staff school, Centre for Military Higher Education. Training begins on 1 September 1986 and lasts for one year.
18 August 1987 to 25 January 1989	Commander, 39th Infantry Brigade, 26th Infantry Division, 3rd Army, Štip Garrison
22 December 1988	Promoted to the rank of Col.
31 January 1989	Assistant Chief of Training Section of the ONP Organ Command, 3rd Military District, Skoplje Garrison.
28 June 1989	Chief of Training Section of the ONP Organ Command, 3rd Military District, Skoplje Garrison.
25 January 1991	Transferred and appointed to Peacetime establishment Assistant Commander for Logistics At 3rd VO, 52nd Corps Command, Priština Garrison.
3 July 1991	Transferred for service requirements to Chief of the ONP Section, 9th Corps Command, Naval District, Knin Garrison.
30 July 1991	Chief of Staff (and deputy commander) 9th Corps Command, Naval District, Knin Garrison.
4 October 1991	Extraordinarily promoted to the rank of Gen Maj, by SFRY Presidential decree 1/49
11 December 1991	Appointed as Chief of Staff/Deputy Commander 9th Corps, Naval District, Knin Garrison, by SFRY Presidential decree 1/68.
30 December 1991	Appointed as Commander 9th Corps 2nd Military District Knin Garrison, by SFRY Presidential decree 1/77.
Transformation and Reorganisation of the JNA – See, fn. 105	
24 April 1992	Extraordinarily promoted to the rank of Gen Lt Col, by SFRY Presidential decree 2/48.
25 April 1992	SFRY Presidential decree 2/50, appointing Gen Lt Col Ratko MLADIĆ as Chief of Staff/Deputy Commander, 2nd Military District Command, until now in position of Commander 9th Corps, 2nd Military District.
9 May 1992	Assumed position as Chief of Staff/Deputy Commander, 2nd Military District
10 May 1992	Assumed Command of 2nd Military District.
20 May 1992	Appointed as Commander GŠ VRS, RS Presidential decree 01-21-252/92.
16 June 1994	Extraordinarily promoted to the rank of Gen Col, by FRY Presidential decree 94-22, dated 16 June 1994.
8 November 1996	Ratko Mladić remained in command of the VRS Main Staff until at least 8 November 1996.
28 February 2002	Discharged from professional military service, by VP 7572 Banja Luka Decision 03/2-6-95, dated 8 March 2002.
Figure 1: Summary of Ratko MLADIĆ's professional military career taken from his personnel file (65ter17656).	

¹⁰⁸ 65ter02887; 65ter01011, pp4-5; 65ter03582.

¹⁰⁹ 65ter02887, pp3-4.

61. On 27 March 1992, KARADŽIĆ issued instructions on subordinating TO units to the JNA.¹¹⁰ TO units co-operated and co-ordinated their activities with municipal authorities, including local Crisis Staffs.¹¹¹ JNA and TO units participated in the attacks on towns, villages and non-Serb settlements in the municipalities.¹¹² As the VRS Main Staff Analysis of the Combat Readiness and Activities of the VRS in 1992 (VRS Combat Readiness Report) approved and signed by **MLADIĆ** explained, in the period up to 19 May 1992, the JNA and the TO (the latter force described as being “formed on the initiative and under the leadership of the Serbian Democratic Party”) “succeeded in protecting the Serbian people from large-scale massacre, and partially in protecting territories inhabited predominantly or wholly by Serbs.”¹¹³

62. After the former JNA pulled out of BiH on 19 May 1992, the JNA/VJ continued to support the VRS; many VRS officers received pay as members of the 30th Personnel Centre of the VJ, including **MLADIĆ**, until February 2002.¹¹⁴ The VJ provided material and financial support as well as training.¹¹⁵ The VJ also participated at times in military activities in BiH after May 1992.¹¹⁶ This was done covertly in accordance with the policy of FRY and RS political and military authorities in order not to reveal the presence and participation of VJ soldiers in the war in BiH.¹¹⁷

(b) VRS

63. As Commander of the VRS Main Staff from 12 May 1992 to November 1996,¹¹⁸ **MLADIĆ** exercised command and control over the entire army throughout the Indictment period.¹¹⁹ As the VRS Combat Readiness Report explained, the VRS was “the highest strategic organisational formation of the Serbian people in the former Bosnia and Herzegovina capable of realising the strategic and other tasks assigned to it by the Supreme Command.”¹²⁰ Under **MLADIĆ**’s command, the VRS

¹¹⁰ 65ter02351, p23.

¹¹¹ 65ter08617; 65ter06568.

¹¹² 65ter11012; RM620. *See also*, Annex A.

¹¹³ 65ter03905, p.69.

¹¹⁴ 65ter03927, p4; RM620; 65ter03974.

¹¹⁵ 65ter03974; 65ter08353; 65ter08304.

¹¹⁶ 65ter03974.

¹¹⁷ 65ter08532.

¹¹⁸ 65ter02352, p2.

¹¹⁹ 65ter11081, p1.

¹²⁰ 65ter03905, p.7.

implemented the policies and goals of the BSL in furtherance of the common criminal purpose.

64. The transformation of JNA personnel and equipment into an army for the Bosnian Serbs had been orchestrated with MILOŠEVIĆ and top JNA officials, who ensured that the VRS continued to receive significant support from Serbia even after the transition.¹²¹ When the JNA pulled out of BiH on 19 May 1992, it left the Bosnian Serbs with a nearly complete army supplied with equipment from the former JNA 2nd Military District.¹²² Existing JNA units, as well as TO units in BiH,¹²³ were renamed and transformed into commands and units of the VRS.¹²⁴

65. In addition to maintaining JNA equipment, structure and personnel, the VRS relied heavily on JNA doctrine.¹²⁵ Units in the VRS were ordered to abide by SFRY and JNA regulations until laws were adopted by the VRS.¹²⁶ When such new laws were created, they were often nearly identical to JNA doctrine.

(b)(i) The VRS Main Staff

66. The VRS Main Staff, *inter alia*, directed the operations of the subordinate units, monitored the situation in subordinate units, provided assistance where necessary,¹²⁷ and organised co-operation with other RS authorities and the SDS.¹²⁸ Key Main Staff personnel are listed at Annex D.¹²⁹

67. Lieutenant Colonel General Manojlo MILOVANOVIĆ, Chief of Staff and Deputy Commander,¹³⁰ Major-General Zdravko TOLIMIR, Assistant Commander for Intelligence and Security Affairs;¹³¹ Lieutenant-Colonel General Milan GVERO,¹³² Assistant Commander for Moral, Religious and Legal Affairs; and Major-General Radivoje MILETIĆ,¹³³ Chief of Operations and Training, were key Main Staff

¹²¹ RM620; 65ter03974.

¹²² 65ter03877, p4; 65ter03927, pp2-3.

¹²³ 65ter02351; 65ter11012, pp68-75; 65ter11012, p.13 65ter09022; 65ter08603; RM610.

¹²⁴ 65ter11012, pp32-33,68-75.

¹²⁵ 65ter04372.

¹²⁶ 65ter04372.

¹²⁷ 65ter03905, p.9.

¹²⁸ 65ter03905, p.13.

¹²⁹ See Annex D.

¹³⁰ 65ter15609; 65ter08198.

¹³¹ 65ter00853; 65ter23903.

¹³² 65ter14573.

¹³³ 65ter27506.

members. **MLADIĆ**, **MILOVANOVIĆ**, **TOLIMIR**, **GVERO** and **MILETIĆ** were career JNA officers before the war in BiH. They knew each other well and worked closely together throughout the entire war.

68. Within the Main Staff, **MLADIĆ** exercised the exclusive right to command the subordinated units.¹³⁴ He exercised command through written and oral orders, instructions and directives. Directives were the main documents used to regulate the utilisation of forces.¹³⁵ The Main Staff assigned specific missions to the Corps, usually divided into stages with specific durations and set objectives. The Corps then disseminated specific assignments to subordinate units which issued orders related to specific assignments.¹³⁶

69. **MLADIĆ** and the Main Staff received accurate and timely information about events on the ground. Regulations required commands to constantly monitor the situation during combat operations and report promptly to the superior command and adjacent elements.¹³⁷ The monitoring and reporting process was also outlined in directives. Directive No. 6, for example, ordered the VRS to provide regular reports by 19:00 hours daily, to report on readiness for offensive operations, to provide interim reports when necessary, and to provide summary reports every three days.¹³⁸ Reports from the Corps level to the Main Staff were made orally and in written regular combat reports and special reports.¹³⁹ These written reports contained sections relating to enemy forces, the state of combat readiness of the units of the Corps, the situation on the ground, unusual incidents, security and morale issues, logistics support, casualties, and conclusions and anticipated developments.¹⁴⁰ Such reports included references to expulsions and the killing of civilians and prisoners.¹⁴¹ The VRS Combat Readiness Report, graded the system of communication in the VRS “VERY GOOD,”¹⁴² a conclusion echoed by international observers.¹⁴³

¹³⁴ 65ter17293, p.16; 65ter04378.

¹³⁵ 03905, p.8.

¹³⁶ 65ter11012, pp.169-170.

¹³⁷ 65ter04638.

¹³⁸ 65ter06806.

¹³⁹ 65ter11012, p171; 65ter02847, p3; 65ter02662, p1; 65ter06980, p2; 65ter06004, 65ter07137.

¹⁴⁰ 65ter.11012, p171.

¹⁴¹ 65ter06645; 65ter10665, p4; 65ter02608; 65ter02837; 65ter02847.

¹⁴² 65ter03905, p41.

¹⁴³ RM177; RM510; RM177.

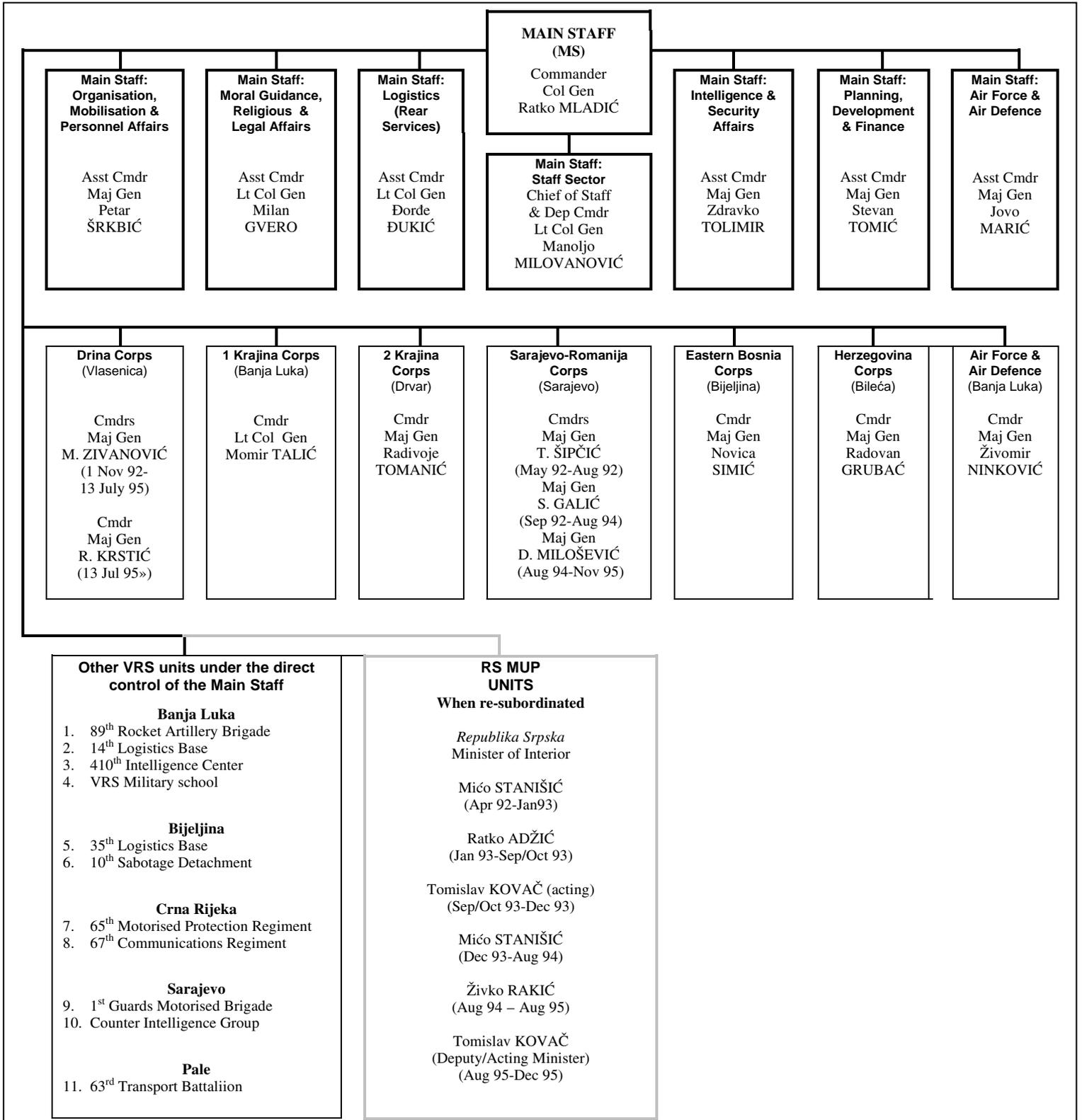


Figure 2: This summary chart shows the overall organizational structure of the forces under MLADIĆ's command. See Annex D for more detailed diagrams of this structure. Note, it does not show all VRS or RS MUP units.

(b)(ii) *The VRS Corps*

70. The VRS consisted of the 1st Krajina Corps, the 2nd Krajina Corps, the East Bosnia Corps, the Sarajevo-Romanija Corps, the Herzegovina Corps, and the Drina Corps (created on 1 November 1992).¹⁴⁴

71. All six geographically-based Corps Commands were under the command and control of the VRS Main Staff.¹⁴⁵

- *1st Krajina Corps (1KK)*

72. The 1st Krajina Corps (1KK) was primarily formed from the JNA 5th Corps. Its AOR spanned the areas north and south of the Sava river including the Indictment municipalities of Banja Luka, Kotor Varoš, Prijedor, and Sanski Most.¹⁴⁶ It was headquartered in Banja Luka¹⁴⁷ and commanded by Major General TALIĆ.¹⁴⁸ One of **MLADIĆ**'s main tasks assigned to the 1KK was to establish a corridor between eastern and western Bosnia in accordance with Strategic Objective Two.¹⁴⁹

- *2nd Krajina Corps (2KK)*

73. The 2nd Krajina Corps (2KK) was primarily formed from the JNA 9th and 10th Corps. Its initial AOR incorporated the area from Bosanski Novi to Kupres along the border with the Serbian Krajina in Croatia, and included the Indictment municipality of Ključ.¹⁵⁰ Grujo MORIĆ commanded the 2KK,¹⁵¹ which was headquartered in Drvar.¹⁵²

74. The 2KK included brigades from Bosansko Grahovo, Bosanska Krupa, Bosanski Petrovac, Drvar, Glamoč, Kupres-Šipovo, and, in Ključ,¹⁵³ the 17th Light Infantry Brigade, under the Command of Lt. Col. Drago SAMARDŽIJA.¹⁵⁴

75. **MLADIĆ** tasked the 2KK with operations to secure the Una and defend the north-western borders on the Una in accordance with Strategic Objective Four.¹⁵⁵

¹⁴⁴ 65ter04625, p1.

¹⁴⁵ 65ter04625, p1.

¹⁴⁶ 65ter04652; 65ter03921, p3.

¹⁴⁷ 1KK headquarters was initially based in Stara Gradiška. It was relocated to Manjača on 4 July 1992, and then moved to Banja Luka on 14 October 1992 (RM603); 65ter11012, para.2.1).

¹⁴⁸ 65ter16492; 65ter11012, p35.

¹⁴⁹ 65ter10657.

¹⁵⁰ 65ter04652.

¹⁵¹ 65ter08515.

¹⁵² 65ter06802.

¹⁵³ 65ter17385.

¹⁵⁴ 65ter12858.

- *Sarajevo-Romanija Corps (SRK)*

76. The Sarajevo-Romanija Corps (SRK) was formed from what remained of the Sarajevo-based JNA 4th Corps.¹⁵⁶ Bosnian Serb TO and other Serb troops operating around Sarajevo were also subsumed within the SRK command structure.¹⁵⁷ Its initial AOR included the Indictment municipalities of Ilidža, Pale Novi Grad, Sokolac and Rogatica.¹⁵⁸ The SRK was headquartered in Pale.¹⁵⁹

77. The SRK had three successive Corps commanders over the course of the conflict: Tomislav ŠIPČIĆ (19 May–10 September 1992), Stanislav GALIĆ (10 September 1992–10 August 1994) and Dragomir MILOŠEVIĆ (from 10 August 1994).¹⁶⁰

78. One of the main tasks of the SRK was to carry out the shelling and sniping campaign in Sarajevo.¹⁶¹ **MLADIĆ** also tasked the SRK with dividing the wider Sarajevo area and securing a Serb Sarajevo in accordance with Strategic Objective Five.¹⁶²

- *Eastern Bosnia Corps (IBK)*

79. The East Bosnia Corps (IBK) was primarily formed from the JNA 17th Corps. Its initial AOR incorporated the Drina river valley, including the Indictment municipalities of Bijeljina and Vlasenica.¹⁶³ Its first commander, Nikola DENČIĆ, was replaced by 6 June 1992 by Dragutin ILIĆ. Novica SIMIĆ replaced ILIĆ on 30 August 1992. It was headquartered in Bijeljina.¹⁶⁴

80. On 6 June 1992, ILIĆ assigned tasks to the Serb TO units in the municipalities in eastern and north-eastern Bosnia, including Brčko, Bijeljina, Zvornik, Vlasenica and Bratunac to brigades of the IBK.¹⁶⁵ Units previously commanded by the Crisis

¹⁵⁵ 65ter03782.

¹⁵⁶ 65ter08603.

¹⁵⁷ 65ter09022, pp.1-2.

¹⁵⁸ 65ter04652.

¹⁵⁹ 65ter06802.

¹⁶⁰ *Galić* TJ, para.607; 65ter12964; 65ter11349.

¹⁶¹ *See*, Section III below at p.65.

¹⁶² 65ter03710.

¹⁶³ 65ter 04652.

¹⁶⁴ 65ter06802.

¹⁶⁵ 65ter02872.

Staff in Vlasenica came under the command of the IBK's 1st Birač Brigade in late May 1992.¹⁶⁶

81. **MLADIĆ** tasked the IBK with cleansing parts of the Drina river valley in accordance with Strategic Objective Three, as reflected in his first and third operational directives.¹⁶⁷

- *Drina Corps (DK)*

82. The Drina Corps (DK) became operational on 1 November 1992. It was formed from parts of the IBK, Herzegovina Corps and SRK.¹⁶⁸ It was headquartered in Vlasenica and was initially commanded by Colonel Milenko ŽIVANOVIĆ.¹⁶⁹

83. As mentioned above and discussed in greater detail below, the DK implemented **MLADIĆ**'s 19 November 1992 Directive 4 order¹⁷⁰ to force the Muslim population out of the Birač, Žepa and Goražde areas in accordance with Strategic Objective Three.¹⁷¹

- *Herzegovina Corps (HK)*

84. The Herzegovina Corps (HK) was primarily formed from the JNA 13th Corps. Its initial AOR, incorporating the Neretva valley and the border with Montenegro, included the Indictment municipalities of Foča and Kalinovik.¹⁷² It was headquartered in Bileća.¹⁷³ The HK included Tactical Groups from Foča (TG Foča) and Kalinovik (TG Kalinovik).¹⁷⁴ TG Foča was initially under the command of Foča Crisis Staff president Miro STANIĆ,¹⁷⁵ and later under Colonel Marko KOVAČ. TG Foča was later renamed TG Drina.¹⁷⁶

85. **MLADIĆ** tasked the HK with operations along the Neretva and Upper Drina in accordance with Strategic Objectives Three and Four.¹⁷⁷

¹⁶⁶ 65ter02863.

¹⁶⁷ 65ter03710; 65ter03747 (specifying the area of Birač, a region in the Drina river valley).

¹⁶⁸ 65ter00579; 65ter09814.

¹⁶⁹ 65ter00693.

¹⁷⁰ 65ter03782, p5.

¹⁷¹ 65ter04472; 65ter13816; 65ter09705; 65ter09807; 65ter06062; 65ter13805; 65ter11103; 65ter05501; 65ter13830; 65ter09540; 65ter09535; 65ter13849; 65ter13854; 65ter09561; RM345; RM297.

¹⁷² 65ter04652.

¹⁷³ 65ter06802.

¹⁷⁴ 65ter19959.

¹⁷⁵ 65 ter 08611

¹⁷⁶ 65ter 40199.

¹⁷⁷ 65ter03747.

VRS Implementation of the Common Criminal Purpose

86. The VRS Combat Readiness Report confirmed that all operations undertaken by the VRS were guided by the Six Strategic Objectives:

The strategic objectives of our war which were promptly defined and set before the Main Staff of the army of RS, the Commands and units, served as a general guideline upon which we planned actual operations and concerted battles...

The Main Staff of the Army of RS translated the set objectives and tasks into general and individual missions of the Army of RS and of the individual operational and tactical formations with the goals of every individual combat action, operation or battle being specifically defined.¹⁷⁸

87. As noted above, the First – and most important – Strategic Objective was ethnic separation. VRS forces accomplished this objective by expelling, and committing other crimes against, Bosnian Muslims and Bosnian Croats in territories defined by the remaining five objectives. Achievements by the VRS and other Serb forces in forcing non-Serbs out of targeted territories were reported to **MLADIĆ**.¹⁷⁹

88. VRS units encountered occasional obstacles in implementing the First Strategic Objective, as reflected in a 14 June 1992 1KK report to the VRS Main Staff that “the attempt to expel [Muslim and Croat refugees] to central Bosnia failed because of transportation difficulties and their resistance to leave their places/of residence/.”¹⁸⁰ Overall, VRS efforts to realise the Strategic Objectives were successful. As **MLADIĆ** declared in 1993 after the territory encompassed by the Strategic Objectives had been cleansed of most of its non-Serb population, “[f]irst, people and the army, with the help from the rest of us according to our possibilities, have carried out the most of tasks, and strategic goals, set to them. We have created Republika Srpska.”¹⁸¹

89. In addition to overseeing the implementation of the Strategic Objectives through combat operations, **MLADIĆ** ordered the establishment of detention facilities, at which Muslims and Croats were detained, mistreated and killed, and from which many were ultimately expelled.¹⁸² On 12 June 1992, **MLADIĆ** ordered that

¹⁷⁸ 65ter02353, pp.24-25; 65ter02837; 65ter19582, pp.253,258; 65ter19584, pp. 26, 63, 66.

¹⁷⁹ 65ter02837.

¹⁸⁰ 65ter02847.

¹⁸¹ 65ter02382, p.66.

¹⁸² See Annexes A and B.

detention facilities be established at the level of the Corps.¹⁸³ The IBK (setting up Batković (Schedule C2.1)),¹⁸⁴ the 1KK (setting up Manjača (Schedule C1.2)),¹⁸⁵ and the 2KK¹⁸⁶ implemented this order. The transfer of 512 detainees from Manjača to Batković upon the closure of Manjača,¹⁸⁷ and the subsequent transfer of 132 of these detainees from Batković to Kula on the orders of the Main Staff¹⁸⁸ illustrate the coordination between these facilities, and Main Staff oversight of their operations.¹⁸⁹

90. **MLADIĆ** was informed about the establishment and operation of these and other detention facilities,¹⁹⁰ and the mistreatment of prisoners. On 7 June 1992, **MLADIĆ** was informed of “a significant number of prisoners” in Rajlovac (Novi Grad Municipality) and Ilidža including “women and children.”¹⁹¹ On 7 August 1992 the 1KK reported to the Main Staff that, during the transfer of 1,460 prisoners from Omarska to Manjača, there “were deaths during transport to the camp.”¹⁹² On 3 September 1992, the 1KK – on whose AOR notorious detention camps such as Omarska were located – reported that the international community’s “interest in the sick and difficult cases and attempts to show the world public the unbearable conditions in these camps” was negatively affecting combat morale.¹⁹³ On 17 September 1992, Col. BUNDALO reported to **MLADIĆ** that, of 67 civilians who had been captured near Trnovo, 50 had been exchanged, with the remaining 17 yet to be exchanged.¹⁹⁴

91. Despite such reports,¹⁹⁵ the VRS Combat Readiness Report characterised “alleged massacres of civilians, the bombardment of civilian facilities, POW camps, ethnic cleansing, [and] the raping of women” -- crimes which were committed on a

¹⁸³ 65ter06931; 65ter02877. *Note*, with respect to Manjača, TALIC established the operation of the camp around 1 June 1992, ten days before **MLADIĆ** issued an order which made its establishment and operation official. *Note also*, that **MLADIĆ**'s order did require require staff to “respect the provisions of international law...”

¹⁸⁴ 65ter11162.

¹⁸⁵ 65ter06931; RM078.

¹⁸⁶ 65ter08515.

¹⁸⁷ RM067.

¹⁸⁸ 65ter12809.

¹⁸⁹ RM067.

¹⁹⁰ 65ter02877; 65ter10665, pp.2-3; 65ter05989; 65ter19588, p.133; 65ter25959; RM088.

¹⁹¹ 65ter19582, p.114.

¹⁹² 65ter05989.

¹⁹³ 65ter10665, p.2.

¹⁹⁴ 65ter19584, p.63.

¹⁹⁵ *See also*, reports of crimes received by **MLADIĆ** discussed above in para.26 of Section II(C).

massive scale by the VRS and other Serb forces throughout 1992 – as “media fabrications,” resulting from a “brutal and ruthless anti-Serbian media campaign”¹⁹⁶

92. Further details regarding the commission of crimes by the VRS in furtherance of the common criminal purpose are contained in the Schedules attached in Annexes A and B.

(c) RS MUP

93. From the outset of the conflict, the RS MUP – headed by Minister of the Interior, Mićo STANIŠIĆ – played a significant role in establishing and maintaining Bosnian Serb authority over the territory and in expelling and committing other crimes against non-Serbs.¹⁹⁷ After the establishment of the VRS, the two organs closely co-operated in implementing the common criminal purpose.

94. VRS/RS MUP co-operation included regional and municipal liaisons, the passage of orders and instructions, the provision of equipment, joint operations, the re-subordination of police units for combat operations, joint interrogation of prisoners, the transfer of prisoners between detention facilities and the transportation of refugees and prisoners.¹⁹⁸

95. The interaction between the RS MUP and VRS in the network of detention facilities in Serb-controlled territories used to detain, mistreat and ultimately kill or expel non-Serb civilians illustrates the co-operation between these two organs in carrying out the common criminal purpose. For example:

- The VRS and RS MUP co-operated in processing prisoners at detention facilities such as Omarska (Schedule C15.2),¹⁹⁹ Keraterm (C15.3),²⁰⁰ and Manjača (C1.2).²⁰¹
- The VRS and RS MUP co-operated in prisoner transfers, such as those between Omarska (C15.2) and Manjača (C1.2).²⁰²
- MUP officers worked as guards in, or provided external security for, detention facilities established by the VRS such as Manjača (C1.2),²⁰³ Batković (C2.1.),²⁰⁴ KP Dom Foča (C6.1),²⁰⁵ and Sušica (C19.3).²⁰⁶

¹⁹⁶ 65ter03905, p.45.

¹⁹⁷ 65ter10753, p3; 65ter07069.

¹⁹⁸ 65ter11012, pp.75-81.

¹⁹⁹ 65ter16582; 65ter07131; 65ter06773.

²⁰⁰ 65ter16582.

²⁰¹ RM051; 65ter03052; 65ter17380; 65ter03057; 65ter06953; 65ter03061; 65ter06773.

²⁰² 65ter06988; 65ter07006.

²⁰³ RM051; 65ter06968.

²⁰⁴ RM049.

- MUP officers transported prisoners to VRS-operated facilities such as Manjača (C1.2).²⁰⁷
- The Commander of Sušica (C19.3), a VRS-established facility,²⁰⁸ was a RS MUP official.²⁰⁹
- MUP officers were involved in beating detainees at VRS-operated facilities such as KP Dom Foča (C6 .1).²¹⁰
- MUP and VRS soldiers co-operated in killing detainees, for example at Manjača (B1.1).²¹¹

96. VRS and RS MUP forces also co-operated in the unlawful killing of non-Serbs during joint VRS/MUP mopping up operations such as in Biljani (A3.3),²¹² Kozarac (A6.1)²¹³ and the Ljubija stadium (A6.8).²¹⁴

97. On 17 July 1992, the RS MUP reported to KARADŽIĆ and the Prime Minister on various difficulties faced by the RS MUP in carrying out its regular policing tasks. These difficulties included the fact that significant numbers of RS MUP officers were engaged in combat operations, and the fact that the VRS was rounding up large numbers of Muslim civilians and handing them over to the RS MUP for detention:

The Army, crisis staffs and war presidencies have requested that the Army round up or capture as many Muslim civilians as possible, and they leave such undefined camps to internal affairs organs. The conditions in some of these camps are poor: there is no food, individuals sometimes do not observe international norms, etc.²¹⁵

(d) Paramilitaries/Volunteers/Serbian MUP

98. The formation, training, support and use of paramilitary and volunteer units in implementing the common criminal purpose were co-ordinated by the BSL²¹⁶ and the leadership of the Republic of Serbia (in particular the State Security Service

²⁰⁵ RM046.

²⁰⁶ RM066; RM067; 65ter02907.

²⁰⁷ RM075; RM030; 65ter03064; 65ter03075; 65ter06446; 65ter16582.

²⁰⁸ 65ter02907.

²⁰⁹ *D.Nikolić*, SJ, paras.55-57.

²¹⁰ RM013.

²¹¹ RM075; RM067.

²¹² 65ter03065; RM010.

²¹³ 65ter09877; RM603; RM017.

²¹⁴ RM064.

²¹⁵ 65ter03734.

²¹⁶ 65ter11012; p83; RM511; 65ter03744; 65ter20585; 65ter03419; 65ter14731; 65ter03235; 65ter11041; 65ter02362, p20; 65ter20147; 65ter03301; 65ter03251.

(SDB)).²¹⁷ Party leaders and paramilitary leaders who had played a significant role in the ethnic cleansing campaign in Croatia, such as Arkan and ŠEŠELJ, were enlisted for the effort to secure Serb-claimed territories in BiH.²¹⁸ Paramilitaries were in some cases invited to take over municipalities,²¹⁹ often reported to the local authorities and Crisis Staffs, and were operationally subordinated to, or integrated into, RS MUP, TO and VRS units.²²⁰ In June and July of 1992 efforts were undertaken to bring all paramilitary groups under the control of the VRS.²²¹

99. **MLADIĆ** was aware of the criminal propensity of paramilitary and volunteer units, including those incorporated into the VRS. A 28 July 1992 report on paramilitary formations authored by TOLIMIR²²² noted that a number of the “most important” paramilitary formations implicated in crimes had already been incorporated into the VRS or the police:

- “The detachment of Veljko MILANKOVIĆ from Prnjavor has about 150 men and is...formally under the command of the 1KK. Members of this detachment are involved in extensive looting...”
- “A unit under the command of Mile JANJETOVIĆ...is part of the 16th Infantry Motorised Brigade...is in constant conflict with the civilian police in that area.”
- “A unit based in...Zvornik and led by self-styled Colonel Mile PETROVIĆ...is formally under the command of the 2nd Majevisa Brigade. It is financed through looting, smuggling and other dishonourable acts.”

100. TOLIMIR’s report also noted that many paramilitary formations “display hatred of non-Serbian peoples and one can conclude without reservation that are (*sic*) the genocidal element among the Serbian people.” **MLADIĆ**’s order on the disarmament of paramilitary formations issued the same day made no mention of the threat these formations posed to non-Serbs, although it refers several times to the looting and plundering activities of paramilitaries.²²³

²¹⁷ RM266; 65ter22792; 65ter11041, paras10-12; 65ter13580.

²¹⁸ 65ter11461, PartII,pp.134-191; 65ter02362p.20; 65ter22476, p.21; 65ter20677; 65ter20688; 65ter03251.

²¹⁹ 65ter11461,PartII,pp.134-191; 65ter02362p.20; 65ter22345, p6; 65ter22380, pp3-4.

²²⁰ 65ter11461,PartII,pp.134-191; 65ter03905, p.13.

²²¹ 65ter11461,PartII, pp.82-92.

²²² 65ter03743.

²²³ 65ter03744.

2. RS Political and Governmental Organs' Participation in the JCE

(a) SDS

101. In the course of 1991-92, the BSL, through the vehicle of the Serbian Democratic Party²²⁴ (SDS), undermined the existing political and administrative systems in Bosnia and Herzegovina by establishing separate and ethnically-determined parallel structures. Over time, the BSL came to exercise formal governmental authority through these new municipal, regional and central “republic” structures.

102. Positioning itself as a Serb national “movement”,²²⁵ fighting to protect Serbs’ status and very existence,²²⁶ the SDS was far and away the largest and most popular party representing the Serbs of BiH and became the primary vehicle through which the BSL operated until the establishment of formal ethnically-separate political structures. KARADŽIĆ was President of the SDS and its unrivalled leader;²²⁷ Momčilo KRAJIŠNIK was President of the RS Assembly, member of the SDS Main Board and KARADŽIĆ's closest collaborator;²²⁸ and Biljana PLAVŠIĆ and Nikola KOLJEVIĆ were SDS-nominated members of the SRBiH collective Presidency.²²⁹ Through the party-derived structures and the individuals under their influence or control, the BSL initiated and implemented the regionalisation of BiH,²³⁰ arranged for Serbs to be armed,²³¹ established parallel structures to assert control in municipalities and monitored their progress, and laid the groundwork for ethnic separation and the forcible removal of non-Serbs.

103. The VRS Combat Readiness Report recognized both the role of the SDS in realising the goals of the BSL, and the importance of maintaining VRS/SDS co-operation. It praised the SDS for organizing TO units, which in turn “secured and

²²⁴ Serbian Democratic Party (*Srpska Demokratska Stranka* - SDS) was the largest party representing Bosnian Serbs. Radovan KARADŽIĆ was the SDS President during the entire Indictment period.

²²⁵ 65ter02382.

²²⁶ 65ter02334, p 36; 65ter07003, p40.

²²⁷ 65ter02380, p167; 65ter02380, p.17; RM621; 65ter02881, para23; 65ter20559, p2; 65ter20087; 65ter20093; 65ter21304; 65ter21440.

²²⁸ 65ter22082; 65ter22083; 65ter21395; 65ter20058; 65ter21396; 65ter20144; 65ter20147; 65ter21446; 65ter20173; 65ter20202.

²²⁹ 65ter20065; 65ter21296; 65ter21297; 65ter20667; 65ter20068; 65ter20062; 65ter20125; 65ter20113; 65ter21432; 65ter21437; 65ter20190; 65ter20064; 65ter20066; 65ter20077; 65ter21436; 65ter21444; 65ter21399; 65ter20105; 65ter20149; 65ter20152; 65ter21435; 65ter21408; 65ter20061; 65ter21470; 65ter21416; 65ter20152; 65ter20150; 65ter20141; 65ter2018550; 65ter20073; 65ter21404; 65ter20090; 65ter20126.

²³⁰ 65ter07211; RM621; 65ter02881, para135; 65ter10741; 65ter20224; 65ter20224.

liberated their municipalities”²³² in the period from 1 April to 15 June 1992. The report described the SDS as “the most significant political factor in the political awakening, revival and homogenization of the Serbian people and its self-organization for defense purposes,”²³³ and noted the role of the Main Staff in ensuring VRS co-operation with the SDS.²³⁴

(b) RS Presidency/Supreme Command

104. **MLADIĆ** operated in close coordination with the RS Presidency and Supreme Command. The VRS was subordinated in law²³⁵ and in practice to **KARADŽIĆ** who was, through the Presidency and later as RS President, the Supreme Commander.²³⁶ **MLADIĆ** indicated that operations related to the Six Strategic Objectives were part of joint planning with the Supreme Command²³⁷ and emphasised the “political foundations” of the VRS Main Staff decisions and actions, done in agreement with the highest political organs of the Republika Srpska.”²³⁸

105. On 30 November 1992, the Presidency decided to create a Supreme Command of the VRS with the aim of “coordinating and improving the efficiency of the command system.”²³⁹ The Supreme Command was comprised of the RS President (**KARADŽIĆ**) as the Supreme Commander, the President of the RS Assembly (**KRAJIŠNIK**) the President of the Government, and the Ministers of Internal Affairs and Defence.

106. At least 20 sessions of the RS Supreme Command were held between 30 November 1992 and the end of the war.²⁴⁰ In addition to the members of the Supreme Command, sessions were also attended on a regular basis by **KOLJEVIĆ** and **PLAVŠIĆ**.²⁴¹ According to the decision on establishing the Supreme Command, **MLADIĆ** and other members of the Main Staff could attend on invitation only.²⁴²

²³¹ 65ter02887; 65ter02382, p.353; 65ter02412, p304; 65ter02412, pp374-375.

²³² 65 ter 03905, p.10.

²³³ 65 ter 03905, p.46.

²³⁴ 65 ter 03905, pp.7,13.

²³⁵ 65ter06774.

²³⁶ 65ter06802; 65ter03285; 65ter07003, pp63-64; 65ter03905, p.153; RM621; RM620; RM603.

²³⁷ 65ter22883.

²³⁸ 65ter22883.

²³⁹ 65ter06774.

²⁴⁰ 65ter03791; 65ter19585; 65ter19586; 65ter19587; 65ter19589; 65ter02382; 65ter19590; 65ter16801; 65ter19591; 65ter19548; 65ter19593; 65ter19591; 65ter17662.

²⁴¹ 65ter03791; 65ter19585; 65ter19587; 65ter19589; 65ter19589; 65ter19590; 65ter19548.

²⁴² 65ter06774.

However, the available documentation indicates that **MLADIĆ**, often together with other officers from the Main Staff, attended all Supreme Command sessions.

107. **MLADIĆ** and the Main Staff informed the Supreme Command “frequently and in great detail”²⁴³ of the objectives and results of VRS operations through regular consultation, and via written and oral reports.²⁴⁴

108. Besides participating in several Presidency and all Supreme Command sessions,²⁴⁵ **MLADIĆ** also met with **KARADŽIĆ** and other Presidency members at Assembly sessions and during negotiations, as well as on numerous other occasions, totalling over 100 such meetings during the wartime period.²⁴⁶

(c) Assembly

109. The Bosnian Serb Assembly was established on 24 October 1991 as the first of the BSL’s formal organs.

110. The Assembly was a centralised forum for the promulgation of policy, such as the 16th Session dissemination of the Strategic Objectives.²⁴⁷ At the 16th Session, **MLADIĆ** and the other attendees were, among other things, informed by municipal representatives about (a) the need for more forces for a “definitive clearing” of territory;²⁴⁸ and (b) the fact that Muslims had been “evacuated” from the right bank of the Una and would not be allowed back in light of the Strategic Objectives.²⁴⁹

111. Deputies received other instructions about ethnic separation at the Assembly – for example, that no one could live with Muslims,²⁵⁰ that they would get instructions on taking control over municipalities,²⁵¹ that certain areas needed to be “clean”,²⁵² and that Muslims would not be permitted to move back into Serb areas.²⁵³

²⁴³ 65ter03905, p.153.

²⁴⁴ See, e.g., 65ter09901; 65ter09608; 65ter02440; 65ter02441; 65ter02442; 65ter02444; 65ter02445; 65ter02449; 65ter02456; 65ter02459; 65ter02465; 65ter02466; 65ter05995, pp3,19; 65ter02382, p.355; 65ter02412, pp218,219,352; RM177; RM511; RM610; 65ter20807; 65ter20714; 65ter22715; 65ter20884; 65ter20882; 65ter21311; 65ter21315; 65ter21317; 65ter21316; 65ter21312; 65ter21271; 65ter21319; 08371; 65ter08977; 65ter08402; 65ter08735; 65ter08189; 65ter08266; 65ter08714; 65ter08734; 65ter08623; 65ter03467; 65ter02847, p3; 65ter02662, p1; 65ter06980,p.2; 65ter06005, p.1.

²⁴⁵ 65ter02441; 65ter02449; 65ter02456; 65ter02459; 65ter02465.

²⁴⁶ 65ter19581; 65ter02353; 65ter19582; 65ter02441; 65ter02456; 65ter19583; 65ter02459; 65ter02465; 65ter05995; 65ter19584; 65ter19585; 65ter02359; 65ter03791; 65ter19586; 65ter19587; 65ter02370; 65ter02378; 65ter02382; 65ter19588; 65ter02388; 65ter19591; 65ter02412.

²⁴⁷ 65ter02353, p.13.

²⁴⁸ 65ter02353, p.16.

²⁴⁹ 65ter02353, pp.24-25.

²⁵⁰ 65ter07929, p.36.

²⁵¹ 65ter02349, p.22.

112. The Assembly network was important for exchanging information between the republic and the municipal level and disseminating instructions to the municipalities.²⁵⁴ As KARADŽIĆ explained, each deputy was to “explain our strategic goals and to explain our tactics... At the same time, he will report to the Assembly here.”²⁵⁵ Indeed, deputies spoke in detail at the Assembly about issues in their municipalities.²⁵⁶ For example, at the 24-26 July 1992 17th Session – attended by MILOVANOVIĆ, MLADIĆ’s Deputy Commander and Chief of Staff – attendees were, among other things, informed: (a) that there was a huge problem with the thousands of “captured people of other nationalities;”²⁵⁷ (b) that KARADŽIĆ’s encouragement in Sarajevo had resulted in Serbs “driving the Muslims out of the territories where they had actually been a majority”²⁵⁸ and that (c) “we expelled all Muslim judges from Vlasenica, Bratunac and Zvornik... If we move further there is Birac, which is 100-108 km away and has 120,000 Muslims, that is how many there were but I hope that has at least been halved...”²⁵⁹

113. MLADIĆ regularly attended Assembly sessions, and addressed the Assembly at least eleven times between 12 May 1992 and November 1995²⁶⁰ to inform the Deputies about the political and military situation. On other occasions, Generals GVERO, TOLIMIR or MILOVANOVIĆ addressed the Assembly on behalf of the Main Staff.²⁶¹ In total, the VRS Main Staff was represented at the majority of the Assembly sessions during the war. Thus, the Main Staff received extensive information both from the Bosnian Serb leadership and from local authorities throughout the RS, and ensured that the attendees were informed about the activities, plans and needs of the VRS.

²⁵² 65ter02418, p.68.

²⁵³ 65ter02388; 65ter02418, p29.

²⁵⁴ 65ter02343; 65ter10842, p.122-126; 65ter08398, p3.

²⁵⁵ 65ter02343, p.58.

²⁵⁶ 65ter02352, pp.16-17,19,20,24,28-30,48; 65ter02355.

²⁵⁷ 65ter02355, p32.

²⁵⁸ 65ter02355, p.66.

²⁵⁹ 65ter02355, p.73.

²⁶⁰ 65ter02353; 65ter05995; 65ter07671; 65ter02364; 65ter02366; 65ter02374; 65ter02378; 65ter02382; 65ter02384; 65ter02388; 65ter02412.

²⁶¹ 65ter02355; 65ter02364; 65ter02399; 65ter02405; 65ter02407; 65ter02412; 65ter02414; 65ter02416; 65ter02418; 65ter07003; 65ter02382; 65ter02420; 65ter02422.

(d) RS Government/Exchange Commission

114. Members of the BSL established the RS Government as part of the process of forming parallel Bosnian Serb institutions. It was initially formed as the “Council of Ministers.”²⁶² On 24 March 1992 – as the transformation from party to state neared completion – the Assembly relieved the Council of Ministers of its duties²⁶³ and elected Branko ĐERIĆ as the candidate for the position of President of the Government (i.e. Prime Minister).²⁶⁴

115. Among its various activities and functions, on 8 May 1992, the Government established a Central Exchange Commission with a network of regional and municipal exchange bodies.²⁶⁵ It was comprised at the republic-level by representatives of the Ministry of Justice, Ministry of Interior and Ministry of Defense at the head of a network of municipal and regional commissions.²⁶⁶ In reality, the Exchange Commission operated as a vehicle for the forcible removal of non-Serb civilians from Serb-claimed territories. During June 1992, the Government discussed what it referred to as “the prisoner exchange problem”²⁶⁷ stating that the issue was “complex and delicate” and acknowledging that the problem had an international dimension and could cause “a number of negative consequences for the whole Republic.”²⁶⁸

116. The Exchange Commission used KP Dom Butmir (Kula) (C8.1) as the main collection point in the Sarajevo area for effecting these “exchanges”. For example, in a July 1992 conversation MANDIĆ and KARADŽIĆ discussed exchanging 300 Muslims. MANDIĆ also advised KARADŽIĆ that all the Croats in Kula prison had already been exchanged.²⁶⁹ Similarly, on 30 June 1992, 75 elderly prisoners held at KP Dom Butmir were “released” at the Vrbanja Bridge to Muslim-held territory in Sarajevo.²⁷⁰ On 26 June 1992, during a discussion about detainees, MANDIĆ informed KRAJIŠNIK that they had been accused of “ethnic cleansing” for “let[ting] those women and children go to Vrbanja.”²⁷¹

²⁶² 65ter02544, p2; *see*, Annex E.

²⁶³ 65ter02350, pp3-4.

²⁶⁴ 65ter02349, pp24-26.

²⁶⁵ 65ter11108; 65ter02499, pp.1-2; 65ter02508, p.5; 65ter10928.

²⁶⁶ 65ter09862, para.19; 65ter11108.

²⁶⁷ 65ter02499; 65ter02503.

²⁶⁸ 65ter02503; 65ter20833.

²⁶⁹ 65ter20853, p.3; ; *See also*, 65ter20847.

²⁷⁰ RM091.

²⁷¹ 65ter20851, p.3; *See also*, 65ter06017; 65ter11148.

117. The VRS was directly involved in the Exchange Commission. One of the three initial members of the Commission was a VRS officer – MIHAJLOVIĆ, representing the Ministry of Defence. On 28 October 1994, Captain 1st Class Dragan BULAJIĆ, writing on behalf of the Exchange Commission to the RS Prime Minister and Commission for Refugees,²⁷² stated that “about 10,000 Muslim civilians (of all ages) passed through [KP Dom Butmir] during the war, spending between several days and a few months in this facility.” BULAJIĆ characterised this process as “family reunification” or “freedom of movement” (placing these terms in quotation marks) of Muslim civilians who had “been passing through this part of the Republika Srpska on the way to their final destinations in the Muslim part of the former Bosnia Herzegovina or further on.” However, in the wider context of the systematic forcible ethnic separation of Muslims, the Muslim civilians were imprisoned at KP Dom Butmir, and not “accomodat[ed]” as BULAJIĆ claimed.

118. The co-operation between the VRS and the Exchange Commission in expelling non-Serbs is also illustrated by the transfer of prisoners from VRS-run detention facilities such as Rasadnik (C16.3),²⁷³ Batković (C2.1),²⁷⁴ Manjača (C1.2),²⁷⁵ and KP Dom Foča (C6.1),²⁷⁶ to KP Dom Butmir, from which they were eventually exchanged/expelled. In April 1994, Captain BULAJIĆ personally transported detainees from Rasadnik to KP Dom Butmir.²⁷⁷

(e) Serb Municipal Authorities

119. Under direction from the BSL, including Variant A/B, in late 1991 Serbs in local party and governmental positions set up parallel municipal structures on the territories claimed by the Bosnian Serbs, declaring Serb municipalities, convoking Serb municipal assemblies and forming Crisis Staffs as parallel municipal governments.²⁷⁸ During the municipal takeovers, the Crisis Staffs were the primary political and governmental organs utilised by the BSL at the regional and municipal level to establish Serb authority and coordinate the forcible removal of Muslims and Croats from the territory.

²⁷² 65ter03821.

²⁷³ RM039.

²⁷⁴ RM031.

²⁷⁵ 65ter12809.

²⁷⁶ RM046.

²⁷⁷ RM039.

²⁷⁸ 65ter16643; 65ter02550; 65ter07318.

120. By April 1992, the SDS created Crisis Staffs were formally activated by RS republican organs and openly operated as municipal authorities. On 26 April 1992, the RS Government issued Instructions for the Work of Crisis Staffs of the Serbian People in Municipalities, according to which the Crisis Staffs were to take over all prerogatives and functions of municipal assemblies, whenever those were not able to convene.²⁷⁹

121. Co-ordination of the military effort and co-operation with the JNA and later the VRS was a central part of the Crisis Staffs' work. The Instructions for the Work of Crisis Staffs stipulated that the TO Commander and head of the police were to be members, and the Crisis Staff was "responsible for creating all the conditions for the life and work of members of the JNA."²⁸⁰ The VRS Combat Readiness Report noted the key role played by Crisis Staffs in the military effort in the municipalities in the early stages of the conflict.²⁸¹

122. Once the VRS was established, the focus of Crisis Staffs in military matters shifted to one of coordination and support,²⁸² but remained important. As the Rogatica Crisis Staff recounted, the transformation of the local Serb TO into the VRS was "in no way aimed at separating the Crisis Staff from the Army, because the Army will be assisted in every possible way...since the Army and the Crisis Staff have joint tasks regarding the Serbian people."²⁸³ The Ključ Crisis Staff explained that "VRS commanders regularly participated in Crisis Staff sessions, and had very good co-operation and coordination with the Crisis Staff. No significant and important questions from the military and police domain were resolved without the Crisis Staff."²⁸⁴

123. **MLADIĆ's** numerous visits to municipalities and meetings with municipal authorities – as recorded in **MLADIĆ's** military notebooks²⁸⁵ – reflect the importance of the co-operation between the VRS and municipal authorities. At these meetings, municipal authorities and local VRS and RS MUP officials briefed **MLADIĆ** in

²⁷⁹ 65ter03010. *See also*, 65ter02406, pp.347-348; 65ter02412, p.316.

²⁸⁰ 65ter03010.

²⁸¹ 65ter03905, pp.10,13.

²⁸² 65ter02487; 65ter02488

²⁸³ 65ter08597.

²⁸⁴ 65ter03080.

²⁸⁵ 65ter19577 to 65ter19594; 65ter 13014; 65ter 13046; 65ter 13048; 65ter 17502.

detail on the situation in their areas, including numbers of non-Serbs present in various municipalities, and efforts to remove them. For example:

- At a 2 June 1992 meeting in Banja Luka with the leadership of the Bosnian Krajina and various military officials, Radoslav BRĐANIN – President of the ARK Crisis Staff – reported to KARADŽIĆ and MLADIĆ: “Problem of the Krajina: - 14,500 Muslims.”²⁸⁶
- At a 6 June 1992 meeting with “leading representatives of the state and political leadership”, including KARADŽIĆ, a report was received from Bratunac that: “There are no Muslims now in Bratunac municipality. It is a fully liberated town, there are even no villages which cut off the roads.”²⁸⁷
- On 7 June 1992, MLADIĆ was informed of “a significant number of prisoners” in Rajlovac (Novi Grad Municipality) and Iliđa including “women and children.”²⁸⁸
- At a 30 June 1992 meeting with representatives of eastern Bosnian municipalities, Marko PAVLOVIĆ of Zvornik Municipality reported to MLADIĆ and KARADŽIĆ that “We were most active in evicting the Muslims... Some of them wanted to move out, while we demanded it.”²⁸⁹
- At the same 30 June 1992 meeting, Lubisav SIMIĆ, President of Bratunac Municipality reported: “according to the last census it was 64:36 in favour of the Muslims. In Bratunac municipality we now have two Muslims.”²⁹⁰
- At a meeting in Drvar on 11 September 1992, Jovo BANJAC, President of Ključ municipality, reported that only 5,000 of the original 17,000 Muslims remained, and that 1,500 had left that day.²⁹¹
- At a meeting in Foča on 17 September 1992, Miroslav STANIĆ, Head of the War Presidency, after noting that “Foča was supposed to be the second Islamic centre for Muslims in Europe” and was 51% Muslim before the war, reported: “Now the percentage of Serbs in Foča is 99%.”²⁹²
- At a 4 November 1992 meeting in Petrovac with representatives of the Petrovac, Ključ, and Drvar municipalities, Vinko KONDIĆ, of the Ključ MUP, reported that there were 2,000 Muslims then living in Ključ out of the original 17,500, adding that “most Muslims have gone to Turbe, Travnik, and about 100 to Novska with part of the Croats.”²⁹³

124. On 31 May 1992 Army/Crisis Staff co-operation was formalized through KARADŽIĆ’s Decision on the Formation of War Presidencies in Municipalities, by

²⁸⁶ 65ter19582, p.55. This figure roughly corresponds to the number of Muslims imprisoned in detention facilities in the ARK at the time.

²⁸⁷ 65ter19582, p.101.

²⁸⁸ 65ter19582, p.114.

²⁸⁹ 65ter19582, p.253.

²⁹⁰ 65ter19582, p.258.

²⁹¹ 65ter19584, p.26.

²⁹² 65ter19584, p.66.

²⁹³ 65ter19585, pp.124-125.

which War Presidencies were to replace Crisis Staffs but retain their essential function of governing the municipalities and co-ordinating military activities on the ground:

A War Presidency shall: organize, co-ordinate and adjust activities for the defence of the Serbian people and for the establishment of the lawful municipal authorities; perform all the duties of the Assembly and the executive body...; create and ensure conditions for the work of military bodies and units in defending the Serbian nation.²⁹⁴

125. According to this Decision, the task of the Republican Commissioner was to “ensure permanent co-ordination and implementation of the policies and measures defined and adopted by the Republic’s state institutions and the Main Staff of the Army of the Serbian Republic of Bosnia and Hercegovina.”²⁹⁵

126. The Presidency on 10 June 1992 established yet another municipal body, the War Commission. This body was to replace War Presidencies but retain the role of the Republican Commissioner. The War Commission was to “cooperate with the authorities with a view to creating conditions for the work of military organs and units engaged in defending the Serbian people.”²⁹⁶

127. In practice, whether called Crisis Staffs, War Presidencies or War Commissions, these bodies were the municipal organs of the Bosnian Serb state. They co-ordinated and controlled events taking place on the ground.²⁹⁷ They received orders from,²⁹⁸ reported to²⁹⁹ and implemented the policies³⁰⁰ of the republic-level organs.³⁰¹

128. Acting as the municipal authorities, these bodies implemented persecutory measures against the Muslim and Croat populations that furthered the common criminal purpose.³⁰² They oversaw the large-scale disarming,³⁰³ detention and removal

²⁹⁴ 65ter11109, paras27-31; RM610; 65ter03286.

²⁹⁵ 65ter07323.

²⁹⁶ 65ter07282.

²⁹⁷ RM610; 65ter11109, paras35-36,45; 65ter03905, pp.10,13.

²⁹⁸ 65ter03679; 65ter03681; RM610; 65ter11109, paras.20,41.

²⁹⁹ 65ter20663; 65ter20714; RM610; 65ter03318; 65ter02480, items9,10; 65ter02497, item6; 65ter02415, p.45; 65ter03310; 65ter02349; 65ter02351, pp.20-21; 65ter03231; 65ter02348, pp.38-39; 65ter02349, pp.17,20-22; 65ter02351, pp.20-21; 65ter02352; pp.16-20, 24-48; 65ter02355, pp.66,71.

³⁰⁰ 65ter11109, paras.24-25, 41-42; 65ter07213; 65ter02694, p.4-5; 65ter03725, p.1.

³⁰¹ 65ter11109; paras.41-43; 65ter02476; 65ter02477; 65ter02479; 65ter02480.

³⁰² Denial of public services:

65ter11109, para.61, n.120; 65ter03290; 65ter03665.

Restricted freedom of movement:

of non-Serbs from the municipalities by Bosnian Serb Territorial Defence, police and Army units.³⁰⁴ Crisis Staffs requested the Army to “round-up or capture as many Muslim civilians as possible,”³⁰⁵ ordering the arrests of individuals and categories of Bosnian Muslims and Croats including civilians,³⁰⁶ such as “all people of Croatian nationality,”³⁰⁷ “all military-capable Muslims who could possibly harm the Serbs,”³⁰⁸ or simply “people unwelcome in the municipality,”³⁰⁹ while ordering the release of “all Serbs who have been imprisoned by mistake.”³¹⁰

129. Crisis Staffs established and implemented the criteria regarding the moving out of the Muslim population, including the provision of statements declaring that they were voluntarily and/or permanently leaving and the assignment of their property rights to the authorities.³¹¹ Crisis Staffs also took steps to prevent the return of Muslims and Croats who had left the territory.³¹²

130. In many municipalities, the Municipal Assembly began operating in the late summer or early autumn of 1992 and the Crisis Staffs, War Presidencies, or War

65ter11109, para61 n.123; 65ter11142; 65ter03687; 65ter03684; 65ter03026;
65ter11143; 65ter11144; 65ter03691; 65ter02594; RM015DD.

Dismissed non-Serbs from municipal positions:

65ter11109, para61n.122; 65ter03074; 65ter11137;65ter11138; 65ter11139;
65ter11140; 65ter03080, p.5; 65ter07135; 65ter07136; 65ter06632; 65ter11141, p6;
65ter03686; 65ter04656; 65ter10746; 65ter03304; RM025; 65ter03054;
RM111,RM015DD; 65ter06569.

Dismissed non-Serbs from judicial positions:

65ter11109, para.6,1n.124; 65ter08000; 65ter03080; 65ter09180; 65ter08322;
65ter08887; 65ter09262; 65ter08658; 65ter06411; 65ter06635124; 65ter06955;
65ter07002; 65ter11145.

³⁰³ 65ter03018.

³⁰⁴ 65ter11109, para.62-63; 65ter03724; 65ter03727; 65ter03729; 65ter11110; 65ter11111; 65ter11112;
65ter11113; 65ter11114; 65ter11115; 65ter11116; 65ter11117; 65ter11118; 65ter02663; 65ter02949;
65ter06000; 65ter16582; pp.9,10; 65ter02580; 65ter03306; 65ter07146; 65ter03722; 65ter03078;
65ter02619; 65ter07131; 65ter03663; 65ter03732; 65ter03678; 65ter06620; 65ter06615; 65ter03696;
65ter08193.

³⁰⁵ 65ter03734.

³⁰⁶ 65ter03734, p3; 65ter16582, p6.

³⁰⁷ 65ter11120.

³⁰⁸ 65ter03312.

³⁰⁹ 65ter05981.

³¹⁰ 65ter07132.

³¹¹ 65ter02511; 65ter11109, paras.63,64 n128-130; 65ter11124; 65ter06630; RM015DD; 65ter03084;
65ter03322; 65ter03368; 65ter11125; 65ter02663; 65ter03083; 65ter03566; 65ter03089; 65ter11126;
65ter11127; 65ter11128; 65ter11129; RM025; 65ter03322; 65ter03078; 65ter05984; 65ter02657;
65ter03306; 65ter06634; 65ter08035, p4; 65ter07213; 65ter03725; 65ter03124; 65ter06628; 65ter11135;
65ter03697; 65ter07147; 65ter02580; 65ter02562.

³¹² 65ter11109; para.65n.138; 65ter07999; 65ter10740; 65ter09009; 65ter02647; 65ter02625;
65ter03078, p.3; 65ter03802.

Commissions were disbanded. In late 1994³¹³ and again in the summer of 1995,³¹⁴ KARADŽIĆ ordered the re-formation of War Presidencies. In November 1994, KARADŽIĆ explained to the Assembly deputies the role of the War Presidencies as the municipal authorities in the Bosnian Serb state and directly compared them to the SDS Crisis Staffs of 1991-1992.³¹⁵ On 14 July 1995, KARADŽIĆ ordered the formation of the municipal War Presidency for Srebrenica-Skelani, appointing Miroslav DERONJIĆ as President.³¹⁶

F. Execution of the Over-Arching JCE and Crimes Committed to Permanently Remove Bosnian Muslims and Bosnian Croats from Bosnian Serb-Claimed Territory

131. The military and civilian organs described above worked together in the implementation of the common criminal purpose in three main geographic areas relevant to the Indictment: ARK, eastern Bosnia, and Sarajevo. The crimes committed within the municipalities listed in paragraph 47 of the Indictment are merely representative of the pattern of crimes carried out in a much larger number of municipalities in these areas.³¹⁷

132. The take-over of these municipalities followed a similar pattern, with Crisis Staffs co-ordinating the arming and planning of the take-over, and then obtaining assistance through the TO, RS MUP, as well as volunteer, paramilitary, JNA, and ultimately VRS forces. During and following these takeovers, Bosnian Serb Political and Governmental Organs and BSF expelled, detained, mistreated and killed Bosnian Muslims and Bosnian Croats living in these municipalities.

133. An overview of the implementation of the common criminal purpose in each of the three geographic areas is set out below, with more details provided in Annexes A (Municipality Narrative) and B (Scheduled Crimes).

1. Eastern Bosnia in 1992

134. Prior to the war, eastern Bosnia had a substantial Bosnian Muslim population.³¹⁸ However, in order to realise the First and Third Strategic Objective the

³¹³ 65ter11186.

³¹⁴ 65ter03831.

³¹⁵ 65ter02406, p.347.

³¹⁶ 65ter05900.

³¹⁷ The Prosecution intends to lead a limited amount of evidence relevant to establishing this pattern of crimes and their links to the BSL from municipalities that are not listed in paragraph 47 of the Indictment.

³¹⁸ 65ter02559.

BSF removed much of the non-Serb population and established control of most of the land along the Drina. Indeed, KARADŽIĆ described the objective as the “elimination of the Drina as a border.”³¹⁹ It was to be Serb “living space” that would unite Serbia and the Serb-claimed portions of BiH and thereby create the “backbone of the Serbian people”.³²⁰ The Third Strategic Objective meant “a clean Drina”.³²¹

135. By mid-May 1992, the process of rendering the Drina “clean” was well underway. JNA forces, RS MUP, Serb Crisis Staffs, Serb TO units and paramilitary and volunteer units, acting together, had expelled much of the non-Serb population. In an effort to establish total Serb control over the area, BSF and Serb authorities expelled, detained and killed large numbers of non-Serb civilians, as more fully described in Annexes A and B.

136. Three newly formed corps featured prominently in this campaign of ethnic cleansing: the IBK (in north-eastern BiH); the HK (which integrated “tactical groups” in Foča and Kalinovik) in south-eastern BiH; and the SRK (in Romanija which included Rogatica and Sokolac). Many of those expelled fled to the ABiH-held enclaves of Cerska, Goražde, Žepa and Srebrenica. In late 1992, the DK was given the task of eradicating the enclaves.

137. The removal of the non-Serb population from eastern Bosnia was a central VRS objective. On 28 May 1992, Major Svetozar ANDRIĆ, commander of the IBK’s 1st Birač Brigade, ordered that “the moving out of the Muslim population must be organised and co-ordinated with the municipalities through which the moving is carried out. Only women and children can move out, while men fit for military service are to be placed in camps for exchange”.³²² In a 14 June 1992 report to the IBK command, ANDRIĆ referred to the *čišćenje* (cleansing/mopping up) of the terrain in his area of responsibility.³²³ On 7 June 1992, IBK Commander ILIĆ set forth the tasks of the IBK, repeatedly referring to *čišćenje* of the territory in eastern Bosnia.³²⁴ On 1 November 1992, the DK became operational and was given an AOR that encompassed some areas formerly covered by other Corps. In late 1992, MLADIĆ

³¹⁹ 65ter02352, p.13.

³²⁰ 65ter06007.

³²¹ 65ter02417, p.41.

³²² 65ter05980.

³²³ 65ter13733. Note that *čišćenje* is a BCS noun that means “cleansing” or mopping up; *očistiti* is the active form of the word or verb and means “to cleanse” or “to mop up.”

³²⁴ 65ter02871.

tasked the DK with eradicating the enclaves. In an interview in late 1992 or early 1993, ANDRIĆ explicitly acknowledged that he had been removing women and children in an organised manner.³²⁵ In July 1995, Radovan KARADŽIĆ promoted ANDRIĆ to Chief of Staff of the DK.³²⁶

138. VRS units established detention facilities in which non-Serb detainees were held prior to their expulsion. ANDRIĆ established Sušica camp, in Vlasenica (C19.3) on 31 May 1992, pursuant to a decision of the Birač SAO, which regulated the movement of the Muslim population.³²⁷ On 7 June 1992, the IBK command informed MLADIĆ that the IBK was holding around 800 prisoners in Vlasenica.³²⁸

139. Non-Serb detainees from Sušica, and other Serb maintained detention facilities were transferred to Batković camp³²⁹ in Bijeljina Municipality (C2.1) prior to being expelled from the RS. The commander of Batković was appointed by the IBK Commander, pursuant to a 12 June 1992 VRS Main Staff order, and the IBK Command was ordered to assign soldiers to the camp to secure the facility and guard its prisoners.³³⁰ MLADIĆ was personally involved in operations at Batković;³³¹ for example, he requested guidance from KARADŽIĆ about what to do with 134 “able-bodied Croats” detained at Batković and Kula.³³²

140. HK and SRK units also expelled, raped, detained, and killed non-Serbs in municipalities in the wider eastern Bosnia region located in their areas of responsibility including Foča and Kalinovik (in the HK AOR) and Rogatica and Sokolac (in the SRK AOR).³³³ Those people who were detained were sometimes mistreated, assaulted and subjected to sexual violence.³³⁴

141. Most of the Bosnian Muslims and Croats of eastern Bosnia had been expelled from their municipalities by late 1992 and many had fled to the enclaves of Cerska, Žepa, Srebrenica and Goražde, under ABiH control. To further expel the Muslim

³²⁵ 65ter22855.

³²⁶ 65ter04014.

³²⁷ 65ter02907.

³²⁸ 65ter02876.

³²⁹ 65ter11163; RM049; RM067; RM066; RM025.

³³⁰ 65ter11162.

³³¹ RM088.

³³² 65ter25959.

³³³ See, Annexes A and B.

³³⁴ RM011, RM048.

population the VRS initiated three primary operations to eradicate the enclaves from November 1992 to April 1993, namely: Operations “Proboj” (“Breakthrough”: 24 November 1992 to 3 February 1993; “Pesnica” (“Fist”: 11 January 1993 to 20 January 1993); “Udar” (“Strike”: 14 February 1993 to 25 April 1993).³³⁵

142. The DK noted the accumulation of Muslims in Cerska in a 6 November 1992 message: “refugees are gathering in Cerska, and are supposed to move with enemy forces in the direction of Glodi and further. Our artillery does not have the necessary range. Please use your artillery to fire at Cerska”.³³⁶

143. As discussed earlier, in Directive Four **MLADIĆ** ordered DK units to force the enemy “to leave the Birac, Žepa and Goražde areas together with the Muslim population”.³³⁷ **MLADIĆ** issued an order to arrange a high-level seminar in order to implement Directive 4.³³⁸ The DK issued an agenda for the seminar which was approved by **MLADIĆ**.³³⁹ The DK order after that seminar confirmed Directive 4’s objective to: “force the Muslim local population to abandon the area of Cerska, Žepa, Srebrenica, and Goražde”.³⁴⁰

144. DK forces struck Cerska heavily in order to secure the exit of the Muslim civilian population and ABiH forces. On 10 January 1993, the VRS Main Staff ordered the DK command “to crush the enemy in the Cerska and Konjevic Polje region”.³⁴¹ The DK issued an order the next day, in similar terms.³⁴² Then on 22 January 1993, the VRS Main Staff recorded success in “cleaning” the left bank of the Drina and directed forces to allow the civilian population to “relocate”.³⁴³ The following day the DK ordered the destruction of enemy forces in the regions of Cerska and Žepa, and the establishment of civil authority and the reception of Serb refugees.³⁴⁴

³³⁵ 65ter17502.

³³⁶ 65ter09754. *See also*, 65ter09632.

³³⁷ 65ter03782. Directive 4 is dated 19 November 1992, and was issued on 21 November 1992.

³³⁸ 65ter08392.

³³⁹ 65ter08424.

³⁴⁰ 65ter05807.

³⁴¹ 65ter09620.

³⁴² 65ter09707.

³⁴³ 65ter09705.

³⁴⁴ 65ter09795.

145. The DK reported to the Main Staff on 31 January 1993 that around 200 women and children were leaving Cerska and Kamenica, and that Zvornik Radio was encouraging the “Muslim people (women and children)”; the Zvornik Brigade facilitated their exit.³⁴⁵ A Muslim arrested by the Zvornik Brigade was sent to Kamenica to tell the Muslims that “women, children and elderly people” could leave; several hundred did in fact leave.³⁴⁶ On 1 February 1993, the DK issued a combat order on the liberation of Kamenica, Cerska and Konjevic Polje.³⁴⁷

146. The DK fired indiscriminately on columns of soldiers and civilians. On 22 February 1993, Major Vinko PANDUREVIĆ, commander of the Zvornik Brigade, reported to the DK command that units of the 2nd and 6th Infantry Battalions opened fire on a column of soldiers and civilians.³⁴⁸ On 13 February 1993, PANDUREVIĆ reported to the DK command that artillery fire had been directed at two groups of civilians and soldiers.³⁴⁹ On 2 March 1993, PANDUREVIĆ reported to the DK command that the Zvornik Brigade opened fire on columns of civilians and soldiers with pack horses, who were moving from Cerska in the direction of Konjević Polje.³⁵⁰

147. UNPROFOR intervention halted the assault at Srebrenica.³⁵¹ The DK operation to take the enclaves was a limited success. Cerska was “liberated”; the enclaves of Goražde, Žepa, and Srebrenica remained.

2. *The Autonomous Region of Krajina (ARK) in 1992*

148. Prior to the war, the areas in north-western BiH claimed as Bosnian Serb territory (ARK) had substantial Bosnian Muslim and Bosnian Croat populations.³⁵² Crimes committed in the ARK were directed towards accomplishing the First, Second, and part of the Fourth Strategic Objectives: creating a corridor between Semberija (in north-eastern BiH) and Krajina, and establishing a border on the Una river.

149. Preparations for the SDS to take over power from local governments in the ARK began at the end of summer 1991. Variant A/B and follow-up instructions of 26

³⁴⁵ 65ter09701.

³⁴⁶ 65ter09593.

³⁴⁷ 65ter09564.

³⁴⁸ 65ter09751.

³⁴⁹ 65ter09537.

³⁵⁰ 65ter09563.

³⁵¹ 65ter22466: V000-0640-1-A (49’:27”).

³⁵² See, Annex C (ethnic map).

April 1992³⁵³ were discussed and implemented in municipalities of the ARK.³⁵⁴ The regional crisis staff (ARK Crisis Staff) was formally announced on 5 May 1992, with General TALIĆ – then Commander of the 5th Corps of the JNA and later 1KK Commander – among its members.³⁵⁵

150. Bosnian Serb Political and Governmental Organs and BSF began taking over ARK municipalities and committing crimes against their non-Serb inhabitants in mid-April 1992: Sanski Most (mid-April 1992); Prijedor (30 April 1992); Ključ (7 May 1992); Kotor Varoš (10 June 1992).³⁵⁶ Immediately following the take-overs, Bosnian Serb Crisis Staffs assumed power and the Serb municipalities began to function.³⁵⁷

151. In pursuit of these objectives and of the common criminal purpose of permanently removing non-Serbs from targeted areas of BiH, Serb forces – including, as of 12 May 1992 the VRS – killed several thousand Bosnian Muslims and Bosnian Croats in the ARK. These killings were carried out primarily in connection with military/police attacks on villages, and in camps and detention facilities operated by the VRS and MUP. Many more thousands were mistreated at these facilities. BSF expelled thousands of non-Serbs from the ARK, and plundered or destroyed their property, along with their religious buildings. Details of such crimes committed in certain ARK municipalities – namely Banja Luka, Ključ, Kotor Varoš, Prijedor, and Sanski Most, are set out in Annexes A and B.

152. **MLADIĆ** received numerous contemporaneous reports of the unlawful detention, expulsion, mistreatment and killing of Muslims and Croats from ARK municipalities by BSF and Bosnian Serb Political and Governmental Organs.³⁵⁸

153. The VRS, RS MUP and municipal Crisis Staffs co-operated in forcibly removing Bosnian Muslims and Bosnian Croats from the ARK. Military and police forces co-ordinated with, and in some cases were represented on, the municipal level Crisis Staffs.³⁵⁹ On 14 May 1992, two days after **KARADŽIĆ** announced the Strategic Objectives to the Assembly in Banja Luka, Stanislav **GALIĆ** (then in the

³⁵³ 65ter03010.

³⁵⁴ 65ter03196; 65ter03197; 65ter02994; 65ter08005.

³⁵⁵ 65ter06926, p.3.

³⁵⁶ See, Annex A.

³⁵⁷ RM610.

³⁵⁸ 65ter02837; 65ter05989; 65ter02847; 65ter06645; 65ter10665; 65ter02608; 65ter19584, p.26; 65ter19585, pp.124-125.

area of Ključ) underscored the importance of the strategic goals at a meeting between military and civilian authorities in his zone of operation.³⁶⁰ On 21 May 1992, TALIĆ ordered subordinate units to establish direct contact with municipal and military and territorial organs.³⁶¹

154. Thousands of Bosnian Muslims and Bosnian Croats were detained in facilities in the ARK. The scale of these detentions required logistical co-ordination at various levels of RS military and civilian authorities.³⁶² RS MUP personnel administered a large number of the detention facilities.³⁶³ Following their attacks on disarmed and defenceless villages, 1KK and 2KK forces rounded up civilians and participated – often together with RS MUP forces – in detaining, transferring, processing, interrogating, mistreating and killing prisoners.³⁶⁴

155. On 2 June 1992, **MLADIĆ** met with, among others, members of the ARK leadership and 1KK officers in Banja Luka. BRĐANIN reported to KARADŽIĆ and **MLADIĆ**: “Problem of the Krajina: - 14,500 Muslims.”³⁶⁵ According to **MLADIĆ**’s notes, BRĐANIN concluded his remarks as follows: “About prisoners and refugees? – A position please at the highest level.” The 14,500 figure roughly corresponds to the number of non-Serbs imprisoned in detention facilities in the ARK at the time.

156. Ten days after this meeting, on 12 June 1992, **MLADIĆ** ordered that detention facilities be established at the level of the Corps.³⁶⁶ The 1KK implemented this order by establishing and operating, with assistance from the RS MUP, the Manjača detention facility (C1.2) in Banja Luka.³⁶⁷ Thousands of non-Serb civilians who had been rounded up from ARK municipalities were detained at Manjača; many were transferred to Manjača from other detention facilities in the ARK. BSF killed a

³⁵⁹ RM610; 65ter11271; 65ter11012; 65ter07163; 65ter08762; 65ter03028; 65ter16010; 65ter06408; 65ter04372; 65ter07140; 65ter03080.

³⁶⁰ 65ter02677.

³⁶¹ 65ter18344. *See also*, 65ter16017.

³⁶² 65ter07131. *See also*, Annex A (Municipality Narrative) and Annex B (Scheduled Crimes).

³⁶³ *See*, Annex A (Municipality Narrative) and Annex B (Scheduled Crimes).

³⁶⁴ *See* discussion above on VRS/MUP cooperation relating to detention facilities, as well as Annex A (Municipality Narrative) and Annex B (Scheduled Crimes).

³⁶⁵ 65ter19582, p.55.

³⁶⁶ 65ter06931; 65ter02877.

³⁶⁷ 65ter06931; RM078; RM093; 65ter08656. *Note*, TALIĆ established a detention camp at Manjača around 1 June 1992. **MLADIĆ**’s order of 12 June formalised its establishment and operation. The order did require staff to “respect the provisions of international laws of war in all treatment of prisoners of war.”

number of Manjača detainees. The remainder were mistreated, and eventually expelled.³⁶⁸

157. VRS units and other BSF perpetrated mass killings of Muslim and Croat civilians in municipalities within the ARK between May and November 1992, both in and outside detention facilities.³⁶⁹ Bosnian Muslim and Bosnian Croat leaders were targeted, particularly for killings and severe mistreatment of detainees at camps and detention facilities, including sexual assault.³⁷⁰

158. The closure of some camps in the ARK was prompted by an international outcry in early August 1992. Detainees were then transferred to locations including Batković (C2.1) and KP Dom “Kula” Butmir (C8.1).³⁷¹ Thus, large areas of the ARK were ethnically cleansed in accordance with the common criminal purpose – the Bosnian Muslim population was reduced by four-fifths and the Bosnia Croat population by two-thirds.³⁷²

3. Sarajevo Area in 1992

159. Crimes committed in and around Sarajevo³⁷³ were directed towards accomplishing the First and Fifth strategic goals: the division of the city of Sarajevo into Serb and Muslim parts. In pursuit of these goals and of the objective of the overarching JCE, Muslims and Croats of Ilidža, Novi Grad and Pale³⁷⁴ were expelled, killed and persecuted.³⁷⁵

160. Through 1991 and early 1992, the ethnic delineation of Serb municipalities within the Sarajevo area was a key focus of SDS political activity.³⁷⁶ By February 1992, SDS organs had unilaterally proclaimed Serb municipalities in areas to the

³⁶⁸ See Annex B (Scheduled Crimes) and the attached Banja Luka municipality narrative for details of these crimes.

³⁶⁹ See, Annex A (Municipality Narrative) and Annex B (Scheduled Crimes).

³⁷⁰ RM016; RM076; RM056; RM057; RM078; RM065; RM080.

³⁷¹ RM516; RM052; RM025; RM067; 65ter22391; 65ter03325; 65ter12809.

³⁷² The Bosnian Muslim population in the ARK fell by four-fifths between 1991 and 1995, from 252,566 (25.86%) in 1991 to 34,528 (4.98%) in 1995; the Bosnian Croat population fell by two-thirds for the same period, from 96,789 (9.91%) in 1991 to 18,932 (2.73%) in 1995.

³⁷³ The crimes discussed in this section are those carried out in municipalities in the wider Sarajevo area.

³⁷⁴ These municipalities, plus Hadžići, Ilijaš, Novo Sarajevo, Stari Grad, Trnovo, Vogošća and Centar, were part of an administrative group of ten municipalities forming the city of Sarajevo.

³⁷⁵ See Schedule A 8.1,B10,C8,D9,D10 and D14.

³⁷⁶ 65ter03609; 65ter03161;03632, p.3; 20517; 65ter03587; 65ter02339; 65ter02548; 65ter02552; 65ter02549; 65ter02550; 65ter02546; 65ter06541; 65ter09074; 65ter20513; 65ter03638.

north, south and east of Sarajevo's urban centre.³⁷⁷ In early April 1992, Radovan KARADŽIĆ, together with Bogdan SUBOTIĆ, Momčilo KRAJIŠNIK, Mićo STANIŠIĆ, Momčilo MANDIĆ and Jovan TINTOR, planned an operation incorporating JNA elements to cut the city in two, linking Bosnian Serb forces to the north and south of Sarajevo.³⁷⁸ On 5 May 1992, MANDIĆ and STANIŠIĆ discussed the planned boundaries for Muslim Sarajevo,³⁷⁹ which effectively left only the old town for non-Serbs.

161. Fighting to secure the Serb takeover of areas in and around Sarajevo began in early April 1992. BSF comprising elements of SDS Crisis Staffs, TO and RS MUP forces,³⁸⁰ assisted by paramilitary units and volunteers,³⁸¹ Federal Yugoslav MUP forces,³⁸² and elements of the JNA,³⁸³ gradually took control of much of Hadžići, **Iliđža**, Ilijaš, Vogošća, parts of Novo Sarajevo, **Novi Grad** and **Pale**.³⁸⁴

162. The Sarajevo municipality take-overs were directed by local SDS leaders, including Jovan TINTOR,³⁸⁵ Nedelko PRSTOJEVIĆ³⁸⁶ and Ratko ADŽIĆ.³⁸⁷ In Iliđža, local civilian and military structures were controlled by Nedelko PRSTOJEVIĆ, head of the municipal SDS Crisis Staff.³⁸⁸ KARADŽIĆ visited Iliđža in the first few days of the war to provide encouragement to Serb forces, and as a result "...the Serbs from Sarajevo retained control over the territory, and even extended their territory in some areas, driving the Muslims out of the territories where they had actually been the majority".³⁸⁹

³⁷⁷ 65ter03638; 65ter20624. 65ter03638.

³⁷⁸ 65ter22724.

³⁷⁹ 65ter20742.

³⁸⁰ RM511; RM145; RM091; RM146; 65ter10702; 65ter22724; 65ter20659; 65ter03686; 65ter03426; 65ter03666; 65ter20742; 65ter20736; 65ter03678; 65ter02613; 65ter20703.

³⁸¹ RM107; RM114; 65ter14731; 65ter20701; 65ter20707; 65ter20711, 65ter20759; 65ter20778; 65ter20786; 65ter21307; 65ter20766; 65ter20789; 65ter20788; 65ter20721; 65ter20715; 65ter16989.

³⁸² RM617; 65ter20744; 65ter20783; 65ter20744; 65ter20783.

³⁸³ 65ter20769; 65ter20759; 65ter21307.

³⁸⁴ RM091; RM146; RM141; RM145; 65ter02412, pp303-305; 65ter20709; 65ter20703; 65ter20713; 65ter03290; 65ter03810; 65ter03610; RM505; 65ter40193, p.8(0:23:15-0:26:22); 65ter03802; 65ter20746. The municipalities indicated in bold are the subject of charges in the Indictment.

³⁸⁵ 65ter22724; 65ter20099; 65ter20201; 65ter20256; 65ter20497; 65ter20517; 65ter20648; 65ter20651; 65ter20497; 65ter20654; RM511; 65ter22724.

³⁸⁶ 65ter20564.

³⁸⁷ 65ter10726; 65ter02881, p.155.

³⁸⁸ 65ter20564; 65ter03684; 65ter03687; 65ter03802; 65ter09896; 65ter20794; 65ter20808; 65ter20855.

³⁸⁹ 65ter02355; 65ter11464; 65ter19583.

163. With Serb control established in Sarajevo's peripheral municipalities, non-Serb residents in those areas were killed or forced from their homes³⁹⁰ and channelled through a system of detention facilities.³⁹¹ From the detention facilities they were "exchanged",³⁹² used by the VRS for forced labour or human shields,³⁹³ or killed.³⁹⁴ VRS forces were involved in the operation of some of these facilities as well as the movement of detainees between them.³⁹⁵

164. **MLADIĆ** was aware of the situation in these municipalities. On 6 June 1992, **MLADIĆ**, along with **KARADŽIĆ** and **OSTOJIĆ**, chaired a meeting of representatives from Sarajevo municipalities, during which local officials reported to **MLADIĆ** on the military situation in the municipalities.³⁹⁶

165. VRS Directive 1, issued by **MLADIĆ** on 6 June 1992, ordered, among other things, the military implementation of the First and Fifth Strategic Goals in the Sarajevo area. It directed the SRK to "...regroup in such a way to *očistiti* /mop up or cleanse/ parts of Sarajevo with a majority Serb population, if possible cut it out along the axis Nedarići-Stup-Rajlovac".³⁹⁷ The next day SRK Commander Colonel Tomislav ŠIPČIĆ issued an order for his subordinate units to implement **MLADIĆ**'s directive.³⁹⁸ An entry in **MLADIĆ**'s notebook from 15 June 1992, records a conversation with representatives of several Sarajevo municipalities. **MLADIĆ** notes the following at the end of the conversation: "Conclusions: to clear ("*da se očisti*") the Serbian territory in which Mojmiilo and Dobrinja come first".³⁹⁹ Units of the SRK carried out this order in the days that followed.⁴⁰⁰

³⁹⁰ 65ter03686.

³⁹¹ See Schedule C; RM091; RM145; RM146; RM111; 65ter10696; 65ter03778; 65ter03732; 65ter03663; 65ter14196; 65ter22393.

³⁹² See, e.g., 65ter10671.

³⁹³ See, e.g. RM041, RM039.

³⁹⁴ See, Schedule B12.1,12.2,13.1,13.3,19.1.

³⁹⁵ 65ter25959; 65ter20853.

³⁹⁶ 65ter19582.

³⁹⁷ 65ter03710.

³⁹⁸ 65ter11467.

³⁹⁹ 65ter19582.

⁴⁰⁰ 65ter03719; 65ter16989.

166. In 1993, VJ Special Forces units subordinated to and reinforcing the SRK took part in operations in the Sarajevo area aimed at taking control of features to the north and south of the city and ensuring its continued division.⁴⁰¹

167. **MLADIĆ** and **KARADŽIĆ**,⁴⁰² continued to insist on the division of Sarajevo. In January 1994, **MLADIĆ** told the Serbian journal *NIN*: “We don’t want all of Sarajevo. We want to divide it”.⁴⁰³ At a meeting on 14 January 1994 attended by **MLADIĆ**, **KARADŽIĆ**, **STANIŠIĆ**, municipality presidents and SRK commanders, and other Serb leaders, **KARADŽIĆ** stated that “Our firm choice is to be unified with Serbia...we must defeat the Muslims in Sarajevo”. **MLADIĆ** commended the efforts of the SRK, and described Sarajevo as “strategic goal number 1 and it can be resolved militarily and not politically”.⁴⁰⁴

⁴⁰¹ 65ter09258; 65ter03986; 65ter00213. *See also* 65ter08371; 65ter08402; 65ter08682; 65ter09191; 65ter08457.

⁴⁰² 65ter10680; 65ter10686; 65ter03541; 65ter10687; 65ter10689; 65ter03536.

⁴⁰³ 65ter10682.

⁴⁰⁴ 65ter19588.

III. SARAJEVO CAMPAIGN OF SNIPING AND SHELLING⁴⁰⁵

168. Following the forcible division and encirclement of Sarajevo, between April 1992 and November 1995, members of the Bosnian Serb military and political leadership, acting in pursuit of a common criminal objective, implemented a military campaign of sniping and shelling by BSF against the city of Sarajevo, killing, maiming, wounding and terrorising its civilian population.⁴⁰⁶ As of 12 May 1992, **MLADIĆ** was a key participant in this criminal objective.⁴⁰⁷ He commanded the SRK, which had primary responsibility for implementing the campaign, and was directly involved in military tactics and operations relating to shelling and sniping.

169. The primary purpose of the shelling and sniping campaign was to spread terror among the civilian population of Sarajevo. The campaign and the corresponding common objective involved the commission of the crimes of terror, unlawful attacks on civilians and murder, charged in Counts 5, 6, 9 and 10 of the Indictment.

A. MLADIĆ Shared a Common Plan to Spread Terror Among the Civilian Population of Sarajevo Through a Campaign of Shelling and Sniping

170. Throughout the war, members of the Bosnian Serb military and political leadership viewed the division and siege of Sarajevo and the campaign of terror as an important means of achieving their territorial ambitions and statehood, and preventing any viable independent state of BiH.⁴⁰⁸ By controlling conditions in Sarajevo – or

⁴⁰⁵ With respect to the Sarajevo Campaign of Sniping and Shelling described in paras. 14 to 18 of the Indictment and this section of the brief, the term Bosnian Serb Forces (BSF) is used as an equivalent term to “Sarajevo Forces” as that term is defined in para. 17 of the Indictment. Paragraph 17 states in relevant part:

Those used to carry out these [Sarajevo] crimes were: until about 20 May 1992, members of the JNA operating in or with responsibility over the Sarajevo area; members of the VRS, in particular the Sarajevo Romanija Corps; and members of other elements of the Serb Forces operating in or with responsibility over the Sarajevo area (“Sarajevo Forces”).

⁴⁰⁶ RM124; RM143; RM514; RM176; RM512; RM117; RM120; RM517; RM505.

⁴⁰⁷ Other participants in this criminal enterprise include: Radovan KARADŽIĆ; Momčilo KRAJIŠNIK; Biljana PLAVŠIĆ; Nikola KOLJEVIĆ; Stanislav GALIĆ; Dragomir MILOŠEVIĆ; and Vojislav ŠEŠELJ. It also includes the following groups:

Members of the Bosnian Serb leadership; republic-level members of Bosnian Serb Political and Governmental Organs; regional, municipal and local level members of Bosnian Serb Political and Governmental Organs with responsibility in or for the Sarajevo area; commanders, assistant commanders, senior officers, and chiefs of JNA, VRS, TO, and MUP units whose areas of responsibility included the Sarajevo area; and leaders of Serbian and Bosnian Serb paramilitary forces and volunteer units operating in or with responsibility over the Sarajevo area.

(Indictment, paras.15-17).

⁴⁰⁸ RM501, pp19-20; RM505; RM510; RM163.

toying with the “spigot of terror”, as one UNPROFOR witness described it⁴⁰⁹ – the Bosnian Serbs aimed to retain critical leverage in negotiating a peace settlement on their terms.

171. As discussed below, from 12 May 1992, **MLADIĆ** was a central figure in the planning and directing of Bosnian Serb military strategy and operations around Sarajevo. Even prior to his appointment as VRS Main Staff Commander, **MLADIĆ** knew that BSF were bombarding Sarajevo with artillery. On 9 May 1992 General KUKANJAC of the JNA 2nd Military District Command told **MLADIĆ**, “Sarajevo is a ghost town. The Serb leadership is firing at it for months with mortars and artillery”.⁴¹⁰

172. Attacks on Sarajevo were often related to attacks carried out elsewhere in BiH. **MLADIĆ** and other JCE members frequently ratcheted up the campaign of terror in Sarajevo in retaliation for events elsewhere in the theatre, including BiH offensives or the death of Bosnian Serb soldiers or civilians.⁴¹¹ In response to ABiH attacks to break the siege, **KARADŽIĆ** and **MLADIĆ** often either undertook or threatened action against Sarajevo, from shelling to a complete take-over.⁴¹²

173. **MLADIĆ** and other members of the BSL did not attempt to disguise the intention behind their actions.⁴¹³ On 23 May 1992, speaking of what would happen if a single Bosnian Serb soldier were to be wounded, **MLADIĆ** stated: “I will retaliate against the town ... Sarajevo will shake, more shells will fall in one second than in the entire war so far”.⁴¹⁴ In March 1995, **MLADIĆ** openly acknowledged that a recent increase in sniping in Sarajevo was in response to Serb casualties suffered from BiH military offensives.⁴¹⁵ During one interview **MLADIĆ** indicated that he could do whatever he wanted to Sarajevo by tapping his cupped hand and stating, “I have Sarajevo in the palm of my hand”.⁴¹⁶

⁴⁰⁹ RM505.

⁴¹⁰ 65ter22839. The shelling campaign was in progress for approximately six weeks at the time of this statement.

⁴¹¹ RM163; RM177; RM505; 65ter08149; 65ter10593; 65ter20799; 65ter03275; 65ter10661; RM143; 65ter05746; RM171.

⁴¹² 65ter08156; 65ter03492; 65ter10630; 65ter10631; 65ter03503.

⁴¹³ RM505; RM177.

⁴¹⁴ 65ter20799.

⁴¹⁵ 65ter10592.

⁴¹⁶ RM515; *See* 65ter27600.

174. International observers consistently noted the manner in which **MLADIĆ** and other JCE members modulated the level of terror through shelling and sniping against civilians, as well as freedom of movement for humanitarian convoys and the flow of critical utilities.⁴¹⁷ All of this was done in an effort to secure concessions from the BiH Government⁴¹⁸ or the international community, or to prevent NATO and other international intervention in the conflict.⁴¹⁹

175. **MLADIĆ** was aware of the terror that the sniping and shelling inflicted on the civilian population. On 14 July 1993, for example, **MLADIĆ** ordered that Sarajevo be attacked with all available means and that panic first be created through the use of snipers.⁴²⁰

176. **MLADIĆ** received repeated protests and appeals from UN officials and other international representatives regarding the shelling, sniping and blockade of Sarajevo.⁴²¹ UN Security Council resolutions directly addressed the situation.⁴²² The international media, too, repeatedly drew the world's attention to Sarajevo.⁴²³ **MLADIĆ** continued the shelling and sniping activity against civilians, despite these protests.⁴²⁴

B. MLADIĆ was a Key Member of a JCE to Spread Terror Among the Civilian Population of Sarajevo

177. Throughout the Indictment period, **MLADIĆ** was directly involved in conducting the shelling and sniping campaign directed at the civilians of Sarajevo. He worked with various civilian and military leaders with whom he shared the objective of spreading terror among Sarajevo's civilian population.

⁴¹⁷ RM117.

⁴¹⁸ RM505; RM143; 65ter21268; RM163; RM510.

⁴¹⁹ 65ter21267; 65ter09733; 65ter09256; RM510; RM163; 65ter00979.

⁴²⁰ 65ter01010; 65ter20779.

⁴²¹ RM317; 65ter03406; 65ter10631; 65ter03484; RM510; 65ter03442; RM514; RM113; 65ter03281; RM176; RM177; RM143; RM171; 65ter10715; 65ter03440; RM163; 65ter10733; RM510; RM505; 65ter10734; 65ter10745; 65ter03529; 65ter03503; 65ter09969&65ter03244.

⁴²² 65ter03291; 65ter03418; 65ter07165; 65ter03294; 65ter07195; 65ter03376; 65ter07582; 65ter07556.

⁴²³ RM163; RM502; RM503; RM515; 65ter10728; 65ter10729; 65ter10799; 65ter10730.

⁴²⁴ *Galić* TJ, para.711.

1. *SRK Participation in the JCE*

178. As Commander of the Main Staff, **MLADIĆ** exercised command and control over the SRK,⁴²⁵ and actively oversaw its implementation of the terror campaign. As one international observer explained in relation to the VRS structure:

In the overall structure and organisation, in my opinion, General **MLADIĆ** decided on the strategic conception and design of the operations, and the commander of the Sarajevo-Romanija Corps was the one who carried out. He was -- he had the operational and tactical dimension of it all. He was free to choose the operational means by which he would carry out the acts and actions that were globally defined at a strategical level.⁴²⁶

179. International observers consistently described the SRK as a disciplined and coordinated force.⁴²⁷ **MLADIĆ** frequently required SRK Corps Commanders to inform him of, or gain his approval for, the use of heavy artillery in Sarajevo.⁴²⁸ Then SRK Commander **GALIĆ** reported in June 1994 that his Corps had executed all of the tasks set forth in VRS Directives 1 to 6 over the previous twenty-seven months and described “the unwavering blockade” of the Muslim part of Sarajevo as a “success”.⁴²⁹

180. The principal task of the SRK from May 1992 to November 1995 was to maintain the blockade and conduct the shelling and sniping campaign.⁴³⁰ VRS directives contained specific orders for continuing the blockade of Sarajevo and tightening the siege of the city.⁴³¹ The SRK implemented these directives, as reflected in SRK combat orders over the course of the conflict.⁴³²

181. In exercising his command over the SRK, **MLADIĆ** involved himself in details of the terror campaign. **MLADIĆ** issued direct orders for the shelling and sniping of Sarajevo.⁴³³ Similarly, **MLADIĆ**'s 7 November 1994 order to the SRK states, “I forbid all use of weapons of bigger calibre on civilian targets in Sarajevo

⁴²⁵ See, 65ter10599; 65ter09596; 65ter09547; 65ter10600; 65ter10601; 65ter09608; RM514; 65ter08179; 65ter22272; 65ter21321; RM508.

⁴²⁶ RM120.

⁴²⁷ RM117; RM514; RM515; RM510; RM171; RM512; RM120; RM176; RM163.

⁴²⁸ 65ter11002; 65ter11242; *DMilošević* TJ, para.824,855-856; 65ter00832; 65ter10019.

⁴²⁹ 65ter10651.

⁴³⁰ 65ter03747, p.5; 65ter03782; 65ter06806; 65ter09898; 65ter09258; 65ter05821; RM505; 65ter09638, p.2; 65ter03377; 65ter03747.

⁴³¹ 65ter03747; 65ter06806; 65ter09898; 65ter09258; 65ter05821; 65ter02412, p.21.

⁴³² 65ter03776.

⁴³³ 65ter20784; 65ter20821; 65ter27598; 65ter20826; 65ter20827; 65ter20815; 65ter11471; 65ter11473.

without my approval".⁴³⁴ **MLADIĆ** ordered the preparation of modified air bombs, and was involved in procuring the necessary material.⁴³⁵ **MLADIĆ** personally authorized the SRK Command to use air bombs.⁴³⁶ As discussed below, the SRK deployed these inherently inaccurate weapons on the express orders of **MLADIĆ** and the VRS Main Staff.⁴³⁷

2. *KARADŽIĆ's Participation in the JCE*

182. **KARADŽIĆ** authorized and oversaw the terror campaign. He issued orders to **MLADIĆ** and other members of the Main Staff on military matters relating to Sarajevo,⁴³⁸ including **MLADIĆ's** participation in negotiations,⁴³⁹ the shelling of Sarajevo,⁴⁴⁰ land access to Sarajevo,⁴⁴¹ and the supply of essential services to the city.⁴⁴² **MLADIĆ** and **KARADŽIĆ** were responsible for the main decisions regarding Sarajevo.⁴⁴³

183. **KARADŽIĆ** led the division and initial siege of Sarajevo, which placed BSF in a position to implement the terror campaign.⁴⁴⁴ In May or June 1992, at a meeting with **KRAJIŠNIK**, **PLAVŠIĆ**, **KOLJEVIĆ** and VRS officers, **KARADŽIĆ** endorsed **MLADIĆ's** plan to bombard Sarajevo with all the equipment and arms at the disposal of the SRK, despite being warned of the great risk of civilian casualties.⁴⁴⁵

3. *JNA, Crisis Staffs, Paramilitary and MUP/TO Participation in the JCE*

184. In early 1992, JNA Second Military District and 4th Corps officials, and their subordinates, ensured the arming⁴⁴⁶ and mobilisation⁴⁴⁷ of the Serb population in and

⁴³⁴ 65ter11242. **MLADIĆ** dealt with any potential interference with the command and control by the Main Staff was dealt with promptly.

⁴³⁵ 65ter17674; RM180.

⁴³⁶ 65ter10615; 65ter10642; 65ter10644; RM624; 65ter19588; 65ter09630.

⁴³⁷ 65ter10615; 65ter10642; 65ter10644; RM624; 65ter10019; 65ter11414; 65ter09741; 65ter09817.

⁴³⁸ 65ter21316; 65ter21315; 65ter21314; 65ter21319; 65ter21320; 65ter20883; 65ter21316.

⁴³⁹ 65ter20879.

⁴⁴⁰ 65ter03281; 65ter02441; 65ter10649; 65ter21267; 65ter21266; 65ter21265; 65ter20882; 65ter21813.

⁴⁴¹ 65ter21316; 65ter20672.

⁴⁴² 65ter21311; 65ter21266.

⁴⁴³ 65ter20779; 65ter21264.

⁴⁴⁴ *See, also*, 65ter00150, p.1.

⁴⁴⁵ RM511.

⁴⁴⁶ 65ter08642; 65ter03994; 65ter03648.

⁴⁴⁷ 65ter03660.

around the Sarajevo area, and aided in the deployment of weapons in strategic positions.⁴⁴⁸

185. During the early stages of the conflict (April and early May 1992) Bosnian Serb Crisis Staffs, RS MUP and TO forces participated in the initial take-overs and shelling of urban Sarajevo.⁴⁴⁹

186. From May 1992, Serb paramilitaries subordinated to the SRK, participated in VRS operations in the Sarajevo area.⁴⁵⁰ Several paramilitary units operated in and from Ilidža,⁴⁵¹ where they were welcomed by, and coordinated with, SDS officials.⁴⁵² SRS volunteer units operated in Ilijaš⁴⁵³ and in the area of Vogošća.⁴⁵⁴ Additionally, SRS volunteers led by Vojvoda Slavko ALEKŠIĆ⁴⁵⁵ participated in the shelling and sniping from the Jewish cemetery above Grbavica;⁴⁵⁶ they, too, were subordinated to the SRK and participated in SRK-led military operations at various times during the war.⁴⁵⁷

C. Crimes Committed in the Execution of the JCE to Terrorise the Civilian Population

187. BSF first attacked Sarajevo in early April 1992, shelling the city from positions already entrenched in the surrounding hills.⁴⁵⁸ From these elevated positions, and from high-rise buildings around the city, the objects of attack lay clearly in the Bosnian Serbs' sights,⁴⁵⁹ reinforcing the military superiority they already enjoyed in terms of both weaponry and ammunition.⁴⁶⁰ The confrontation lines in and around Sarajevo remained largely static for the duration of the conflict.⁴⁶¹ In addition, BSF kept the city of Sarajevo under blockade from April 1992 through

⁴⁴⁸ 65ter10676.

⁴⁴⁹ 65ter20749; 65ter03295; 65ter21357; 65ter20737.

⁴⁵⁰ RM107.

⁴⁵¹ 65ter20850; 65ter10672.

⁴⁵² RM107.

⁴⁵³ RM107.

⁴⁵⁴ 65ter20711; 65ter20707; 65ter10675.

⁴⁵⁵ 65ter10598.

⁴⁵⁶ RM511 65ter10640; RM107.

⁴⁵⁷ 65ter10598; RM511.

⁴⁵⁸ RM113; RM177; 65ter20672; 65ter20673; 65ter22685.

⁴⁵⁹ RM515; 65ter 27600.

⁴⁶⁰ RM176; RM132; RM177; RM505.

⁴⁶¹ 65ter22782; 65ter22394; RM502; 65ter10720.

most of the war,⁴⁶² with only a single tunnel as an exit.⁴⁶³ **MLADIĆ** stated in May 1992, “I have blocked Sarajevo from all four sides. There is no exit, it is in a mousetrap”.⁴⁶⁴

188. From early April 1992 until the end of the conflict, BSF inflicted centrally coordinated⁴⁶⁵ campaign of shelling and sniping on the civilian population of Sarajevo that included attacks directed at civilians,⁴⁶⁶ indiscriminate attacks⁴⁶⁷ and attacks that were disproportionate in relation to any military advantage anticipated.⁴⁶⁸ Around mid-May 1992, BSF intensified the bombardment of the city.⁴⁶⁹ International observers described periods of incessant shelling and noted the extraordinary volume of projectiles launched on Sarajevo, such as the 5,000 to 10,000 shells fired in a single bombardment in May 1992,⁴⁷⁰ and numbers in excess of 2,500 shells hitting the city per day at times in 1993.⁴⁷¹

189. During the siege of Sarajevo, all elements of the civilian population and all aspects of civilian life were attacked by the campaign of shelling and sniping. BSF wounded and killed women, children, the elderly and civilian men who were clearly engaged in non-military activity.⁴⁷² Trams, ambulances,⁴⁷³ water distribution lines and open air-markets⁴⁷⁴ – even funerals⁴⁷⁵ – were targeted by sniping and shelling such that basic aspects of life became fraught with danger and fear.⁴⁷⁶ Civilians used covered routes to avoid sniper-fire in areas of the city most exposed to sniping, but even these areas were rendered unsafe by shelling and sniping attacks.⁴⁷⁷ The constant threat of death made normal life in Sarajevo impossible.⁴⁷⁸

⁴⁶² RM505; RM608.

⁴⁶³ RM502.

⁴⁶⁴ 65ter20799.

⁴⁶⁵ RM176; RM510; RM171; RM512; RM120; RM143; RM143; RM163.

⁴⁶⁶ RM117; RM502; RM148; RM622; RM515.

⁴⁶⁷ RM176; RM177; RM510; RM143; RM171; RM514; RM505; RM515.

⁴⁶⁸ RM177; RM117; RM510.

⁴⁶⁹ RM177; 65ter10723; 65ter20760; 65ter20765.

⁴⁷⁰ RM177.

⁴⁷¹ RM505; RM515.

⁴⁷² See RM150; RM502; RM148; RM148; RM138.

⁴⁷³ RM123.

⁴⁷⁴ RM505; RM505; RM157; RM510.

⁴⁷⁵ RM503.

⁴⁷⁶ RM155.

⁴⁷⁷ RM171.

⁴⁷⁸ RM514; RM148; RM510; RM515.

190. **MLADIĆ** and the Bosnian Serb authorities deliberately deprived the civilian population of utilities such as gas, electricity and running water for long periods of time, and frequently prevented the provision of humanitarian assistance.⁴⁷⁹ These deprivations in turn made it difficult to provide medical care, including to victims of sniping and shelling.⁴⁸⁰

191. By at least 1995 **MLADIĆ** had added the inherently inaccurate⁴⁸¹ modified air bomb to the SRK's arsenal. Loaded with massive explosives, air bombs were particularly destructive and could not be precisely or reliably directed against any particular target. Their purpose was to further terrorise the civilian population.⁴⁸² UNPROFOR officials described air bombs as "weapons of terror."⁴⁸³ Besides being "very destructive", they had a psychological purpose and were used "to send shudders" through everyone in the city.⁴⁸⁴

⁴⁷⁹ 65ter10738; RM510; RM515; RM501.

⁴⁸⁰ RM148; RM123; RM178.

⁴⁸¹ RM117; RM131; RM108; 65ter05746.

⁴⁸² RM117; RM502.

⁴⁸³ 65ter05356.

⁴⁸⁴ RM117.

IV. SREBRENICA⁴⁸⁵A. MLADIĆ was a Key Member of the JCE to Eliminate Bosnian Muslims in Srebrenica⁴⁸⁶

192. During the existence of the overarching JCE to permanently remove the Bosnian Muslims and Croats from Bosnian Serb-claimed territory, **MLADIĆ** participated in a related JCE to eliminate the Bosnian Muslims in Srebrenica.⁴⁸⁷ As described above, from 1992, the BSL was committed to the permanent cleansing of the Muslim population from the Drina river valley in eastern Bosnia. In 1992 and 1993, BSF drove the Bosnian Muslim population from villages and towns in that region; many fled to the relative safety of the Srebrenica, Žepa and Gorazde enclaves, where in the spring of 1993 the United Nations created “Safe Areas”.⁴⁸⁸ In 1995, the BSL sought to realise its goal of eliminating these remaining pockets of Bosnian Muslims in eastern Bosnia.

193. On 6 July 1995, BSF under **MLADIĆ’S** command and under **KARADŽIĆ** as supreme commander mounted an offensive against the Srebrenica enclave as part of

⁴⁸⁵ With respect to the crimes committed in Srebrenica and described in paras. 19 to 23, of the Indictment and this section of the brief, the term Bosnian Serb Forces (BSF) is meant as that term is defined in para. 13(k) of the Indictment. Paragraph 13(k) states in relevant part:

VRS, the TO, the MUP and Bosnian Serb paramilitary forces and volunteer units (“Bosnian Serb Forces”).

With respect to the crimes committed in Srebrenica and described in paras. 19 to 23 of the Indictment and this section of the brief, the term Bosnian Serb Forces (BSF) is used as an equivalent term to “Srebrenica Forces” as that term is defined in para. 22 of the Indictment. Paragraph 22 states in relevant part:

Those used to carry out these [Srebrenica] crimes were members of the VRS and MUP operating in or with responsibility over territory within the Drina Corps area of responsibility and/or Trnovo municipality and a Serbian MUP unit called the Scorpions (“Srebrenica Forces”). The Scorpions only operated and committed crimes in Trnovo municipality.

For clarity, the use of the two terms in the Indictment is meant to indicate that it not the Prosecution’s case that the Scorpion Unit participated in the takeover of Srebrenica.

⁴⁸⁶ The town of Srebrenica is in eastern BiH, approximately 15km from the Drina river, along which runs the international border between BiH and the FRY. The area around Srebrenica was known as the “Birač” region, “Podrinje” and the “Drina river valley”.

⁴⁸⁷ The other participants in this JCE include: Radovan **KARADŽIĆ** and:

Republic-level members of Bosnian Serb Political and Governmental Organs; regional, municipal and local level members of Bosnian Serb Political and Governmental Organs with responsibility in or for the Srebrenica, Vlasenica, Bratunac and/or Zvornik areas; and commanders, assistant commanders, senior officers, and chiefs of the VRS and MUP operating in or with responsibility over territory within the Drina Corps area of responsibility and/or Trnovo municipality; and members of a Serbian MUP unit called the Scorpions.

See, para.20-21, Indictment.

⁴⁸⁸ For a discussion of the creation of the Safe Areas see paras. 202 *et. seq.*

the BSL's earlier goal of a "clean" Drina river valley.⁴⁸⁹ The purpose was twofold: to separate the enclaves and thereby stop the 28th Division of the ABiH from launching attacks from the enclaves; and to force the Bosnian Muslim population into the tiny urban area of Srebrenica town, thereby creating a humanitarian crisis which would make life impossible and create conditions that would force the Bosnian Muslim population to leave the Safe Area.

194. On 11 July 1995, BSF took over the Srebrenica enclave. **MLADIĆ** declared, on video, during a victory walk through the town that Srebrenica was a gift to the Serbian people and that "the time has come to take revenge on the Turks in this region".⁴⁹⁰ Over the next few days, the JCE to eliminate the Bosnian Muslims in Srebrenica accelerated, as **MLADIĆ** and **KARADŽIĆ** set their forces to forcibly removing the women, young children and some elderly men and killing the men and boys of Srebrenica.⁴⁹¹ This action systematically destroyed the community of well over 30,000 Bosnian Muslims.

195. On 12 and 13 July, the BSF completed the forcible transfer of over 20,000 Muslim women, children and elderly from the enclave to ABiH territory. From 12 July through until at least 25 July 1995, the BSF murdered over 7,000 Bosnian Muslim men and boys who were either separated from their families in Potočari or captured whilst attempting to flee from the enclave to ABiH-held territory. Murders of Bosnian Muslims fleeing the enclave continued until November 1995. Thousands of bodies of the executed victims were dumped *en masse* into large unmarked graves. The VRS subsequently dug the bodies up with heavy machinery and reburied them in an effort to conceal the bodies and the crimes. As of 13 January 2012, 5,977 murder victims have been identified in Srebrenica-related graves.⁴⁹²

⁴⁸⁹ See, para. 134 above.

⁴⁹⁰ 65ter22278.

⁴⁹¹ The named members of the Srebrenica JCE were **MLADIĆ** and **KARADŽIĆ**. Other members of the JCE included: republic-level members of Bosnian Serb Political and Governmental Organs; regional, municipal and local level members of Bosnian Serb Political and Governmental Organs with responsibility in or for the Srebrenica, Vlasenica, Bratunac and/or Zvornik areas; and commanders, assistant commanders, senior officers, and chiefs of the VRS and MUP operating in or with responsibility over territory within the Drina Corps area of responsibility and/or Trnovo municipality; and members of a Serbian MUP unit called the Scorpions. (Indictment, paras. 20-21).

⁴⁹² 65ter18696, 18697. Dušan Janc Report, compiles DNA matching information regarding persons who were reported missing after the fall of Srebrenica in July 1995 received from the International Commission for Missing Persons (ICMP). (The process of identifying human remains continues to this day. The Prosecution will tender an updated version of these reports. The most current information is the number indicated above and is found in ERNX019-7717X019-7263).

196. The executions, forcible transfers and reburials demanded a high degree of coordination by the BSL and BSF. Although the common criminal purpose of the JCE to eliminate the Bosnian Muslims in Srebrenica was related to that of the overarching JCE to permanently remove Bosnian Muslims and Bosnian Croats, it had a more focused and specific criminal objective, namely, the elimination of Bosnian Muslims in Srebrenica through, primarily, organised mass executions and forcible transfer. The implementation of the objective of this JCE amounted to the crimes of genocide, persecutions, extermination, murder, deportation and inhumane acts (forcible transfer) as charged in Counts 2 to 8. **MLADIĆ** shared the common criminal purpose of the JCE to eliminate the Bosnian Muslims in Srebrenica through these crimes and was the General in overall command of its execution.

197. In addition and alleged in the alternative, the crimes of deportation and forcible transfer carried out in relation to the Srebrenica enclave formed part of the common criminal purpose of the overarching JCE. As noted above, at the time these crimes were carried out, **MLADIĆ** and others had, for several years, shared and been implementing the objective of permanently ridding the Drina river valley area of Bosnian Muslims.⁴⁹³ Further (and also alleged in the alternative) it was foreseeable that, in implementing this overarching JCE in the Srebrenica area, one or more members of the overarching JCE and/or persons used by any such member would perpetrate the crimes of genocide, persecutions, extermination and/or murder as charged in Counts 2 to 6.⁴⁹⁴

198. The pattern of territorial take-overs and subsequent crimes by BSF between 1992 and 1995 had amply demonstrated that crimes such as genocide, persecutions, extermination and murder were foreseeable consequences of such attacks. Moreover, by early 1995, the BSL determined to finally solve what was considered to be an untenable situation in Srebrenica. Earlier Bosnian Serb efforts to take over the Srebrenica enclave had been hampered by the Security Council's resolution declaring the enclave a "Safe Area".⁴⁹⁵ Although this designation envisaged a demilitarised enclave, the ABiH used Srebrenica to launch raids on Serb villages. Srebrenica was

This total does not include the 702 individuals whose remains were identified on the surface or the 68 individuals discovered in other locations, including Serbia-related, Kozluk surface, Godinjske Bare and uncategorized graves, which increases the Srebrenica Victims total to 6,747. (The Prosecution will tender an updated version of these reports).

⁴⁹³ See above, paras.44 to 45, 83, 134 to 147.

⁴⁹⁴ See above, paras. 30 to 31.

also one of the last remaining Muslim enclaves in the RS and prevented the realization of an ethnically homogenous Serbian entity. **MLADIĆ** was aware that the crimes of genocide, persecutions, extermination and murder were possible consequences of implementing the overarching JCE in the Srebrenica area and willingly took that risk.

B. The Common Plan to Eliminate Bosnian Muslims in Srebrenica

199. Strategic Objectives 1 and 3 to rid the Drina Valley region of its Bosnian Muslim population⁴⁹⁶ were largely completed with the elimination of the Bosnian Muslim population from the Srebrenica and Žepa enclaves in July 1995. Goražde was the only enclave to survive intact at the end of the war.

200. As discussed above, commencing in the spring of 1992, BSF and Bosnian Serb Political and Governmental Organs attacked and took over Serb-targeted territories of BiH. These territories included towns and villages in the eastern part of BiH, including in the municipalities of Bijeljina, Zvornik, Vlasenica, Bratunac and Rogatica.⁴⁹⁷ These forces carried out a campaign of crimes against Bosnian Muslims living in these territories, which included expulsions, killings, unlawful detention, mistreatment and other forms of persecution.⁴⁹⁸ As a result of these crimes, many Bosnian Muslims from eastern Bosnia fled to the Bosnian Muslim enclaves of Srebrenica, Goražde and Žepa.⁴⁹⁹

201. Overcrowding, deprivation of basic food and necessities and attacks by the VRS on the Bosnian Muslim population produced dire conditions of life in the Srebrenica area.⁵⁰⁰ On two occasions in March 1993, Bosnian Muslims, desperate to escape their inhumane circumstances by boarding empty UNHCR trucks, died in stampedes to the trucks and from exposure.⁵⁰¹

202. In April 1993, in response to the situation, the UN Security Council passed Resolution 819, which declared the Srebrenica enclave a “Safe Area”.⁵⁰² Resolution 819 was designed to create a demilitarised area for Srebrenica town and the

⁴⁹⁵ 65ter03414.

⁴⁹⁶ *See above*, paras.42 to 47, (strategic objectives).

⁴⁹⁷ For a full discussion of the crimes committed in eastern BiH *see*, paras.134 to 147.

⁴⁹⁸ *See above*, para.142.

⁴⁹⁹ 65ter03417, paras.30-31

⁵⁰⁰ RM514; RM512.

⁵⁰¹ 65ter03417 paras.32-37.

⁵⁰² 65ter03414, para.1.

surrounding villages and hamlets.⁵⁰³ Shortly thereafter, lightly armed UNPROFOR troops arrived in Srebrenica.⁵⁰⁴ On 6 May 1993, Žepa was also declared a UN “Safe Area”.⁵⁰⁵

203. The Safe Areas of Srebrenica and Žepa, however, were never completely demilitarised. Shelling and sniping of the enclave by BSF continued⁵⁰⁶ and the ABiH regularly raided Bosnian Serb villages surrounding the enclave to gather food, supplies and weapons and, in 1995, in an organised effort to prevent DK units from going to the Sarajevo front.⁵⁰⁷

204. The creation of the UN Safe Areas set back the BSL’s plan to complete its ethnic cleansing of the Drina river valley. As **MLADIĆ** stated to a visiting civilian supporter in August 1994:

Let our Serbs see what we did to them, how we crushed the Turks. We thrashed the Turks in Podrinje. And were they not protected by the Americans and the British, the Ukrainians and the Canadians in Srebrenica, even the Dutch now, they would have disappeared from this area a long time ago.⁵⁰⁸

C. The Build-up and Attack on Srebrenica enclave

205. However, on 8 March 1995, to complete the removal of Muslims from the Drina river valley, KARADŽIĆ issued Directive 7, a document developed and drafted by the VRS Main Staff.⁵⁰⁹ In this Directive, he ordered the VRS, specifically the DK:

[i]n the direction of the Srebrenica and Žepa enclaves complete physical separation of Srebrenica from Žepa should be carried out as soon as possible, preventing even communication between individuals in the two enclaves. By planned and well-thought-out combat operations create an unbearable situation of total insecurity with no hope of further survival or life for the inhabitants of Srebrenica and Žepa.

[...] [t]he relevant State and military organs responsible for the work with UNPROFOR and humanitarian organisations shall, through the planned and unobtrusively restrictive issuing of permits, reduce and limit the logistics support of UNPROFOR to the enclaves and the supply of material resources to the Muslim population, making them dependent on our good will while at

⁵⁰³ 65ter03414, para.1.

⁵⁰⁴ RM371; RM343.

⁵⁰⁵ 65ter03418 (UN Security Council Resolution 824).

⁵⁰⁶ RM216; RM237.

⁵⁰⁷ 65ter04392.

⁵⁰⁸ RM289; 65ter22658, (*emphasis added*).

⁵⁰⁹ RM508; 65ter04001.

the same time avoiding condemnation by the international community and international public opinion.⁵¹⁰

206. **MLADIĆ**, together with his Main Staff officers, personnel and subordinate commanders, played a central role in organising the effort to deny UNPROFOR the basic supplies necessary for the survival of the Srebrenica and Žepa Safe Areas.⁵¹¹ Between March and July 1995, the VRS and Governmental Organs restricted humanitarian aid to the inhabitants of Srebrenica in order to make life impossible and provoke a crisis.⁵¹² Furthermore, the VRS and Governmental Organs also restricted the delivery of supplies and personnel to UNPROFOR units limiting UNPROFOR's ability to function effectively.⁵¹³

207. Continuing in March 1995 until the fall of the enclaves in July 1995, the VRS shelled and sniped various civilian targets in the Srebrenica and Žepa enclaves, as part of the effort to make life for the Bosnian Muslims in the enclaves impossible and thereby remove them.⁵¹⁴

208. On 3 June 1995, BSF attacked a UN observation post as a prelude to a larger attack.⁵¹⁵ Thereafter, **KARADŽIĆ** met with **KRSTIĆ** and others to discuss the development of a plan to overrun the Srebrenica enclave.⁵¹⁶ On 2 July 1995, the DK, with **MLADIĆ**'s approval,⁵¹⁷ issued "Krivaja 95", an operational order for an attack on Srebrenica.⁵¹⁸ The order had two objectives, (i) to separate and completely sever all contact between Srebrenica and Žepa,⁵¹⁹ and (ii) to reduce the Srebrenica enclave to its urban area. The latter objective was designed to force the population into an area too small to sustain it, triggering a humanitarian catastrophe that would force the population to leave.⁵²⁰ Around 40,000 people taking refuge in Srebrenica and its environs were driven into an area of only two square kilometres.⁵²¹

⁵¹⁰ 65ter04001; pp.10-14.

⁵¹¹ See for e.g. RM321; RM371; RM343; RM237; RM512.

⁵¹² RM237; RM343.

⁵¹³ RM237.

⁵¹⁴ RM216; RM237; 65ter04215

⁵¹⁵ RM237; 65ter04215.

⁵¹⁶ RM288.

⁵¹⁷ 65ter19563.

⁵¹⁸ 65ter04097.

⁵¹⁹ 65ter04097.

⁵²⁰ 65ter04001.

⁵²¹ RM512; RM237.

209. On 6 July 1995, units of the DK attacked the Srebrenica enclave.⁵²² The attack included an attack on Observation Posts (OPs) manned by the UN Dutch Battalion (DutchBat) and the shelling of civilians and civilian targets in the enclave.⁵²³

210. In the days following the 6 July 1995 attack **MLADIĆ**, **KARADŽIĆ** and other members of the JCE formed a common criminal plan to eliminate the Bosnian Muslims in Srebrenica. On 9 July 1995, with the ABiH collapsing and the United Nations forces failing to raise any serious obstacle to the VRS attack, the VRS Main Staff proposed expanding the operation to take over the entire Srebrenica enclave. The same day, **TOLIMIR**, VRS Main Staff Assistant Commander for Intelligence and Security, communicated **KARADŽIĆ**'s agreement with the VRS proposal to **GVERO** and **KRSTIĆ**, as well as various VRS commands.⁵²⁴

211. On 10 July 1995, having forced the population into the compact urban area of Srebrenica, the BSF shelled the town itself.⁵²⁵ Shelling continued to the morning of 11 July, even though by this time most ABiH forces had already left.⁵²⁶ Thousands of civilians fled the shelling and sought safety at the UN base in Potočari. A large column of women, children, elderly and some men walked the four kilometres from Srebrenica to Potočari. The VRS fired shells at or near the fleeing civilians.⁵²⁷

212. Later on that day, 11 July 1995, **MLADIĆ** and other VRS officers walked through the empty streets of Srebrenica town.⁵²⁸

D. After the Fall of Srebrenica

213. Following the 11 July 1995 fall of Srebrenica **MLADIĆ** and **KARADŽIĆ**, working with other military and civilian officials, directed the forcible transfer of the Bosnian Muslim population out of the enclave and the mass executions of over 7,000 men and boys. As described below, these crimes were well-organised and highly coordinated by the BSL and BSF, as demonstrated by the sheer scale of the crimes carried out over just a few days. The completion of the forcible transfer of the Bosnian Muslim population out of the enclave required dozens of vehicles and thousands of

⁵²² 65ter04437.

⁵²³ 65ter04437; 65ter04442.

⁵²⁴ 65ter04024.

⁵²⁵ RM237.

⁵²⁶ RM371.

⁵²⁷ RM233.

⁵²⁸ 65ter22305; 65ter18134; 65ter26123.

litres of scarce fuel,⁵²⁹ while the executions and burials which followed required substantial human and material resources.⁵³⁰

214. Faced with the onslaught of BSF most of the inhabitants of Srebrenica reacted in one of two ways. A group of over 20,000 women, children and men fled to the UNPROFOR compound in Potočari and sought the protection of the UNPROFOR Dutch Battalion (DutchBat).⁵³¹ These refugees remained in and around Potočari from 11 until 13 July 1995.⁵³²

215. Others formed a group of approximately 15,000 Bosnian Muslim men, with some women and children, who fled their homes and gathered near the villages of Šušnjari and Jagličići, approximately seven kilometres northwest of Srebrenica. During the evening of 11 July 1995 they fled, in a huge column, through the woods towards Tuzla.⁵³³ Approximately one-third of this group consisted of armed Bosnian Muslim military personnel, most of whom were located towards the front of the column. The rest were civilians including unarmed able-bodied men.⁵³⁴

216. The Bosnian Muslims who sought shelter at the UN base in Potočari were terrorised by BSF.⁵³⁵ Beginning in the early afternoon of 12 July, BSF commenced the removal of the women, children and very elderly from Potočari,⁵³⁶ after separating the men and some boys from their families.⁵³⁷ The women and children were transported by buses and trucks under the control of the VRS to areas outside the enclave.⁵³⁸

217. On 12 and 13 July, the men and boys who had been separated from their families in Potočari by the BSF were detained in Potočari before being transported to temporary detention sites in Bratunac, five kilometres north of Potočari, to await execution.⁵³⁹

⁵²⁹ 65ter04627.

⁵³⁰ 65ter04627, 65ter04348.

⁵³¹ 65ter04457.

⁵³² RM216; RM371; RM343; RM282; RM291; RM207.

⁵³³ RM314; RM257; RM274; RM324; RM253.

⁵³⁴ RM253; RM314; RM301.

⁵³⁵ RM249.

⁵³⁶ RM237; RM216; RM233; RM371; 65ter04459.

⁵³⁷ RM249; RM216; RM291.

⁵³⁸ RM232; RM259; RM345; RM216.

⁵³⁹ See below, paras.236, 239-245.

218. On 13 July the column of Bosnian Muslims that tried to escape to BiH territory through the forest were met by BSF deployed along the Bratunac-Konjević Polje. Some armed members of the column engaged in combat with the BSF. The BSF were supported by armoured personnel carriers, tanks, artillery and anti-aircraft guns.⁵⁴⁰ Thousands of people from the column were captured by, or surrendered to, the BSF. Over 6,000 prisoners captured on 13 July were transported to temporary detention sites in Bratunac and Kravica, where they awaited preparations to execute them at various locations in Zvornik municipality.⁵⁴¹

219. Beginning on 12 and 13 July 1995, BSF executed more than 7,000 Bosnian Muslim men and boys either separated from their families in Potočari or captured as they fled in the column. These were organised, large-scale and systematic executions.⁵⁴²

220. In addition to the organised, systematic executions, Bosnian Muslim men were also murdered in Potočari, Kravica and Bratunac and at detention sites in the Zvornik Brigade's AOR.⁵⁴³ Summary executions continued until about 1 November 1995.⁵⁴⁴

221. During and after the executions that followed, BSF participated in a systematic effort to conceal the bodies by dumping the victims *en masse* in remote unmarked graves.⁵⁴⁵ This was not only an attempt to cover up the crimes by concealing evidence of them but also prevented surviving family members from ever learning the truth about what happened to loved ones. When it became apparent that despite these efforts the world had learned of the mass murder of Srebrenica's Muslim men, BSF implemented a comprehensive reburial operation designed to further conceal the bodies and the crimes. Thousands of corpses were dug up with excavators, moved in trucks and dumped into pits in even more remote locations.⁵⁴⁶ In total, at least 17 primary gravesites and 37 secondary gravesites were used to conceal the bodies of the victims.⁵⁴⁷

⁵⁴⁰ RM274; 65ter22278.

⁵⁴¹ See below, para.s 248, 252, 260 and 264.

⁵⁴² See Indictment, Schedule E, Part 1. Also, see below, paras. 247-248, 254, 260-263.

⁵⁴³ Indictment Schedule E, Part 2.

⁵⁴⁴ See below, paras.268-272. See also, for e.g 65ter05859; 65ter25330; 65ter04196; 65ter25360; 65ter06122; RM256; 65ter11270, p.139.

⁵⁴⁵ See below, para.273, *et.seq.*

⁵⁴⁶ RM322; RM286; 65ter04032; 65ter04204.

⁵⁴⁷ See, fn. 492 for full description of exhibit.

222. Through a combination of mass executions, opportunistic killings and forcible transfers, the BSF systematically eliminated the Bosnian Muslims in Srebrenica. **MLADIĆ** and other members, knew that separating the men from their families, murdering them and expelling their families from Srebrenica would have a catastrophic and lasting impact on the Bosnian Muslims in Srebrenica. The members of the JCE knew that in the patriarchal society of the Bosnian Muslim community of Srebrenica, the execution of the majority of men made it almost impossible for the Bosnian Muslim women who survived to successfully re-establish their lives.⁵⁴⁸ **MLADIĆ**, and the other JCE members, committed these crimes with the intent to destroy the Bosnian Muslims in Srebrenica.

E. **MLADIĆ** was a Key Member of the JCE to Eliminate Bosnian Muslims in Srebrenica

223. The plan to destroy the Bosnian Muslim population of Srebrenica by either summary execution or forcible removal required planning and implementation at the most senior levels of the BSF and BSL given: (i) the scale of the operation; (ii) the number of units involved, (iii) the wide spectrum of units utilised from across the VRS hierarchy; (iv) the large number of VRS Main Staff officers involved; (v) the consistent pattern of behaviour and methodology employed; (vi) the time-frame in which the extensive operation was carried out, (vii) the number of different locations and (viii) the relative geographic disparity of these locations.

224. **MLADIĆ** played a central role in the JCE to eliminate Bosnian Muslims in Srebrenica. **MLADIĆ**'s direct involvement in and supervision of events in Srebrenica before, during and after its fall demonstrate that he commanded and directed the expulsion of the population and the execution of the men and boys. As described in more detail below, **MLADIĆ**'s role as commander, his physical presence, direct involvement, acts and words at critical junctures throughout the implementation of the JCE ensured it achieved its aims.⁵⁴⁹ Throughout the Srebrenica military operation and continuing after the fall of the enclave, **MLADIĆ** was in command and control of the VRS and subordinated forces and regularly communicated with them, keeping

⁵⁴⁸ RM207; RM612.

⁵⁴⁹ See for e.g. RM322. On 23, 24 or 25 July, PANDUREVIĆ said he had a discussion with **MLADIĆ** concerning the situation in Zvornik after the fall of Srebrenica. PANDUREVIĆ said “[i]t's known **MLADIĆ** ordered this ... with **MLADIĆ** up there, we are all doomed”.

informed of relevant developments, and directing VRS activities as VRS Commander.⁵⁵⁰

F. MLADIĆ's Contribution to the JCE to Eliminate the Bosnian Muslims in Srebrenica

The fall of Srebrenica

225. On 9 July 1995, General TOLIMIR indicated to the Main Staff and the DK that KARADŽIĆ had “agreed with the continuation of the operations for the take-over of Srebrenica”.⁵⁵¹ MLADIĆ was personally present and actively engaged in the operation. TOLIMIR acted under the direction of MLADIĆ.⁵⁵²

226. On 10 July 1995, UNPROFOR General JANVIER reached MLADIĆ by telephone, and demanded that he stop the offensive on Srebrenica⁵⁵³ and return the UNPROFOR soldiers who had been taken during the attack.⁵⁵⁴ MLADIĆ responded:

The Muslims have...killed Serbian inhabitants, carried out diversions on the roads, took personnel carriers from UNPROFOR...killed a Dutch soldier...I thank UNPROFOR for acting correctly and for its non-interference in the conflict between us...32 members of UNPROFOR are with us...our guests...⁵⁵⁵

While MLADIĆ portrayed the UNPROFOR soldiers as “guests”,⁵⁵⁶ they were in fact hostages, held against their will in Bratunac. Intercepted communications later that evening demonstrate TOLIMIR's support for MLADIĆ's deliberate misrepresentations to JANVIER.⁵⁵⁷

227. Once the town had fallen under BSF control, MLADIĆ walked through the abandoned town.⁵⁵⁸ At one point, he turned to the camera behind him and said:

Here we are, on 11 July 1995, in Serb Srebrenica. On the eve of yet [another] great Serb holiday, we give this town to the Serb people as a gift. Finally,

⁵⁵⁰ See for e.g. below, paras.228 (BOROVČANIN received orders from MLADIĆ to take MUP personnel to Potočari); paras. 229-237 (Hotel Fontana meetings), para.239 (“They’ve all capitulated and surrendered and we’ll evacuate them all – those who want to and those who don’t want to”); para.244 (supervising separations at Potočari); para.245 (preparing the attack on Žepa); para.250 (reporting to KARADŽIĆ); para.251 (promotion of KRSTIĆ). See also 65ter04034.

⁵⁵¹ 65ter04024.

⁵⁵² See for e.g. RM321.

⁵⁵³ 65ter20903; 65ter25053; 65ter23387; 65ter20896; 65ter20900c; 65ter05796; 65ter26130.

⁵⁵⁴ 65ter20905C; 65ter20903.

⁵⁵⁵ 65ter26130; 65ter20905C.

⁵⁵⁶ 65ter20903.

⁵⁵⁷ 65ter23318; 65ter25146; 65ter20908.

⁵⁵⁸ 65ter04205 p.12; 65ter24908, p.2. See also 65ter04221; See also 65ter19563 (VRS Map showing Srebrenica, Krivaja 95 with handwritten note by MLADIĆ, “Finished – This was and still is Serbian!”).

after the Rebellion against the Dahis, the time has come to take revenge on the Turks in this region.⁵⁵⁹

228. That same day, RS MUP forces under BOROVIČANIN's command, which were re-subordinated to the VRS by Tomislav KOVAČ, the Assistant Minister of the Interior and RS MUP Staff Commander on 10 July, pursuant to an oral order of the President, were sent to reinforce the operation against Srebrenica.⁵⁶⁰ On the afternoon of 11 July BOROVIČANIN received orders from MLADIĆ to take the RS MUP personnel to Potočari.⁵⁶¹ That evening, MLADIĆ was in Bratunac directing Main Staff and DK officers to put in place the logistical requirements (including vehicles and fuel) necessary for the forcible transfer and killing operation ahead.⁵⁶² MLADIĆ then attended the meetings at the Hotel Fontana. That evening he delivered his ominous ultimatum to both DutchBat and Bosnian Muslim representatives.

Three meetings at Hotel Fontana

229. Between the evening of 11 July and the morning of 12 July 1995, three meetings took place at the Hotel Fontana attended by representatives of the VRS, the Bosnian Muslims and DutchBat. The first meeting took place around 20:00 hours, and was attended by MLADIĆ, ŽIVANOVIĆ and Col. JANKOVIĆ who met with Lt. Col. KARREMANS and other DutchBat officers. MLADIĆ threatened the DutchBat officers and demanded to know who had ordered NATO strikes.⁵⁶³ Realising that "the enclave ha[d] been lost", and most civilians wanted to leave.⁵⁶⁴ KARREMANS negotiated for the "humanitarian support" that was needed to assist the civilian population.⁵⁶⁵ MLADIĆ assured KARREMANS that his actions were not aimed at the UNPROFOR forces or the civilian Bosnian Muslim population.⁵⁶⁶ These assurances proved false.

⁵⁵⁹ 65ter26123; 65ter22305, 65ter18134.

⁵⁶⁰ 65ter04048.

⁵⁶¹ 65ter24908 p.2.

⁵⁶² RM356; 65ter04143; 65ter04034.

⁵⁶³ 65ter26123; 65ter22305. Earlier that day, after the first NATO air strikes, MLADIĆ had threatened to kill the captured DutchBat soldiers and shell civilians in Potočari unless the air strikes ceased. *See*, RM237; RM317.

⁵⁶⁴ 65ter04401, p10.

⁵⁶⁵ 65ter04401, pp.12,15. (Most people wanted to go to Tuzla).

⁵⁶⁶ 65ter04401, p.25-26.

230. **MLADIĆ** ended the meeting by instructing **KARREMANS** to bring a representative of the civilian population and a representative of the ABiH to a second meeting later that evening.⁵⁶⁷

231. **KARREMANS** returned to the Hotel Fontana later that night with Nesib **MANDŽIĆ** to represent the Bosnian Muslim civilians in Potočari. **KRSTIĆ** sat next to **MLADIĆ**.⁵⁶⁸ As the meeting began, it was clear that **MLADIĆ** had orchestrated an intimidating atmosphere. A window was opened so that **MANDŽIĆ** and the Dutch soldiers could hear the squeals of a pig being slaughtered close by.⁵⁶⁹ **KARREMANS** and **MANDŽIĆ** tried to explain the humanitarian needs of the population.⁵⁷⁰ **MLADIĆ** claimed that all ABiH soldiers who laid down their arms would be treated in accordance with international conventions. He then said to **MANDŽIĆ**, “the destiny of these people...is in your hands” and gave **MANDŽIĆ** an ultimatum of either their survival or “disappearance.”⁵⁷¹

232. Before the meeting ended **MLADIĆ** insisted on a third meeting the next day. He directed **MANDŽIĆ** to “bring people who can secure the surrender of weapons and save your people from destruction.”⁵⁷²

233. The parties reconvened at the third Hotel Fontana meeting at 10:00 hours on 12 July 1995. VRS personnel included **MLADIĆ**, **KRSTIĆ**, **JANKOVIĆ**, **KOSORIĆ** and **POPOVIĆ**. **MANDŽIĆ**, **Ibro NUHANOVIĆ** and **Čamila OMANOVIĆ** represented the Bosnian Muslim refugees. **KARREMANS** and **BOERING** were present for the Dutch Battalion, along with local police and civilian authorities.⁵⁷³

234. **MLADIĆ** repeated his ominous warning that the Bosnian Muslim population of Srebrenica could either “survive or disappear”.⁵⁷⁴ He said that all Bosnian Muslims had to lay down their arms as a condition for survival. He commented about people

⁵⁶⁷ 65ter26123, 65ter05217.

⁵⁶⁸ RM216.

⁵⁶⁹ RM216.

⁵⁷⁰ 65ter26123; 65ter05217.

⁵⁷¹ 65ter26123; 65ter05217.

⁵⁷² 65ter26123; 65ter05217.

⁵⁷³ 65ter26123; 65ter05217.

⁵⁷⁴ 65ter26123; 65ter05217.

leaving the enclave, sometimes adding that they could also choose to remain in Srebrenica.⁵⁷⁵

235. At this meeting **MLADIĆ** announced that all the males between the ages of 16 and 60 would be separated from their families. The purported justification for this was a “screening” process to find those responsible for war crimes.⁵⁷⁶

236. **MLADIĆ**’s true purpose of separating males from their families is apparent from a brief conversation between key VRS officers that took place immediately after **MLADIĆ**’s announcement. **POPOVIĆ**, the Chief of Security of the DK, and **KOSORIĆ**, the Chief of Intelligence of the DK, met with Momir **NIKOLIĆ**, the Chief of Security and Intelligence of the Bratunac Brigade, outside the hotel. **POPOVIĆ** told M. **NIKOLIĆ** of the planned separation of males at Potočari. When **NIKOLIĆ** asked him what was going to happen to the Muslim males once they were separated, **POPOVIĆ** responded that they had all to be killed.⁵⁷⁷ **POPOVIĆ**, **KOSORIĆ** and M. **NIKOLIĆ** then discussed the details of possible holding and execution sites.⁵⁷⁸

237. Shortly after this final meeting, the separation of men and boys from their families began. It was immediately clear to Bosnian Muslims, DutchBat officers and others present that no “screening” process was intended.⁵⁷⁹ Those separated from their families included boys as young as 12 and men as old as 70.⁵⁸⁰ These men and boys were initially held in the “White House” in Potočari and were then forced onto buses and transported to temporary holding sites in and around Bratunac.⁵⁸¹ They were held in deplorable conditions; large numbers crammed into small spaces, with little, if any,

⁵⁷⁵ 65ter26123; 65ter05217.

⁵⁷⁶ RM216.

⁵⁷⁷ RM319; 65ter17834, p.2.

⁵⁷⁸ RM319; 65ter17834, p.2. The potential holding sites around Bratunac that were discussed were Vuk Karadžić school, the old school, the hangar, the Brick factory and the Sase mine.

⁵⁷⁹ Some of the indications that it was not an actual screening process include:

- i) No logistics or instructions given, no humanitarian needs provided for (RM216);
- ii) Identification documents were left in a pile of belongings and later set fire to (RM371);
- iii) The separations were not based on ABiH affiliation, (RM278, RM371);
- iv) Some of the men separated included disabled men and men with walking sticks, (RM362).

See also, RM255.

⁵⁸⁰ RM278; RM371; RM248; RM216; RM255.

See also 65ter11270, pp.47,53,55-56,105,111,116,118,159,192-193 (tracking the separation of some Bosnian Muslim men born in the 1930s and their subsequent disappearance, discovery of remains in Srebrenica primary and secondary mass graves.)

provision of the basic necessities.⁵⁸² Some prisoners were beaten and killed at these sites.⁵⁸³ Most Bosnian Muslim prisoners were never asked for their names or interviewed.⁵⁸⁴

The Separations, Captures and Forcible Transfer

238. Over the course of 12 July practical arrangements were undertaken to forcibly remove over 20,000 Bosnian Muslims from Potočari.⁵⁸⁵ This considerable logistical exercise was achieved with the direct involvement of the VRS Main Staff.⁵⁸⁶

239. The forcible transfer of the Muslim population from Potočari began at 12:40 that day.⁵⁸⁷ When **MLADIĆ** called at 12:50 hours to check on its progress he remarked, “Good, excellent” after hearing that the buses and trucks loaded with Bosnian Muslims had started leaving Potočari.⁵⁸⁸ He then said:

They’ve all capitulated and surrendered and we’ll evacuate them all – those who want to and those who don’t want to.⁵⁸⁹

This remark indicated **MLADIĆ**’s intent to remove the entire Muslim civilian population from Srebrenica. **MLADIĆ** was present in Potočari on 12 July 1995, overseeing the removal process, with other VRS officers and personnel, including **POPOVIĆ** and **M. NIKOLIĆ**.⁵⁹⁰ This process was marked by intimidation and physical force against the Bosnian Muslims.⁵⁹¹

240. When the separation of men and boys from their families began on 12 July, DutchBat soldiers tried to intervene.⁵⁹² Major VAN DUIJN, asked his interpreter to plead with **MLADIĆ** to stop the separation of five children from their mother. **MLADIĆ** did not intervene but rather threatened that if that Muslim interpreter ever spoke to him directly again, **MLADIĆ** would personally shoot the interpreter.⁵⁹³

⁵⁸¹ 65ter26123; RM343; 65ter17944; RM216, 65ter04807; RM 264.

⁵⁸² For e.g., RM371; RM278; RM274; RM324; RM346; RM255; RM362; RM297.

⁵⁸³ For e.g., RM362; RM255; RM297; RM324.

⁵⁸⁴ For e.g. RM255.

⁵⁸⁵ 65ter20935, 65ter20936A, 65ter20936B; See also 65ter20949A, 65ter20949C.

⁵⁸⁶ 65ter04034.

⁵⁸⁷ 65ter20929A, 65ter20929B.

⁵⁸⁸ 65ter20939B.

⁵⁸⁹ 65ter20939B. (*emphasis added*).

⁵⁹⁰ RM362; RM371; RM264; 65ter22278.

⁵⁹¹ RM229; RM282; RM237; RM278; RM319.

⁵⁹² RM248; RM371; RM278.

⁵⁹³ RM371.

MLADIĆ alluded to a high Muslim birth rate and told VAN DUIJN that the multi-ethnic, multi-racial society in the Netherlands “was a big problem for the Netherlands and that in ten years from then the Serb army would be in the Netherlands protecting [them] from the Muslims and other races”.⁵⁹⁴

241. Beginning 12 July, the males separated from their families were taken by BSF to houses near the UNPROFOR compound.⁵⁹⁵ On 13 July, BSF took separated men to the “White House”, across from the UNPROFOR compound”.⁵⁹⁶ They were forced to leave their belongings outside.⁵⁹⁷ The large mound of personal effects, including passports and identification documents was set on fire once all of the prisoners had been moved to detention sites in Bratunac.⁵⁹⁸ Conditions in the White House were terrible; there was severe overcrowding, no sanitation and inadequate ventilation.⁵⁹⁹ The few prisoners who were interrogated by BSF were interrogated violently and abusively.⁶⁰⁰ Beatings, shootings and arbitrary killings escalated over time.⁶⁰¹ **MLADIĆ** himself was present outside the White House on 12 July.⁶⁰² Major KINGORI, an UNMO stationed in Srebrenica, complained directly to **MLADIĆ** and others about the treatment of the Bosnian Muslim men in the White House. **MLADIĆ** responded by denying further access to the White House.⁶⁰³

242. That same day, **KARADŽIĆ** appeared on Bosnian Serb television touting their success in Srebrenica and contrasting the treatment of the civilians in Srebrenica to the terrible treatment Serbs in Western Slavonia.⁶⁰⁴

General **MLADIĆ** made some sort of a sick role play with the interpreter in which he stated that General **MLADIĆ**, himself, was a Muslim. [...] **MLADIĆ** took told (*sic*) of the interpreter and crushed him to his body[...],[H]e also made clear that [...] he was very mad about me sending the Muslim interpreter straight to General **MLADIĆ** [...] [H]e said that if that would happen again, he would shoot the interpreter personally.

⁵⁹⁴ RM371.

⁵⁹⁵ RM362.

⁵⁹⁶ RM337; RM216; RM371; RM237; RM233; 65ter04807.

⁵⁹⁷ RM337; RM291; RM237; RM282; RM278; RM343; RM216; RM371; RM319; RM264.

⁵⁹⁸ RM229; RM371; RM216; RM291. RM237 (testifying that 65ter05142 shows the burning pile of belongings next to the White House); RM229; 65ter05142.

⁵⁹⁹ RM233; RM371; RM278; RM343; 65ter20001; RM332; 65ter22289; RM248; RM362.

⁶⁰⁰ RM237; RM233; RM229; RM343; RM333.

⁶⁰¹ RM237; RM216; RM248; *see also*, RM233.

⁶⁰² RM362; RM278.

⁶⁰³ RM278.

⁶⁰⁴ 65ter22828.

243. Around 22:00 hours that night, **MLADIĆ** met with VRS officers at Bratunac Brigade Headquarters and congratulated them.⁶⁰⁵ Further tasks to block the column fleeing Srebrenica were allocated. **MLADIĆ** ordered DK personnel to assemble at Viogor the next morning, before the march to the Žepa Safe Area. After the meeting, **MLADIĆ** took additional steps to procure more vehicles and fuel to continue the removal of the Bosnian Muslims.⁶⁰⁶ **MLADIĆ** remained in Bratunac that night.⁶⁰⁷

244. Throughout 13 July, **MLADIĆ**, and Main Staff officers supervised the continued separation and forcible transfers at Potočari, as well as action to block and capture the column fleeing Srebrenica.⁶⁰⁸

245. Early that morning, **MLADIĆ** met with key VRS and RS MUP personnel including, **POPOVIĆ**, **KRSTIĆ** and Dragomir **VASIĆ**, Chief of the Zvornik CSB.⁶⁰⁹ **MLADIĆ** and **KRSTIĆ** then travelled to Viogor and addressed VRS personnel assembled there.⁶¹⁰ That afternoon, **MLADIĆ** was with **SALAPURA**, the VRS Main Staff Chief of Intelligence in Srebrenica.⁶¹¹

1. *The killing operation*

246. By 13 July 1995, BSF had captured approximately 6,000 Muslim men and boys and assembled them at three checkpoints along the road between Nova Kasaba and Kravica.⁶¹² BSF, particularly members of the VRS 65th Motorised Protection Regiment's Military Police Battalion secured between 1,500 and 2,000 prisoners at the Nova Kasaba soccer field.⁶¹³ Many hundreds held at the intersection in Konjević Polje⁶¹⁴ were secured by BSF, particularly members of the Bratunac police. BSF,

⁶⁰⁵ RM369

⁶⁰⁶ RM369.

⁶⁰⁷ RM335; RM225; 65ter04205 p.13 (securing **MLADIĆ** at Hotel Fontana overnight 12/13 July 1995).

⁶⁰⁸ 65ter04036; 65ter20955A, 65ter20955C; 65ter20978A, 65ter20978C; 65ter20955A. 65ter20978A, 65ter20978C; 65ter20968B. *See also* 65ter20957A, 65ter20957B. (in which at 1009 hours **BEARA** tells a person named **LUKIĆ** that "400 *balijas* have shown up in Konjević Polje", referring to the Muslim men who were captured/surrendered along the road in the area of Konjević Polje and Nova Kasaba. Later **BEARA** tells **LUKIĆ** to "shove them all on the playground", thereby instructing that the Muslim men be moved to the soccer field at Nova Kasaba.) *See, e.g.*, 65ter04123; 65ter04067.

⁶⁰⁹ RM319; 65ter04051; 65ter17834.

⁶¹⁰ RM369.

⁶¹¹ RM335; RM225; RM344.

⁶¹² 65ter20973A.

⁶¹³ 65ter20987. (indicating that at 16:02 hours on 13 July 1995, over, 1,500 Muslim men are detained at the Nova Kasaba soccer field and confirming they were in the custody of the 65th Protection Regiment Military Police Battalion commanded by Major Zoran **MALINIĆ**).

⁶¹⁴ *See for e.g.*, RM324; RM319; 65ter17834.

particularly, members of the RS MUP SJB and PJP secured at least 1,000 men at a meadow in Sandići,⁶¹⁵

Jadar river, Kravica warehouse, Sandići meadow, Luke school

247. On 13 July 1995, the start of the organised summary executions of prisoners began with the killing of 15 prisoners on the banks of the Jadar river (morning); over 1,000 men and boys in Kravica warehouse (evening), 15 prisoners at Sandići meadow (evening) and approximately 22 prisoners near the Luke school in Vlasenica (late evening/overnight).⁶¹⁶

248. While returning to Crna Rijeka during the afternoon of 13 July, **MLADIĆ** visited Sandići meadow,⁶¹⁷ Konjević Polje⁶¹⁸ and Nova Kasaba football field where prisoners were held prior to being executed.⁶¹⁹ At these sites, **MLADIĆ** addressed the prisoners and gave instructions to men guarding them.⁶²⁰ At Konjević Polje M. NIKOLIĆ asked **MLADIĆ** what would happen to the prisoners; **MLADIĆ** drew his hand across his chest, confirming M. NIKOLIĆ's understanding that they were all to be killed.⁶²¹

249. At Nova Kasaba, **MLADIĆ** stopped the compilation of a list of prisoners⁶²² and was present when his men beat and shot one of the prisoners.⁶²³

250. During the course of the afternoon, **MLADIĆ** called KARADŽIĆ and reported that Srebrenica was finished.⁶²⁴ This call coincided with the completion of the forced removal of the women and children.⁶²⁵ The two men discussed the Žepa campaign. During this call, **MLADIĆ** and KARADŽIĆ also discussed the promotion of KRSTIĆ.⁶²⁶

⁶¹⁵ RM297; RM274; RM258; RM204. *See also*, RM332; 65ter22289; 65ter05759, p.56; 65ter22278 (02:47:45–02:48:12).

⁶¹⁶ Indictment, Schedule E, Part 1. *See*: RM314; RM300; RM274; RM254; RM256; RM333.

⁶¹⁷ RM297; RM268.

⁶¹⁸ RM319.

⁶¹⁹ RM253.

⁶²⁰ *For example*, RM253; RM276.

⁶²¹ RM319.

⁶²² RM276; RM292.

⁶²³ RM346; RM292.

⁶²⁴ RM341.

⁶²⁵ RM371.

⁶²⁶ RM334.

251. On the evening of 13 July, **MLADIĆ**, after speaking to the President and pursuant to his decree, promoted **KRSTIĆ** from Chief of Staff to Commander of the DK.⁶²⁷ After the ceremony, **MLADIĆ** travelled back to Crna Rijeka where he spent the night.

252. By the evening of 13 July, the BSL had decided to move thousands of prisoners 30 kilometres north to the Zvornik area for execution.⁶²⁸ **BEARA** and **POPOVIĆ** coordinating with both the Zvornik and Bratunac brigades, made arrangements to transport prisoners from Bratunac to Zvornik for execution.⁶²⁹ Late that night, at Orahovac school members of the Zvornik Brigade Military Police received and held the first group of prisoners from Bratunac.⁶³⁰

253. From the morning of 14 July, VRS personnel, led by **POPOVIĆ**, and RS MUP forces moved the vast majority of prisoners held in and around Bratunac to the Zvornik area.⁶³¹

Orahovac and Petkovci

254. **MLADIĆ** was at Crna Rijeka Headquarters until early afternoon on 14 July. In an intercepted conversation, he indicated he would be “going to the field” and would be “busy for two or three days and then I’m coming back”.⁶³² That afternoon, **MLADIĆ** travelled through Zvornik on his way to Belgrade.⁶³³ At this time, **BEARA**, **POPOVIĆ** and members of Zvornik Brigade Command Staff were actively supervising the execution operation of prisoners held in the Zvornik area.⁶³⁴ In the early afternoon, elements of the Zvornik Brigade began the execution of approximately 1,000 prisoners began in Orahovac.⁶³⁵ **BEARA** met Bosnian Serb civilian representatives at Zvornik Brigade’s Standard Barracks to enlist their assistance in this operation.⁶³⁶ **BEARA** was also active at Petkovci school, where up

⁶²⁷ 65ter04106; 65ter25812. This occurred during a brief ceremony held in the headquarters of the Drina Corps.

⁶²⁸ 65ter04627. RM319; 65ter17834, p.6; RM228.

⁶²⁹ RM319; 65ter17834, p.6; 65ter04319, p.6; 65ter23256 p.3.

⁶³⁰ 65ter04627; RM212; RM269; RM362.

⁶³¹ RM297.

⁶³² 65ter21000B.

⁶³³ RM225.

⁶³⁴ RM212; RM265; RM247; RM322; 65ter04348, p.128.

⁶³⁵ RM324; RM297. RM362.

⁶³⁶ RM374DD.

to 1,000 Bosnian Muslim prisoners were being held prior to execution at Petkovci dam on the night between 14 and 15 July.⁶³⁷

255. On the evening of 14 July, Dragan JOKIĆ, the Duty Officer of the Zvornik Brigade, Bratunac Brigade Headquarters and spoke to BEARA, who was urgently needed by the Main Staff.⁶³⁸ Once on the line, BEARA was told to contact extension 155, which was MILETIĆ's extension at the Main Staff.⁶³⁹ JOKIĆ stated that there were huge problems "with the people, I mean, the parcel", revealing the codeword for the thousands of prisoners being held in Zvornik schools for execution.⁶⁴⁰

256. Around the same time that VRS officers were discussing the logistical problems of thousands of prisoners in the Zvornik schools, the column of Muslim men from Srebrenica was passing through Perunica and the Zvornik Brigade's Deputy Commander, Major OBRENOVIĆ, was in the field setting up ambushes.⁶⁴¹

257. On the evening of 14 July, **MLADIĆ** met with Slobodan MILOŠEVIĆ, General De la PRESLE and diplomat Karl BILDT in Belgrade.⁶⁴² During this meeting, **MLADIĆ** was pressed to release 48 DutchBat soldiers and the "boys – young men who were taken to Bratunac." He was also asked to grant the ICRC access to the prisoners.⁶⁴³ **MLADIĆ** took no action in this regard.

258. The meetings continued on 15 July 1995 with AKASHI, STOLTENBERG and General SMITH joining the group. During the course of the day, **MLADIĆ** had a separate meeting with Generals De la PRESLE and SMITH. **MLADIĆ** recorded what the two generals said to him in his notebook. He recorded SMITH as saying:

General SMITH

- I will use the force when the UN forces come under attack on the road or at the camp. -

4. Treatment of the population in Srebrenica and Žepa – there are rumours about atrocities, massacres and rape. -

⁶³⁷ RM359; RM304; RM253; RM204.

⁶³⁸ 65ter20994A; 65ter20994C.

⁶³⁹ 65ter05822.

⁶⁴⁰ 65ter02099. (*emphasis added*).

⁶⁴¹ 65ter21002B, 65ter21002A.

⁶⁴² 65ter01932 (code-cable); 65ter19592.

⁶⁴³ 65ter01932.

259. On 16 July 1995, **MLADIĆ** remained in Belgrade and attended a social function.⁶⁴⁴ The executions at Branjevo Farm and in Pilica Cultural Centre described below occurred after SMITH told **MLADIĆ** about the rumours of “atrocities” and “massacres”.

Kozluk and Branjevo Farm

260. By sunrise on 15 July, around 2,000 Bosnian Muslim prisoners who had been held at Orahovac and Petkovci schools had already been murdered. The VRS needed reinforcements to carry out the killing of the thousands still being held in Ročević school, Kula school and Pilica Cultural Centre. BEARA sought additional personnel needed to execute the many remaining prisoners. BEARA informed ŽIVANOVIĆ and then KRSTIĆ that the commander of the 5th Podrinje Light Infantry Brigade had failed to send the 15 to 30 men as ordered by “the Commander”/“the boss” referring the **MLADIĆ**’s order.⁶⁴⁵

261. BEARA also told ŽIVANOVIĆ, “I informed the Commander about it”. Using the same codeword that JOKIĆ had used the previous evening, BEARA said, “I need 30 men just like it was ordered. [...] that were supposed to be here on the 13th but didn’t. [...] I don’t know what to do....there are 3,500 parcels I have to distribute and I have no solution,⁶⁴⁶ KRSTIĆ advised BEARA that he would see what he could do, and the conversation ended. This makes clear **MLADIĆ**’s order regarding the 30 men was an order for the purpose of executing the prisoners.

262. Later on 15 July, BSF moved approximately 1,000 Bosnian Muslim prisoners who were being held in the Ročević school to a gravel pit near Kozluk, and summarily

⁶⁴⁴ *Prosecutor v. Mladić*, Case No. IT-09-92-PT, Defense Second Submission Pursuant to Rule 67(B), para.5(c).

⁶⁴⁵ 65ter21013B (“I need 15 to 30 men with Boban INDŽIĆ. [...] There is no other solution but for those 15 to 30 men with INDŽIĆ”). BEARA was referring to an order from **MLADIĆ** to FURTULA to send Boban INDŽIĆ and his platoon to assist in the executions of the Bosnian Muslim prisoners. 65ter20966A. As a 13th July intercepted conversation reveals the bus carrying Boban INDŽIĆ’s men from Višegrad had broken down in route. A bus was requested to pick them up and bring them to Bratunac.

⁶⁴⁶ 65ter21009A-C (Intercept dated 15 Jul/95, at 9:52hrs); 65ter21011A-D (Intercept dated 15 Jul/95, at 09:54hrs. This conversation was recorded by two different intercept operators. 65ter21020 (Intercept dated 15 Jul/95, at 09:55hrs); 65ter21019A-C (Intercept dated 15 Jul/95, at 9:57hrs); 65ter21008A-D (Intercept dated 15 Jul/95, at 10:00hrs). This conversation was recorded by three intercept operators. See also 65ter21027A-C (Intercept dated 16 Jul/95, at 11:11hrs (Colonel CEROVIC, Drina Corps Assistant Commander for Moral, Legal, and Religious Affairs, states that “triage has to be done on the prisoners”, which is a code word for killing the Muslim prisoners held on 16 July in the Pilica area. CEROVIC tells BEARA that TRKULJA, VRS Main Staff Chief of Armoured Mechanized Services, had just been in the Drina Corps HQ with CEROVIC and had “got instructions from above”, meaning orders from the Main Staff to kill the Muslim prisoners in Zvornik.

executed them. Members of the Zvornik Brigade, overseen by POPOVIĆ, carried out this operation.⁶⁴⁷

263. On 16 July, the last large groups of Bosnian Muslim prisoners were murdered at Branjevo Farm and the Pilica Cultural Centre.⁶⁴⁸ In the early morning hours the column of Muslims fleeing Srebrenica overpowered and broke through Zvornik Brigade positions and caused a significant number of VRS casualties.⁶⁴⁹ On 16 July, **MLADIĆ** was still in Belgrade, returning that day to Crna Rijeka. Throughout his trip to Belgrade, **MLADIĆ** remained in contact with the Main Staff and exercised full command and control of VRS operations throughout BiH.⁶⁵⁰

264. BEARA and POPOVIĆ oversaw the transportation of over 1,000 Bosnian Muslim prisoners from Kula school to Branjevo Farm⁶⁵¹ There, ERDEMOVIĆ and seven other members of the Main Staff's 10th Sabotage Detachment executed these prisoners.⁶⁵² Once these executions were completed, BSF travelled to Pilica Cultural Centre and murdered approximately 500 more prisoners who were being held there awaiting execution.⁶⁵³

265. Around the same time as the Pilica Culture Centre executions were starting, **MLADIĆ** learned that the Bosnian Muslim column, fleeing from Srebrenica, had been given passage by PANDUREVIĆ, the Commander of the Zvornik Brigade, over Zvornik Brigade territory.⁶⁵⁴ **MLADIĆ** responded by ordering reinforcements from the Bratunac Brigade to be sent to the area.⁶⁵⁵ BLAGOJEVIĆ followed this order conveyed through VRS Main Staff and DK Command.⁶⁵⁶

266. That evening, POPOVIĆ reported to the DK Command from the Zvornik Brigade Headquarters,⁶⁵⁷ first regarding the fleeing Bosnian Muslim column,⁶⁵⁸ and then about having completed his work concerning the Branjevo Farm executions of

⁶⁴⁷ RM270; RM262; RM281 .

⁶⁴⁸ 65ter21027A; RM235.

⁶⁴⁹ RM340; RM322; 65ter04041.

⁶⁵⁰ RM289; 65ter22655.

⁶⁵¹ RM331; *See for e.g.*, 65ter21027A; RM217; RM235; 65ter04271; 65ter04266.

⁶⁵² RM235.

⁶⁵³ RM235.

⁶⁵⁴ 65ter21037A.

⁶⁵⁵ 65ter21033A-C.

⁶⁵⁶ 65ter21039A-D; 65ter04237; 65ter04348; 65ter04041.

⁶⁵⁷ 65ter21031A-D; 65ter21031B.

⁶⁵⁸ 65ter04302.

prisoners previously held at the Kula school in Pilica.⁶⁵⁹ In the afternoon of 17 July, POPOVIĆ directly reported to KRSTIĆ that, “everything is okay, that job is done... basically, that all gets an A... the grade is an “A””, confirming the completion of the Branjevo burial operation.⁶⁶⁰

Cerska valley

267. Upon returning to Crna Rijeka on the evening of 16 July, **MLADIĆ** put KESEROVIĆ, Chief of Police Section of the VRS Main Staff Security Administration, in command of a joint VRS and RS MUP operation to destroy the remnants of the fleeing column in the Konjević Polje and Bratunac areas.⁶⁶¹

268. On 17 July 1995, upon further instructions from TOLIMIR, KESEROVIĆ travelled to Nova Kasaba and the Bratunac Brigade’s AOR to oversee and report back on the “sweep” operation.⁶⁶² That day, during the “sweep” operation BSF captured around 150 Bosnian Muslims including four young children.⁶⁶³ The Bosnian Muslim men were executed in Cerska valley;⁶⁶⁴ the four children were eventually turned over to the Bosnian Muslim side.

269. The VRS and MUP “sweep” operations in the Bratunac and Zvornik Brigade areas continued.⁶⁶⁵ During these operations similar executions, albeit on a smaller scale, took place including the execution of four unarmed Muslim men near Nežuk on 18 July⁶⁶⁶ and in the area of Snagovo.⁶⁶⁷

Bišina Barracks

270. On 23 July, POPOVIĆ supervised the executions of 30 prisoners by the VRS Main Staff 10th Sabotage Detachment near Bišina Military Barracks. DK Military Police transported and guarded the prisoners and then concealed the bodies in an unmarked grave.⁶⁶⁸

⁶⁵⁹ 65ter21064C.

⁶⁶⁰ 65ter21064A.

⁶⁶¹ 65ter04028; 65ter21077A,C; 65ter05831.

⁶⁶² RM276.

⁶⁶³ RM245; RM254.

⁶⁶⁴ RM219; RM298.

⁶⁶⁵ RM322; RM218; 65ter04348 p.156; 65ter04306; 65ter21110A; 65ter21235A. (KRSTIĆ tells OBRENOVIĆ “[d]on’t leave a single one alive”).

⁶⁶⁶ RM301.

⁶⁶⁷ RM336.

⁶⁶⁸ RM318; RM285; 65ter10621, p.2. *See also* 65ter06141; RM615.

271. On 23 July, POPOVIĆ took ten wounded prisoners, who had been captured at Nova Kasaba and being held in the Zvornik Brigade Headquarters; the prisoners were subsequently executed.⁶⁶⁹

The Scorpions at Trnovo

272. Sometime before the end of July, at Godinjska Bare, Trnovo, members of the Scorpions, a paramilitary unit stationed in Đeletovci and affiliated with the Serbian MUP, which at the time was re-subordinated to the BSF in command of the Trnovo front, summarily executed three Bosnian Muslim men and three boys captured near Srebrenica pursuant to the plan to eliminate the Bosnian Muslims in Srebrenica. They tried to dispose of the bodies in such a way as to create the appearance that they had died in battle.⁶⁷⁰

2. *Attempts to cover up the crimes at Srebrenica*

273. During the operation to kill the Bosnian Muslim men and boys, efforts were made to conceal the bodies and the crimes by burying the victims in mass graves in remote locations.

274. In the days and months following the forcible removal of Bosnian Muslims from Srebrenica and the large scale murders of men and boys, there was intense international scrutiny regarding what had happened to the thousands of men who were last seen in Srebrenica and were now unaccounted for.⁶⁷¹ In mid-August, **MLADIĆ** gave an interview to a CNN correspondent in which, in response to the questions of “What happened to the Muslim men and boys who are missing?” **MLADIĆ** said:

We registered all persons fit for war who had gathered there [Potočari], the civilian population and those who had surrendered their arms. We immediately asked the International Red Cross and UNPROFOR to mediate their exchange for our (Serb) civilians whom the Muslims had been holding hostage since 1992

...

I think that most of them fought their way into a Muslim-controlled territory. One small part of them surrendered. They who surrendered were handed over or will be handed over to the International Red Cross under our control. Some of them certainly died. Both their and our people died. You can ask representatives of international organisations who were present in Zepa

⁶⁶⁹ RM322; 65ter21164A; 65ter21162A 65ter04309. *See also* 65ter04348, p.178; RM218. (These two groups consisted of 10 injured Bosnian Muslim prisoners transferred to Zvornik Brigade from Milići Hospital, and four Bosnian Muslim survivors from the Branjevo Farm executions who had been captured by Zvornik Brigade.)

⁶⁷⁰ 65ter22339; RM347; RM311; RM280; 65ter19219 pp.93, 119, 133, 145. One victim’s remains were found in both Han Pijesak and Godinjska Bare.

⁶⁷¹ 65ter04421.

about that. We buried their dead in Muslim graves in that territory.... Only those who died in battle were buried. For hygienic reasons their bodies had to be collected and buried in appropriate places until the warring parties did agree to exchange the remains of the dead with each other.⁶⁷²

275. A few weeks later **MLADIĆ** would initiate a large-scale and comprehensive operation in a further effort to conceal the bodies of the victims and evidence of the murders of over 7,000 men murdered in Srebrenica.

276. In September and October 1995, **MLADIĆ** and members of the Main Staff ordered and supervised the removal and reburial of the bodies of victims corpses in smaller unmarked graves located in more isolated locations.⁶⁷³ These reburial operations were organised and facilitated by VRS security officers BEARA, POPOVIĆ, Momir NIKOLIĆ, Drago NIKOLIĆ and TRBIĆ.⁶⁷⁴ Members of the Bratunac Brigade, the 5th Engineering Battalion, Zvornik Brigade as well as representatives and members of Governmental Organs participated in these operations.⁶⁷⁵

G. Participants in the JCE to Eliminate the Bosnian Muslims in Srebrenica

277. **MLADIĆ** and **KARADŽIĆ** participated as its key members in the JCE to eliminate the Bosnian Muslims in Srebrenica. Members of the VRS, MUP and Governmental Organs, as specified in more detail Annex B, also participated in this JCE as either members or tools.

H. MLADIĆ Committed the Crime of Genocide.

278. Through the forcible transfer of the Bosnian Muslim women and children from Srebrenica and the separation, capture, forcible transfer, execution and concealed burial of Bosnian Muslim men and boys from Srebrenica, members of the JCE to eliminate the Bosnian Muslims in Srebrenica committed genocide. These acts perpetrated by members of the JCE included the killing of over 7,000 Bosnian Muslims, severely physically and mentally harming the Bosnian Muslims in Srebrenica and inflicting conditions of life calculated to destroy that group, including but not limited to the inability of the population to live and reproduce normally.⁶⁷⁶

⁶⁷² 65ter01707, 65ter01708.

⁶⁷³ RM322; 65ter04032; 65ter04204. RM285; RM319; 65ter17834, p.7; RM286; 65ter04032. *See also* 65ter25806; 65ter04033. *See also*, RM265.

⁶⁷⁴ RM322.

⁶⁷⁵ RM319; 65ter17834, p.7; RM322; RM286.

⁶⁷⁶ RM207; RM612.

The Bosnian Muslims in Srebrenica constituted a substantial and significant part of the Bosnian Muslim group as a whole in BiH.

279. The entire population was subjected to severe physical and psychological trauma; the Bosnian Muslim men and boys taken to the execution fields⁶⁷⁷ and the surviving population who were forcibly separated from their loved ones and left to continue to struggle to live without fathers, husbands, brothers and sons.⁶⁷⁸ The execution and disappearance of generations of Bosnian Muslim men had an obvious, immediate effect on the ability of the group to reproduce and reconstitute itself. However, the loss of the men, particularly in such a patriarchal society, together with the pervasive and long-term psychological damage suffered by the survivors, also severely hampered any long-term ability of the group to reconstitute itself.⁶⁷⁹

280. The burial and reburial operation further concealed the fate of the Bosnian Muslim men and boys who were executed and 'disappeared' after the fall of Srebrenica. It has taken more than 15 years to locate, recover, re-associate and identify thousands of partial mortal remains of Srebrenica victims. This process continues today. As of 13 January 2012, the remains of 5,977 Srebrenica murder victims have been identified from Srebrenica-related mass graves. Over a thousand remain unfound or unidentified.⁶⁸⁰ This in turn has had a profound effect on the surviving Bosnian Muslim population of Srebrenica, exacerbating their severe mental suffering, leaving them in a suspended state of perpetual uncertainty, prolonging their grieving process and compounding the conditions of life which have prevented the population from living and reproducing normally.⁶⁸¹

281. As described above, **MLADIĆ** and other JCE members knew and intended that these acts would contribute to the destruction of the entire Bosnian Muslim population in Srebrenica.

⁶⁷⁷ See for e.g. RM 324; RM346; RM204; RM262.

⁶⁷⁸ RM250; RM293.

⁶⁷⁹ RM207; RM612.

⁶⁸⁰ 65ter189696-98. See, fn.492 above for complete description.

⁶⁸¹ RM612; RM615 Parsons; RM291.

282. In addition, the acts of the BSF described above, and in the Indictment, amount to persecutions, extermination, murder, deportation and inhumane acts (forcible transfer) as charged in Counts 3 to 8.

V. HOSTAGES⁶⁸²

283. During the existence of the overarching JCE, **MLADIĆ** participated in a related JCE to take UN personnel hostage in order to compel NATO to refrain from air strikes against BSF military targets.⁶⁸³ In response to shelling attacks on Sarajevo and other areas of BiH by BSF, NATO carried out air strikes against military targets on 25 and 26 May 1995.⁶⁸⁴ In response, BSF took over 200 UN military observers and peacekeepers hostage between 26 May and 19 June 1995. They were held at various locations in the RS and used as human shields.⁶⁸⁵

284. The taking of UN personnel as hostages in 1995 occurred against the backdrop of previous hostage-takings by BSF. UN personnel were taken hostage in April 1994 and then again in the autumn of 1994.⁶⁸⁶ On both occasions, BSF took hostages in response to NATO airstrikes.

A. MLADIĆ was a Key Member of the JCE to Take Hostages in 1995.

285. **MLADIĆ** in his capacity as VRS commander, and **KARADŽIĆ** in his capacity as President of the RS and Supreme Commander of the RS armed forces, were key members of the JCE to take hostages and possessed the intent to carry out this crime. They controlled the Bosnian Serb forces who physically perpetrated these crimes.

⁶⁸² With respect to the crimes committed in taking UN personnel hostage and described in paras. 24 to 28 and 82 to 86 of the Indictment and this section of the brief, the term Bosnian Serb Forces (BSF) is meant as that term is defined in para. 13(k) of the Indictment. Paragraph 13(k) states in relevant part:

VRS, the TO, the MUP and Bosnian Serb paramilitary forces and volunteer units (“Bosnian Serb Forces”).

⁶⁸³ Other members of this joint criminal enterprise included: members of Bosnian Serb Political and Governmental Organs; and commanders, assistant commanders, senior officers, and chiefs of the VRS and MUP. (Indictment, para.26).

⁶⁸⁴ RM512.

⁶⁸⁵ RM512; 65ter09595; 65ter22417.

⁶⁸⁶ RM510; 65ter13380; 65ter09547; 65ter09729; 65ter00135; 65ter17687; 65ter09649; 65ter10664; 65ter09750; 65ter13405.

On several occasions, **KARADŽIĆ** threatened to both target UN personnel and take them hostage. In August 1994, **KARADŽIĆ** said:

If they would lift the [arms] embargo [against the Bosnian government] we will not respect any Security Council resolution any more. We will take the “Blue Helmets” as hostages... For the benefit of our people we will do anything we have to do, without mercy.

See, 65ter02934. **KARADŽIĆ** had made similar threats to UNPROFOR Commander General SMITH in May 1995. See, 65ter03509, 03512 and 65ter10668.

286. On 16 May 1995, the VRS commenced some of the heaviest shelling since 1993 in response to an ABiH mortar attack on Lukavica barracks. In May 1995, there were seven teams of UNMOs stationed around Sarajevo.⁶⁸⁷ That day, over 1,500 detonations were recorded. The intense shelling continued amid continued clashes between VRS and ABiH forces. On 24 May 1995, General SMITH, the UNPROFOR Commander, responded to the unabated shelling with an ultimatum that heavy weapons fire against the Sarajevo Exclusion Zone cease and that heavy weapons taken from two secured collection points be returned.⁶⁸⁸

287. When the VRS failed to comply with SMITH's ultimatum, NATO planes attacked two VRS ammunition depots near Pale.⁶⁸⁹ In response, the VRS prevented some UNMOs from leaving their outposts.⁶⁹⁰ Others were forcibly removed from their posts and detained at other locations.⁶⁹¹

288. In further retaliation for the NATO air strikes, the VRS abducted 33 UNPROFOR personnel from observation posts in Goražde.⁶⁹² **MLADIĆ** also had his commander in Goražde convey a threat that he would shell the British UNPROFOR Battalion if NATO conducted more air strikes.⁶⁹³ In Sarajevo, dozens of UNPROFOR members were taken hostage between 26 and 27 May 1995.⁶⁹⁴

289. The VRS also used UN hostages and their uniforms to raid and take control of additional UN observation posts and to capture additional hostages.⁶⁹⁵ By the end of May 1995, over 200 UN personnel were being held by the VRS with at least 17 of them being used as human shields for Bosnian Serb military installations. One UNMO was filmed by Bosnian Serb television tethered to a radar station. On the way there he overheard his captors say that **MLADIĆ** had told them that he wanted some UN people filmed at the radar site.⁶⁹⁶

⁶⁸⁷ 65ter10577.

⁶⁸⁸ RM512.

⁶⁸⁹ RM512.

⁶⁹⁰ RM414; RM404.

⁶⁹¹ RM406; RM404.

⁶⁹² RM412; RM402.

⁶⁹³ RM412.

⁶⁹⁴ RM413 (URKBAT); 51 FREBAT soldiers were taken hostage at Plojine (RM403), Lukavica (RM409.), Vrbanja bridge (RM401.) and Rajlovac (65ter10577.).

⁶⁹⁵ These outposts were located in Goražde, Sarajevo, Poljine, Lukavica, Vrbanja Bridge and Rajlovac. See, RM403. RM409. RM401. 65ter10577.

⁶⁹⁶ RM411.

290. The UN personnel were held by force or the threat of force.⁶⁹⁷ During their forcible detention, they were largely kept incommunicado.⁶⁹⁸ Some were beaten or otherwise physically mistreated and threatened.⁶⁹⁹

291. As in previous hostage-takings, **MLADIĆ** was directly involved and was personally aware of the organised capture and detention of UN personnel. On 26 May 1995, shortly after the capture of eight UNMOs, **MLADIĆ** made threats to physically harm them to SMITH.⁷⁰⁰

292. The capture of the hostages was a well co-ordinated and executed operation by both the VRS and RS MUP.⁷⁰¹ Their forced placement in military installations was a calculated and coordinated effort to discourage NATO attacks.⁷⁰²

293. Members of the international community strongly condemned the May 1995 hostage-taking at its very outset and demanding the hostages' immediate release.⁷⁰³

294. On 28 May 1995, **MLADIĆ** spoke with SMITH again about the UN hostages. **MLADIĆ** confirmed that some UN personnel were being held at his own headquarters and at other locations considered potential NATO targets. SMITH reminded **MLADIĆ** that making threats to kill detained UN personnel was an act of terrorism and a violation of the Geneva Conventions.⁷⁰⁴ **MLADIĆ** warned SMITH that if air strikes continued, "[m]any in the UN would find themselves in a difficult and finally inextricable situation".⁷⁰⁵

295. On 29 May 1995, a Canadian General contacted **MLADIĆ** demanding the release of the Canadian peacekeepers and UNMOS, at least one of whom was being used as human shields.⁷⁰⁶ Despite such protests, the Bosnian Serbs continued to hold

⁶⁹⁷ RM406; RM404; RM401.

⁶⁹⁸ RM414; RM404; RM410.

⁶⁹⁹ RM409; RM401; RM414; RM406.

⁷⁰⁰ RM512; 65ter03825; RM512; KARADŽIĆ also warned of bloodshed if there were any attempts to free the hostages. 65ter17675.

⁷⁰¹ RM412; RM410. (coordination); RM407; RM413. The hostages themselves observed the indicia of a well-planned and coordinated operation to take them and their colleagues captive. RM410; RM412.

⁷⁰² 65ter09670 (27 May 1995). Some members of the BSL considered taking the hostages gave them a tactical advantage. KRAJIŠNIK compared the hostage taking to having "an ace up our sleeve". *See*, 65ter20890.

⁷⁰³ 65ter03825.

65ter03520; RM512; 65ter07556.

⁷⁰⁴ RM512.

⁷⁰⁵ RM512.

⁷⁰⁶ 65ter09658.

UN personnel hostage until 19 June 1995. As late as 4 June 1995, **MLADIĆ** warned the UN Chief of Staff that he would not free the UN personnel without a guarantee that there would be no future NATO air strikes.⁷⁰⁷

296. After protracted and difficult negotiations, the hostages were finally released in stages during the period from 2 to 19 June 1995.⁷⁰⁸

⁷⁰⁷ 65ter22619.

⁷⁰⁸ RM512.

VI. OTHER MODES OF LIABILITY UNDER ARTICLE 7(1)⁷⁰⁹

297. The previous sections focused on **MLADIĆ**'s responsibility for the crimes charged in the Indictment, as a participant in the four JCEs. Additionally, as Commander of the Main Staff, his acts and omissions detailed above also make him criminally liable for ordering, planning, aiding and abetting, and instigating the charged crimes.

298. **MLADIĆ** is criminally liable for ordering crimes by the VRS and other elements of BSF under his effective control.⁷¹⁰ **MLADIĆ** commanded and controlled the VRS.⁷¹¹ He decided and set military objectives for the engagement of VRS units, which were translated into general and individual actions, with the goals of every individual combat action, operation or battle being specifically defined.⁷¹² **MLADIĆ** thus issued orders, directives, regulations, instructions, and other documents⁷¹³ directing the participation of VRS units in the charged crimes.⁷¹⁴

299. Some of **MLADIĆ**'s orders such as Directive 4, were clear and unequivocal orders to commit crimes.⁷¹⁵ Other orders such as those to take control of Serb-targeted territories, to conduct shelling and sniping in Sarajevo, to conduct operations against the Bosnian Muslim population of Srebrenica, although ambiguous on their face, resulted in criminal conduct when implemented in the context in which they were intended. **MLADIĆ** acted with direct intent or was at least aware of the substantial likelihood that crimes would be committed in the execution of his orders.⁷¹⁶

⁷⁰⁹ In this section of the brief, the term "BSF" should be understood to encompass the particular permutation of that definition that relates to the particular crime discussed.

⁷¹⁰ See also, section describing **MLADIĆ**'s effective control over BSF at p.111.

⁷¹¹ See, section on organization of VRS above at 27.

⁷¹² 65ter03905, p.159; 65ter11467; 65ter07660; 65ter05807 (Confirming the objective of Dir. 4 to "force the Muslim local population to abandon the area of Cerska, Žepa, Srebrenica and Goražde); 65ter26097. See also, para.68.

⁷¹³ 65ter03285, Ch 11, Article 175; see e.g., 65ter05821 and Srebrenica section on p.74.

65ter06806; 65ter09258 and Sarajevo section at 65. 65ter03782 and 65ter09798 and Municipalities section at 9. 65ter03747; 65ter03710 .65ter08392 (ordering a high level seminar concerning the implementation of Dir. 4); 65ter05986.

See also sections on VRS military operations at para.141: Operations PROBOJ, PESNICA and UDAR intended to eradicate the enclaves that took place from November 1992 to April 1993.

⁷¹⁴ See *Kordić* AJ, para. 28. (The orders need not themselves be criminal) *Milutinović* TJ, Vol.1,fn.94.

⁷¹⁵ 65ter03782.

⁷¹⁶ *Blaškić* AJ, para.42; *Kordić* AJ, paras.29,30. See, 65ter25799 (providing that **MLADIĆ** issued the order to execute the Muslim men and boys from Srebrenica); 65ter20799 (**MLADIĆ** states in a 25 May 1992 intercepted conversation, "I have blocked Sarjevo from four corners. The city is trapped, there is no way out").

300. **MLADIĆ** is criminally liable for planning crimes. In co-ordination with **KARADŽIĆ**, and other civilian and military leaders and officials, **MLADIĆ** planned specific acts to be carried out by the VRS and other elements of BSF under his effective control in operationalising policies of members of the RS political and military leadership.⁷¹⁷ Through these activities, **MLADIĆ** substantially contributed to the crimes.⁷¹⁸ **MLADIĆ** acted with direct intent for the crimes or was at least aware of the substantial likelihood that the crimes would be committed in the execution of each of his plans.⁷¹⁹

301. **MLADIĆ** is criminally liable for aiding and abetting crimes. **MLADIĆ** provided assistance, encouragement, and/or moral support to the members of the VRS, and other perpetrators committing the crimes charged in the Indictment, which had a substantial effect on their commission.⁷²⁰ **MLADIĆ** provided equipment and arms to VRS and RS MUP units,⁷²¹ praised units and individuals who committed crimes,⁷²² fostered an environment within the VRS where perpetrators of crimes could

⁷¹⁷ See fn. 711 and 712 above; 65ter 02412 (at the 50th session of the Republika Srpska Assembly held on 15-16 April 1995, **MLADIĆ** stated, "The tasks of the army in this war stem from the known six strategic objectives adopted by our Assembly") p.22; 65ter19563 (reflecting **MLADIĆ**'s express approval of "Krivaja-95" – Operation); 65ter00319 (confirming the fate of captured Muslim prisoners to Momir **NIKOLIĆ** by drawing his chest); See also, Srebrenica section at 74 65ter04026 (ordering, *inter alia*, that the leakage of information concerning captured prisoners from Srebrenica be prevented); 65ter22892 pp.6-7. Around New Year 1996, **MLADIĆ** said the following about the war:

Very complex and very difficult decisions had to be made . . . The most important decisions were taken by a group of five people. This was the inner core of the Main Staff, which, in addition to myself, included General **MILOVANOVIĆ**, my deputy and the Chief of Staff, and Generals **ĐUKIĆ**, **GVERO** and **TOLIMIR**. This was the inner core. The other generals also participated in very difficult, and very often in all decision-making . . . My associates and I also very often consulted many people both within and outside the army. The most complex decisions were taken by me and the Chief of Staff with one of my assistants, following consultations. The most difficult ones, when lives had to be put at risk, were often made by me alone.

⁷¹⁸ See *Kordić* AJ, para.26.

⁷¹⁹ See *Kvočka* TJ, para.252, *Kordić* TJ, para 387, *Krstić* TJ, para.601.

⁷²⁰ *Blaškić* AJ, para.46; see e.g., 65ter21013B (reflecting Col. Radomir **FUTULA**'s failure to discharge "the boss's order" (*i.e.*, **MLADIĆ**'s) order to provide **BEARA** with personnel to carry out the executions of Muslim men and boys from Srebrenica). See also, paras.260-261.

⁷²¹ 65ter16487 1KK Command ordering the re-subordination of two 30/2 mm artillery pieces and ammunition required by the Banja Luka CSB police brigade.

⁷²² See paras.25 and 28. 65ter04014(advancing the promotions of **KRSTIĆ** to Corps Commander in July 1995. Svetozar **ANDRIĆ** was similarly promoted to Drina Corps Chief of Staff, see 65ter04014, having openly admitted removing women and children from eastern Bosnia in a late 1992 or early 1993, see RM65ter22855; and having directly implemented their expulsion on 28 May 1992, see 65ter05980. See also, See also, Municipalities section (p.9); Srebrenica section (p.74); and 7(3) responsibility section (p.111). See also, paras.

act with impunity, knowing⁷²³ that their acts would assist in the commission of the crimes⁷²⁴ and was further aware of their essential elements, including the direct perpetrators' intentions or state of mind.⁷²⁵

302. **MLADIĆ** is criminally liable for instigating crimes. **MLADIĆ** provoked, prompted or otherwise induced others to commit crimes charged in the Indictment.⁷²⁶ He directed the implementation of policies of the military and civilian leadership that involved the commission of crimes against non-Serbs. He disseminated ethnically-based propaganda for a homogeneous Serb entity in BiH, wherein Serbs would be protected from genocide ostensibly planned by Croats and Muslims.⁷²⁷ Further, this propaganda, his failure to punish subordinates who committed crimes and promotion of some who did created a climate of impunity which encouraged BSF to commit more crimes.

303. These acts substantially contributed to the criminal conduct of the BSF.⁷²⁸ **MLADIĆ** intended, or was at least aware of the substantial likelihood, that the crimes

⁷²³ Knowledge in the sense of 'awareness of a probability' is required. *Blaškić* AJ, paras.45,50. *See also Furundžija* TJ, para.246 and *Blaškić* TJ, para.287 (referred to in *Blaškić* AJ, fn.94); *Brđanin* TJ, para.272; *Strugar* TJ, para.350.

⁷²⁴ *Blaškić* AJ, para.49; *Vasiljević* AJ, para.102.

⁷²⁵ *Aleksovski* AJ, para.162; *Simić et al.* AJ, para.86.

⁷²⁶ *See Kordić* AJ, para. 27. *See, e.g.*, 65ter22278 (upon the fall of Srebrenica MLADIĆ stated "the time has come to take revenge on the Turks in this region"); *See also* fn.721 above.

⁷²⁷ *See*, paras.23 and 28. *See e.g.*, 65ter03710 (Dir. 1); 65ter09900 (Dir. 5); 65ter22892 p.8. (around New Year 1996, referring to the Army, MLADIĆ stated:

Had we not been here, considering the numbers of the Muslim population, I am certain that for a variety of reasons, there would not now be a single Serbian inhabitant west of the Drina river .

⁷²⁸ *See Kvočka* TJ, para.252, *Kordić* TJ, para 387, *Krstić* TJ, para.601.

would be committed in the execution of his instigation.⁷²⁹ Through these activities, **MLADIĆ** substantially contributed to the crimes.⁷³⁰

⁷²⁹ *Kordić* AJ, paras.29,32.

⁷³⁰ *See Kordić* AJ, para.26.

VII. CRIMINAL LIABILITY UNDER ARTICLE 7(3) OF THE STATUTE

304. **MLADIĆ** is criminally responsible for the crimes in the Indictment pursuant to Article 7(3) of the Statute as set out in paragraphs 31 to 34 of the Indictment. From 12 May 1992, **MLADIĆ** was in effective command and control of the VRS, which included Serb forces integrated into the VRS and RS MUP forces re-subordinated to the VRS for specific operations. During the Indictment period, **MLADIĆ** was aware that crimes might be, and might have been, committed by his subordinates. Yet he failed to take necessary and reasonable measures to prevent those crimes and to punish the perpetrators.

A. MLADIĆ was in Effective Command and Control of the VRS, and Forces Integrated and Re-subordinated to the VRS

305. **MLADIĆ** had *de jure* and/or *de facto* power or authority over, as well as responsibility for, the VRS which included Serb forces which had been integrated into the VRS from the JNA, TO, and some Serbian and Bosnian Serb paramilitary and volunteer units or re-subordinated to the VRS (such as RS MUP forces for specific operations). **MLADIĆ** had the material ability to prevent and punish the crimes perpetrated by VRS forces.⁷³¹ **MLADIĆ** also had the material ability to prevent the crimes of RS MUP forces when re-subordinated to him, and to report any crimes committed by these RS MUP forces for investigation and punishment. These *de facto* and/or *de jure* powers have been set out in this section.

306. In short, as Commander of the VRS (12 May 1992⁷³² until at least 8 November 1996⁷³³), **MLADIĆ** commanded and controlled the BSF.⁷³⁴ As VRS

⁷³¹ See *Čelebići* AJ, para.198; *Halilović* AJ, para.59.

⁷³² 65ter02353, pp.57,317; 65ter19581; 65ter00790; 65ter02352; 65ter22341.

⁷³³ 65ter11081 (RS Presidential Decree 01-1394/96, dated 08 November 1996, releasing **MLADIĆ** from their up-to-date duty and put at the disposal of the VRS).

For documents indicating he stayed beyond this date, see 65ter01355, dated 13 November 1996, type-signed Gen. SIMIĆ, Commander, forwarding in full, the order of RS President and Supreme Commander Biljana PLAVŠIĆ (01-1407/96), dated 12 November 1996, sent to **MLADIĆ**, to release illegally arrested people and to immediately relinquish command in accordance with previous order 01-1605/96, dated 11 November 1996). See also 65ter19199; 65ter01345.

⁷³⁴ 65ter11012, pp32-33,68-75; 65ter03905, p.13; RK65ter09022; 65ter08603; RM610.

See also 65ter20759: Intercept dated 13 May 92 UNKOVIĆ and **MLADIĆ**

M: The most important thing now is that the military formations, no matter who they belong to, be put under the command of the 4th Corps HQ, to GAGOVIĆ. [...]

U: We have some Arkan's men here. ...Are they under our command?

Commander, **MLADIĆ** could delegate duties and obligations to subordinates, but he could never delegate responsibility.⁷³⁵ **MLADIĆ** remained responsible for the actions of his subordinates through his position as Commander. **MLADIĆ** exercised his *de jure* and *de facto* command and control powers by *inter alia* making decisions; issuing orders; directives and other documents on military issues; assigning tasks to subordinate units;⁷³⁶ monitoring the situation in the zone of combat operations and ensuring that decisions were implemented;⁷³⁷ determining a command and communications system;⁷³⁸ organising co-ordination and co-operation;⁷³⁹ and collaborating with relevant political and civilian organs.⁷⁴⁰ **MLADIĆ** controlled and commanded using a rigorous system of reporting back up to the Main Staff on the implementation of orders and taskings,⁷⁴¹ via very effective VRS communication systems.⁷⁴²

307. Through the process of re-subordination to the VRS in times of military necessity,⁷⁴³ **MLADIĆ** also had both *de jure* and *de facto* authority over the RS MUP when re-subordination occurred.⁷⁴⁴ This was the position when **BOROVČANIN**'s RS MUP forces were re-subordinated to the VRS during the events surrounding Srebrenica in July 1995.⁷⁴⁵

M: All are. All under arms are under my command, if they want to stay alive/that is/...So, all shall be under our command, No one shall do things on their own”.

65ter03744 (**MLADIĆ** order for July 1992 paramilitary units to be placed under VRS Command). RM620.

⁷³⁵ 65ter17293, p.28; pp.18-19; 65ter04378 Arts.6, 9; RM607.

⁷³⁶ 65ter17293, ChIp.14; RM607.

⁷³⁷ 65ter04381 p.15; RM607.

⁷³⁸ 65ter04638, para.81; RM607.

⁷³⁹ 65ter04638, paras.130-132; RM607.

⁷⁴⁰ 65ter04638, paras.130-132; RM607.

⁷⁴¹ 65ter11012, p.171; 65ter02847, p.3; 65ter02662, p.1; 65ter06980, p.2; 65ter06004, 65ter07137; RM607.

⁷⁴² 65ter03905, p.41; RM177; RM510; RM607.

⁷⁴³ From 1992, the relationship was one of close co-operation between the VRS and MUP. However there were times when MUP units were directly re-subordinated to the VRS. In these situations, though, prior approval should have been sought at Ministry level or chief of the relevant CSB. 65ter11012, pp.75-82; RM603; 65ter06774; *see also*, 65ter15142.

On 29 November 1994 the symbiotic co-operation between the MUP and the VRS was formalised by state law. The RS *Law on the Implementation of the Law on Internal Affairs During an Imminent Threat of War or a State of War* was enacted to govern the co-operation between the VRS and MUP. According to the law, MUP unit could be re-subordinated to commander of the VRS; 65ter04387; 65ter08316; 65ter03225; 65ter04649. *See also* 65ter16987; 65ter11326; RM603.

⁷⁴⁴ RM603.

⁷⁴⁵ *See above*, p.74, *et.seq.*(Srebrenica section). 65ter05875. The re-subordination order also included Republic of Serbia MUP forces (Scorpions).

308. **MLADIĆ** had the material ability and responsibility⁷⁴⁶ to take measures to prevent the charged crimes from being committed and punish subordinates for committing those crimes in the execution of the common plan.⁷⁴⁷ According to VRS regulations, **MLADIĆ** was obligated to take action to prevent the commission of a crime if he knew or could have known about its commission.⁷⁴⁸ This would also include RS MUP forces re-subordinated to the VRS.⁷⁴⁹ Even if he found out after the commission of a crime, he was required to take action to prevent the consequences of the act or punish the perpetrators under his effective control.⁷⁵⁰ In respect of re-subordinated RS MUP forces, **MLADIĆ** had the ability and responsibility to report their crimes for investigation and punishment by the MUP.⁷⁵¹ He was integral to the planning and the execution of the criminal objectives involving the crimes and thus could have prevented them. He could have issued orders that were necessary and reasonable in the circumstances to prohibit or put a stop to the commission of crimes⁷⁵² and possessed the power to investigate suspected criminal activity or potential criminal activity, suspend, demote, or terminate subordinates engaging in criminal activity,⁷⁵³ and to have people arrested. As described below, he failed to do so.⁷⁵⁴

B. MLADIĆ Knew, or Had Reason to Know, that His Subordinates Might Commit and had Committed Crimes

309. **MLADIĆ** knew or had reason to know that the crimes charged in the Indictment were about to be or had been committed by his subordinates.⁷⁵⁵

310. According to VRS regulations, **MLADIĆ** was to be constantly informed of the situation on the ground during combat operations,⁷⁵⁶ and all VRS units had a duty

⁷⁴⁶ 65ter04646; 65ter04383, p.7; 65ter10506-08; 65ter04286-87.

⁷⁴⁷ See *Čelebići* AJ, para.256; *Halilović* AJ, para.59; *Delić* TJ, para.60 (stating that effective control in the sense of the material ability to prevent and punish is the threshold to establish a superior-subordinate relationship under Article 7(3) of the Statute).

⁷⁴⁸ 65ter04377, Art.21.

⁷⁴⁹ See above, fn. 743; RM603.

⁷⁵⁰ 65ter04383, p.7.

⁷⁵¹ RM603; *Blaškić* AJ, para.499; *Aleksovski* TJ, para.78. See also *Krnjelac* TJ, para.93.

⁷⁵² RM603; RM501; RM620; RM607

⁷⁵³ 65ter03285, Ch.7,Art.78; 65ter04639.

⁷⁵⁴ See below, para.313 (failed to take necessary and reasonable measures); RM603; 65ter11012. See *Čelebići* AJ, para.256; *Halilović* AJ, para.59; *Delić* TJ, para.60 (stating that effective control in the sense of the material ability to prevent and punish is the threshold to establish a superior-subordinate relationship under Article 7(3) of the Statute).

⁷⁵⁵ *Čelebići* AJ, paras.223, 241.

to uncover and report war crimes to the Main Staff.⁷⁵⁷ Moreover, **MLADIĆ** was deeply involved in and often at the heart of the preparation, planning and/or execution of many crimes.⁷⁵⁸ In many instances, he was personally informed of the commission of crimes by his subordinates as well as other BSF.⁷⁵⁹ Furthermore, members of the international community complained to **MLADIĆ** and **KARADŽIĆ** and other senior members of the VRS Main Staff and VRS Corps Commanders, or their subordinates,

⁷⁵⁶ 65ter04638, paras.138-139, 357-358. *See for e.g.* 65ter06806, Directive No.6 **MLADIĆ** ordered daily reports, interim reports and summary reports every three days.

For examples of reports **MLADIĆ** received *see*, para.26 and accompanying footnote 45. *See also*, para.123 (visits to municipalities to meet municipal authorities).

⁷⁵⁷ 65ter04383, p.8.

⁷⁵⁸ *See, e.g.*, para.56 (specific military operations); para.89 (establishment of detention facilities); para.107 (informed the Supreme Command “frequently and in great detail” of the results of operations). *See also* Annexes A and B.

⁷⁵⁹ *See for example*, the reports below (*Note*, those reports that relate to persons not under **MLADIĆ**’s effective control provide general notice of the crimes being perpetrated in VRS AORs.):

1. RM084, 65ter02954, 65ter02608, 65ter02957 (1KK Daily Combat Reports to GŠVRS on Grabovica massacre.
2. RM228: (May 1992, **MLADIĆ** informed of Glogova and Bratunac cleansing); 65ter02353, pp.24-25; 65ter02847; 65ter19582, p.120;
3. 65ter19582, p.101: (on 6 June 1992, at a meeting with “leading representatives of the state and political leadership”, including **KARADŽIĆ**, **MLADIĆ** recorded in his notebook that “There are no Muslims now in Bratunac municipality. It is a fully liberated town, there are even no villages which cut off the roads”).
4. 65ter19582, pp.253, 258: (on 30 June 1992, at a meeting with representatives of eastern Bosnia municipalities, Marko **PAVLOVIĆ** reported to **MLADIĆ** and **KARADŽIĆ** that “We were most active in evicting the Muslims... Some of them wanted to move out, while we demanded it” and the President of Bratunac Municipality reported that “according to the last census it was 64:36 in favour of the Muslims. In Bratunac municipality we now have two Muslims”).
5. 65ter06645: (on 22 August 1992 the 1KK reported to the Main Staff that a group of policemen escorting a column of refugees across Mt. **Vlašić** “killed them ... and threw them down a ravine”);
6. 65ter10665: (a 3 September 1992 1KK report to the Main Staff notes the “unbearable” conditions in camps, the “large number of arrested citizens for whom there is no evidence or criminal reports that they participated in the armed rebellion” and that the CSB **Prijedor** “committed a massacre in the **Skender Vakuf** area of over 150 men who wanted to leave the territory of the **Krajina AR /Autonomous Region**”).
7. 65ter21020 (Intercept dated 15 Jul/95, at 09:55hrs); 65ter21019A-C (Intercept dated 15 Jul/95, at 9:57hrs); 65ter21008A-D (Intercept dated 15 Jul/95, at 10:00hrs). This conversation was recorded by three intercept operators. (**BEARA, I** informed the Commander that his order for a group to come and assist the executions had not been followed); RM511;
8. 65ter02837: On 2 June 1992 the 1KK reported to the VRS Main Staff that “the Muslim population of the sector of **Lišna** village has been moved out due to the failure of Muslim extremists to surrender weapons”.
9. 65ter19584, p.63: At a 17 September 1992 meeting in **Foča**, Col. **BUNDALO** reported that, of 67 civilians who had been captured near **Trnovo**, 50 had been exchanged, with 17 remaining to be exchanged.

See, Čelebići AJ, para.104; *Halilović AJ*, para.59.

about the crimes. At times, **MLADIĆ** explicitly acknowledged the commission of crimes.⁷⁶⁰

311. The crimes against the non-Serb populations in BiH were notorious, occurred over an extended period of time and were widely reported in the media.⁷⁶¹ The world-wide media coverage was readily available to **MLADIĆ**.⁷⁶²

312. **MLADIĆ**'s own notes reflect times when the reports of BSF crimes were brought to his attention. Paragraph 258 above, describes an entry from 15 July in which **MLADIĆ** records being told by SMITH about "atrocities" and "massacres" in Srebrenica.⁷⁶³ Another entry from 24 July 1995, notes a meeting with MILOŠEVIĆ and PERISIĆ in Belgrade. **MLADIĆ** records what MILOŠEVIĆ said:

*SM: Srebrenica and Žepa have damaged us greatly. -

C. **MLADIĆ** Failed to Take Necessary and Reasonable Measures to Prevent the Crimes and to Punish the Perpetrators.

313. **MLADIĆ** failed to take necessary and reasonable measures to prevent the commission of crimes and to punish the perpetrators thereof.⁷⁶⁴ Despite the clear and repeated notice which **MLADIĆ** had of the type and scale of crimes committed by his subordinates, he failed to punish the perpetrators and failed to prevent their repetition, despite a functioning system of military discipline and courts.⁷⁶⁵ Instead, he encouraged them, through congratulations, promotions and further taskings.⁷⁶⁶

⁷⁶⁰ See for e.g. RM177; RM268; 65ter10743, p.56 (fn.30); 65ter10592; 65ter20779); RM510; 65ter20939B.

⁷⁶¹ See for e.g. RM503; RM515; RM516; RM502; 65ter03454; 65ter16318; 65ter08564; 65ter11664; 65ter12892; 65ter02937; 65ter10728; 65ter10730; 65ter08990; 65ter22497; 65ter22498; 65ter22572; 65ter17992; 65ter03359; 65ter13427; 65ter02709.

⁷⁶² See for e.g., 65ter25422, 65ter19191; 65ter00631; 65ter03393; 65ter10933.

⁷⁶³ 65ter19592.

⁷⁶⁴ *Blaškić* AJ, para.83; *Hadžihasanović* AJ, para.259; *Delić* TJ, para.69.

⁷⁶⁵ RM513DD, RM504; RM084; RM078 (TALIĆ told of Manjača issues, never investigated); RM22; RM267; RM603. By contrast, see 65ter04356, RM267 (for soldiers prosecuted for assisting Bosnian Muslim execution survivors); RM357 (for the investigation into the opening of the frontline, which gave passage to the Bosnian Muslim column fleeing from Srebrenica) and 65ter02302 (**MLADIĆ**'s order to remove all paramilitaries which do not accept subordination to the VRS and to investigate their crimes and misdemeanors). See also 65ter10579; 65ter07098; 65ter07099; 65ter02571; 65ter02637; 65ter03140 (Military Prosecutor logs).

⁷⁶⁶ See:

1. 65ter05986 (Second directive signed by **MLADIĆ** for further operations, 22 July 1992);
2. 65ter10657 (**MLADIĆ**'s 1 July 1992 tribute to the 1KK, Eastern Bosnia Corps, Air Force and Anti-Aircraft Defense for successfully organising and implementing the "breakthrough, expansion and cleansing of corridor in Bosanska Posavina, between eastern and western Bosnia");

Furthermore, **MLADIĆ** and other members of the BSL denied that crimes were being committed⁷⁶⁷ and sought to cover them up.⁷⁶⁸ At other times, **MLADIĆ** sought to justify the crimes,⁷⁶⁹ or publicly threatened to commit further crimes.⁷⁷⁰

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3. 65ter11758 (reporting on rewards to units of the VRS. Among the rewarded units were various units of the 1KK including the 43rd Prijedor Motorized Brigade of the 1KK, which was the main unit involved in the 1992 attacks on Hambarine and Kozarac in Prijedor, which involved widespread crimes against non-Serbs);
 4. 65ter11012, p.131; 65ter02838; 65ter08655 (noting the rewarding of Rajko KUŠIĆ following his involvement in crimes in Rogatica);
 5. 65ter22825 (awards ceremony in Bijeljina);
 6. 65ter19588 (p.144 **MLADIĆ** commended efforts of SRK for results so far, Jan. 94);
 7. 65ter04014 (**ANDRIĆ** appointed as Chief of Staff of Drina Corps, 15 July 1995);
 8. 65ter13100, 65ter01800, RM084 (Novica SIMIĆ led the "Corridor Operation", then promoted);
 9. 65ter17661 (at 0607-1767-0607-1767-EDT D.MILOŠEVIĆ promoted to Major General December 1995);
 10. 65ter08631, 65ter09281 (promotion of GALIĆ);
 11. 65ter04106, 65ter25812, 65ter02261,
 12. 65ter08650 (appraisal and promotions of KRSTIĆ, July and December 1995);
 13. 65ter27514 (promotion of PANDUREVIĆ December 1995);
 14. 65ter02319 (promotion of OBRENOVIĆ, October 1995).

⁷⁶⁷ 65ter10933; 65ter01758; RM317; RM512; 65ter01707.

⁷⁶⁸ See for e.g. the discussion of the reburial operation above on page. 100; 65ter04179; 65ter04026; 65ter11960, 344, 65ter09528 (fake IDs given to 10th Sabotage Detachment involved in Branjevo Farm executions).

⁷⁶⁹ See for e.g. RM177; 65ter10592 (saying increase in sniping in Sarajevo was in response to Serb casualties); RM510.

⁷⁷⁰ See for e.g. RM505 (**MLADIĆ** threatened to kill everyone in the eastern enclaves (except for the children); 65ter03503; 65ter20799).

THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA

IT-09-92-PT

THE PROSECUTOR

v.

Ratko MLADIĆ

Public

ANNEX A
TO
PROSECUTION PRE-TRIAL BRIEF

NARRATIVE OF CRIMES IN THE
MUNICIPALITIES

ANNEX A: EVENTS IN THE MUNICIPALITIES

314. This section provides a summary of the crimes which took place during and after Bosnian Serb Forces and Bosnian Serb Political and Governmental Organs took control of the municipalities named in paragraph 47 of the Indictment. It refers to many, but not all, of the incidents and locations described in Schedules A-D of the Indictment. Further evidence regarding all scheduled incidents and locations can be found in Annex B.

Banja Luka

315. The 1991 ethnic composition in Banja Luka municipality was 55% Serbs, 15% Croats, and 15% Muslims.⁷⁷¹ By February 1995, the percentage of Muslims had fallen to 6.43% and of Croats to 6.77%.⁷⁷²

316. Banja Luka was headquarters for the ARK, 1KK⁷⁷³ and the AOR of Banja Luka CSB. A municipal Serb Crisis Staff was formed in January 1992.⁷⁷⁴ 1KK Commander TALIĆ was a member of the regional ARK Crisis Staff, formed on 5 May 1992,⁷⁷⁵ which regularly met in Banja Luka.⁷⁷⁶

317. TALIĆ established Manjača camp (C1.2), which held thousands⁷⁷⁷ of non-Serb⁷⁷⁸ detainees from various municipalities – including Prijedor, Sanski Most, and Ključ – between June and mid-December 1992.⁷⁷⁹ Detainees included religious officials, politicians, minors, the seriously sick and elderly.⁷⁸⁰

318. The camp was under the command of Colonel Božidar POPOVIĆ.⁷⁸¹ The commander of prison guards, Predrag KOVAČEVIĆ, “Spaga”, personally beat prisoners.⁷⁸² Military police primarily provided security.⁷⁸³ 1KK Intelligence and

⁷⁷¹ 65ter02559.

⁷⁷² 65ter06687.

⁷⁷³ 1KK was initially based in Stara Gradiška. It was relocated to Manjaca on 4 July 1992, and then to Banja Luka HQ on 14 October 1992 (RM603); 65ter11012,para.2.1).

⁷⁷⁴ 65ter20578

⁷⁷⁵ 65ter16139. Radoslav Brdanin was President, Lt. Col. Milorad Sajić was Vice-President.

⁷⁷⁶ 65ter20578; 65ter06536; 65ter06873; 65ter06874; 65ter06926.

⁷⁷⁷ Proposed Adjudicated Fact (PAF) no. 461, Prosecution Motion for Judicial Notice of Adjudicated Facts, 9 December 2011. *See also*, PAF462; 65ter03064; 65ter06999; 65ter03112.

⁷⁷⁸ PAF459; PAF462; 65ter14955, p.1; RM052; RM092; RM051.

⁷⁷⁹ PAF461; RM078; RM093; RM092; RM075; RM052.

⁷⁸⁰ RM052; RM092; RM051.

⁷⁸¹ PAF460.

⁷⁸² RM092; RM043.

Security Section processed and interrogated the detainees,⁷⁸⁴ in co-operation and co-ordination with RS MUP⁷⁸⁵.

319. The 1KK Command was repeatedly informed⁷⁸⁶ that the vast majority of non-Serb detainees at Manjača were civilians who had never taken part in any fighting.⁷⁸⁷

320. Conditions at Manjača camp were extremely inhumane:⁷⁸⁸ inmates were crowded into stables,⁷⁸⁹ infested with lice,⁷⁹⁰ and had with no access to running water.⁷⁹¹ Most slept on the bare concrete floor.⁷⁹² Food was scarce:⁷⁹³ some detainees ate grass to survive.⁷⁹⁴ Medical treatment was inadequate,⁷⁹⁵ resulting in deaths.⁷⁹⁶ Detainees were subjected to forced labour,⁷⁹⁷ including the reconstruction of an Orthodox church under TALIC' s orders.⁷⁹⁸ Detainees were beaten during forced labour.⁷⁹⁹

321. On or about 3 June 1992⁸⁰⁰, SJB Sanski Most officers transported approximately 150 non-Serb prisoners from the Hasan Kikić Elementary School to Manjača, beating them severely as they boarded trucks.⁸⁰¹ The officers killed at least seven upon arrival.⁸⁰² (B1.1)

322. On 7 July 1992, approximately 64 non-Serb detainees were transferred from Betonirka detention facility to Manjača as part of a larger convoy of 600 prisoners

⁷⁸³ 65ter06972.

⁷⁸⁴ RM051.

⁷⁸⁵ 65ter06972; RM092, RM051

⁷⁸⁶ 65ter03077; 65ter06968; 65ter03112; 65ter06606.p.3; 65ter03064; 65ter06989; 65ter06956; 65ter07004; RM051; see also RM016(DD);

⁷⁸⁷ See, e.g., RM092; RM075; RM043; RM016(DD); 65ter06941; RM052.

⁷⁸⁸ 65ter06371, p.3; 65ter06960; 65ter03326, pp.10-2; 65ter17914, p.57; 65ter22302, pp.3-4; RM408.

⁷⁸⁹ PAF463; RM092; RM052; RM043; RM022; 65ter13876.

⁷⁹⁰ PAF464.

⁷⁹¹ PAF466; 65ter14955, p.2; 65ter06960; RM022. 65ter06973; 65ter06986; RM603; RM075.

⁷⁹² PAF463; RM092; RM025.

⁷⁹³ PAF465; 65ter05989, p.2; 65ter06941; 65ter06960; 65ter06961; 65ter22302, pp.4-5; RM022; PAF465; RM092; RM022; RM025.

⁷⁹⁴ RM092.

⁷⁹⁵ PAF468; 65ter03326, pp.11-2; RM092; RM075; RM022.

⁷⁹⁶ 65ter07020, p.3; RM092.

⁷⁹⁷ 65ter06972, p.2; RM603; RM092; RM022; RM075.

⁷⁹⁸ 65ter07012.

⁷⁹⁹ RM092; RM025.

⁸⁰⁰ PAF 481 (PAF 481 indicates that this incident occurred on 6 June 1992).

⁸⁰¹ PAF481; 65ter06613; 65ter06614; RM075.

⁸⁰² PAF482; RM075.

from Sanski Most.⁸⁰³ Packed into a truck with insufficient ventilation, around 24-25 prisoners had suffocated to death, or were unconscious or seriously ill, upon arrival at Manjača.⁸⁰⁴ The unconscious and ill were taken away, killed and thrown in the Vrbas River. The detainees who helped remove the bodies were also killed.⁸⁰⁵ Approximately 28 non-Serb detainees died.⁸⁰⁶ No investigatory or prosecutorial actions were taken.⁸⁰⁷ (B1.2.)

323. The VRS Main Staff was informed about operations at Manjača camp. On 8 June 1992, **MLADIĆ** was informed that 600 prisoners had been brought from Sanski Most the previous day.⁸⁰⁸ In August 1992, **MLADIĆ** gave verbal approval for journalists and the ICRC to visit Manjača, and Trnopolje and Omarska in Prijedor. To prepare for the visit, the 1KK ordered: “all measures are to be taken to make conditions in these camps satisfactory.”⁸⁰⁹ On 7 August 1992, the Main Staff was informed that 1,460 POWs were brought from Omarska to Manjača, and that detainees had died in transport.⁸¹⁰

324. On 15 December 1992, pursuant to a the Main Staff order, the 1KK ordered the closure of the camp.⁸¹¹ The remaining detainees (approximately 1,500) were transferred to Batković or Kula, or expelled from RS on or about 16 December.⁸¹² A 1KK report notified the Main Staff that Manjača camp was effectively closed on 18 December 1992, and that all remaining prisoners were released or transferred.⁸¹³

Bijeljina

325. The 1991 ethnic composition of Bijeljina was 30% Muslim, 61% Serb and 9% other. By 1997 the composition was 3% Muslim, 91% Serb and 6% other.⁸¹⁴

326. On 16 January 1992 Jovan ČIZMOVIĆ reported to KARADŽIĆ that Bijeljina was “prepared for full co-operation” in relation to Variant A/B.⁸¹⁵ Bijeljina was the

⁸⁰³ RM051; RM075; PAF 483; PAF 484; 65ter02721.

⁸⁰⁴ PAF585; PAF486; 65ter06956; 65ter03064; 65ter07087, p.2; 65ter165821; RM092; RM051.

⁸⁰⁵ RM075.

⁸⁰⁶ RM092.

⁸⁰⁷ 65ter16582; RM016(DD); 65ter07087, p.2.

⁸⁰⁸ 65ter02721.

⁸⁰⁹ 65ter06981.

⁸¹⁰ 65ter05989.

⁸¹¹ 65ter03788.

⁸¹² 65ter03788; 65ter06004; RM051; RM092.

⁸¹³ 65ter07058.

⁸¹⁴ 65ter10666.

first Bosnian municipality taken over by Bosnian Serb Forces. On 31 March 1992, Arkan's paramilitary unit, in cooperation with ŠEŠELJ's men, took control of important town structures.⁸¹⁶ On 6 June 1992, IBK Commander ILIĆ assigned Bijeljina's TO to the IBK's 2nd Semberija Brigade.⁸¹⁷ MLADIĆ and KARADŽIĆ attended a military-political consultation meeting in Bijeljina on 2 September 1992.⁸¹⁸

327. The VRS Main Staff established the Batković camp (C2.1) in Bijeljina, which operated under the IBK.⁸¹⁹ Detainees were beaten and subjected to forced labour at the front lines. At least six were killed (B2.1).⁸²⁰ Ten detainees, known as the "special unit", were beaten regularly. They were forced to beat and to engage in degrading sexual acts with each other, in the presence of other detainees.⁸²¹ When the ICRC visited the camp, some detainees, including the "special unit", were hidden.⁸²² Bosnian Serb Forces killed detainees in the camp, while working in the fields, and while digging trenches near the front line.⁸²³ Bosnian Serb authorities investigated some murders, but there was no meaningful prosecution of those responsible by Bosnian Serb military or civilian authorities.⁸²⁴ 529 detainees were transferred from Manjača to Batković on 13 December 1992.⁸²⁵ The camp was still in operation in July 1995, when KRSTIĆ informed the Main Staff of prisoner transfers to Batković.⁸²⁶

Foča

328. The 1991 ethnic composition of Foča municipality was 51% Muslims and 45% Serbs.⁸²⁷ Foča mayor Petko ČANČAR boasted to the 26th RS Assembly session in 1993: "there is only one people living on the territory of Foča, and there is only one religion practised there", and said there was not a single Muslim there.⁸²⁸

⁸¹⁵ 65ter20572.

⁸¹⁶ 65ter22345; 65ter22380.

⁸¹⁷ 65ter02872.

⁸¹⁸ 65ter19583.

⁸¹⁹ RM088; 65ter11519; 65ter11162; 65ter11518.

⁸²⁰ RM088; PAF516; RM069; RM067; RM513.

⁸²¹ RM049.

⁸²² RM088.

⁸²³ RM088; RM067.

⁸²⁴ RM513.

⁸²⁵ 65ter07059.

⁸²⁶ 65ter05846.

⁸²⁷ 65ter02559; RM619.

⁸²⁸ 65ter02370.

329. In April 1992, Bosnian Serb Forces, acting under Crisis Staff president Miroslav (Miro) STANIĆ, took control over Foča in about ten days.⁸²⁹ On 6 May 1992, **MLADIĆ** noted: "Foča has been finished."⁸³⁰

330. In early May 1992, Bosnian Serb Forces under the command of Gojko JANKOVIĆ killed a number of non-Serb civilians who were hiding in the woods near Mješaja/Trošanj (A2.1).⁸³¹

331. On 8 May 1992, the Tactical Group Foča (TG Foča)⁸³² Command requested that KP Dom Foča (C6.1) to be used for the accommodation of POWs.⁸³³ KP Dom warden Milorad KRNOJELAC complied.⁸³⁴ From April 1992 until at least August 1993, non-Serb civilians from Foča and surrounding areas were detained in KP Dom in inhumane conditions.⁸³⁵ Bosnian Serb Forces often beat detainees and killed over 200 detainees between May and December 1992 (B 5.1).⁸³⁶

332. Bosnian Serb Forces detained women and girls in inhumane conditions,⁸³⁷ and raped them, at a number of locations including:

- Karaman's house, commanded by Pero ELEZ, Radovan STANKOVIĆ and Nikola BRČIĆ⁸³⁸ (C6.2)
- The Worker's Hut at Buk Bijela, commanded by Gojko JANKOVIĆ⁸³⁹ (C6.3)
- Partizan Hall⁸⁴⁰ (C6.4)
- Foča High School⁸⁴¹ (C6.5).⁸⁴²

333. At Karaman's house, women were raped openly, sometimes by multiple soldiers.⁸⁴³ ELEZ and BRČIĆ decided which soldiers would rape which women.⁸⁴⁴

⁸²⁹ R105-8758-R105-8769.

⁸³⁰ 65ter19581.

⁸³¹ RM070; PAF557-563.

⁸³² R105-8758-R105-8769.

⁸³³ 65ter08502.

⁸³⁴ 65ter08747.

⁸³⁵ RM046; RM012; RM063.

⁸³⁶ PAF683-711; RM046; RM013; RM012; RM614; RM063; RM086; RM046; RM163; RM116; RM147.

⁸³⁷ RM063.

⁸³⁸ RM048;

⁸³⁹ RM070.

⁸⁴⁰ RM070.

⁸⁴¹ RM070.

⁸⁴² RM070.

⁸⁴³ RM048.

Women were forced to cook and clean for their rapists,⁸⁴⁵ and could not leave because there was nowhere safe to go.⁸⁴⁶

334. The rapists were part of, or worked in co-ordination with, the VRS. On 7 April 1995, KARADŽIĆ ordered the Main Staff to transfer a group of VRS conscripts, including STANKOVIĆ, from the VRS to a new RS MUP special brigade.⁸⁴⁷ STANKOVIĆ subsequently reported to that brigade.⁸⁴⁸ ELEZ was described by the RS MUP as a member of the “Foča Serb Army VII Battalion”.⁸⁴⁹ TG Foča, ELEZ’s group and OG Kalinovik acted in co-operation with each other.⁸⁵⁰

335. TG Foča was initially under the command of Foča Crisis Staff President STANIĆ,⁸⁵¹ who handed command to Colonel Marko KOVAČ in early June 1992.⁸⁵² TG Foča reported to the HK Command and the Main Staff.⁸⁵³ HK Command reports to the Main Staff included reports of TG Foča (later renamed TG Drina⁸⁵⁴) and TG Kalinovik activities.⁸⁵⁵ On 31 July 1992, in a meeting with the Command of Podrinje Operations Group and parts of the HK, Colonel Ratko BUNDALO told MLADIĆ that cooperation with Foča TG was “exemplary”.⁸⁵⁶ TG Foča also assisted the SRK: on 11 August 1993, SRK Commander GALIĆ thanked TG Foča for participating in operation *Lukavac 93*, and for attaining “the historic goal of creating the Serb state in the area where they have always lived”.⁸⁵⁷ On 17 October 1993, TG Drina sent the HK command a list of detained “Turks” in Foča for the needs of the Main Staff.⁸⁵⁸

336. MLADIĆ visited Foča on 17 and 18 September 1992. TG Foča commander KOVAČ updated MLADIĆ on the TG, which then had 4,068 men.⁸⁵⁹ STANIĆ told

⁸⁴⁴ RM048.

⁸⁴⁵ RM048.

⁸⁴⁶ RM048.

⁸⁴⁷ 0089-0564-0089-0566.

⁸⁴⁸ 0359-2481-0359-248.

⁸⁴⁹ 0360-6590-0360-6590.

⁸⁵⁰ 0410-7363.

⁸⁵¹ 65ter 08611

⁸⁵² 65ter19584, p. 66.

⁸⁵³ 65ter19957. also ERN 0410-7491; ERN 0410-9339-0410-9340; 0410-9342-0410-9342; 65ter19959.

⁸⁵⁴ R105-8758-R105-8769.

⁸⁵⁵ 65ter19958

⁸⁵⁶ 65ter19582, p.387.

⁸⁵⁷ 65ter14026

⁸⁵⁸ ERN 0362-9447-0362-9448.

⁸⁵⁹ 65ter 19584, p.60.

MLADIĆ that the percentage of Serbs in Foča had risen from 49% to 99%.⁸⁶⁰ The VRS destroyed the sixteenth-century *Aladža* mosque, one of the most important in the Balkans (D5).⁸⁶¹

337. In January 1994, Serb authorities renamed Foča *Srbinje*: “town of the Serbs.” In August 1994, Momčilo KRAJIŠNIK praised it as “a true Serbian town.”⁸⁶²

Ilidža

338. The 1991 ethnic composition of the municipality of Ilidža was 43% Muslim, 37% Serb, and 10% Croat.⁸⁶³

339. Ilidža straddled a main access road into Sarajevo. Its Serb Municipal Assembly was proclaimed on 3 January 1992⁸⁶⁴ and by March 1992 a Serb police station was formed.⁸⁶⁵ On 19 April 1992, the Serb Crisis Staff took a decision to “block life in Ilidža”.⁸⁶⁶ Muslims and Croats were driven from Ilidža municipality by police,⁸⁶⁷ Šešeljevci⁸⁶⁸ and forces under the control of the Crisis Staff.

340. KP Dom Kula Butmir (Kula) (C8.1) fell under Bosnian Serb control in April 1992.⁸⁶⁹ It was formally established as an RS correctional on 16 June 1992,⁸⁷⁰ and operated throughout the war under the RS Ministry of Justice as a detention facility for non-Serbs. Kula was used to expel thousands of non-Serbs, many through the mechanism of the Exchange Commission.⁸⁷¹

341. In late 1994 Captain 1st Class Dragan BULAJIĆ of the Exchange Commission reported that about 10,000 Muslim civilians had passed through Kula in the process of what he described as “family reunification” and “freedom of movement” away from the territory of RS,⁸⁷² noting that their stays at Kula ranged from days to months.⁸⁷³

⁸⁶⁰ 65ter 19584, p.66.

⁸⁶¹ RM618; RM070; RM071; RM295; RM067; 65ter09138.

⁸⁶² 65ter22455.

⁸⁶³ 65ter02559.

⁸⁶⁴ 65ter10704.

⁸⁶⁵ 65ter03426,p.3.

⁸⁶⁶ 65ter20695.

⁸⁶⁷ 65ter03811; 65ter03426.

⁸⁶⁸ RM107.

⁸⁶⁹ 65ter20733.

⁸⁷⁰ 65ter10696. See also 65ter07212.

⁸⁷¹ See 65ter10928; 65ter11108; 65ter11225; 65ter02499; 65ter02508; 65ter; 65ter09862; 03921.

⁸⁷² 65ter03821.

⁸⁷³ 65ter03821.

Non-Serb detainees were sent to Kula from areas around Sarajevo,⁸⁷⁴ and from facilities across Serb-held territory,⁸⁷⁵ including VRS-operated detention facilities such as Batković,⁸⁷⁶ Rasadnik,⁸⁷⁷ Manjača,⁸⁷⁸ and KP Dom Foča.⁸⁷⁹

342. **MLADIĆ** and the Main Staff were directly involved in the detention and transfer of prisoners at Kula.⁸⁸⁰

Kalinovik

343. The 1991 ethnic composition of Kalinovik, where **MLADIĆ** was born, was 2,826 (61 %) Serbs; 1,716 (37 %) Muslims; and 2% other.⁸⁸¹ In 1997, only 53 non-Serbs remained.⁸⁸² On 20 April 1992, all Muslim police officers were ordered to sign an oath of loyalty to the Serb municipality of Kalinovik, and were summarily dismissed when they refused.⁸⁸³ **BUNDALO** was the Kalinovik TG commander,⁸⁸⁴ and head of the local RS MUP⁸⁸⁵. His telephone number was in **MLADIĆ**'s notebook.⁸⁸⁶

344. TG Kalinovik noted that operations in June 1992 resulted in the flight of Muslim civilians.⁸⁸⁷ TG Kalinovik communicated directly with **MLADIĆ** and **KARADŽIĆ** when seeking to evacuate wounded soldiers.⁸⁸⁸

345. On 25 June 1992, all able-bodied Muslims were told to report for work.⁸⁸⁹ About 60 responded and were taken to the "Miladin Radojević" Elementary School/Kalinovik Elementary School (C9.1) and then moved to a military ammunition warehouse in Jelašaćko Polje (C9.2).⁸⁹⁰ On 5 August 1992, **ELEZ**'s men

⁸⁷⁴ RM091; 65ter03585; 65ter09581; 65ter22457A; *Krajišnik*, TJ, para.554

⁸⁷⁵ RM041; RM039; 65ter03762.

⁸⁷⁶ RM031; 65ter12809.

⁸⁷⁷ RM039; RM041

⁸⁷⁸ 65ter12809.

⁸⁷⁹ RM046; 65ter15123.

⁸⁸⁰ 65ter25959; 65ter23831; 65ter01116; 65ter12809.

⁸⁸¹ Bosnia-Herzegovina 1991 Census, April 1995; RM619.

⁸⁸² RM619.

⁸⁸³ RM035.

⁸⁸⁴ 65ter11277; ERN0410-7361-0410-7361.

⁸⁸⁵ RM072.

⁸⁸⁶ 65ter19582.

⁸⁸⁷ 65ter7507.

⁸⁸⁸ 0410-7419

⁸⁸⁹ RM035; RM034.

⁸⁹⁰ RM035.

bound 24 Muslim detainees,⁸⁹¹ and took them to a stable in Ratine, where they were told they were to be exchanged.⁸⁹² Instead, Serb soldiers⁸⁹³ shot the detainees; one survived (B 7.1).⁸⁹⁴

346. BUNDALO told **MLADIĆ** at a 17 September 1992 meeting in Foča, that, of 67 civilians who had been captured near Trnovo,⁸⁹⁵ 50 had been exchanged, with 17 remaining to be exchanged.⁸⁹⁶

347. Approximately 180 to 190 women, children and older men from Gacko were detained at the Kalinovik Elementary School.⁸⁹⁷ There, approximately 80 women were sexually assaulted.⁸⁹⁸ ELEZ often came to the school, accompanied by soldiers, to interrogate the detainees, and take away women and girls.⁸⁹⁹

Ključ

348. In 1991, around 18,000 non-Serbs resided in Ključ.⁹⁰⁰ Jovo Banjac, President of the municipality, informed **MLADIĆ** on 11 September 1992 “There were 17,000 Muslims, now there are 5000, and 1500 left today”.⁹⁰¹ In November 1992, **MLADIĆ** was informed that only 2,000 Muslims remained.⁹⁰² The VRS reported on 16 February 1993 the numbers of people who had left Muslim villages and communes in Ključ between May 1992 and January 1993.⁹⁰³ A May 1993 MUP report indicated that 14,000-15,000 Muslims had left Ključ.⁹⁰⁴ By September 1995, roughly 600 Muslims remained.⁹⁰⁵

⁸⁹¹ RM034.

⁸⁹² RM034.

⁸⁹³ RM032.

⁸⁹⁴ *Krajišnik* TJ, para.663; RM034.

⁸⁹⁵ Trnovo municipality is adjacent to Kalinovik.

⁸⁹⁶ 65ter19584,p.63.

⁸⁹⁷ RM035.

⁸⁹⁸ RM035.

⁸⁹⁹ RM032.

⁹⁰⁰ 65ter02559: According to the 1991 census in Bosnia-Herzegovina, the municipality of Ključ was comprised of 18,506 (49%) Serbs; 17,696 (47%) Muslims; and 330 (1%) Croats.

⁹⁰¹ 65ter19584.

⁹⁰² 65ter19585.

⁹⁰³ 65ter03116.

⁹⁰⁴ 65ter06370.

⁹⁰⁵ RM025.

349. A Serb Crisis Staff was established on 23 December 1991 pursuant to Variant A/B.⁹⁰⁶ Its membership included the police and military.⁹⁰⁷ The Crisis Staff said: “VRS commanders regularly participated in Crisis Staff sessions, and had very good cooperation and coordination with the Crisis Staff. No significant and important questions from the military and police domain were resolved without the Crisis Staff.”⁹⁰⁸ On 10 July 1992, the Crisis Staff adopted a decision to form a War Presidency, which included Lieutenant Colonel Drago SAMARDŽIJA, Commander of the 1KK 17th Light Infantry Brigade.⁹⁰⁹

350. The Serb takeover took place on 7 May 1992,⁹¹⁰ when Serb JNA units seized control of roads and occupied the Ključ municipal building and other strategic areas.⁹¹¹ On 14 May 1992, the strategic goals outlined at the 16th RS Assembly session on 12 May 1992 were disseminated in Ključ, at a joint military/civilian meeting.⁹¹²

351. On 21 May 1992, all non-Serb policemen were summarily dismissed from the police force.⁹¹³ On 25 May 1992, Serb police established a checkpoint between the predominantly Muslim villages of Biljani and Sanica.⁹¹⁴ Freedom of movement for Muslims was severely restricted.⁹¹⁵

352. On 27 May 1992, Bosnian Serb Forces at Lanište began shelling Muslim villages.⁹¹⁶ The Muslims were ordered to surrender their weapons, and if that did not occur, the 3rd Battalion of the 1st Infantry Brigade were to carry out a “mopping up” operation.⁹¹⁷ On 28 May 1992 Ključ Crisis Staff issued an order to surrender “illegally acquired” weapons to the local authorities.⁹¹⁸ Only Muslims were required to surrender weapons.⁹¹⁹ After the issuance of this order, a VRS battalion, with other

⁹⁰⁶ 65ter03194; 65ter03080.

⁹⁰⁷ 65ter03571; 65ter03081; RM022.

⁹⁰⁸ 65ter03080.

⁹⁰⁹ 65ter03068; 65ter03080.

⁹¹⁰ 65ter20747.

⁹¹¹ RM025.

⁹¹² 65ter02677; RM603.

⁹¹³ RM022.

⁹¹⁴ RM022.

⁹¹⁵ RM022.

⁹¹⁶ RM018.

⁹¹⁷ 65ter03030.

⁹¹⁸ 65ter18691.

⁹¹⁹ RM025.

units, carried out “mopping up” operations between 28 and 31 May 1992.⁹²⁰ They attacked villages across the municipality, destroyed houses, and a mosque in Pudín Han (D7), and forced non-Serb residents to leave.⁹²¹

353. On 1 June 1992, the 1KK reported to the Main Staff that the “areas of Prijedor, Ključ and Sanski Most are under the control of our units,”⁹²² and that “[t]he mopping up of the remaining ‘Green Berets’ who refused to give themselves up is currently underway in Muslim villages in the area of Ključ.”⁹²³ The same day, all men aged 18-60 in the areas surrounding Velagići were ordered to assemble and were detained inside Velagići school (C10.3). Bosnian Serb soldiers ordered the Muslim men to line up in front of the school and fired at them⁹²⁴ killing at least 77.⁹²⁵ SJB Chief Vinko KONDIĆ and Lieutenant Colonel VUKAČEVIĆ arrived at the school and ordered that bulldozers be brought to transport the bodies away and bury them in woods outside Lanište.⁹²⁶ Victims from the Velagići massacre (B8.1) were exhumed from the mass grave “Lanište 2”.⁹²⁷ On 3 June 1992, 2KK Military Police were ordered to arrest the perpetrators of the Velagići massacre and place them in Mali Logor Military Prison.⁹²⁸ The perpetrators wrote to General TALIĆ requesting their release.⁹²⁹ Soon thereafter, they were released and returned to their unit in Ključ.

354. On 9 July 1992, SAMARDŽIJA issued an order on the “mopping up” of the area of Biljani and a number of villages in the area. The operation was to be carried out by a battalion, a reconnaissance platoon, a military police squad and a police platoon from the Sanica police station assigned with processing “suspicious persons”.⁹³⁰ On 10 July 1992 Bosnian Serb special police and VRS soldiers amassed non-Serb men aged 18-60 in the village of Biljani, northwest of Ključ. The soldiers ordered the men into the Biljani school where they were beaten and then taken out in

⁹²⁰ 65ter03030; 65ter03036.

⁹²¹ RM025.

⁹²² 65ter02839, p.1.

⁹²³ 65ter02839, p.1.

⁹²⁴ RM018.

⁹²⁵ RM018; RM016DD.

⁹²⁶ 65ter03126, pp.31, 52, 57; RM016DD.

⁹²⁷ RM010; RM022; RM025; 65ter06372.

⁹²⁸ 65ter 03126.

⁹²⁹ 65ter 03126.

⁹³⁰ 65ter03063.

groups of 5 or more and killed.⁹³¹ A total of 173 exhumed bodies have been identified.⁹³² Victims from the Biljani massacre (A3.3) were exhumed from the mass grave “Lanište 1”.⁹³³

355. By the end of August 1992, SJB Ključ had transferred at least 1,161 non-Serbs to Manjača camp.⁹³⁴

Kotor Varoš

356. In 1991, 11,090 Muslims and 10,695 Croats lived in Kotor Varoš.⁹³⁵ By May 1993, over 6,000 Muslims and 9,500 Croats had left.⁹³⁶ In 1995, Banja Luka State Security (RDB) reported that 1,800 Muslims and 1,000 Croats remained.⁹³⁷

357. The Serb takeover of power started on 11 June 1992.⁹³⁸ Banja Luka CSB, Serb TO units and the 1KK 122nd Light Infantry Brigade attacked towns and villages,⁹³⁹ meeting some resistance.⁹⁴⁰ They went on to attack and shell⁹⁴¹ other villages in the municipality, set non-Serb homes on fire,⁹⁴² kill a number of people,⁹⁴³ and detain non-Serbs at the SJB Kotor Varoš and at Kotor Varoš prison, where they were mistreated and some killed.⁹⁴⁴

358. By 12 June 1992, a Serb Crisis Staff was formed.⁹⁴⁵ On 26 June 1992, it reported: “We currently control most of the municipality’s territory”,⁹⁴⁶ and on 7 July 1992 that the “take-over of power” had “encountered fierce opposition from the forces representing the Croat-Muslim coalition”.⁹⁴⁷ On 28 June 1992 the 1KK reported to the Main Staff that “further cleansing and liquidation of terrorist groups is underway,

⁹³¹ RM021; RM010.

⁹³² 65ter03119.

⁹³³ RM010; RM022; RM025; 365ter06372.

⁹³⁴ 65ter03098.

⁹³⁵ 65ter02559; PAF796.

⁹³⁶ 65ter06370.

⁹³⁷ 65ter06687.

⁹³⁸ 65ter02572; PAF799.

⁹³⁹ 65ter02621.

⁹⁴⁰ RM014.

⁹⁴¹ PAF811.

⁹⁴² RM089; PAF811.

⁹⁴³ PAF799.

⁹⁴⁴ RM014; RM009.

⁹⁴⁵ 65ter02611; 65ter02577; 65ter02594; 65ter02656.

⁹⁴⁶ 65ter02577.

⁹⁴⁷ 65ter02621.

especially in the area of Kozarac and Kotor Varoš.”⁹⁴⁸ On 7 July 1992 the Kotor Varoš Crisis Staff became the War Presidency.⁹⁴⁹ Local SDS President Nedeljko ĐEKANOVIĆ and Colonel Boško PEULIĆ, commander of the 1KK 122nd Brigade, were members.⁹⁵⁰

359. On 31 July 1992, 1KK reported to the Main Staff that “[a] portion of the Muslim and Croatian population is continuing to emigrate from the Prijedor and Kotor Varoš municipalities.”⁹⁵¹ At a War Presidency meeting on 18 October 1992, ĐEKANOVIĆ reported that the “surrendering weapons and the moving /of people/ from the territory of Kotor Varoš [...] had been conducted on the orders of the Government and the Presidency of Republika Srpska” and that the drive had ended successfully.”⁹⁵² At this meeting, “PEULIĆ stressed that he had participated from the very beginning [...] in preparing all the activities”.⁹⁵³

360. On 2 November 1992, ĐEKANOVIĆ informed the War Presidency (including Captain Slobodan ŽUPLJANIN) that 1KK Chief of Security and Intelligence Colonel BLAGOJEVIĆ would be coming and that “MLADIĆ had ordered that everything agreed with BLAGOJEVIĆ with respect to Večići was to be carried out.”⁹⁵⁴ BLAGOJEVIĆ informed the War Presidency (which included VRS members BLAGOJEVIĆ, Major TRIVIĆ, Lieutenant Colonel NOVAKOVIĆ, Captain ŽUPLJANIN, and Captain BALABAN) that he had received explicit orders from MLADIĆ that “no one was to be allowed to leave Večići until the unconditional surrender of weapons was completed.”⁹⁵⁵

361. On or around 3 November 1992, most of the Večići women and children surrendered; however, a large group of armed Muslims fled Večići.⁹⁵⁶ 1KK notified

⁹⁴⁸ 65ter02825.

⁹⁴⁹ 65ter02611.

⁹⁵⁰ RM014; 65ter02611; 65ter02621.

⁹⁵¹ 65ter09846.

⁹⁵² 65ter02663.

⁹⁵³ 65ter02663.

⁹⁵⁴ 65ter02617.

⁹⁵⁵ 65ter06000.

⁹⁵⁶ RM084; RM068; RM089; RM009; PAF803.

the Main Staff,⁹⁵⁷ and VRS forces subsequently ambushed and captured many from the group.⁹⁵⁸

362. The prisoners were taken to the Grabovica school.⁹⁵⁹ Colonel Dušan NOVAKOVIĆ ordered that the women and children be separated from the men;⁹⁶⁰ they were placed on a convoy for Travnik.⁹⁶¹ About 200 male prisoners were put into trucks and told they would be transferred to Banja Luka prison, but were instead executed by 1KK soldiers, most likely from the Kotor Varoš Brigade, near Grabovica school (Schedule A4.4).⁹⁶² The Kotor Varoš Brigade was part of the 2nd Battalion of the 1KK Light Infantry 22nd Brigade.⁹⁶³

363. According to ŽUPLJANIN, Commander of the 2nd Battalion, “[a]ll of the functionaries, the politicians from Kotor Varoš” were at Grabovica during the massacre.⁹⁶⁴ The 1KK informed the Main Staff on 4 November 1992 about the “brutal massacre” of 200 captured “Green Berets,”⁹⁶⁵ and on 11 November 1992, that “[t]he 2nd Battalion of the 22nd Light Infantry Brigade is mopping up Večići village, and the Kotor Varoš Light Infantry Brigade is mopping up its zone of responsibility.”⁹⁶⁶

364. The Grabovica platoon and the Vrbanjci unit removed the bodies from the massacre sites and transferred them for burial at Vrbanjci.⁹⁶⁷ They also re-painted the blood-covered walls of the sports hall.⁹⁶⁸ ĐEKANOVIĆ was present in Grabovica on 5 November 1992, monitoring “the clearing up of the terrain and cleaning of the school.”⁹⁶⁹

365. After being informed of the massacre by Major TRIVIĆ, TALIĆ “acted normally, as if it was an everyday occurrence.”⁹⁷⁰ Soldiers were not reprimanded.⁹⁷¹

⁹⁵⁷ 65ter02939.

⁹⁵⁸ RM068; RM089; RM044; RM084; PAF803; RM603.

⁹⁵⁹ RM084.

⁹⁶⁰ RM044.

⁹⁶¹ RM089; RM044.

⁹⁶² RM009.

⁹⁶³ RM084

⁹⁶⁴ RM084.

⁹⁶⁵ 65ter02608.

⁹⁶⁶ ERN 0086-7772-0086-7773.

⁹⁶⁷ RM009.

⁹⁶⁸ RM009.

⁹⁶⁹ 65ter02607.

⁹⁷⁰ RM084.

⁹⁷¹ RM084.

Novi Grad

366. In 1991 the ethnic composition of Novi Grad was 51% Muslim, 28% Serb and 7% Croat.⁹⁷²

367. Around 28 May 1992, Bosnian Serb Forces under the command of local SDS leader Jovan TINTOR launched an attack against the Muslim village of Ahatovići, located in Novi Grad.⁹⁷³ The action, directed at the “liberation of Ahatovići,” successfully ended on 1 June 1992.⁹⁷⁴ Around 4 June 1992, Ahatovići mosque was destroyed (D9).⁹⁷⁵

368. Muslims who survived the attack were arrested.⁹⁷⁶ Among those arrested in Ahatovići was a group of men were detained in the cisterns at the Rajlovac Army Barracks.⁹⁷⁷ On 7 June 1992, **MLADIĆ** was informed that 600 people were detained in Rajlovac.⁹⁷⁸

369. The Barracks were commanded by Mile STOJANOVIĆ.⁹⁷⁹ Guards mistreated the detainees, forcing them to sing Serb nationalist songs, severely beating them and keeping them in inhumane conditions with insufficient food.⁹⁸⁰ Between 1 and 14 June 1992, Žuti, a former member of a special police unit and the driver of Jovan TINTOR, a local SDS leader,⁹⁸¹ told ten detainees they would be taken to Iliđza for exchange.⁹⁸² They were driven away and never seen again.⁹⁸³

370. The following day, Žuti called out 15 names and stated those detainees would be exchanged.⁹⁸⁴ The circumstances of the disappearance of these 25 prisoners over two days, the fact that they were not seen again, and the subsequent killing of the remaining prisoners, who were also taken away by Žuti, indicates that these 25 were killed in similar circumstances (B10.1).

⁹⁷² 65ter02559.

⁹⁷³ 65ter22724; 65ter09022; RM145; RM227.

⁹⁷⁴ 65ter03426.

⁹⁷⁵ 65ter08401.

⁹⁷⁶ 65ter20837

⁹⁷⁷ RM145; RM227.

⁹⁷⁸ 65ter19582,p.114.

⁹⁷⁹ RM145, 65ter16018, pp.4,6.

⁹⁸⁰ RM145; RM227.

⁹⁸¹ RM145.

⁹⁸² RM145.

⁹⁸³ RM145.

⁹⁸⁴ RM145.

371. The next day, around 14 June 1992, the remaining prisoners in the cisterns were murdered. Taken in a bus driven by Žuti, with armed police escort, in the direction of Srednje,⁹⁸⁵ the detainees were killed by guards who got out of the vehicle,⁹⁸⁶ and shot the detainees with hand-held rocket launchers.⁹⁸⁷ Some prisoners attempted to escape but were shot and killed.⁹⁸⁸ Before driving away in an escort vehicle the guards threw two hand grenades into the bus. At least 47 men were killed in this incident. (B10.2).⁹⁸⁹

Pale

372. In 1991 the ethnic composition of Pale was 69% Serb, 27% Muslim, and 1% Croat.⁹⁹⁰

373. In March and April 1992, a Serb Crisis Staff was established in Pale.⁹⁹¹ While the JNA was still present in BiH, the 2nd Military District Command “established uninterrupted contact and coordination with the Crisis Staff in Pale.”⁹⁹² The Bosnian Serb political leadership relocated to Pale,⁹⁹³ and met there often with **MLADIĆ**.⁹⁹⁴ Pale was also the headquarters of the SRK.

374. Numerous policies were pronounced in Pale that discriminated against non-Serbs, including requiring them to surrender all weapons to the police, conducting searches of Muslim houses, and restricting Muslims from leaving for neighbouring Muslim communities.⁹⁹⁵ In late June and early July 1992, the Serb authorities, in particular the SDS Crisis Staff, organised convoys of buses to forcibly remove Muslims from the area.⁹⁹⁶ Between July and September 1992, three mosques—at Prača, Podvitez and Bogovići—were destroyed (D10).⁹⁹⁷

⁹⁸⁵ RM145; RM227.

⁹⁸⁶ RM145.

⁹⁸⁷ RM145.

⁹⁸⁸ RM145.

⁹⁸⁹ RM127; 65ter22388A-H.

⁹⁹⁰ 65ter02559.

⁹⁹¹ RM111; 65ter11310.

⁹⁹² 65ter01487.

⁹⁹³ 65ter30660; 65ter10826.

⁹⁹⁴ *For e.g.*, 65ter19584, p.25, p.130; 65ter19582, p. 121.

⁹⁹⁵ RM111.

⁹⁹⁶ RM111.

⁹⁹⁷ RM111; RM619, 65ter13410.

Prijedor

375. The 1991 ethnic composition of Prijedor included 49,351 (43.9%) Muslims; 6,316 (5.6%) Croats; and 47,581 (42.3%) Serbs.⁹⁹⁸ In May 1993, RS MUP reported that around 42,000 Muslims and 2,000 Croats had “moved out”.⁹⁹⁹ By February 1995, 3,600 (5.44%) Muslims and 488 (1.54%) Croats remained; the Serb population had increased to around 61,000 (92.28%).¹⁰⁰⁰

376. On 21 December 1991, the SDS Prijedor Municipal Board discussed Variant A/B,¹⁰⁰¹ and the first stage of Variant B was implemented.¹⁰⁰² Lt. Col. Vladimir ARSIĆ, Commander of the 1KK’s 43rd Motorised Brigade, Serb TO Commander Slobodan KURUZOVIĆ, SJB Chief Simo DRLJAČA and SDS officials planned a takeover of power which took place on 30 April 1992;¹⁰⁰³ the second level of Variant B was thus realised.

377. On 15 May 1992, co-operation between the Serb Crisis Staff, TO, police and military was enhanced, and a unified command and control of all units was created.¹⁰⁰⁴ ARSIĆ and his deputy commander, Major ZELJAJA, were regularly present¹⁰⁰⁵ at meetings of the Crisis Staff, which was formally established on 20 May 1992.¹⁰⁰⁶ The Crisis Staff issued commands to the police and armed forces together, including an order to set up a “joint intervention platoon”, which they did.¹⁰⁰⁷ On 29 May 1992, the Serb TO was integrated into the VRS.¹⁰⁰⁸ In June 1992, the Crisis Staff was renamed the War Presidency.¹⁰⁰⁹

378. Following the Serb takeover, non-Serbs were prevented from returning to work,¹⁰¹⁰ their electricity and telephone services were cut off, and non-Serb children

⁹⁹⁸ 65ter02559.

⁹⁹⁹ 65ter06370.

¹⁰⁰⁰ 65ter06687.

¹⁰⁰¹ 65ter03197.

¹⁰⁰² 65ter03250; 65ter10757; RM059; 65ter10842 Eng. pp. 100-102, 103-104.

¹⁰⁰³ 65ter16582, p.1; 65ter09877, p.1; RM080; RM094; RM003; RM059; 65ter08762. (The 43rd Motorised Brigade was formerly the JNA 343rd Brigade and was sometimes referred to by the old title.)

¹⁰⁰⁴ 65ter07125.

¹⁰⁰⁵ PAF861.

¹⁰⁰⁶ 65ter18873.

¹⁰⁰⁷ 65ter07141; 65ter07130; 65ter10855

¹⁰⁰⁸ 65ter16530.

¹⁰⁰⁹ PAF985-866.

¹⁰¹⁰ RM094; RM060; RM023.

were prevented from attending school.¹⁰¹¹ Those who attempted to travel were stopped at checkpoints and in many cases beaten or had their vehicles confiscated.¹⁰¹²

379. In response to the killing of two Serb soldiers on 22 May 1992, the Crisis Staff on Radio Prijedor demanded that the residents of Hambarine and the surrounding villages surrender those responsible and their weapons.¹⁰¹³ ZELJAJA also demanded that the killers turn themselves over.¹⁰¹⁴ The “cleansing of Hambarine” then began.¹⁰¹⁵ 1KK forces indiscriminately shelled Hambarine¹⁰¹⁶ for several hours before 1KK troops entered the area.¹⁰¹⁷ Many Hambarine residents fled to neighbouring villages or into the forest, which the Serbs also shelled.¹⁰¹⁸ 1KK forces suffered no casualties,¹⁰¹⁹ and killed a significant number of Muslim civilians (A6.2).¹⁰²⁰ On 24 May 1992, the 1KK reported to the Main Staff that the “mopping up of the extremist Muslim units in the area of Hambarine village near Prijedor has been completed.”¹⁰²¹ Attacks in the area continued through July 1992.¹⁰²²

380. In the predominantly Muslim area of Kozarac (including Kozaruša, Kamičani, Kevljani, Babići and Hrnčići), telephone lines were disconnected and a blockade was instituted.¹⁰²³ On 24 May 1992, after the deadline to meet Serb ultimatums had passed, the 1KK 43rd Brigade and other Bosnian Serb Forces attacked Kozarac.¹⁰²⁴ Heavy Serb shelling lasted until 26 May 1992,¹⁰²⁵ followed by the advance of tanks and infantry.¹⁰²⁶ Bosnian Serb Forces destroyed many homes,¹⁰²⁷ shelled the medical centre,¹⁰²⁸ killed over 800 inhabitants and expelled the remainder (A6.1).¹⁰²⁹ On 26

¹⁰¹¹ RM094.

¹⁰¹² RM094; RM056; RM060; RM059.

¹⁰¹³ PAF893.

¹⁰¹⁴ 65ter09852; RM026.

¹⁰¹⁵ 65ter09852.

¹⁰¹⁶ RM026; RM062; RM023.

¹⁰¹⁷ RM023.

¹⁰¹⁸ RM003; RM023.

¹⁰¹⁹ RM080.

¹⁰²⁰ RM023.

¹⁰²¹ 65ter07127, p.1.

¹⁰²² RM026; RM023; RM038; RM060; RM064; RM045.

¹⁰²³ RM078.

¹⁰²⁴ 65ter07128; 65ter09852, p.139; RM080; RM003; RM023; RM078.

¹⁰²⁵ PAF877.

¹⁰²⁶ PAF878.

¹⁰²⁷ PAF879.

¹⁰²⁸ RM056.

May 1992, eight men were shot dead in the basement of a house in Kamičani by Bosnian Serb Forces when their place of refuge was discovered (A6.3).¹⁰³⁰ Colonel Dragan MARČETIĆ reported to TALIĆ that Bosnian Serb forces had killed 800 people from Kozarac during the operation.¹⁰³¹ Kozarac was renamed *Radmilovo*, after Radmilo ZELJAJA, and his soldiers replaced a sign-post accordingly.¹⁰³²

381. After these operations, TALIĆ commended the 1KK 43rd Brigade for the “determination, courage, and competence they demonstrated in fighting against paramilitary formations in Hambarine, Kozarac and Prijedor.”¹⁰³³ The 1KK Command reported to the Main Staff that, after the actions in Kozarac, Ključ and Sanski Most, some conscripts of Muslim nationality had asked to be released from their units, and had expressed “their dissatisfaction with the massive destruction of their towns.”¹⁰³⁴

382. After a group of lightly-armed Muslims attempted to re-take Prijedor town on 30 May, Bosnian Serb Forces responding with overwhelming and indiscriminate force, fired on the Muslim-inhabited ancient old town, including both mosques, ordered non-Serbs out of their houses, and put them on buses to take them to the Omarska, Keraterm and Trnopolje camps.¹⁰³⁵

383. ZELJAJA told TALIĆ on 30 May that they had captured “the commander of the Turks” and that “from now on he will not spare neither women nor children but is cleansing everything and that Prijedor will be theirs whatever the losses.”¹⁰³⁶ On 1 June 1992 the 1KK Command reported to the Main Staff that its units were “mopping up” the terrain,¹⁰³⁷ and, later that day, that “Prijedor is under our control, but individual actions continue”.¹⁰³⁸ MLADIĆ noted that TALIĆ told him on 1 June 1992 that “there are no major problems. Prijedor is under control” and that more than 300 “Green Berets and HOS” had been captured.¹⁰³⁹

¹⁰²⁹ RM078; RM094; RM002; RM056; 65ter06601.

¹⁰³⁰ RM047.

¹⁰³¹ RM078; 65ter08797.

¹⁰³² RM080; RM062; RM078.

¹⁰³³ 65ter03036,p.2.

¹⁰³⁴ 65ter03036.

¹⁰³⁵ RM080.

¹⁰³⁶ 65ter 22233.

¹⁰³⁷ 65ter14213.

¹⁰³⁸ 65ter02839.

¹⁰³⁹ 65ter19582,at p.43.

384. On 20 July 1992, Bosnian Serb Forces launched an attack on the Brdo area; approximately 20,000 non-Serbs were removed from Hambarine and nearby Ljubija.¹⁰⁴⁰ In the aftermath, Muslim men who were ordered to assist the Bosnian Serb Forces in collecting dead bodies loaded 300-350 bodies onto trucks. Bosnian Serb Forces shot many men on the Zeger bridge between Čarakovo and Gomjenica and pushed them into the river.¹⁰⁴¹ (A6.5;A6.6).¹⁰⁴²

385. On 24 July 1992, Bosnian Serb Forces launched an attack on Briševo and entered Briševo the next day. During this attack, at least 68 persons were killed, 14 of whom were women (A6.9).¹⁰⁴³

386. Beginning around 21 July 1992, over 100 non-Serb men were transported in buses to the Serb Command Post in Miška Glava (C15.5) where they were beaten, tortured and some killed.¹⁰⁴⁴ On or around 25 July 1992 men detained at Miška Glava were taken in buses to the Ljubija football stadium where they were beaten by Serb policemen and 1KK soldiers.¹⁰⁴⁵ Some were killed (A6.8).¹⁰⁴⁶ The remainder were driven to the “Kipe” mine where they were summarily executed (A6.7).¹⁰⁴⁷ Two survived.¹⁰⁴⁸ On the same day, 1KK reported to the Main Staff that “energetic action has been taken” against “extremists” in areas including Ljubija.¹⁰⁴⁹ 1KK also reported that “[i]n the area of [...] Čarakovo village and Zecovi village (3 km east of Ljubija) several groups of Muslim extremists were detected and the mop-up of these areas continues.”¹⁰⁵⁰ On 26 July 1992 the 1KK informed the Main Staff of the elimination of “extremists” in the area.¹⁰⁵¹

387. Serb police and 1KK units detained thousands of non-Serb civilians in a number of facilities in Prijedor municipality.¹⁰⁵² Prijedor SJB reported that more than 5,500 persons were fully processed, and 6,000 “informational interviews” had been

¹⁰⁴⁰ RM003; RM038; RM060; RM045; RM064.

¹⁰⁴¹ RM023.

¹⁰⁴² PAF898-904.

¹⁰⁴³ RM003.

¹⁰⁴⁴ RM045; RM064.

¹⁰⁴⁵ RM064; RM045.

¹⁰⁴⁶ RM064; RM045.

¹⁰⁴⁷ RM064; RM045.

¹⁰⁴⁸ RM064; RM045.

¹⁰⁴⁹ ERN 0110-5136-0110-5138.

¹⁰⁵⁰ 65ter05987.

¹⁰⁵¹ 65ter16505.

conducted at Omarska, Keraterm and Trnopolje detention camps.¹⁰⁵³ Captured men from Hambarine and Kozarac were taken to Keraterm and Omarska, while the women and elderly were sent to Trnopolje.¹⁰⁵⁴

388. Bosnian Serb police, with assistance from the 1KK,¹⁰⁵⁵ operated Omarska (C15.2) from 25 May until late August 1992.¹⁰⁵⁶ Detainees were beaten on arrival and frequently thereafter,¹⁰⁵⁷ and many were killed at Omarska and at various places outside the camp (B13.2-B13.4).¹⁰⁵⁸ Many were raped.¹⁰⁵⁹ Hygiene was poor.¹⁰⁶⁰ Food and water were scarce.¹⁰⁶¹ On 6 August 1992, foreign journalists were allowed into the camp after KARADŽIĆ approved it.¹⁰⁶² 1KK personnel provided assistance to facilitate the visit.¹⁰⁶³ Detainees were warned not to complain about their conditions of detention.¹⁰⁶⁴

389. In early August 1992 1,460 detainees were transferred from Omarska to the VRS-run Manjača camp.¹⁰⁶⁵ On 7 August 1992 the 1KK reported to the Main Staff that “[t]here were deaths during [the] transport to the [Manjača] camp.”¹⁰⁶⁶ On 28 August 1992, DRLJAČA informed the CSB that 1,335 “prisoners of war” had been moved to Manjača.¹⁰⁶⁷

390. Keraterm (C15.3) operated from 25 May until 21 August 1992.¹⁰⁶⁸ The 1KK was involved in the camp’s operation and reported on its activities there to the Main Staff.¹⁰⁶⁹ There was little food, inadequate ventilation and poor hygiene.¹⁰⁷⁰ Detainees

¹⁰⁵² Schedule C 15.2-15.5; 65ter16582; 65ter06773.

¹⁰⁵³ 65ter16582; 65ter06773.

¹⁰⁵⁴ RM078; RM056; RM054; RM002.

¹⁰⁵⁵ 65ter07131; 65ter16582; 65ter10847; 65ter06773.

¹⁰⁵⁶ 65ter09877, p.5.

¹⁰⁵⁷ RM080; RM033; RM017; RM054; RM056; RM065; RM057; RM080; RM033.

¹⁰⁵⁸ RM057; RM080; RM033; RM054; RM065; RM077; RM008; RM017 RM094.

¹⁰⁵⁹ RM033.

¹⁰⁶⁰ PAF970; PAF981.

¹⁰⁶¹ PAF973.

¹⁰⁶² RM516.

¹⁰⁶³ RM516.

¹⁰⁶⁴ RM078.

¹⁰⁶⁵ 65ter05989, p.1; 65ter06773; 65ter16582; 65ter07131.

¹⁰⁶⁶ 65ter05989, p.1.

¹⁰⁶⁷ 65ter07015,p.1.

¹⁰⁶⁸ 65ter09877, p.5.

¹⁰⁶⁹ 65ter16627; 65ter05987; 65ter16505.

¹⁰⁷⁰ PAF1033-1037.

were beaten on arrival and frequently thereafter.¹⁰⁷¹ Some were raped.¹⁰⁷² Many died in the camp and at various places after they were removed from the camp (B13.3).¹⁰⁷³ On or about 24 July 1992, an army unit came into the camp and set up a machine gun outside “Room 3”, and executed 150 detainees (B13.1).¹⁰⁷⁴

391. Trnopolje (C15.4) was established at the same time that Omarska and Keraterm were opened.¹⁰⁷⁵ It functioned until November 1992.¹⁰⁷⁶ KURUZOVIĆ was in charge.¹⁰⁷⁷ The camp operated as a transfer facility through which Serb authorities expelled non-Serbs.¹⁰⁷⁸ There was no running water, beds or blankets and only limited lavatory facilities.¹⁰⁷⁹ Serb soldiers beat detainees.¹⁰⁸⁰ Some were raped.¹⁰⁸¹ Many were killed at the camp and at various places after they were removed from the camp (B13.5).¹⁰⁸²

392. Killings were perpetrated on a massive scale against the non-Serb population of Prijedor;¹⁰⁸³ more than 1,500 people were killed in the municipality between 30 April and 30 September 1992.¹⁰⁸⁴ The 1KK Command observed on 22 August 1992: “[o]ne thing is certain: we are already starting to feel the cost of the needless spilling [of] Muslim blood.”¹⁰⁸⁵

393. On 27 May 1993, Colonel BOGOJEVIĆ told **MLADIĆ** that, at a meeting attended by SUBOTIĆ, ARSIĆ and DRLJAČA, he wanted to get rid of 5,000 Muslim bodies (“by burning, grinding or some other way”) which had been buried at Tomasića mine (a short distance from Omarska and Keraterm). **MLADIĆ**’s position was “They killed them, so they should get rid of them”, that an investigation be

¹⁰⁷¹ RM083; RM008; RM026; RM002.

¹⁰⁷² RM033.

¹⁰⁷³ RM002; RM008; RM083; RM023; RM056; RM078; RM047; 65ter05987; 65ter03377.

¹⁰⁷⁴ RM083; RM008; RM002.

¹⁰⁷⁵ 65ter16582; 65ter06773.

¹⁰⁷⁶ 65ter09877, p.5.

¹⁰⁷⁷ PAF844,1063.

¹⁰⁷⁸ 65ter09877, pp..5-6.

¹⁰⁷⁹ RM056; RM047.

¹⁰⁸⁰ RM056; RM047.

¹⁰⁸¹ RM056; RM047.

¹⁰⁸² RM023; RM056; RM078; RM047.

¹⁰⁸³ PAF872.

¹⁰⁸⁴ PAF873.

¹⁰⁸⁵ 65ter05994.

launched “and the information retained well to prevent it getting into the hands of unauthorised people”.¹⁰⁸⁶

394. On 26 November 1993, KARADŽIĆ acknowledged the efforts of the 1KK’s 43rd Brigade and 5th Kozara Brigade in the fight for the freedom of the Serbian people, and issued awards to ZELJAJA and others.¹⁰⁸⁷

Rogatica

395. In 1991 the ethnic composition of Rogatica was 60% Muslim, 38% Serb and 2% other.¹⁰⁸⁸ By the end of 1992, the Muslim population had largely been expelled.¹⁰⁸⁹ The VRS Rogatica Brigade, commanded by Rajko KUŠIĆ,¹⁰⁹⁰ who was also a member of the Rogatica Crisis Staff,¹⁰⁹¹ took control of the municipality in an operation started on 22 May 1992. KUŠIĆ’s volunteers operated first under the command of JNA’s 216th Brigade.¹⁰⁹²

396. MLADIĆ met with Rogatica representatives on 17 May 1992 and noted quantities of mortars and artillery.¹⁰⁹³ On 22 May 1992, Rogatica TO became the SRK’s Rogatica Brigade.¹⁰⁹⁴ The Crisis Staff said that the integration of the Rogatica TO into the VRS was “in no way aimed at separating the Crisis Staff from the Army, because the Army will be assisted in every possible way...since the Army and the Crisis Staff have joint tasks regarding the Serbian people.”¹⁰⁹⁵

397. The same day, the Rogatica Brigade attacked Muslim areas of Rogatica town,¹⁰⁹⁶ directly targeting unarmed civilians including women and children.¹⁰⁹⁷ KUŠIĆ ordered the “mopping-up” of villages in the municipality.¹⁰⁹⁸ He ordered all

¹⁰⁸⁶ 65ter19587.

¹⁰⁸⁷ 65ter13506.

¹⁰⁸⁸ 65ter02559.

¹⁰⁸⁹ 65ter02418, p.69.

¹⁰⁹⁰ 65ter08945; 65ter08597; 65ter08979; 65ter08208; 65ter09316.

¹⁰⁹¹ 65ter08597.

¹⁰⁹² 65ter22430.

¹⁰⁹³ 65ter19581,p. 354.

¹⁰⁹⁴ 65ter09022.

¹⁰⁹⁵ 65ter08597.

¹⁰⁹⁶ RM081; RM069.

¹⁰⁹⁷ RM040.

¹⁰⁹⁸ 65ter09316.

units to “carry out destruction of personnel without hesitation” and “open fire from all available weapons.”¹⁰⁹⁹

398. KUŠIĆ provided regular updates to the “Supreme Command of the Serbian Republic of BiH”¹¹⁰⁰ and to the SRK Command.¹¹⁰¹ On 29 June, MLADIĆ met with the President of the Serb Municipality of Rogatica, Tomislav BATINIĆ, and discussed KUŠIĆ’s men.¹¹⁰² On 30 July 1992, the SRK commander discussed with MLADIĆ payment for the Rogatica brigade, and appointment of an officer to it.¹¹⁰³ On 24 September 1992, IBK Commander ILIĆ told MLADIĆ that “the Rogatica Brigade has very motivated men.”¹¹⁰⁴ By December 1992, all Rogatica’s mosques had been destroyed (D12).¹¹⁰⁵

399. Non-Serbs were detained at the Veljko Vlahović Secondary School (C16.1),¹¹⁰⁶ commanded by KUŠIĆ.¹¹⁰⁷ The facility grew to hold about 1,100 people.¹¹⁰⁸ Soldiers and guards repeatedly raped and sexually assaulted detainees.¹¹⁰⁹

400. Rasadnik detention facility (C16.3) was operated by RS MUP and VRS officials. Between August 1992 and October 1992, RS MUP officers guarded the detainees.¹¹¹⁰ Sometime around October KUŠIĆ appointed Vinko BOJIĆ to command the facility and military police took over security.¹¹¹¹ KUŠIĆ visited Rasadnik on several occasions and exercised control over the facility.¹¹¹² Rasadnik remained in operation until sometime in 1994, during which time detainees were used as human shields,¹¹¹³ severely beaten,¹¹¹⁴ sexually assaulted and raped.¹¹¹⁵

¹⁰⁹⁹ 65ter09316.

¹¹⁰⁰ 65ter0880.

¹¹⁰¹ 65ter08309, 65ter08523, 65ter08961, 65ter08834, 65ter09097, ERN 0642-9676-0642-9676.

¹¹⁰² 65ter19582, p. 240-241.

¹¹⁰³ 65ter19582 p. 386.

¹¹⁰⁴ 65ter19584, p. 121.

¹¹⁰⁵ RM618; RM039.

¹¹⁰⁶ RM081; RM069.

¹¹⁰⁷ RM081.

¹¹⁰⁸ RM081.

¹¹⁰⁹ RM040.

¹¹¹⁰ RM039.

¹¹¹¹ RM039.

¹¹¹² RM039.

¹¹¹³ RM039; RM041.

¹¹¹⁴ RM039; RM041.

¹¹¹⁵ RM039.

401. On 15 August 1992, on the orders of KUŠIĆ, 27 men from Rasadnik¹¹¹⁶ were put in a truck and driven to woods thirty minutes away from the facility where they were met by KUŠIĆ and a group of Serb soldiers.¹¹¹⁷ Dragoje PAUNOVIĆ, “Špiro” (convicted in 2006 for this incident by the BiH State Court) ordered the soldiers to kill the prisoners.¹¹¹⁸ At least 24 were killed (B14.2).¹¹¹⁹ In 1994, KUŠIĆ (then of the DK’s 1st Podrinje Light Infantry Brigade Command) recommended the driver of the truck, Radislav LJUBINAC, for promotion, citing his “exceptional bravery” during the “Serb liberation of Rogatica”.¹¹²⁰ KUŠIĆ reported to the Main Staff and the DK Command during the Srebrenica operation,¹¹²¹ and was present in Srebrenica on 22 August 1995 when MLADIĆ met General SMITH.¹¹²²

Sanski Most

402. Sanski Most municipality in 1991 had 28,136 Muslims, and 4,322 Croats.¹¹²³ In May 1993, RS MUP reported that 24,000 Muslims and 3,000 Croats had left.¹¹²⁴ By February 1995, Banja Luka RDB reported that 3,350 Muslims and 1,050 Croats remained.¹¹²⁵

403. The Serbs established a Crisis Staff on 15 January 1992 pursuant to Variant A/B,¹¹²⁶ which included Vlado VRKEŠ as President, Nedeljko RAŠULA (President of the Sanski Most Municipal Assembly and RS Assembly deputy) and Branko BASARA (6th Krajina Brigade Commander). The Crisis Staff implemented decisions from the ARK Crisis Staff.¹¹²⁷ There was close co-operation and communication between the civilian leadership, military leadership, and police in Sanski Most.¹¹²⁸ The SJBs operated under the command of CSB Banja Luka.¹¹²⁹ Sanski Most was in

¹¹¹⁶ RM037.

¹¹¹⁷ RM037.

¹¹¹⁸ RM037.

¹¹¹⁹ RM037.

¹¹²⁰ 65ter19952.

¹¹²¹ 65ter05618.

¹¹²² 65ter22667.

¹¹²³ 65ter02559.

¹¹²⁴ 65ter06370.

¹¹²⁵ 65ter06687.

¹¹²⁶ 65ter06453.

¹¹²⁷ RM015DD.

¹¹²⁸ RM015DD.

¹¹²⁹ RM015DD.

the 6th Krajina Brigade's AOR.¹¹³⁰ Under BASARA's command, the Brigade was subordinated to the 1KK.¹¹³¹

404. On 25 March 1992, VRKEŠ and RAŠULA declared all Serb territories in Sanski Most to be part of the Bosnian-Serb Republic.¹¹³² The Crisis Staff stated that only the Constitution and laws of the Bosnian-Serb Republic would be in effect in the territory of Serb Sanski Most,¹¹³³ declared the former municipal assembly illegal,¹¹³⁴ and dismissed Muslims and Croats from their jobs.¹¹³⁵

405. On 17 April 1992, Stojan ŽUPLJANIN, Chief of CSB Banja Luka, ordered the division of the police along ethnic lines. Police officers were ordered to wear the insignia of the Bosnian-Serb Republic and sign a declaration of loyalty. Only Serbs signed.¹¹³⁶ Non-Serb police officers and SDA leaders took refuge in the municipality building, where negotiations between the political parties continued. On 19 April, the Crisis Staff addressed an ultimatum to those inside.¹¹³⁷ The 6th Krajina Brigade surrounded and then attacked the building; those inside fled to surrounding villages. RAŠULA dismissed Muslim and Croat officers from the police force.¹¹³⁸

406. The Sanski Most Crisis Staff formed secret units known as the "left bank" and "right bank" staffs to "synchronize the activities of paramilitary units who were situated on the left (and, respectively, right) coast of the Sana river."¹¹³⁹ After 15 July 1992, paramilitary forces, including these secret units, were subordinated to the command of the 6th Krajina Brigade.¹¹⁴⁰

407. On 25 May 1992, Sanski Most radio called on Muslims to surrender their weapons. The 6th Krajina Brigade collected the weapons,¹¹⁴¹ warning villagers that failure to disarm would result in their villages being shelled.¹¹⁴² The broadcasts also

¹¹³⁰ 65ter11293

¹¹³¹ RM015DD.

¹¹³² RM043; 65ter06547; 65ter06539; 65ter06544.

¹¹³³ 65ter65ter06409.

¹¹³⁴ 65ter06407; RM015DD.

¹¹³⁵ RM015DD; 65ter03304; 65ter06569; 65ter06406; RM408.

¹¹³⁶ RM015; RM043; RM090.

¹¹³⁷ RM076.

¹¹³⁸ RM043; RM015DD; 65ter06412.

¹¹³⁹ RM015DD.

¹¹⁴⁰ RM015DD.

¹¹⁴¹ RM007; RM028; 65ter06493; 65ter06587; RM001.

¹¹⁴² RM001.

called on several wealthy Muslims and Muslim intellectuals to surrender.¹¹⁴³ On or around 25 May, the 6th Krajina Brigade and the Serb TO launched an artillery attack on the Muslim settlements of Mahala, Muhići, and Otoka. Serb soldiers forced Mahala residents to gather at a training ground and then shelled the village.¹¹⁴⁴

408. From late May 1992, Bosnian Serb Forces arrested and detained Croat and Muslim leaders at a number of detention centres,¹¹⁴⁵ some of whom were killed.¹¹⁴⁶ The transport of prisoners from detention centres in Sanski Most to camps was a joint effort between police and military. SJB Chief Mirko VRUŠINIĆ, RAŠULA and Sanski Most TO Commander Colonel Neđo ANIČIĆ were responsible for classifying and transporting prisoners to Manjača camp. On 4 June 1992, the Crisis Staff decided that detained persons for transfer to Manjača camp would be categorised as follows: “politicians,” “nationalist extremists,” and people “unwelcome” in Sanski Most municipality.¹¹⁴⁷ VRKEŠ noted that Muslims had to be resettled so that Sanski Most could become a purely Serb town.¹¹⁴⁸

409. Around 31 May 1992, the 6th Krajina Brigade Military Police, along with a paramilitary formation, forced at least 20 non-Serb men to walk to the bridge over the Sana River in Vrhpolje. Four men were murdered en route.¹¹⁴⁹ At the bridge, the remaining men were forced to strip and jump into the water where they were shot (A7.1).¹¹⁵⁰ Also at the end of May 1992, a group consisting largely of women and children was shot in a garage in the village of Hrustovo (A7.2).¹¹⁵¹ The following day, BASARA issued a disciplinary order, but no disciplinary action was taken.¹¹⁵²

410. Around 27 June 1992, local Serb reservists under the command of Željko KARANović separated the men from the women in Kenjari village.¹¹⁵³ Approximately 20 unarmed men were killed in a house that was subsequently set on

¹¹⁴³ RM090.

¹¹⁴⁴ 65ter06572; RM015DD.

¹¹⁴⁵ RM015DD; 65ter06544; RM043.

¹¹⁴⁶ RM015DD.

¹¹⁴⁷ 06408; RM015DD; 65ter05981; RM016DD.

¹¹⁴⁸ RM016DD.

¹¹⁴⁹ RM007.

¹¹⁵⁰ RM007; RM706; RM708; RM015.

¹¹⁵¹ RM042; RM706; 65ter06701.

¹¹⁵² RM015DD.

¹¹⁵³ RM028.

fire (A7.3).¹¹⁵⁴ The crime was committed with the knowledge of the command in Kljevci.¹¹⁵⁵

411. In June or July 1992, Lukavica mosque was blown up (D13).¹¹⁵⁶ Around 1 August 1992, members of the 6th Krajina Brigade, killed a number of men from the hamlet of Budin, Lukavica village (A7.4).¹¹⁵⁷ In September 1992, convoys of thousands of Muslims, under the escort of civilian and military police, left the municipality.¹¹⁵⁸

412. Around 2 November 1992, 1KK and 6th Krajina Brigade soldiers beat¹¹⁵⁹ a group of approximately 7 Croat men and then killed all but one of them near the village of Skrljevita (A7.5).¹¹⁶⁰ One perpetrator (Kajtez) was later arrested, but released¹¹⁶¹ after Vlado VRKEŠ and Captain Ostoja ČUKOVIĆ wrote to the Banja Luka Military Court requesting his release because “he was a Serb and the fact that he killed Croats meant nothing.”¹¹⁶²

413. Command and control within the VRS functioned effectively. BASARA received and carried out orders from the 1KK command, and sent daily reports to the 1KK who in turn informed the Main Staff and RS Presidency.¹¹⁶³ Despite widespread knowledge of serious crimes against non-Serbs, disciplinary measures were not taken, whereas incidents involving Serb victims were “aggressively investigated and prosecuted.”¹¹⁶⁴

Sokolac

414. In 1991 the ethnic composition of Sokolac was 66% Serb, 33% Muslim and 1% other. Almost no Muslims remained after the conflict.¹¹⁶⁵

415. On 13 February 1992, Momčilo MANDIĆ directed the Sokolac SJB to prepare for a Serb MUP.¹¹⁶⁶ In late February 1992, TO weapons were distributed to Serb

¹¹⁵⁴ RM028.

¹¹⁵⁵ RM028.

¹¹⁵⁶ RM618; 65ter13410.

¹¹⁵⁷ RM001.

¹¹⁵⁸ RM408; 65ter08052; 65ter07023.

¹¹⁵⁹ RM082.

¹¹⁶⁰ RM082.

¹¹⁶¹ RM015DD, ERN 0215-7430, RM016DD.

¹¹⁶² RM015DD; RM016DD.

¹¹⁶³ 65ter03024; 65ter02839; 65ter08030; 65ter02721.

¹¹⁶⁴ RM016DD.

civilians, according to lists.¹¹⁶⁷ The military presence in Sokolac rapidly increased,¹¹⁶⁸ and included well-armed JNA units, with tanks.¹¹⁶⁹ The police force of SAO Romanija was formed and announced at Sokolac stadium.¹¹⁷⁰ Zoran CVIJETIĆ, chief of Sokolac SJB, dismissed all Muslim police officers.¹¹⁷¹

416. On 17 May 1992, KARADŽIĆ, KRAJIŠNIK, and **MLADIĆ** (who took extensive notes)¹¹⁷² met regional and municipal Serb representatives in Sokolac.¹¹⁷³ The Serb leaders emphasised that the time was ripe for the demarcation of the areas between Croats, Serbs and Muslims because “a common state with them is no longer possible.”¹¹⁷⁴

417. From late July to late September 1992, the SRK’s 2nd Motorized Romanija Brigade, under the overall command of Radislav KRSTIĆ, attacked and destroyed Muslim villages in Sokolac. (The brigade was later incorporated into the DK;¹¹⁷⁵ KRSTIĆ became DK Commander on 13 July 1995). During an attack on Meljine, seven women were killed, three by having their throats cut.¹¹⁷⁶

418. The Brigade disarmed the village of Novoseoci on 27 July 1992.¹¹⁷⁷ On 22 September 1992, the Brigade, under the command of Momčilo PAJIĆ,¹¹⁷⁸ surrounded the village and ordered the villagers to walk to the Metalka factory.¹¹⁷⁹ There were about 100 women and children, and 44 men.¹¹⁸⁰ The Serb soldiers put the women and children on buses bound for Sarajevo,¹¹⁸¹ and executed the men (A8.1).¹¹⁸² KRSTIĆ informed the Main Staff on 22 September 1992 that “During the day, the village of

¹¹⁶⁵ 65ter10666.

¹¹⁶⁶ 65ter10667.

¹¹⁶⁷ RM031.

¹¹⁶⁸ RM031.

¹¹⁶⁹ RM031.

¹¹⁷⁰ RM031.

¹¹⁷¹ RM036; RM031; 65ter02386,p.164.

¹¹⁷² 65ter19581, p..348-356.

¹¹⁷³ 65ter06860; 65ter19581,p.349-355.

¹¹⁷⁴ 65ter06860.

¹¹⁷⁵ 65ter09814.

¹¹⁷⁶ RM036.

¹¹⁷⁷ 65ter06861.

¹¹⁷⁸ RM079.

¹¹⁷⁹ RM079.

¹¹⁸⁰ RM079; RM085.

¹¹⁸¹ RM085; RM036.

¹¹⁸² RM085; RM036. See also exhumation report: ENG X008-8923-X008-8933, 65ter27161,

Novoseoci was cleansed.”¹¹⁸³ In September 1995, KRSTIĆ recommended to the Main Staff that PAJIĆ be promoted.¹¹⁸⁴

Vlasenica

419. The 1991 ethnic composition of Vlasenica municipality was 55% Muslim, 42% Serb and 3% other.¹¹⁸⁵ After the war, it was 0.2% non-Serb.¹¹⁸⁶

420. On or about 21 April 1992, JNA soldiers¹¹⁸⁷ took over the town of Vlasenica with the assistance of local armed Serbs under Crisis Staff command.¹¹⁸⁸ Units under the Crisis Staff were integrated into the IBK’s 1st Birač Brigade in late May 1992.¹¹⁸⁹ Crisis Staff and Municipal Assembly president Milenko STANIĆ told MLADIĆ and KARADŽIĆ on 30 June 1992 that “we have defined the western boundaries in the area of the Birač region”, and referred to the large number of people who had “fled”.¹¹⁹⁰

421. On 28 May 1992, Major Svetozar ANDRIĆ, commander of the IBK’s 1st Birač Brigade, ordered that “the moving out of the Muslim population must be organised and co-ordinated with the municipalities through which the moving is carried out. Only women and children can move out, while men fit for military service are to be placed in camps for exchange.”¹¹⁹¹

422. ANDRIĆ briefed MLADIĆ about the 3,000-man Birač Brigade on 25 June 1992, noting that large quantities of ammunition had been expended,¹¹⁹² and briefed him again at an IBK conference on 15 September 1992.¹¹⁹³

423. Sušica camp (C19.3) was established on 31 May 1992 by ANDRIĆ.¹¹⁹⁴ On 14 June 1992, ANDRIĆ reported to the IBK Command that in Vlasenica they had 640 prisoners.¹¹⁹⁵ STANIĆ told MLADIĆ on 25 June: “we launched an operation on 21

¹¹⁸³ 65ter05998.

¹¹⁸⁴ 65ter19977.

¹¹⁸⁵ 65ter02559.

¹¹⁸⁶ 65ter11102; RM619.

¹¹⁸⁷ RM067.

¹¹⁸⁸ RM067; 65ter02863.

¹¹⁸⁹ 65ter02863; 65ter02872.

¹¹⁹⁰ 65ter19582, p.246.

¹¹⁹¹ 65ter05980.

¹¹⁹² 65ter19582, p.234.

¹¹⁹³ 65ter19584, p.44.

¹¹⁹⁴ *Krajišnik* TJ, para.353; 65ter02907.

¹¹⁹⁵ 65ter02873.

April 1992. A large number said they wanted to move away. Over 800 prisoners, 200 of whom are women and children, who were brought last night, pose a problem.”¹¹⁹⁶ The IBK command also informed MLADIĆ that they were holding around 800 prisoners in Vlasenica.¹¹⁹⁷ This is consistent with the number held in Sušica, where from late May to 30 September 1992, hundreds of Muslim civilians were detained.¹¹⁹⁸ From June 1992 until about 30 September 1992, Dragan NIKOLIĆ was Commander of Sušica,¹¹⁹⁹ and camp warden was Veljko BAŠIĆ. The guards were members of the Vlasenica RS MUP and VRS.¹²⁰⁰ NIKOLIĆ subjected detainees to inhumane and degrading treatment which included frequent beatings and forced labour; at least nine men were killed (B16.1).¹²⁰¹

424. As camp commander, NIKOLIĆ was in daily contact with the Vlasenica Crisis Staff,¹²⁰² and members of the Crisis Staff visited the camp.¹²⁰³ The Crisis Staff made decisions concerning the camp and detainees, such as decisions on release, visits, and exchanges.¹²⁰⁴ When the ICRC visited the camp in July 1992, Velibor OSTOJIĆ escorted the aid workers.¹²⁰⁵

425. On 30 September 1992, KARADŽIĆ delivered a speech at a funeral for 28 Serb soldiers in Vlasenica, stating that the executioners of the soldiers should never be forgiven.¹²⁰⁶ That evening, three MUP officers killed the remaining 140 detainees in Sušica camp (B16.2). Vlasenica Crisis Staff ordered the dismantling of the camp and concealment of its traces.¹²⁰⁷

426. RS MUP disarmed the Muslim hamlet of Drum, on the outskirts of Vlasenica town before heavily armed VRS, RS MUP and local Serbs attacked Drum on 2 June 1992.¹²⁰⁸ Soldiers dragged inhabitants from their houses and killed ten men during the

¹¹⁹⁶ 65ter19582, p. 229.

¹¹⁹⁷ 65ter02876.

¹¹⁹⁸ 65ter02907.

¹¹⁹⁹ RM066.

¹²⁰⁰ RM066.

¹²⁰¹ *Krajišnik* TJ, para.353; RM067; RM049.

¹²⁰² RM066.

¹²⁰³ RM066.

¹²⁰⁴ *Krajišnik* TJ, para.353.

¹²⁰⁵ RM066.

¹²⁰⁶ 65ter22291.

¹²⁰⁷ *Krajišnik* TJ, paras.357,720; RM066.

¹²⁰⁸ RM066; RM004.

attack (A9.1).¹²⁰⁹ The women, children and old men were loaded onto a bus, and transferred to Sušica; some were transferred after a month to Batković, from where they were exchanged several months later.¹²¹⁰

INDEX OF PRE-TRIAL BRIEF AND ANNEX A

1	Bijeljina	20, 34, 55, 77, 116, 121, 122
10 th Sabotage Detachment.....	BILDT, Karl	95, 96
16 th Session	Biljani	39, 128, 129
17 th Light Infantry Brigade.....	Birač.....	15, 24, 34, 35, 74, 148
1 st Krajina Corps ...	Bjelašnica.....	25
14, 15, 32, 36, 37, 40, 58, 59, 60,	BOERING, Pieter	88
108, 114, 116, 119, 120, 121, 128, 129, 130, 131,	BOGOJEVIĆ, Stevan	140
132, 135, 136, 137, 138, 139, 140, 141, 144, 146	Bogovići mosque.....	134
	BOJIĆ, Vinko	142
2	BOROVČANIN, Ljubiša	84, 86
2 nd Military District.....	Bosanska Krupa	14, 33
	Bosanski Novi.....	32
3	Bosanski Petrovac.....	33
30 th Personnel Centre	Bosnian Serb Army..	5, 6, 7, 9, 11, 12, 13, 14, 15, 16,
	17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 35,	
4	36, 37, 38, 39, 40, 42, 43, 45, 46, 47, 48, 53, 54,	
4 th Corps.....	55, 56, 58, 59, 60, 63, 65, 66, 68, 69, 70, 74, 75,	
	76, 78, 79, 80, 81, 82, 84, 85, 86, 87, 88, 89, 90,	
5	91, 92, 94, 95, 96, 97, 98, 99, 101, 103, 104, 105,	
5 th Podrinje Light Infantry Brigade	107, 108, 111, 112, 113, 114, 115, 116, 121, 122,	
	124, 125, 126, 127, 128, 129, 131, 132, 135, 139,	
	141, 142, 146, 149	
	Bosnian Serb Leadership...6, 7, 9, 11, 12, 13, 16, 18,	
	19, 23, 24, 25, 28, 40, 41, 42, 45, 47, 53, 66, 74,	
	75, 76, 77, 78, 81, 84, 93, 105, 116	
	BRČIĆ, Nikola.....	123
	Brčko	34
	BRĐANIN, Radoslav.....	49, 60
	Branjevo.....	96, 97, 99, 117
	Bratunac....	14, 15, 34, 45, 49, 74, 75, 77, 82, 83, 85,
	86, 88, 89, 91, 92, 94, 95, 96, 98, 99, 101, 114	
	Bratunac-Konjević Polje	82
	Brdo	138
	Briševo.....	138
	Budin	146
	Buk Bijela	123
	Butmir	46, 47, 61, 125
	C	
	Central Exchange Commission	45, 46, 47, 125
	CEROVIĆ.....	96
	Cerska	54, 55, 56, 57, 98, 99, 107
	Committed	1, 52, 71, 101, 114
	Contact Group.....	24
	Crisis Staffs.....	18, 19, 27, 40, 47, 48, 50, 51, 52, 53,
	58, 59, 62, 70	
	Crna Rijeka	93, 94, 97, 98
	Crna Rijeka Headquarters	94
	CSB..	15, 92, 108, 112, 114, 119, 130, 139, 143, 144
	CVIJETIĆ, Zoran.....	147
	D	
	DERONJIĆ, Miroslav.....	52
	Dobrinja	63

¹²⁰⁹ RM004.

¹²¹⁰ RM004.

Drina Corps.. 6, 15, 24, 32, 34, 54, 56, 57, 74, 75, 78,
79, 80, 85, 86, 88, 91, 93, 96, 98, 99, 108, 116,
143, 147
Drum..... 149

E

East Bosnia Corps.. 32, 34, 36, 54, 55, 122, 142, 148
Eastern Bosnia 15, 34, 53, 116

F

Federal Republic of Yugoslavia 27, 74
First Strategic Objective..... 36
Foča 35, 39, 47, 49, 54, 55, 115, 122, 123, 124, 125,
126, 127
Foča High School..... 123
Fourth Strategic Objective 57
FURTULA, Radomir 96

G

GALIĆ, Stanislav..... 33, 59, 65
Genocide..... 101
Glogova..... 114
Godinjska Bare..... 99, 100
Goražde... 15, 24, 25, 35, 54, 55, 56, 57, 77, 78, 104,
105, 107
Grabovica..... 114, 132
Grbavica..... 70
GVERO, Milan 29, 45, 81, 108

H

Hadžići..... 61
Hambarine..... 15, 116, 136, 137, 138, 139
Hasan Kikić..... 120
Hasan Kikić Elementary School..... 120
Herzegovina Corps..... 32, 34, 35, 54, 55, 124
Holiday Inn 18
Hostages..... 6, 103
Hotel Fontana..... 84, 86, 87, 91
Hrustovo 145

I

ICRC..... 95, 121, 122, 149
ILIĆ, Dragutin 34, 54, 122, 142
Iliđa 14, 33, 37, 49, 61, 62, 70, 125
IVANOVIĆ, Boro..... 34, 86, 96
IZETBEGOVIĆ 13

J

Jahorina..... 25
JANJETOVIĆ, Mile 40
JANKOVIĆ, Gojko..... 123
Jelašačko Polje..... 126
JNA... 6, 9, 10, 12, 18, 19, 20, 22, 23, 25, 26, 27, 28,
29, 32, 33, 34, 35, 48, 53, 58, 61, 62, 65, 66, 70,
111, 128, 134, 135, 141, 147, 148
JNA 2nd Military District 20, 28, 66
JNA 4th Corps 33
JNA 5th Corps 32
Joint Criminal Enterprise 6, 9, 14, 16, 25, 41, 52, 61,
66, 67, 68, 69, 70, 71, 74, 75, 76, 77, 80, 84, 85,
101, 102, 103
JOKIĆ..... 94, 96

K

Kalinovik 35, 54, 55, 124, 126, 127
Kalinovik Elementary School 126, 127
Kamenica 57
Kamičani..... 136
KARADŽIĆ, Radovan.. 5, 6, 7, 9, 10, 11, 12, 13, 14,
15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27, 39, 41,
42, 43, 44, 46, 49, 50, 52, 53, 54, 55, 59, 60, 61,
62, 63, 64, 65, 66, 69, 74, 75, 80, 81, 85, 93, 103,
105, 108, 114, 115, 121, 124, 126, 139, 141, 147,
148
KARANOVIĆ 145
KARANOVIĆ, Željko 145
KARREMANS 86, 87, 88
Kenjari 145
Keraterm..... 38, 137, 139, 140
KESEROVIĆ, Dragomir..... 98
Kipe 138
Ključ . 32, 33, 48, 49, 50, 58, 59, 119, 127, 128, 129,
130, 137
Ključ Crisis Staff 48
Knin 10
KOLJEVIĆ, Nikola..... 6, 12, 21, 42, 43, 65, 70
KONDIĆ, Vinko 50, 129
Konjević Polje..... 57, 91, 92, 93, 98
KOSORIĆ, Svetozar 87, 88
Kotor Varoš..... 15, 32, 58, 59, 130, 131, 132
KOVAČ, Marko..... 35, 124
KOVAČEVIĆ..... 119
Kozarac 15, 39, 116, 131, 136, 137, 139
Kozaruša 136
Kozluk..... 76, 96, 97
KP Dom 39, 46, 47, 61, 123, 125, 126
KP Dom Butmir 46, 47
KRAJIŠNIK, Momčilo . 6, 19, 20, 22, 41, 43, 46, 61,
65, 69, 105, 125, 147
Krajina 15, 18, 21, 32, 49, 58, 60, 114, 143, 144,
145, 146
Kravica..... 83, 92
Krivaja 95 80, 85
KRNOJELAC, Milorad 123
KRSTIĆ, Radislav 15, 80, 81, 85, 87, 92, 93, 96, 97,
99, 108, 117, 122, 147
KUŠIĆ, Rajko..... 15, 116, 141, 142, 143
KUKANJAC, Milutin 26, 66
Kula 37, 46, 55, 61, 96, 97, 121, 125, 126
KURUZOVIĆ, Slobodan 135, 140

L

Law on Internal Affairs..... 20, 112
Light Infantry Brigade 15, 130, 132, 143
Ljubija..... 39, 138
LJUBINAC, Radislav 143
Lukavica 104, 105, 146
LUKIĆ..... 91

M

MAKSIMOVIĆ, Vojislav 16
Mali Logor Military Prison 129
MALINIĆ, Zoran..... 92
MANDIĆ, Momčilo..... 6, 19, 20, 46, 61, 146
Manjača... 36, 37, 38, 39, 47, 60, 115, 119, 120, 121,
122, 126, 130, 139, 145
Metalka 147
Miška Glava..... 138
Miladin Radojević Primary School 126

MILANKOVIĆ, Veljko..... 40
 MILETIĆ, Radivoje..... 29, 95
 MILOŠEVIĆ..... 6, 9, 10, 16, 28, 33, 65, 95, 117
 MILOVANOVIĆ, Manojlo 17, 29, 44, 45, 108
 Ministry of Internal Affairs...6, 9, 19, 20, 24, 38, 39,
 50, 58, 59, 62, 65, 70, 74, 75, 84, 86, 99, 101,
 103, 111, 112, 113, 124, 127, 142, 146, 149
 Mješaja..... 123
 Mojmiilo hill..... 63
 Mount Igman..... 25

N

NATO 7, 67, 86, 95, 103, 104, 105, 106
 NIKOLIĆ, Drago 88, 90, 93, 101, 108, 149
 Nova Kasaba 91, 92, 93, 98, 99
 NOVAKOVIĆ, Milan..... 131, 132
 Novi Grad 14, 33, 37, 49, 61, 62, 133
 Novo Sarajevo..... 61, 62
 Novoseoci 15, 147
 NUHANOVIĆ, Ibro..... 88

O

OBRENOVIĆ, Dragan..... 95, 99, 117
 OMANOVIĆ, Čamila..... 88
 Omarska 18, 37, 38, 121, 137, 139, 140
 Orašje..... 24
 Orahovac..... 94, 96

P

Pale 33, 61, 62, 104, 134
 PANDUREVIĆ, Vinko..... 57, 84, 97, 117
 Paramilitary..... 70
 Partizan Hall 123
 Pero ELEZ 123, 124, 126, 127
 Perunica 95
 Petkovci 94, 96
 PETROVIĆ, Mile 41
 PEULIĆ, Boško 131
 Pilica 96, 97
 PLAVŠIĆ..... 6, 21, 42, 43, 65, 69, 111
 Podvitez mosque 134
 POPOVIĆ, Vujadin..... 88, 90, 92, 93, 94, 97, 98, 99,
 101, 119
 Potočari 75, 81, 82, 83, 84, 86, 87, 88, 89, 90, 91,
 100
 POW 37
 Prača mosque 134
 Prijedor 15, 32, 58, 59, 114, 116, 119, 121, 129, 131,
 135, 136, 137, 138, 140
 Prijedor Municipal Board..... 135
 Prnjavor..... 40
 PRSTOJEVIĆ, Nedeljko..... 62
 Puđin Han 129

R

RAŠULA, Nedjeljko..... 143, 144, 145
 Radmilo ZELJAJA..... 135, 136, 137, 141
 Rajlovac 14, 37, 49, 63, 104, 105, 133
 Rasadnik 47, 126, 142, 143
 Ratine..... 127
 Ratko BUNDALO 37, 115, 124, 126, 127
 Republic of Serbian Krajina..... 25
 Resolution 819 78
 Ročević 96, 97

Rogatica ... 15, 33, 48, 54, 55, 77, 116, 141, 142, 143
 Room 3..... 140
 RS Constitution..... 11
 RS MUP 7, 38, 39, 40, 49, 53, 59, 60, 62, 70, 86, 92,
 94, 98, 105, 108, 111, 113, 120, 124, 126, 135,
 142, 143, 149

S

Safe Area 24, 75, 77, 78, 79, 91
 SALAPURA, Petar 92
 SAMARDŽIJA, Drago 33, 128, 129
 Sandići 92, 93
 Sanica mosque 128, 129
 Sanski Most 32, 58, 59, 119, 120, 121, 129, 137,
 143, 144, 145
 Sanski Most Municipal Assembly..... 143
 Sarajevo Romanija Corps..... 6, 65
 Scorpions 6, 25, 74, 76, 99, 113
 SDA 144
 SDB 40
 SDS 14, 19, 26, 29, 41, 42, 48, 52, 58, 61, 62, 70,
 131, 133, 134, 135
 SDS Main Board..... 41
 Semberija 21, 58, 122
 Serbian Democratic Party 14, 27, 41
 Serbian MUP 6, 9, 10, 40, 74, 76, 99
 Shelling 6, 65, 66, 78, 81
 SIMATOVIĆ, Franko 6
 SIMIĆ, Gojko 34, 49, 111, 117
 Six Strategic Objectives 14, 20, 21, 23, 35, 42
 SJB..... 92, 120, 129, 130, 135, 138, 145, 146
 Skender Vakuf 15, 114
 Skrljevita..... 146
 SMITH, Rupert 103, 104, 105, 143
 Snagovo 99
 Sniping 6, 65, 66
 Sokolac 33, 54, 55, 146, 147
 SRBH Army..... 13
 Srednje 134
 SRK 7, 15, 33, 34, 54, 55, 63, 64, 65, 68, 69, 70, 72,
 116, 124, 134, 141, 142, 147
 STANIŠIĆ, Jovica 6, 10
 STANIŠIĆ, Mičo..... 6, 19, 38, 61
 Stari Grad..... 61
 STOJANOVIĆ, Mile 133
 Sušica..... 39, 55, 149, 150
 SUBOTIĆ, Bogdan 61, 140
 superior 29, 113

T

TALIĆ, Momir . 32, 58, 59, 115, 119, 120, 129, 132,
 137
 Territorial Defense 6, 9, 14, 19, 25, 26, 27, 28, 33,
 34, 40, 42, 48, 53, 62, 65, 70, 74, 103, 111, 122,
 130, 135, 141, 145, 146
 TG Foča 35, 123, 124
 TG Kalinovik 35, 124, 126
 The Worker's Hut 123
 Third Strategic Objective 53
 TINTOR, Jovan 61, 62, 133
 TOLIMIR, Zdravko ... 29, 40, 41, 45, 80, 85, 98, 108
 TRBIĆ, Milorad..... 101
 TRIVIĆ, Mirko 131, 132
 TRKULJA, Nedo 96
 Trnopolje..... 18, 121, 137, 139, 140
 Trnovo..... 6, 24, 25, 37, 61, 74, 75, 99, 115, 127
 Trošanj 123

Tuzla 82, 87

U

United Nations Military Observers 91, 105
 United Nations Protection Force ...24, 57, 66, 73, 78,
 79, 81, 85, 87, 90, 100, 103, 104

V

VAN DUJN 90
 Variant A/B..... 18, 19, 47, 58, 121, 128, 135, 143
 VASIĆ 92
 Večići mosque..... 131, 132
 Velagići..... 129
 Velibor OSTOJIĆ 149
 Višegrad..... 96
 VJ Special Forces..... 63
 Vlašić 15, 114
 Vlasenica..... 34, 45, 54, 74, 75, 77, 92, 148, 149
 Vogošća 61, 62, 70
 Vrbanja 46, 104, 105
 Vrbanjci mosque 132
 Vrhpolje 145

VRS Main Staff 5, 11, 12, 14, 15, 21, 22, 25, 27, 28,
 29, 32, 35, 36, 37, 42, 43, 45, 50, 55, 56, 57, 66,
 68, 69, 79, 80, 84, 85, 86, 89, 91, 92, 95, 96, 97,
 98, 99, 100, 107, 108, 112, 114, 121, 122, 124,
 126, 129, 130, 131, 132, 136, 137, 138, 139, 143,
 146, 147

Vuk Karadžić school..... 88

W

War Commission 50, 52
 War Presidency49, 50, 52, 128, 131, 135
 Western Slavonia 91
 White House 89, 90, 91

Y

Yugoslav National Army6, 9, 25, 26, 27, 63

Z

Zecovi 138
 Zvornik Brigade57, 83, 94, 95, 97, 98, 99, 101
 Zvornik schools..... 95

THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA

IT-09-92-PT

THE PROSECUTOR

v.

Ratko MLADIĆ

Public

ANNEX B
TO
PROSECUTION PRE-TRIAL BRIEF

EVIDENCE RELEVANT TO SCHEDULES A -
G OF THE INDICTMENT

CONFIDENTIAL

Schedule A

Annex B: Schedule A					
MUNICIPALITY	INCIDENT	DATE	PERPETRATOR (If Known)	SUPPORTING EVIDENCE	
2. Foča	2.1 The killing of a number of people hiding in the woods near Mješajaj/Trošanj. 3.3 The killing of at least 144 people in Biljani.	Early July 1992 On or about 10 July 1992	Bosnian Serb Forces under the command of Gojko JANKOVIĆ Bosnian Serb police; VRS soldiers	PAF 557-563 RM070 PAF 766-769 RM010; RM021; RM022; RM025	
4. Kotor Varoš	4.4 The killing of a number of men in or around the school in Grabovica.	On or about 3 November 1992	Serb soldiers from the IKK; Colonel Dušan NOVAKOVIĆ	00801; 03027; 03038; 03063; 03065; 03119; 12755; 06372 PAF 800-808. RM068; RM009; RM084; RM044	
6. Prijedor	6.1 The killing of a number of people in Kozarac and the surrounding areas. 6.2 The killing of a number of people in the Hambarine and Ljubija area. 6.3 The killing of a number of people in Kamičani. 6.4 The killing of a number of men in the village of Jaskići. 6.5 The killing of a	Between 24 May and June 1992 Between 23 May and 1 July 1992 On or about 26 May 1992 On or about 14 June 1992 Between 1 and 23 July	Bosnian Serb Forces IKK forces, including the 43 rd Brigade; Bosnian Serb Forces IKK 43 rd Brigade and other Bosnian Serb Forces Serb soldiers; Duško TADIĆ Bosnian Serb Forces	27143; 02608; 02607 PAF 874-892 RM056; RM047; RM002; RM080; RM003; RM023; RM078; RM094; RM062; RM603; RM017 06595; 07128; 09582; 6601; 08787; 09877; PAF 893-895 RM023; RM003; RM026; RM062; RM080; RM060; RM064; RM045 09852; 07127 PAF 896 RM047 PAF 897 RM027 PAF 898-904	

Annex B: Schedule A				
MUNICIPALITY	INCIDENT	DATE	PERPETRATOR (If Known)	SUPPORTING EVIDENCE
	number of people in the villages of the Brdo area.	1992		RM074; RM038; RM060; RM045; RM064; RM003; RM023
	6.6 The killing of a number of men in the village of Biščani and the surrounding hamlets of Hegići, Mrkalji, Ravine, Duratovići, Kadići, Lagići, and Čemernica.	On or about 20 July 1992	Bosnian Serb Forces	PAF 905-910 RM074; RM038; RM060; RM045; RM064; RM003; RM023
	6.7 The killing of a number of men in the Ljubija iron ore mine Kipe.	On or about 25 July 1992	Serb policemen; 1KK soldiers	PAF 915-918 RM064; RM045 11053; 05987; 16505; ERN 0110-5136-0110-5138
	6.8 The killing of a number of men at the Ljubija football stadium and the surrounding areas.	On or about 25 July 1992	Serb policemen; 1KK soldiers	PAF 911-914 RM064; RM023; RM045 11053; 05987; 16505; ERN 0110-5136-0110-5138
	6.9 The killing of at least 68 people in the village of Briševo.	Between 23 and 26 July 1992	Bosnian Serb Forces	PAF 919-924 RM003
7. Sanski Most	7.1 The killing of about 28 men between Begići and Vrhpolje bridge.	On or about 31 May 1992	6 th Krajina Brigade Military Police; paramilitary formation	PAF 1165-1169 RM007; RM706; RM708; RM015 06608; 06609
	7.2 The killing of a number of people in Hrustovo village.	On or about 31 May 1992	Serb soldiers	PAF 1170-1177 RM042; RM706; RM015 06608; 06609; 06701
	7.3 The killing of about 18 men from	On or about 27 June 1992	Local Serb reservists, under the command of Željko KARANOVIĆ	PAF 1178-1180

Annex B: Schedule A				
MUNICIPALITY	INCIDENT	DATE	PERPETRATOR (If Known)	SUPPORTING EVIDENCE
	Kenjari in the hamlet of Blaževiči.			RM028
	7.4 The killing of a number of people from the hamlet of Budin, Lukavice village.	On or about 1 August 1992	Members of 6 th Krajina Brigade	PAF 1181-1183 RM001
	7.5 The killing of approximately 7 men near the village of Škrijjevita.	On or about 2 November 1992	IKK, including 6 th Krajina Brigade soldiers	PAF 1184-1187 RM082; RM016; RM015 07074; 06475; ERN 0215-7430
8. Sokolac	8.1 The killing of at least 40 men in the village of Novoseoci.	On or about 22 September 1992	Serb soldiers; SRK's 2 nd Motorized Romanija Brigade, under the command of Momčilo PAJIĆ and Radislav KRSTIĆ	RM036; RM079; RM085 27161; ERN X008-8923-X008-8933; 05998
9. Vlasenica	9.1 The killing of at least 20 men in the village of Drum.	On or about 2 June 1992	VRS; RS MUP; local Serbs	RM004; RM067; RM066

Schedule B

Annex B: Schedule B				
MUNICIPALITY	INCIDENT	DATE	PERPETRATOR (If Known)	SUPPORTING EVIDENCE
1. Banja Luka	1.1 The killing of at least 6 men in front of Manjača camp after their transportation from Hasan Kikić elementary school in Sanski Most.	On or about 3 June 1992	SJB Sanski Most officers	PAF 481-482 RM075; RM061; RM067 06613; 06614
	1.2 A number of prisoners suffocated in trucks while being transported from Betonirka detention facility in Sanski Most to Manjača camp.	7 July 1992	Civilian and military police from Banja Luka and Sanski Most	PAF 483-486 RM090; RM051; RM075; RM092; RM051; RM016 02721; 06956; 03064; 07087; 16582

Annex B: Schedule B

MUNICIPALITY	INCIDENT	DATE	PERPETRATOR (If Known)	SUPPORTING EVIDENCE
	1.4 The killing of at least 10 men in Manjača camp.	Between 1 June and 18 December 1992	Serbian police; military police	PAF 487-488 RM075; RM061; RM053 03083
2. Bijeljina	2.1 The killing of at least 6 men in Batković camp.	June 1992 until June 1995	Bosnian Serb Forces	PAF 516 RM069; RM067; RM088; RM513
5. Foča	5.1 The killing of over 200 detainees at KP Dom Foča.	Between June and December 1992	Bosnian Serb Forces	RM013; RM012; RM614; RM063; RM086; RM046; RM163; RM116; RM147; RM187 08502; 08747; 08193; 08340; 15651; 08913; 09150; 09278
7. Kalinovik	7.1 The killing of at least 20 men taken away from the ammunition warehouse in Jalaščko Polje in Kalinovik and killed in a stable in Ratine in the municipality of Foča.	On or about 5 August 1992	Serb soldiers; Pero ELEZ's men	PAF 745 RM034; RM032 <i>Krajišnik TJ, para. 663</i>
8. Ključ	8.1 The killing of at least 77 men at a school in Velagići.	On or about 1 June 1992	Bosnian Serb soldiers	PAF 770-774 RM018; RM016; RM010; RM022; RM025
10. Novi Grad	10.1 The killing of a number of men from the cisterns near the Rajlovac barracks. 10.2 The killing of at least 47 men taken from the Rajlovac camp near Srednje in Ilijaš municipality.	Between 1 and 14 June 1992 On or about 14 June 1992	“Žuti,” a former member of the special police unit and driver of Jovan TINTOR, a local SDS leader “Žuti,” a former member of the special police unit and driver of Jovan TINTOR, a local SDS leader; Serbian police	03126; 06372 RM145; RM127 03725 PAF 1229 RM127; RM145; RM227 22388A-H
13. Prijedor	13.1 The killing of approximately 150 people in “Room 3” at	On or about 24 and 25 July 1992	Serb army unit	PAF 1050-1054 RM002; RM008; RM083; RM023

Annex B: Schedule B					
MUNICIPALITY	INCIDENT	DATE	PERPETRATOR (If Known)	SUPPORTING EVIDENCE	
	Keraterm camp.			05987; 03377	
	13.2 The killing of a number of people at Omarska camp and at various places after they were taken from the camp.	Between 27 May and 21 August 1992	Serb police; IKK	PAF 1007-1025 RM057; RM080; RM033; RM054; RM065; RM077; RM008; RM017 RM094 06989	
	13.3 The killing of a number of men and women taken from the Omarska camp in the area called Hrastova Glavica.	On or about 5 August 1992	Serb police; IKK	PAF 1055-1058 RM057; RM080; RM033; RM054; RM065; RM077; RM008; RM017 RM094; RM002; RM083; RM023; RM056; RM078; RM047 05987; 03377	
	13.4 The execution of over 150 men from the "Brdo" region of Prijedor at Omarska camp.	On or about 20 July 1992	Serb police; IKK	PAF 1026 RM057; RM080; RM033; RM054; RM065; RM077; RM008; RM017 RM094 PAF 1078	
	13.5 The killing of a number of people in Trnopolje camp and at various places after they were taken from the camp.	Between 28 May and October 1992	Serb Soldiers	RM023; RM056; RM078; RM047	
14. Rogatica	14.1 The killing of a number of men taken from the Veljko Vlahović secondary school.	Between June and September 1992	Serb Soldiers	PAF 1135 RM081	
	14.2 The killing of at least 24 men taken from the detention facilities at Rasadnik.	On or about 15 August 1992	Serb soldiers; VRS Rogatica Brigade commander Rajko KUŠIĆ; Dragoje PAUNOVIĆ ("Špiro"); Radislav LJUBINAC	RM006; RM037; RM081; 09797; 09096; 09824; 19952	
16. Vlasenica	16.1 The killing of approximately 9 men	Between June and August 1992	Serb guards (members of the Vlasenica RS MUP and VRS); Dragan NIKOLIĆ	PAF 1265	

Annex B: Schedule B			
MUNICIPALITY	INCIDENT	DATE	PERPETRATOR (If Known)
	from Sušica camp.		
	16.2 The killing of up to 140 detainees in Sušica camp.	On or about 30 September 1992	Three MUP officers
			RM030; RM067; RM066; RM088; RM049 <i>Krajlišnik TJ, para.353</i> PAF 1266-1268 RM066 22291; <i>Krajlišnik TJ, paras.357,720</i>

Schedule C

Detention Facilities

Annex B: Schedule C			
MUNICIPALITY	NAME AND/OR LOCATION OF DETENTION FACILITY	DATE	CAMP AUTHORITIES DETAINEES
1. Banja Luka	1.2 Manjača camp	Between 21 April and 18 December 1992	Established by General TALIC Military authorities, including military police under the command of Colonel Božidar POPOVIĆ of 1KK in co-operation with RS MUP; Predrag KOVAČEVIĆ was commander of the prison guards 3640 non-Serb detainees including approximately 1500 transferred from Omarska.
			PAF 458-480 RM090; RM078; RM075; RM018; RM007; RM151; RM610; RM061; RM051; RM173; RM052; RM043; RM025; RM408; RM024; RM016; RM022; RM603; RM023; RM030; 06991; 02573; 05989; 07020; 09174; 06613; 03061; 03064; 02717; 03377; 06993; 06999; 07000; 06989; 07025; 03112; 07051; 06003; 07059; 10907; 10908; 07152; 07153; 07154; 03347; 07159; 03142; 06972; 06931; 03052; 17380; 03057; 06953; 06773; 06988; 07006; 06968; 03075; 06446; 16582; 12809

Annex B: Schedule C

MUNICIPALITY	NAME AND/OR LOCATION OF DETENTION FACILITY	DATE	CAMP AUTHORITIES DETAINEES	EVIDENCE
2. Bijeljina	2.1 Batković camp	At least between 1 June 1992 and 31 December 1995	Established by GŠVRS; operated by the IBK About 1280 Muslims and Croats, detainees originated from a large number of different municipalities, including Brčko, Ključ, Lopare, Rogatica, Sokolac, Ugljevik, Vlasenica, and Zvornik. Many had been transferred from other detention facilities, particularly Sušica camp in Vlasenica and Manjača camp in Banja Luka. Altogether 3800 persons passed through this camp.	RM088; RM513; RM049; RM067; RM030; RM069; RM031; RM066; RM025; RM516; RM052. 03377; 11162; 11518; 11519; 11163; 22391; 03325; 12809; 11162
6. Foča	6.1 KP Dom Foča	From 18 April 1992 until at least 31 December 1992	Bosnian Serb Forces including Tactical Group Foča; Milorad KRNOJELAC served as camp commander Up to 700 non-Serbs, mostly Muslim detainees, including those previously detained in Livade warehouse, and also some Serb convicts kept separate from the non-Serbs.	PAF623-683 RM013; RM071; RM063; RM046; RM086; RM163; RM012 11178; 11179; 11167; 08502; 08747; 08193; 09150; 09278; 09600; 08747.
	6.2 Karaman's house in Miljevina	At least between August and October 1992	Bosnian Serb Forces including Pero ELEZ, Radovan STANKOVIĆ and Nikola BRČIĆ Around 10 women from Foča and Kalinovik previously detained in Partizan Sports Hall and Kalinovik school.	PAF580-622 RM170; RM063; RM048; RM070; RM032
	6.3 Bukovina Motel and Worker's Huts at Buk Bijela	During 1992	Bosnian Serb Forces including VRS soldiers under the command of Gojko JANKOVIĆ A number of women and children from the village of Mješaja/Trošanji.	PAF 580-584 RM170; RM063; RM070; RM011 08461
	6.4 Partizan Hall	During 1992	Bosnian Serb Forces About 40 Muslim women and children, including those	PAF580-622 RM180; RM070; RM048

Annex B: Schedule C

MUNICIPALITY	NAME AND/OR LOCATION OF DETENTION FACILITY	DATE	CAMP AUTHORITIES DETAINEES	EVIDENCE
			previously detained in Buk Bijela and Foča high school.	11159
	6.5 Srednja škola – Foča high school	During 1992	Bosnian Serb Forces About 40 Muslim women and children among them those previously detained in Buk Bijela.	PAF580-622 RM180; RM070; RM011
8. Iliđža	8.1 KP Dom Butmir (Kula Prison)	At least between 1 May 1992 and 28 October 1994	Bosnian Serb Forces; RS Ministry of Justice	RM091; RM516; RM052; RM025; RM067 07212, 03821; 10928; 11108; 11225; 02499; 02508; 09862; 25959; 23831; 22391; 03325; 01116; 12809; 20853; 20847; 20733
9. Kalinovik	9.1 Kalinovik elementary school (Miladin Radojević school)	From 25 June 1992	Kalinovik Secretary for National Defence, Nedo BANJANIN; Gojko JANKOVIĆ, a member of the military police; police; Pero ELEZ; "Zaga", a White Eagles member 60 Muslim men, who were subsequently transferred to an ammunition warehouse in Jelašsko Polje, and women and children from Kalinovik as well as appr. 190 women, children and elderly from Gacko	RM035; RM034; RM048; RM032 08018; 07630; 11166
	9.2 An ammunition warehouse in Jelašsko Polje	From 6 July 1992 until 5 August 1992	Retired policeman Djoratislav (Gruja) ASTRABA; Pero ELEZ; Milenko VUKOVIĆ; local Serbs Up to 100 Muslim men	RM035; RM034; RM032 11166
10. Ključ	10.3 Velagići school	At least 30 May to 1 June 1992	Bosnian Serb soldiers; SJB Ključ including SJB Chief Vinko KONDIĆ and Lieutenant Colonel VUKAČEVIĆ Approximately 100 male Muslims.	PAF770-774 RM018; RM016DD 11170; 11166; 08578, 06701, 08578, 11184

Annex B: Schedule C

MUNICIPALITY	NAME AND/OR LOCATION OF DETENTION FACILITY	DATE	CAMP AUTHORITIES DETAINEES	EVIDENCE
15. Prijedor	15.2 Omarska camp	Between 15 May and 21 August 1992	<p>Serb police; 1KK</p> <p>More than 3000 predominantly Bosnian Muslim detainees, including 36 women (who were later transferred to Trnopolje Camp); some of the detainees were transferred to Omarska from other detention facilities such as Keraterm camp, and the Prijedor and Benkovac Military Barracks; at the same time detainees from Omarska were transferred to other detention facilities such as Trnopolje camp and Manjača camp in Banja Luka municipality.</p> <p>Around the beginning of August 1992 Serbian and foreign journalists were allowed into Omarska camp. President of the ARK Vojo Kuprešanin, ordered the release of Mevludin Sejmenović, a prominent Muslim detainee, and discussed on the phone with Radovan Karadžić how to improve the appearance of Omarska for foreign reporters.</p>	<p>PAF 945-1006</p> <p>RM080; RM610; RM033; RM078; RM002; RM056; RM603; RM023; RM057; RM077; RM154; RM026; RM516</p> <p>03282; 07130; 06371; 07131; 06981; 07151; 06989; 07152; 06999; 05994; 07010; 10849; 10852; 10858; 10859; 10868; 10869; 10870; 10871; 10880; 10881; 10893; 10894; 09877; 11040; 10847; 10849; 07145; 11012; 10854; 10906; 10913; 10914; 22673; 08990; 05989; 03334; 03377; 06773; 16582; 06988; 07006; 06990</p>
	15.3 Keraterm camp	Between 15 May and 6 August 1992	<p>Prijedor SJB; 1KK</p> <p>Around 4,000 non-Serb detainees, mostly Bosnian Muslim and Bosnian Croat men but also a Bosnian Serb accused of not being loyal to the Serb cause, some of the detainees were transferred to Omarska or Trnopolje.</p>	<p>PAF 1027-1049</p> <p>RM080; RM002; RM078; RM078; RM008; RM083; RM033; RM077</p> <p>07130; 10892; 05987; 06371; 06981; 07151; 16582; 10852; 10858; 10874; 10890; 10891; 10892; 09877; 07131; 11040; 11012, 10854; 03377; 04435</p>
	15.4 Trnopolje camp	Between at least 15 May and 30 September 1992	<p>Serb soldiers; TO Commander Slobodan KURUZOVIĆ in charge</p> <p>Several thousands non-Serb detainees among them women, children and elderly; by mid-August 1992, a number of men detained in Keraterm camp and 1773 detainees from Omarska camp were transferred to Trnopolje camp. In October 1,560 persons were</p>	<p>PAF1059-1077</p> <p>RM056; RM002; RM023; RM052; RM610; RM078; RM078; RM603; RM080; RM047</p> <p>06371; 07149; 06981; 07151; 05774; 07011; 05994; 07157; 10852; 10852;</p>

Annex B: Schedule C

MUNICIPALITY	NAME AND/OR LOCATION OF DETENTION FACILITY	DATE	CAMP AUTHORITIES DETAINEES	EVIDENCE
			transferred to Karlovac in Croatia.	10862; 10877; 10886; 10887; 10888; 10889; 09877; 07131; 11040; 10665; 06644; 06645; 05993; 11012; 10854; 03377; 04435; 16582; 06773
	15.5 Miška Glava Dom	Between about 21 and 25 July 1992	Serb military authorities 114 Muslim men from the Hambarine "Brdo" area were subsequently transferred to the football stadium in Ljubija.	PAF1079-1082 RM045; RM064
16. Rogatica	16.1 Veljko Vlahović secondary school	At least between 1 May and 31 August 1992	VRS Rogatica Brigade under Rajko KUŠIĆ Initially, about 400 people, mostly Muslim women and children, later up to 1100 people.	PAF1127-1134 RM081; RM069; RM039; RM041; RM006; RM040; RM109 09011; 09097; 08281; 09286
	16.3 Rasadnik	At least between August 1992 to October 1994	RS MUP and VRS; commanded by Vinko BOJIĆ and under the control of VRS Rogatica Brigade Commander Rajko KUŠIĆ as of approximately October 1992 Significant number of Muslim males over extended period of time of which many were later transferred to Kula prison.	RM037; RM006; RM039; RM041; RM040; RM139; RM143; RM069 08281
19. Vlasenica	19.3 Sušica camp	At least between May and about 30 September 1992	RS MUP and VRS; commanded by Dragan NIKOLIĆ with Veljko BAŠIĆ as camp warden Up to 2500 Muslims of both genders and all ages passed through Sušica camp, including villagers from Drum, Piskavice, Alihodžići and Pustose as well as Gradina.	PAF1254-64 RM067; RM049; RM004; RM066; RM030; RM131; 11166; 02907; 07127; 02850

Schedule D

Annex B: Schedule D					
MUNICIPALITY	INCIDENT	DATE	PERPETRATOR (If Known)	SUPPORTING EVIDENCE	
1. Bijeljina	Atmačići mosque, Janjari mosque, Srednja Trnova mosque	Summer of 1992		RM618; RM513 03431; 13410 PAF721-723	
5. Foča	Aladža mosque, Jeleč mosque	At least between April and August 1992	VRS soldiers under Dragoljub KUNARAC	RM618; RM070; RM071; RM295; RM067 09138	
6. Kalinovik	Ulog mosque, Hotovlje mosque, Jesalica mosque, Kutina mosque	End of July 1992 and beginning of August 1992		RM618; RM035; RM034	
7. Ključ	Town mosque, Biljani – Džaferagići mosque, Pudrin Han mosque, Velagići mosque, Donji Budelj mosque, Humići mosque, Krasulje mosque, Sanica mosque, Tičevići mosque, Town Catholic church	At least between May and August 1992	Serb soldiers	PAF 781-784 RM618; RM025; RM018 00909; 00908; 00815; 00835; 00890; 00896	
8. Kotor Varoš	Hanifići mosque, Vrbanjci mosque, the Roman Catholic church in the town of Kotor Varoš, Hrvanćani Varoš, Old mosque in Večići, New mosque in Večići, Vrančić mosque, Ravne mosque, Donji Varoš mosque, Hadrovci mosque	At least between June and December 1992	Serb soldiers	PAF 817-820 RM618; RM009	
9. Novi Grad	Ahatovići mosque	On or about 4 June 1992	Četnik "Sok"	PAF 1231 RM618; RM127; RM145	

Annex B: Schedule D

MUNICIPALITY	INCIDENT	DATE	PERPETRATOR (If Known)	SUPPORTING EVIDENCE
10. Pale	Three mosques including mosques at Prača, Podvitez, Bogovići	Between July - September 1992		08401 RM618; RM111, RM619 13410
11. Prijedor	Kozaruša mosque, Stari Grad mosque, Čarakovo mosque, Hambarine old mosque, Čaršijska mosque – town of Prijedor, Zagrad mosque – town of Prijedor, Biščani mosque, Gornja/Donja Puharska mosque, Rizvanovići mosque, Brežičani mosque, Ališići mosque, Zecovi mosque, Čejreci mosque, Gomjenica mosque, Kevljani mosque, Kamičani mosque, Kozarac – Mutnik mosque, Prijedor town Catholic church, Briševo church	At least between May and December 1992	Bosnian Serb soldiers	PAF 1100-1111 RM618; RM047; RM038; RM023 10883; 10882; 10884; 10910; 10911
12. Rogatica	Amaudija mosque in the town of Rogatica, Čaršija mosque in the town of Rogatica, three mosques in Vragolovi	At least between June and December 1992	Serb Soldiers in a tank; Danko NERIC; brother of Danko NERIC; Serb forces	PAF 1137 RM618; RM081; RM040; RM039
13. Sanski Most	Town mosque, Pobjrižeje mosque, Hrustovo-Kukavice mosque, Hrustovo-Keranovići mosque, Vrhpolje mosque, Šehovci mosque, Trnova mosque, Stari Majdan (Palanka)	At least between May and December 1992	Serb soldiers; 6th Krajina Brigade; Commander BASARA	PAF 1192-1193 RM618; RM007; RM015; RM001; RM028; RM042 03761; 03767; 11181; 03769; 11182; 06572; 13410

Annex B: Schedule D			
MUNICIPALITY	INCIDENT	DATE	PERPETRATOR (If Known)
			SUPPORTING EVIDENCE
	mosque, Stari Majdan (Utrška) mosque, Dževar mosque, Husimovci mosque, Donji Kamengrad mosque, Skucani Vakuf mosque, Lukavice mosque, Tomina mosque, Čaplje mosque, Town Catholic church		
14. Sokolac	Kruševci mosque, Knežina mosque, Kaljina mosque, Novoseoci mosque, Košutica mosque	At least between August and September 1992	VRS 2nd Romanija Brigade PAF 1239 RM618; RM031; RM085; RM036 13410

Schedule E

Srebrenica Killings

Annex B: Schedule E			
LOCATION	INCIDENT	DATE	PERPETRATOR (If Known)
			EVIDENCE
Part 1: Organised Killings			
1. Jadar River	1.1 The killing of about 16 Bosnian Muslim men in an isolated area on the bank of the Jadar River.	13 July 1995, at approximately 1100 hours	2 nd Zvornik PJP Company: Nenad DERONJIĆ, Bratunac police officer RM314
2. Cerska Valley	2.1 The killing and subsequent burial of approximately 150 Bosnian Muslim men in an area along a dirt road in the Cerska	17 July 1995.	VRS and/or MUP PAF 1522-1529 RM609; RM254 04548; 04549; 04550; 04551;04552; 04627;06141; 06166; 04028; 23272;

Annex B: Schedule E				
LOCATION	INCIDENT	DATE	PERPETRATOR (If Known)	EVIDENCE
	Valley about three (3) kilometres from Konjević Polje.			21077a; 21079c
3. Kravica Warehouse	3.1 The killing of over 1,000 Bosnian Muslim men in a large warehouse in the village of Kravica. The bodies of the victims were transported to two large mass graves located in the nearby villages of Glogova and Ravnice on 14 July 1995.	13 July 1995	Special Police Brigade, 2 nd Šekovići Detachment: Miloš STUPAR, Commander; Rade ČUTURIĆ, Deputy Commander Special Police Brigade, 2 nd Šekovići Detachment, Skelani Platoon: Krsto DRAGIČEVIĆ, Brano DŽINIĆ, Slobodan JAKOVLJEVIĆ, Velibor MAKSIMOVIĆ, Branislav MEDAN, Petar MITROVIĆ, Aleksander RADOVANOVIĆ, Miladin STEVANOVIĆ, Milenko TRIFUNOVIĆ, Dragisa ŽIVANOVIĆ Lubisa BEARA (organised the burials at Glogova) Bratunac Brigade, 3 rd Battalion, "Red Beret" Intervention Platoon: Miroslav STANOJEVIĆ Civilian: Milovan MATIĆ MUP, Javorina Training Centre Unit	PAF 1530-1551 RM274; RM256; RM333; RM226 04205; 04573; 04586; 04627; 04832; 04834; 04835; 04836; 04838; 04839; 04840; 04841; 04844; 04864; 06166; 22436; 22446; 22446a; 18696; 05765; 04573; 04586; 22436
4. Sandići Meadow	4.1 The killing of approximately 15 Bosnian Muslim prisoners who were detained at Sandići meadow and summarily executed in an area near Sandići.	13 July 1995, after dark		PAF 1552-1557 RM333; RM257 04627; 06166
5. Luke School near Tišća	5.1 The killing of 25 Bosnian Muslim men who were detained at the Luke school and summarily executed in an isolated nearby pasture.	On or about 13 July or 14 July 1995	VRS and/or MUP	PAF 1558-1564 RM216; RM249 04627
6. Orahovac (School and Nearby Field)	6.1 The killing of two Bosnian Muslim prisoners who were detained at the school in Orahovac. The two prisoners were removed	On or about 14 July 1995	Zvornik Brigade, Military Police	RM362; RM324; RM364; RM297; RM322

Annex B: Schedule E

LOCATION	INCIDENT	DATE	PERPETRATOR (If Known)	EVIDENCE
	from the school and summarily executed by rifle fire.			
	6.2 The killing of approximately 1,000 Bosnian Muslim men who were detained at the school in Orahovac, blindfolded, transported to a nearby field by truck, and summarily executed. The bodies of the victims were buried in mass graves at the execution site on 14 and 15 July 1995.	14 July 1995, beginning in the early afternoon	Zvornik Brigade, 4th Infantry Battalion: Gojko SIMIĆ	PAF 1569-1578 RM362; RM324; RM339; RM212; RM270; RM364; RM269; RM322; RM213; RM216; RM304; RM297; RM265 04262 ;04269; 04277; 04278; 14443; 04279; 04280; 04281;04326; 04614; 04627; 04958; 04959; 04962; 06166; 05006; 04984; 04985; 04032
7. Petkovci (School and Dam)	7.1 The killing at Petkovci School of some of the approximately 1,000 Bosnian Muslim men detained at the school. 7.2 The killing of the surviving portion of the approximately 1,000 Bosnian Muslim men who were detained at Petkovci School. The men were summarily executed in an area below the Dam near Petkovci. While the executions continued on 15 July, excavators and heavy equipment were used to bury the victims.	On or about 14 July 1995	VRS and/or MUP	PAF 1579-1584 RM253; RM204; RM274; RM359
		On or about 14 July 1995, in the evening - 15 July 1995, in the morning	VRS and/or MUP; Zvornik Brigade 6 th Battalion	PAF 1584-1585 RM253; RM274; RM204; RM605; RM359 04277; 04282; 04283; 04342; 04627; 04993; 06166; 05006
8. Ročević School and Kozluk	8.1 The killing at Ročević school of some of the approximately 1,000 Bosnian Muslim	On or about 14 or 15 July 1995	VRS: Zvornik Brigade, 2nd Battalion Zvornik Brigade, Military Police	RM201; RM269; RM287; RM352 18696

Annex B: Schedule E				
LOCATION	INCIDENT	DATE	PERPETRATOR (If Known)	EVIDENCE
	men detained at the school.			
	8.2 The killing of the surviving portion of the approximately 1,000 Bosnian Muslim men detained at Ročević School. The men were summarily executed at a site on the bank of the Drina River near Kozluk. The victims of the executions were buried in a nearby mass grave.	15 July 1995	VRS: Zvornik Brigade, 2nd Battalion Civilians	PAF 1586-1595 RM201; RM286; RM287; RM308; RM269; RM262 04276; 04280; 04283; 04627; 06166; 05012; 05022; 05096; 05097; 05101; 05120; 06141
9. Kula School and Branjevo Military Farm	9.1 The killing at Kula School near Pilica of some of the approximately 1,200 Bosnian Muslim men detained at the school.	On or about 14 or 15 July 1995	VRS and/or MUP	PAF 1596-1602 RM255; RM346; RM331
	9.2 The killing of the surviving portion of the approximately 1,200 Bosnian Muslim men who were detained in the Kula School. The men were transported by bus to Branjevo Military Farm and summarily executed. The hundreds of victims subsequently were buried in a nearby mass grave.	16 July 1995	GŠVRS, 10th Sabotage Detachment: Bijeljina Platoon - Marko BOSKIĆ, Dražen ERDEMOVIĆ, Zoran GORONJIS, Franc KOS, Stanko SAVANOVIC Vlasenica Platoon - Aleksander CVETKOVIC, Brano GOJKOVIC, Vlastimir GOLJAN; Bratunac Brigade East Bosnia Corps, "Panther" Unit: Radenko TOMIĆ	PAF 1603-1620 RM235; RM339; RM286; RM255; RM605; RM346 04262; 04271; 14443; 04281; 04627; 06166; 21032A; 05045; 04695; 05056; 06141
10. Pilica Cultural Centre	10.1 The killing of approximately 500 Bosnian Muslim men inside the Pilica Cultural Centre. The victims were	16 July 1995	VRS and/or MUP; GŠVRS staff, 10 th Sabotage Detachment; Bratunac Brigade	PAF 1621-1627 RM367, RM235, RM265 04205; 04262; 14444; 04586; 04627; 05072; 22440

Annex B: Schedule E

LOCATION	INCIDENT	DATE	PERPETRATOR (If Known)	EVIDENCE
	subsequently buried in a mass grave at Branjevo Military Farm.			
12. Bišina	12.1 The killing of over thirty Bosnian Muslim men, some of whom were previously detained in Sušica prison, in Bišina in Šekovići Municipality.	23 July 1995	Drina Corps: Vujadin POPOVIĆ GŠVRS, 10th Sabotage Detachment	PAF 1628-1634 RM285; RM273; RM318; RM365; RM235; RM322 10620; 10621; 10622; 10623; 10591; 10589; 10816; 10817; 10818; 21158A; 21168A
13. Trnovo	13.1 The killing of six Bosnian Muslim men and boys from Strebrenica near the town of Trnovo.	Late July or early August 1995	Serbian MUP, "Scorpions" Unit: Slobodan DAVIDOVIĆ, Aleksander MEDIĆ, Branislav MEDIĆ, Slobodan MEDIĆ,, Pera PETRAŠEVIĆ, Aleksander VUKOV	05596; 06141; 06166; 06294; 22339; 10819
Part 2: Opportunistic Killings				
14. Potočari	14.1 The killing of nine Bosnian Muslim men near the UN Compound on the Budak side of the main road.	On or about 12 July 1995	VRS and/or MUP	PAF 1486 RM282; RM229; RM237; RM216; RM343 06113; 06114; 06117; 06141; 06357; 06358; 06359; 06360
	14.2 The killing of one Bosnian Muslim man behind a building near the "White House."	On or about 13 July 1995	VRS and/or MUP	PAF 1487-1500 RM248; RM237
15. Bratunac Town	15.1 The killing of 50 or more Bosnian Muslim men inside and outside the Vuk Karadžić elementary school and in the surrounding area.	12 July 1995, at approximately 2200 hours – 15 July 1995, in the morning	VRS and/or MUP	PAF 1501-1521 RM362; RM306; RM255; RM260; RM297; RM226 04627
	15.3 The killing of a mentally retarded Bosnian Muslim man	13 July 1995, in the evening	VRS and/or MUP	RM324

Annex B: Schedule E			
LOCATION	INCIDENT	DATE	PERPETRATOR (If Known)
	who was taken off a bus parked in front of the Vuk Karadžić elementary school in Bratunac and summarily executed.		
			EVIDENCE

Schedule F

Sniping Incidents in Sarajevo

Annex B: Schedule F			
INCIDENT	DATE	EVIDENCE	EVIDENCE
1. Anisa PITA, a 3 year old girl, was shot and wounded in her right leg on the porch of her residence on Žagrići Street in the Širokača area of Sarajevo.	13 December 1992	PAF 2212-2222 RM622; RM154	
3. Munira ZAMETICA, a 48 year old woman, was shot dead while collecting water from the Dobrinja River in the area of Dobrinja.	11 July 1993	PAF 2223-2238 RM622; RM158 09944; 09945; 09980; 22311	10270; 10475; 22311; 09945; 10269
4. Nafa TARIĆ, a 35 year old woman, and her 8 year old daughter Elma TARIĆ, were shot and wounded by a single bullet while walking together on Ivana Krndelja Street, in the centre of Sarajevo. The bullet wounded the mother in her left thigh, and wounded the daughter on her right hand and in her abdomen.	3 September 1993	PAF 2239-2256 RM126; RM169; RM148; RM622	09983; 10026; 09945; 09982; 10477; 10478; 22311; 10479; 10480; 22311
5. Ramiza KUNDO, a 38 year old woman, was shot and wounded in her left leg while carrying buckets of water across Brijesko Brdo Street (presently Bulbulistan Street) in the west end of Sarajevo.	2 November 1993	PAF 2257-2266 RM140; RM622; RM135	09985; 10049; 10481; 10482; 22311; 09941; 09945; 10483
9. Sanela MURATOVIĆ, a 16 year old girl, was shot and wounded in her right shoulder while walking with a girlfriend on Đure Jakšića Street (presently Adija Mulaševića) in the west end of	26 June 1994	PAF 2267-2284 RM622; RM123; RM148; RM149	

Annex B: Schedule F		
INCIDENT	DATE	EVIDENCE
Sarajevo.		09945; 10494; 10495; 10496; 10497; 10498; 10499; 10026; 10022; 10700/10505
11. Alma ČUTUNA, a 43 year old woman, was wounded in the right upper leg while travelling on a tram on Zmaj od Bosne in Sarajevo.	8 October 1994	PAF 2285-2304 RM112; RM110; RM120; RM622; RM148; RM510 10046; 10405; 10289; 10290; 10291; 03484; 03485; 05349; 08157; 10405; 22412; 10419; 10420; 10421; 10422; 10047; 40194
12. Dženana SOKOLOVIĆ, a 31 year old woman, and her 7 year old son Nermin DIVOVIĆ, were fired on while walking on Zmaj od Bosne. Dženana SOKOLOVIĆ was wounded by a bullet in the abdomen. The bullet passed through her and hit her son in the head, killing him. They were walking home from Hrasno, where they had gone to collect firewood the previous day.	18 November 1994	PAF 2305-2319 RM162; RM105; RM148; RM622; RM128; RM106 10109; 10398; 10288; 10442; 10443; 10064; 10349; 22352
13. Afeza KARACIĆ, a 31 year old woman, and Sabina ŠABANIĆ, a 26 year old woman, were both wounded in the right shoulder when the tram they were travelling in came under fire on Zmaj od Bosne, between the Technical School and Marsal Tito Barracks.	23 November 1994	PAF 2320-2337 RM157; RM502; RM142; RM622; RM152; RM156; RM148 10071; 10072; 22322; 22327; 22414; 10311; 10312; 10445
15. Azem AGOVIĆ, a 46 year old man, and Alen GIĆEVIĆ, a 33 year old man, were shot and wounded while travelling in an eastbound tram on Zmaj od Bosne. The tram was near the Holiday Inn at the time of the incident.	3 March 1995	PAF 2338-2353 RM142; RM622; RM119; RM148; RM139 10456; 10294; 10295; 10296; 10456; 10319; 10320; 10315; 10316; 10317; 10318; 10423; 10424; 10456
16. Tarik ŽUNIĆ, a 14 year old boy, was shot and wounded in the hand while walking home from school at Sedrenik Street, in the northeast of Sarajevo. He was hit when he emerged from behind a protective screen about 100 metres from his house.	6 March 1995	PAF 2354-2363 RM622; RM179; RM148 10099; 10327; 10328/10329; 10205; 10331; 10393; 10408; 10443; 10457; 10099

Schedule G

Shelling Incidents in Sarajevo

Annex B: Schedule G

INCIDENT	DATE	EVIDENCE
<p>1. The city of Sarajevo was heavily shelled, damaging and destroying civilian targets, causing the deaths of several civilians and injuring others.</p>	<p>From on or about 28 May 1992</p>	<p>RM115; RM168; RM120 10577; 10625; 09963; 09964; 09966; 09967; 20815; 20828; 20829</p>
<p>2. A massive bombardment of the city was carried out with a variety of artillery fired from positions all around the city. Civilian targets were damaged and destroyed and a number of civilians were killed and wounded.</p>	<p>From on or about 6 June 1992</p>	<p>RM511; RM151; RM121; RM103; RM144 10625; 03710</p>
<p>4. Two shells were fired upon a crowd of approximately 200 persons who were watching and participating in a football game in a parking lot bordered on three sides by residential apartment blocks and on the fourth side by the Lukavica Road in Dobrinja IIIB, a residential settlement. Over 10 people were killed and approximately 100 were wounded. The origin of fire was VRS/SRK-held territory approximately to the east-south-east.</p>	<p>1 June 1993</p>	<p>PAF 2364-2409 RM123; RM157; RM118; RM176; RM611; RM148; RM116 09978; 09979; 10464; 11233; 11227; 10261; 10458; 10459; 09939; 10272; 10277; 10278; 09972; 09977; 09978; 10275; 22444; 22405</p>
<p>6. Three mortar shells landed in the area of Alipašino Polje, the first in a park behind, and the second and third in front of residential apartment buildings at 3, Geteova Street (previously Centinjska Street) and at 4, Bosanka Street (previously Klara Cetkin Street), where children were playing. 6 children were killed and 5 people were wounded. The origin of fire was from VRS/SRK -held territory approximately to the west.</p>	<p>22 January 1994</p>	<p>PAF 2410-2435 RM172; RM171; RM102; RM129; RM157; RM118; RM134; RM611; RM148; RM510; RM175 10602; 10570; 13724; 10275; 22444; 09990; 09991; 09992; 10577; 10458; 10459; 09989; 09991; 10272; 10277; 10278; 09993; 09991; 09990; 09992; 10577; 09989</p>
<p>7. A salvo of three 120 mm mortar shells hit civilians in the Dobrinja residential area. The first landed in front of a block of flats at Oslobodilaca Sarajeva Street, hitting persons who were distributing and receiving humanitarian aid and children attending religious classes. The second and third landed among persons trading at a market in an open area to the rear of the apartment buildings at Mihajla Pupina Street and Oslobodilaca Sarajeva Street. 8 people were killed and at least 18 people were wounded. The origin of fire was from VRS/SRK-held territory, approximately to the east. Note: The evidence shows that at least 9 people were killed.</p>	<p>4 February 1994</p>	<p>PAF 2436-2478 RM123; RM159; RM157; RM124; RM105; RM611; RM122; RM510 11229; 11248; 10605; 10606; 10646; 10647; 09995; 09999; 10272; 10277; 10278; 09994; 09996; 10266; 10275; 22444</p>
<p>8. A 120 mm mortar shell hit a crowded open air market called "Markale" situated in a civilian area of Old Town Sarajevo, killing 66 people and wounding over 140 people. The origin of fire was VRS/SRK-held territory approximately to the north-north-east.</p>	<p>5 February 1994</p>	<p>PAF 2479-2528 RM171; RM157; RM118; RM124; RM105; RM153; RM166; RM611; RM173; RM148; RM510; RM624; RM505</p>

Annex B: Schedule G

INCIDENT	DATE	EVIDENCE
		10007; 10003; 10000; 10094; 09997; 09998; 10466; 22351; 22444; 09953; 10272; 10277; 10278; 10013; 10014; 10046; 10094; 10004; 10264; 10001; 10002; 10006; 10002; 22364; 10005; 10008; 10010; 10011; 10458; 10459; 10462; 10468; 22364; 10004; 10005; 10571; 10259; 10263
10. A modified aircraft bomb hit a residential area in Hrasnica at the foot of Mount Igman destroying one dwelling, severely damaging eleven other dwellings, and inflicting civilian casualties of 1 killed and 3 injured. The origin of fire was Iliđa, VRS/SRKK-held territory.	7 April 1995	PAF 2529-2542 RM164; RM502; RM150; RM159; RM512; RM148; RM624 10471; 10472; 22343; 22354; 10113; 10114; 10115; 22333; 03504; 03505; 03508; 10473; 09192; 22344; 10112
13. A modified airbomb struck a building near apartment blocks in Safeta Hadžica Street, destroying the top three floors of an apartment building. This explosion was followed by several artillery rounds. Serious damage was caused to a number of buildings. 2 persons were seriously injured and 15 persons were slightly injured. It was determined that the fire came from VRS/SRKK-held territory in the west-south-west.	26 May 1995	PAF 2543-2555 RM104; RM148; RM624; RM175; RM110 10134; 09504; 10378; 10137; 10138; 10179; 10260; 09192; 22344; 10131; 10132; 15717; 10309
15. A modified aircraft bomb, fired from Lukavica, VRS/SRKK-held territory, exploded next to 10, Trg Međunarodnog Prijateljstva, lightly injuring 7 persons and causing considerable damage to neighboring buildings.	16 June 1995, at about 1520 hours	PAF2556-2562 RM155; RM159; RM624 09192; 22344; 09968; 10139; 10367; 10368; 10429; 10139; 10140; 10160; 10161
18. A 120 mm mortar shell landed in Mula-Mustafe Bašeskije Street outside the entrance to the City Market. 43 people were killed and 75 were injured. The origin of fire was Trebević, VRS/SRKK-held territory.	28 August 1995	PAF 2563-2580 RM502; RM133; RM132; RM137; RM105; RM138; RM108; RM055; RM174; RM611; RM130; RM512; RM148; RM131; RM167; RM624; RM110; RM505 10231; 22347; 22353; 10229; 10240; 10230; 10332; 03548; 03830; 10232; 10233; 10234; 10343; 10221; 10243; 10392; 10222; 10223; 10224; 10225; 10226; 10235; 10236; 10237; 10241; 10246; 10400; 10401; 09995; 10227; 10228; 10239; 10244; 22427