

UNITED NATIONS

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

Case No. IT-95-5/18-T
Date: 10 October 2014

IN TRIAL CHAMBER III

Before: Judge O-Gon Kwon, Presiding
Judge Howard Morrison
Judge Melville Baird
Judge Flavia Lattanzi, Reserve Judge

Registrar: Mr John Hocking

THE PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

**NOTICE OF FILING PUBLIC REDACTED VERSION OF
PROSECUTION FINAL TRIAL BRIEF APPENDICES A TO D**

The Office of the Prosecutor:

Mr Alan Tieger
Ms Hildegard Uertz-Retzlaff

The Accused:

Mr Radovan Karadžić

Stand-by Counsel:

Mr Richard Harvey

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

Case No. IT-95-5/18-T

THE PROSECUTOR

v.


RADOVAN KARADŽIĆ

PUBLIC

**NOTICE OF FILING PUBLIC REDACTED VERSION OF PROSECUTION
FINAL TRIAL BRIEF APPENDICES A TO D**

1. As indicated in its Notice of Filing Public Redacted Version of Prosecution Final Trial Brief,¹ the Prosecution hereby files the public redacted version of the Appendices A to D.

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Senior Trial Attorney

Dated this 10th day of October 2014
At The Hague
The Netherlands

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CONFIDENTIAL
APPENDIX A

Banja Luka

I. BANJA LUKA MUNICIPALITY (MANJAČA CAMP)

A. Overview

1. The municipality of Banja Luka is located in north-western BiH and from the very start was the centre of the ARK.¹ An SDS CS was formed in Banja Luka in January 1992.² The Banja Luka Municipal CS was established following the takeover of key locations and institutions within the city (including the Municipal Assembly building) by members of the SOS³ and the JNA on 3 April 1992.⁴ Main Board member Predrag RADIĆ was its president.⁵ The ARK CS, headquartered in Banja Luka,⁶ had RS deputy Radoslav BRĐANIN as President, RADIĆ, KUPREŠANIN, ERCEG, and STEVANDIĆ (Commander of the SOS⁷) were members, together with senior ARK military (General TALIĆ, Lt.Col. SAJIĆ), and police (ŽUPLJANIN) figures.⁸ BRĐANIN as well as other Serb regional SDS officials maintained regular contact with **KARADŽIĆ** regarding policies and their implementation on both the municipality and ARK level, including the forcible removal of non-Serbs.⁹

2. The SDS Municipal Board and the secretary of the Banja Luka Municipal Assembly received copies of Variant A/B.¹⁰ Many of the instructions were implemented in Banja Luka¹¹ (a Variant A municipality).¹² Republic-level Assembly deputies transmitted Assembly decisions to regional and municipal CSs.¹³ RADIĆ, Banja Luka Municipal Assembly President (or Mayor), was aware of non-Serb civilians being expelled from municipalities such as Prijedor, Ključ and Sanski Most, deported from municipalities in cattle cars, detained in detention camps and murdered on a large-scale during operations conducted by Serb police and army forces.¹⁴ RADIĆ was criticised by **KARADŽIĆ** for not having expelled non-Serbs, leaving too many

¹ D1278,p.8.

² P2553,p.7.

³ P6522,p.1; AF2224-AF2226. *See* III.C.8.(l): Paramilitaries/Volunteers/Serbian MUP; Sanski Most Summary.

⁴ AF2225.

⁵ P6522,p.3; P3408.

⁶ P2533,p.7.

⁷ P2855,p.4

⁸ P6; AF2223, AF528; P2855,p.4.

⁹ *See* III.C.8.(g).(vii): The ARK as an example of CS implementation of the common criminal plan.

¹⁰ P.RADIĆ:P1,pp.151-152. *See* III.C.2: Variant A/B.

¹¹ P.RADIĆ:P1,pp.153-155.

¹² *See* P5449,p.2.

¹³ P.RADIĆ:P1,pp.67-70.

non-Serbs remaining in Banja Luka,¹⁵ and by **KARADŽIĆ**'s emissary for allowing mosques to continue to stand.¹⁶

3. In 1991, the ethnic composition of Banja Luka municipality was roughly 55% Serb (106,778 in total), almost 15% Croat (29,033), 15% Muslim (28,550) and 15% others.¹⁷ By 1995, Serbs made up more than 80% of the population while the percentage of Muslims and Croats had fallen to less than 7% each.¹⁸

B. Manjača camp

4. Pursuant to MLADIĆ's order,¹⁹ Manjača camp was set up at the former military training ground, around 20-25 kilometres from the city of Banja Luka,²⁰ and started to function as detention facility for non-Serb civilians as early as May 1992.²¹ IKK Commander TALIĆ appointed Colonel Božidar POPOVIĆ as camp commander.²² Manjača was one of the major detention facilities in the ARK, receiving detainees from detention facilities located in various ARK municipalities.²³ The over 4,400 detainees registered at the Manjača camp between June and mid-December 1992²⁴ were civilians of Muslim and Croat ethnicity, and a few Serbs.²⁵ Of the thousands of men held at Manjača, only very few non-Serbs were the subject of criminal reports.²⁶ The conditions at Manjača were inhumane and detainees were subjected to mistreatment, including beatings and killings.²⁷

5. While the MP was primarily responsible for camp security, SJBs, upon instructions from CSB Banja Luka, routinely sent police officers to assist with

¹⁴ P.RADIĆ:P1,pp.75-76.

¹⁵ P.RADIĆ:P1,pp.130-131,234.

¹⁶ P.RADIĆ:P1,pp.107-108,111.

¹⁷ P5449,p.2.

¹⁸ P5449,p.2.

¹⁹ P3731.

²⁰ P3729. *See also* ██████████.

²¹ AF562;P534,p.2.

²² AF564; ██████████; S.MUHIĆ:P701,p.13; S.MUHIĆ:P700,p.49;

R.RADINKOVIĆ:D4204,para.5.

²³ AF565; AF563; P3549,p.5; ██████████; P5462,p.2; R.RADINKOVIĆ:T.45312.

²⁴ KDZ163:T.20768-20769. *See also* ██████████; R.RADINKOVIĆ:T.45312; ██████████; AF566; AF2229; P3748; P5462,p.2; P3549,p.5; P534,p.2; ██████████; D1854; P1265,paras.35-36; P3726; S.MUHIĆ:P701,p.11.

²⁵ *See* SIC:C.1.2(Banja Luka).

²⁶ P3608,pp.713-717(entry572),717-729(entry573); ██████████ D4356.

²⁷ *See* SIC:B.1.1-B.1.4,C.1.2(Banja Luka).

security.²⁸ In addition to camp security, there was also a high level of co-operation between the VRS and MUP in relation to the transfer of detainees between detention facilities under MUP control to the Manjača camp. Serb forces (police, MP, TO, SOS), transferred a large number of detainees to Manjača from detention facilities under their control,²⁹ including Prijedor (at least 1,630 detainees),³⁰ Sanski Most (at least 1,450),³¹ and Ključ (at least 1,170).³² Public and state security officials also interrogated and categorised the detainees³³ “with the knowledge and approval of the OB [Intelligence and Security] Chief of the IKK.”³⁴

C. KARADŽIĆ and Manjača camp

6. **KARADŽIĆ** was well aware by the end of July that non-Serb civilians were detained in Manjača under appalling conditions. Apart from his general knowledge of civilian detention and camp conditions,³⁵ the inhumane conditions at the camp were apparent to anyone who visited it,³⁶ including high-ranking politicians (such as KUPREŠANIN³⁷ and GRAHOVAC³⁸), police officials (such as CSB Banja Luka Chief ŽUPLJANIN, ŠKONDRIĆ, BOJINOVIĆ, KONDIĆ and RADULOVIĆ),³⁹ and members of the prosecutor’s office and judiciary.⁴⁰ After seeing the poor conditions

²⁸ R.RADINKOVIĆ:D4204,paras.3,6-7; [REDACTED]; P5458; KDZ163:P3717,pp.13-17.

²⁹ [REDACTED]; DusanMUDRINIĆ:T.47393; [REDACTED]; D470,pp.4,7-8,11,31; C.NIELSEN:P2958,paras.288,305,315; P5462; P.RADIC:P2,p.28; R.RADINKOVIĆ:D4204,para.33; R.RADINKOVIĆ:T.45313.

³⁰ AF2485; P2772; P3719,p.2; [REDACTED]; C.NIELSEN:P2958,pp.288,292,305; P.RADIĆ:P2,p.28; [REDACTED]; D470,pp.4,11,31; P5462,p.2;

[REDACTED]; P2968,p.12; P5555,p.5.

³¹ AF1331; AF1353; AF2540; AF2558; P3327; P3669; D470,pp.7-8,11; C.NIELSEN:P2958,para.315; P5462,p.2; [REDACTED];

[REDACTED]; P3668; P5455; P3327; P3319; [REDACTED]; P2639; D470,pp.7-8,16;

[REDACTED]; D.MUDRINIĆ:T.47393; P2769;

[REDACTED]; D4451; M.KARABEG:P3303,pp.117-119;

[REDACTED]; A.ZULIĆ:P718,para.130.

³² P3594; AF2242; AF2558; P3508; [REDACTED]; [REDACTED];

[REDACTED]; [REDACTED]; [REDACTED];

³³ P2639; P3734; P3720; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; P3752; D1867; [REDACTED]; KDZ163:P3717,pp.31-32,39-40; C.NIELSEN:P2958,paras.290-292,315-319,348-349; R.RADINKOVIĆ:D4204,para.17.

³⁴ R.RADINKOVIĆ:D4204,para.17.

³⁵ See generally III.D.1: **KARADŽIĆ** knew of crimes being committed in furtherance of the common purpose.

³⁶ P.RADIĆ:P1,pp.251-255. See video footage: P3695 and P731.

³⁷ D4051,p.3.

³⁸ A.ZULIĆ:P718,para.128.

³⁹ P3491,p.1; [REDACTED]; A.DŽAFIĆ:P3488,para.124.

⁴⁰ [REDACTED]; [REDACTED];

and signs of detainee abuse during a prematurely terminated visit on 16 July 1992,⁴¹ ICRC representatives conveyed their observations directly to **KARADŽIĆ**, stating that the “Manjaca camp was not suitable for detention and should be closed.”⁴² When the ICRC would finally be re-allowed access to the camp in mid-September, it re-emphasized that “is not at all suitable for the accommodation of prisoners”,⁴³ and equally in early October, it again recommended that the camp be closed, considering it to be “wholly inadequate for the accommodation of prisoners.”⁴⁴

7. **KARADŽIĆ** did not use his authority to close the camp.⁴⁵ Instead, when journalistic exposure of conditions in Omarska and Trnopolje triggered an international outcry, another 1,500 detainees were transferred from municipalities within the ARK to Manjača camp during August.⁴⁶

8. In this period, conditions in Manjača became more widely-known as journalists visited Manjača and reported on its conditions.⁴⁷ The VRS admitted that foreign journalists portrayed the situation very realistically, both on the “battlefield and in the LRZs [camps] controlled by us.”⁴⁸ Before the journalists arrived, **KARADŽIĆ** and **MLADIĆ** sought to ensure that conditions were improved and limits were imposed during visits to mislead the visitors.⁴⁹ To disguise their civilian status, detainees were forced to wear old JNA uniforms.⁵⁰ Although journalists who visited the camp on 8 August 1992 made enquiries about the newly-transferred Omarska prisoners, they were not allowed access.⁵¹

⁴¹ P3758,pp.4-7; P3745; [REDACTED]. See further III.D.1: **KARADŽIĆ** knew of crimes being committed in furtherance of the common purpose.

⁴² P3758,p.6.

⁴³ D1874,p.3.

⁴⁴ D1875,p.2. The ICRC report in mid November states that “accommodation for prisoners became even more difficult when the snow fell... the roofs are leaking, wet blankets”, see D1876.

⁴⁵ P3783. See III.D.2.(a): **KARADŽIĆ** made no genuine attempt to exercise his authority to prevent crimes or punish the perpetrators.

⁴⁶ [REDACTED]; [REDACTED]; D470,p.31; Z.MEJAKIĆ:T.44273-44274,44280; P2968,p.12; P5448; D472.

⁴⁷ [REDACTED] See generally III.D.1: **KARADŽIĆ** knew of crimes being committed in furtherance of the common purpose. **KARADŽIĆ** granted approval to ICRC, NGOs and journalists. R.RADINKOVIĆ:D4204,para.40.

⁴⁸ P3929,p.3.

⁴⁹ P5461; P5460; P731; P534,p.7; C.MCLEOD:P712,pp.28-41; [REDACTED] P5464; [REDACTED]; A.DŽAFIĆ:P3488,paras.113,120; A.ZULIĆ:P718,para.131; P3724. See further III.D.1: **KARADŽIĆ** knew of crimes being committed in furtherance of the common purpose.

⁵⁰ P3500; KDZ163:P3717,pp.61-62,66; A.DŽAFIĆ:P3488,para.113; [REDACTED].

⁵¹ P3724,p.2.

9. Despite the awareness both within (Manjača officials repeatedly reported that there was no basis for the detention of the confined civilians)⁵² and outside RS of poor conditions and that civilians were being held, **KARADŽIĆ** did not order their release but scrambled to orchestrate cosmetic damage-control. The “highest organs of authority” issued an order (to SJBs that had transported detainees to the Manjača camp), to *post-hoc* “create a file on each prisoner” which operatives were to bring with them to the Manjača camp on 20 August.⁵³ On 20 August, the RS Presidency ordered Manjača officials to release those for whom there was no evidence that they participated in combat activities *and* “are quite ill and their appearance is attracting attention from the media and humanitarian organisations.”⁵⁴ This task was to be completed forthwith.⁵⁵ Meanwhile, during this critical period, internationals were kept out. The Special Rapporteur of the Commission of Human Rights, Tadeusz MAZOWIECKI was denied access to detainees in Manjača under a variety of excuses,⁵⁶ as was the ICRC between 18-25 August.⁵⁷

10. On 11 September 1992, **KARADŽIĆ** granted “amnesty”, or “pardoned” 69 detainees.⁵⁸ As he told the Assembly on 15 September: “if they [ICRC] want to take them abroad, let them. That will give us great credit among the international public.”⁵⁹

11. While the bulk of civilian detainees languished in inhumane conditions, the BSL exercised its control over their fate sparingly. For example, a detainee was released to KUPREŠANIN’s custody in August⁶⁰ because, as Defence witness KESEROVIĆ explained, KUPREŠANIN had the permission of “President **KARADŽIĆ** or someone from the top Serbian leadership” for the detainee to be released.⁶¹ Over time, **KARADŽIĆ** granted “amnesty” or “pardoned” from criminal prosecution close to 800 detainees in Manjača.⁶²

⁵² [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED].

⁵³ D1864, D1552.

⁵⁴ P3491,p.1; R.RADINKOVIĆ:T.45325-45326. *See also* [REDACTED]; P5472.

⁵⁵ D1552.

⁵⁶ P1265,para.35. The Special Rapporteur considered the detention of civilians as a means to pressure non-Serbs to leave the territory. *See* P1265,para.23

⁵⁷ P807,p.3; P3745; P3930.

⁵⁸ *See also* P3071.

⁵⁹ D456,p.55.

⁶⁰ D.KESEROVIĆ:T.40944. *See* D3843.

⁶¹ D.KESEROVIĆ:T.42008.

⁶² P3721; P3722; D4211; [REDACTED]

12. The bulk of the approximately 3,650 detainees remaining in mid-November⁶³ were finally released in November and December and sent outside the RS.⁶⁴ As **KARADŽIĆ** made clear, he was “willing to release all prisoners from Manjaca if the international community and the ICRC are ready to accept them *and convey them to third countries.*”⁶⁵

13. In addition, without the ICRC’s knowledge,⁶⁶ hundreds of non-Serb civilians were sent to other RS-run camps within BiH.⁶⁷

14. As explained in more detail elsewhere in this brief⁶⁸ there was no genuine attempt made to prevent crimes against detainees or punish the perpetrators. Crimes were widely known by the Serb authorities within and outside the detention facility.⁶⁹ General TALIĆ, the camp commander, camp personnel and interrogators knew detainees were being physically abused in Manjača.⁷⁰ The 1KK Command Intelligence and Security organ received daily reports⁷¹ about events and official notes in relation to events and specific killings that occurred in and around the immediate confines of the Manjača camp.⁷² No investigations were undertaken by either the military or civilian police with regard to the 7 July suffocations,⁷³ and the 6 August killings,⁷⁴ despite the fact that the 1KK, the CSB and SJBs were aware of these crimes and the involvement of police officers.⁷⁵ Although one of the perpetrators of the 6 June killings⁷⁶ was identified⁷⁷ and even confessed his involvement,⁷⁸ he was never charged with the

⁶³ P3725.

⁶⁴ See SIC:C.1.2(Banja Luka).

⁶⁵ D1851 (emphasis added).

⁶⁶ At the 16 July ICRC visit, POPOVIĆ confirmed to ICRC that they would be kept informed on all arrivals and departures to/from the camp, including transfers, arrivals, releases, exchanges and deaths. See P3758.

⁶⁷ P3727,p.3-4; P4910; P5468P3213,pp.7,21,23,26,29-30,38,40,43,45,48,52,55,59,72,74,82,84,88,90,92,102,104,107,109,125,127,129,142,147,149,155,157,164,166,173,175,180,186,188,191(B/C/S). One of these detainees from the Ključ municipality was taken for exchange on 29 January 1993 at the BiH/Croatian border town of Orašje. See A.EGRLIĆ:P6586,p.161; P3593; P5531.

⁶⁸ See III.D.2.(a): **KARADŽIĆ** made no genuine attempt to exercise his authority to prevent crimes or punish the perpetrators.

⁶⁹ See above.

⁷⁰ AF578-580; S.MUHIĆ:P700,pp.49-50; R.RADINKOVIĆ:D.4204,para.12; R.RADINKOVIĆ:T.45331-45332. See also above.

⁷¹ [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]. See also

SIC:B.1.2-B.1.4(Banja Luka).

⁷³ See SIC:B.1.2(Banja Luka).

⁷⁴ See SIC:B.1.3(Banja Luka).

⁷⁵ KDZ163:P3717,pp.76-77; D470,p.7; [REDACTED].

⁷⁶ See SIC:B.1.1(Banja Luka).

⁷⁷ S.MUHIĆ:P700,pp.27-36; S.MUHIĆ:P701,pp.5,9-10.

⁷⁸ P6556.

killings in Manjača camp.⁷⁹ With respect to other serious crimes committed within the camp,⁸⁰ including the murder of Ključ community leader, Omer FILIPOVIĆ, and Esad BENDER, the failure of Serb authorities to adequately investigate or prosecute crimes, even though the identities of the perpetrators were readily available,⁸¹ reflects the climate of impunity for crimes against the non-Serb detainees.⁸² Perpetrators of the murder of FILIPOVIĆ and BENDER were tried by courts in BiH many years after the war.⁸³

⁷⁹ P3607.

⁸⁰ See SIC:B.1.2,B.1.4,C.1.2(Banja Luka).

⁸¹ R.RADINKOVIĆ:D4204,paras.28,30; KDZ163:P3717,p.15; [REDACTED]; P533.

⁸² [REDACTED]

⁸³ [REDACTED]; R.RADINKOVIĆ:D4204,para.30.

Bijeljina

I. BIJELJINA MUNICIPALITY

A. Overview

1. In 1991, Bijeljina municipality's population was 29.8% (24,314) Muslim and 60.8% (49,654) Serb.¹ Its strategic importance lay in its location close to the rivers Sava and Drina, on a main road connecting Sarajevo to Belgrade.² It was also significant for the achievement of the first, second and third strategic objectives.³ Bijeljina was the first municipality taken over by Bosnian Serbs.⁴ The forcible removal of Bijeljina's Muslim population began during this takeover and continued through 1995.⁵ By 1995 "the entire non-Serbian population" had been expelled.⁶

B. Build-up to War

2. The SDS party gained momentum in Bijeljina in 1990,⁷ led by Predrag JEŠURIĆ and future RS Assembly deputy Milan NOVAKOVIĆ.⁸ Ljubiša SAVIĆ (a.k.a. "MAUZER") was another leading SDS figure in the municipality.⁹ After the SDS came to power in elections in 1990, JEŠURIĆ became SJB chief.¹⁰

3. Prior to the conflict, the SDS armed and organised Bijeljina's Serbs with assistance from Serbia, sending Serbs, including MAUZER, to a training camp run by Željko RAŽNATOVIĆ ("ARKAN").¹¹ JEŠURIĆ also requested and received weapons from the Serbian MUP.¹²

4. Variant A/B was received and implemented in Bijeljina. On 16 January 1992, **KARADŽIĆ's** Variant A/B coordinator ČIZMOVIĆ¹³ reported to **KARADŽIĆ** that he had "talked to Bijeljina [...] They are prepared for full co-operation" with the

¹ P4994, pp.30,39.

² AF2234.

³ P2561; P3033, pp.374-375. See III.C.5.(a): The strategic objectives as articulated at the 16th Assembly.

⁴ AF2235.

⁵ P2073.

⁶ D4002, p.30. See also P4994, pp.30,39; M.DAVIDOVIĆ:T.15717; P2457, para.9.

⁷ See M.KIĆANOVIĆ:D3090; C.SIMIĆ:D3133, para.3.

⁸ [REDACTED]; M.DAVIDOVIĆ:T.15541; M.DAVIDOVIĆ:P2848, paras.10-11,116; D.ANDAN:D3774, p.324.

⁹ AF2237; KDZ446:P29, p.55.

¹⁰ M.DAVIDOVIĆ:P2848, para.13; P2629, p.1.

¹¹ M.DAVIDOVIĆ:P2848, paras.89,93,117; M.DAVIDOVIĆ:T.15716; D1412, pp.6-7; P2875; KDZ446:P29, p.53-55.

¹² P1083, p.2.

¹³ See III.C.2: Variant A/B; P1350, p.35.

instructions.¹⁴ Following the activation of Variant A/B's second level on 14 February, Bijeljina was one of the municipalities that **KARADŽIĆ** tasked ČIZMOVIĆ to visit to ensure effective preparations for takeovers were being made.¹⁵

5. An SDS-controlled CS¹⁶—including MAUZER¹⁷ and NOVAKOVIĆ¹⁸—was established and operational by the end of March, supervising TO and paramilitary formations.¹⁹ Mauzer himself commanded an SDS military formation, referred to as Serbian National Guard (later “the Panthers”), composed largely of SDS members.²⁰ Mauzer's unit was later incorporated into the IBK.²¹ In a 3 April 1992 letter, Bijeljina SDS President Savo KOJIĆ informed the SDS Main Board that all Serb people were organised in TO units.²² CSs were established in surrounding villages, and these CSs organised village guards.²³

6. At the 11 February 1992 meeting of senior Serb police officials, where the creation of a Serb MUP was discussed²⁴ JEŠURIĆ informed STANIŠIĆ of the weapons he had received from the Serbian MUP.²⁵ Two days later, the Bijeljina SJB received instructions from Momčilo MANDIĆ to prepare to establish a Serb MUP.²⁶ A separate Serb SJB, led by JEŠURIĆ, was functioning in Bijeljina by 1 April.²⁷

C. Takeover and attack on Bijeljina and subsequent crimes

7. The Serb attack on Bijeljina began on 31 March 1992.²⁸ The Serb forces comprised the Serbian Volunteer Guard, headed by ARKAN;²⁹ local volunteers commanded by SRS leader Mirko BLAGOJEVIĆ;³⁰ MAUZER's Serbian National

¹⁴ P2552,p.7.

¹⁵ P1351,p.59.

¹⁶ M.DAVIDOVIĆ:P2848,para.89; P6211,p.2; [REDACTED]

¹⁷ See P6211,pp.4-5; M.DAVIDOVIĆ:T.15753.

¹⁸ [REDACTED]

¹⁹ P2629,pp.1-2; P2626; P6211,pp.4-5,8/P5587; [REDACTED]

²⁰ AF2237; P2855,p.5; M.DAVIDOVIĆ:T.15479-15780; M.DAVIDOVIĆ:P2848:paras.79,89; C.SIMIĆ:T.35698-35699.

²¹ D1458.

²² D1585.

²³ M.DAVIDOVIĆ:P2848:para.89.

²⁴ P1083,p.1.

²⁵ P1083,p.2.

²⁶ P1112.

²⁷ P2629,pp.1,3; KDZ446:P29,p.3.

²⁸ AF2240; P2901,p.6; P3033,p.375; A.VASILJEVIĆ:D3065,paras.171,173. See III.C.8.(k): TO; III.C.8.(l): Paramilitaries/Volunteers/Serbian MUP.

²⁹ P2629,pp.1-2; P2889,p.1; D1611,p.1; KDZ446:P29,pp.7-13; A.VASILJEVIĆ:D3065,paras.173-176.

³⁰ AF2241; P2901,pp.6,8,11; M.DAVIDOVIĆ:P2848,para.118.

Guard;³¹ members of the White Eagles;³² and the Serb TO.³³ The TO and CS Bijeljina, as well as republic-level authorities, had invited ARKAN's men to take part in takeover operations.³⁴ The CS Bijeljina coordinated all the troops during the takeover.³⁵ Despite initial minor resistance, Serb forces had taken control of Bijeljina by 4 April.³⁶

8. At least 48 civilians, mostly Muslims, were killed during the take-over.³⁷ Although the Defence contends that many of these individuals were killed mounting an armed resistance,³⁸ its witnesses on this point have admitted that their conclusions are neither "precise" nor based on first-hand observation.³⁹ This contention is also belied by uncontested facts that: (1) the dead included women and children; (2) none wore uniforms; (3) most were shot in the chest, mouth, temple, or back of the head; and (4) some were shot at close range.⁴⁰

9. Republic-level SDS leaders were kept informed of events. On 1 April 1992, the Bijeljina CS reported to the SDS Main Board.⁴¹ On 4 April, a high-ranking BiH delegation, including PLAVŠIĆ, visited Bijeljina.⁴² She met with the CS and ARKAN and toured the town and military barracks.⁴³ PLAVŠIĆ publicly praised ARKAN for saving the local Serb population and kissed him to shouts of approval from local SDS members.⁴⁴ Two weeks later, at a dinner with UNPROFOR representatives also attended by ARKAN, she described Bijeljina as "liberated".⁴⁵

10. On 4 April, the same day PLAVŠIĆ lauded ARKAN, **KARADŽIĆ** acknowledged the "regrettable" incidents in Bijeljina but claimed they took place in a "collapse of the constitutional and legal order", accusing the BiH Presidency of

³¹ P2629,pp.1-2; P2889,p.1; P2884,p.1; KDZ446:P29,p.13.

³² AF2242.

³³ P2629pp.1-2; P6211,p.3; P6209,p.1.

³⁴ P2889,p.1; D1612,p.11; M.DAVIDOVIĆ:P2848,paras.66,76,117; M.DAVIDOVIĆ:T.15484,15716; KDZ446:P29,pp.53-54; M.DAVIDOVIĆ:P2848,p.24; P1105,p.20.

³⁵ See P2629,pp.1-2; P2901,pp.6,8; P6211,p.4 ; AF2241.

³⁶ P5474; M.KIĆANOVIĆ:T.34890-34891; P6211.

³⁷ AF2243;AF2245-AF2246. See SIC:A.1.1.(Bijeljina).

³⁸ See D.SPASOJEVIĆ:D3141,para.20; C.SIMIĆ:D3133,paras.24-30. See also D3142.

³⁹ D.SPASOJEVIĆ:T.35843. See also M.KIĆANOVIĆ:T.34889-34890.

⁴⁰ See SIC:A.1.1(Bijeljina).

⁴¹ P2626; P2629,p.1.

⁴² AF2247; P6185; C.SIMIĆ:D3133,para.32.

⁴³ P6185,p.2; P6211,p.8; I.OSMANOVIĆ:P3212,para.16.

⁴⁴ P6185,p.5; AF2248; I.OSMANOVIĆ:P3212,para.16 .

⁴⁵ AF2236.

“instigat[ing] chaos, violence and civil war”⁴⁶ with its call for mobilisation issued on that date.⁴⁷ The insincerity of **KARADŽIĆ**’s ‘regret’ is evidenced by the unwavering support he and the BSL gave **ARKAN**,⁴⁸ **MAUZER**, and others in their campaign to cleanse Bijeljina (and other municipalities) of non-Serbs, and the BSL’s persistent failure to prevent or punish crimes against non-Serbs in Bijeljina, discussed below.⁴⁹

11. After the takeover, **ARKAN**’s men were installed in the local SDS building.⁵⁰ They took over the police station,⁵¹ accompanied police patrols, and were involved in arresting members of Bijeljina’s SDA presidency.⁵² An SDA leader was killed by police in his home.⁵³

12. Bijeljina’s non-Serbs were subjected to wide-ranging persecutory measures. Starting before the takeover, Muslims were dismissed from their jobs.⁵⁴ In mid-June 1992, **MAUZER** told the press that local officials had decided that Muslims in managerial positions should be replaced and that “[i]f genocide against the Serbian people continues” Muslims should be “expel[led] or forcibly remove[d ...] or something similar.”⁵⁵ Some Muslims were subjected to violence, including sexual violence, or killed.⁵⁶ After the takeover, **MAUZER**’s men established a detention facility, where they detained, interrogated, and tortured Muslims.⁵⁷ Serb forces destroyed non-Serb religious and cultural monuments throughout the municipality,⁵⁸ including the Atmačići, Janjari, and Srednja Trnova mosques,⁵⁹ to send a “signal” that Muslims should leave.⁶⁰

⁴⁶ D394.

⁴⁷ D392.

⁴⁸ See III.C.8.(I): Paramilitaries/Volunteers/Serbian MUP.

⁴⁹ See III.C.8.(I): Paramilitaries/Volunteers/Serbian MUP.

⁵⁰ AF2242.

⁵¹ M.DAVIDOVIĆ:P2848,paras.64,66; P2900,p.2.

⁵² AF2242.

⁵³

⁵⁴ [REDACTED] P2884pp.2-3.

⁵⁵ P2884,p.2.

⁵⁶ E.g. P6218; D.SPASOJEVIĆ:T.35857-35862; M.DAVIDOVIĆ:P2848,paras.76,84,92,117;

D.ANDAN:T.40857,40864; KDZ446:P29,p.13; [REDACTED]

[REDACTED]; P2900;

⁵⁷ M.DAVIDOVIĆ:P2848,para.95; D.ANDAN:D3774,pp.108-109.

⁵⁸ See SIC:D.2.(Bijeljina); [REDACTED]; M.DAVIDOVIĆ:T.15486,15823. See also

A.RIEDLMAYER:P4069,records28-40.

⁵⁹ See SIC:D.2.(Bijeljina).

⁶⁰

13. Shortly after the war started, VRS and Bijeljina civilian authorities cooperated in opening a detention facility at Batković, to be run by the military.⁶¹ In June 1992, the Batković camp was formally established by MLADIĆ's order.⁶² The vast majority of detainees at Batković were civilians and subjected to inhumane conditions and mistreatment including killings.⁶³ Batković was known throughout RS and many detainees were transferred from other camps in the RS-wide detention system.⁶⁴

14. During and after the takeover, Serb forces, including ARKAN's men MAUZER's men and other SDS-controlled units looted Muslim and Croat owned homes⁶⁵ and businesses⁶⁶ and extorted money from wealthy Muslims.⁶⁷ This was in accordance with a republic-level agreement that ARKAN's men would help liberate territory the Bosnian Serbs believed should become part of RS, and he and his men could take whatever property they wanted as "the price to pay for their engagement there."⁶⁸

15. Principally, looting was part of a coordinated campaign by the SDS to ethnically cleanse the municipality,⁶⁹ which continued throughout the conflict.⁷⁰ Although numerous groups were involved,⁷¹ one of the most notorious ringleaders⁷² was Vojislav ĐURKOVIĆ (a.k.a. "VOJKAN" or "PUŠKAR"⁷³)—an SDS "field operative"⁷⁴ and member of ARKAN's unit.⁷⁵ JEŠURIĆ and Drago VUKOVIĆ, a CS Member and eventual head of Bijeljina's DB, kept lists of wealthy Muslims in

⁶¹ [REDACTED]; M.DAVIDOVIĆ:T.15782-15785; G.ČEKIĆ:D3236,para.4.

⁶² See P2890; P3238; [REDACTED]. See also D3238.

⁶³ CIS:B.2.1(Bijeljina).

⁶⁴ CIS:C.2.1.(Bijeljina).

⁶⁵ M.DAVIDOVIĆ:P2848,paras.70,89,117-118. See also [REDACTED]; D.ANDAN:T.40857-40858; P2900,p.2.

⁶⁶ M.DAVIDOVIĆ:P2848,para.118.

⁶⁷ M.DAVIDOVIĆ:P2848,para.117.

⁶⁸ M.DAVIDOVIĆ:P2848,para.66. See also M.DAVIDOVIĆ:P2848,paras.65,70,118.

⁶⁹ AF2261-AF2262; M.DAVIDOVIĆ:P2848,paras.70,89; M.DAVIDOVIĆ:T.15532-15533; J.BOWEN:P2068,para.11; P2073; S.MIHAILOVIĆ:D3137,para.14.

⁷⁰ AF2261-AF2262; M.DAVIDOVIĆ:P2848,para.70; [REDACTED]; P2457,para.9; P2458,para.5; P5423; P5483; P2932; P2087;P1473,pp.87-88; D1429.

⁷¹ P1473,pp.87-88; M.DAVIDOVIĆ:P2848,para.89; [REDACTED].

⁷² P3862,para.7; D1136,para.6; P2073. See also Brief,paras.61-62,508-510,523,533-535(VOJKAN); D.ANDAN:T.40868-40869; P3149,p.65.

⁷³ Ž.FILIPOVIĆ:T.35799; M.KIĆANOVIĆ:T.34900.

⁷⁴ M.DAVIDOVIĆ:P2848,para.159.

⁷⁵ D.ANDAN:T.40869; M.DAVIDOVIĆ:T.15714-15716; P2858; Z.FILIPOVIĆ:T.35799; D.LJUBOJEVIĆ:T.35897-35898; D1136,para.6.

Bijeljina to be targeted for expulsion,⁷⁶ which they provided to VOJKAN.⁷⁷ Some Muslims applied to leave out of fear and had to pay considerable amounts to be allowed to do so,⁷⁸ however, most were violently removed from their homes.⁷⁹

16. In a typical case, VOJKAN and his men would force their way into a Muslim home, giving the inhabitants ten minutes to pack before being taken away to a collection centre.⁸⁰ There, they would be subjected to intrusive searches, stripped of valuables, and forced to hand over the keys to their homes, which would later be sold to Serbs settling in Bijeljina.⁸¹ Able-bodied men were detained or forced to join work units,⁸² while women, children, elderly, sick and disabled were driven in crowded trucks or trailers to the frontline near Tuzla, and “forced to cross minefields to reach safety”.⁸³

17. Once paramilitaries had played their role in the takeover and the cleansing campaign some of them turned their criminal activities towards Serbs and challenged the Serb authorities. “[O]nce they ran out of Muslim houses they switched to robbing Serb houses”,⁸⁴ and “even killing” Serbs.⁸⁵ It was only then that the authorities sought to get rid of them.⁸⁶ Although in July 1992, a special law enforcement unit headed by FRY MUP official DAVIDOVIĆ,⁸⁷ was tasked to address problems in Bijeljina,⁸⁸ the

⁷⁶ AF2262; M.DAVIDOVIĆ:P2848,para.70; M.DAVIDOVIĆ:T.15532;

⁷⁷ M.DAVIDOVIĆ:P2848,paras.70,162; M.DAVIDOVIĆ:T.15532,15594-15595.

⁷⁸ P5483; P2471,para.8; P2087; M.DAVIDOVIĆ:P2848,paras.70,159-160,164-165;

[REDACTED]; P2885; P2073; J.BOWEN:P2068,para.11; [REDACTED]

⁷⁹ [REDACTED]; P5483; S.MIHAILOVIĆ:T.35737-35740;

M.DAVIDOVIĆ:P2848,paras.70,89,92,117,159; [REDACTED];

D.ANDAN:T.40857-40858.

⁸⁰ P1473,p.87; [REDACTED]

M.DAVIDOVIĆ:P2848,paras.70,160; M.DAVIDOVIĆ:T.15532-15533; [REDACTED]

⁸¹ [REDACTED] M.DAVIDOVIĆ:P2848,paras.70,159-160;

M.DAVIDOVIĆ:T.15824-15828,15532-15533,15724; [REDACTED]; P5483; P2885; P5423,p.2;

P2073; P2458,para.7; A.BANBURY:P2451,para.62-63; [REDACTED]

⁸² [REDACTED] P5483; P2087; P5423,p.2; P2885.

⁸³ [REDACTED]; [REDACTED]; M.DAVIDOVIĆ:P2848,paras.70,160,164;

M.DAVIDOVIĆ:T.15533; P5483; P2885; P2932; P2073; J.BOWEN:T.10103; P2471,para.8.

⁸⁴ D.ANDAN:T.40829-40830; M.DAVIDOVIĆ:P2848,paras.52,78-79; D1412,p.5; P2888,p.5;

D.PLANOJEVIĆ:D3197,paras.29-30; P2855,p.3; P36.

⁸⁵ P2855,pp.2-3.

⁸⁶ M.DAVIDOVIĆ:P2848,para.72; P6165,p.5; M.BULATOVIĆ:T.34565-34567. See III.C.8.(I): Paramilitaries/Volunteers/Serbian MUP.

⁸⁷ M.DAVIDOVIĆ:P2848,paras.14,73-75; D.ANDAN:D3774,pp.333-334.

⁸⁸ M.DAVIDOVIĆ:P2848,para.73-75; P2900,p.3; D3135; D.ANDAN:D3774,pp.102-103,319;

C.SIMIĆ:T.35709-35713; Ž.FILIPOVIĆ:T.35814.

goal of these efforts was to remove those who threatened the Serb authorities,⁸⁹ rather than to combat crimes against the non-Serb population.⁹⁰

18. Furthermore, some of the criminal formations continued to enjoy the support of both the local⁹¹ and RS leadership.⁹² As DAVIDOVIĆ and his RS MUP counterpart Dragan ANDAN⁹³ conducted arrests in Bijeljina, their relations with local leaders became strained and there were demands for them to be removed from Bijeljina.⁹⁴ MAUZER complained to **KARADŽIĆ** and KRAJIŠNIK about DAVIDOVIĆ.⁹⁵ M.STANIŠIĆ intervened to prevent DAVIDOVIĆ's police unit from taking action against military perpetrators who were carrying out his mandate.⁹⁶ MAUZER and other paramilitaries who were arrested in action against the paramilitary were released, with some simply continuing their previous activities.⁹⁷ DAVIDOVIĆ and his FRY policemen were removed from Bijeljina.⁹⁸ ANDAN was dismissed from his position at the MUP⁹⁹ and another key RS MUP official in the activities against the paramilitaries was suspended on unjustified allegations.¹⁰⁰ Thus, the paramilitaries continued to operate with the tacit—and sometimes explicit—support of the BSL.¹⁰¹

19. Indeed, shortly after DAVIDOVIĆ's departure, the forcible removal of non-Serbs as described above continued.¹⁰² To instill fear in the remaining Muslims, Duško MALOVIĆ's special police unit from Sokolac murdered two Muslim

⁸⁹ P2900,p.2; D1436,p.6; M.DAVIDOVIĆ:P2848,paras.78-81,121. According to **DAVIDOVIĆ**, **KARADŽIĆ** was “probably aware that at the time there was much crime [...] and much collusion between crime and people who were in high positions who were allowing this”. M.DAVIDOVIĆ:T.15735. *See* III.C.8.(k): TO; III.c.8.(l): Paramilitaries/Volunteers/Serbian MUP. *See also* P2855.

⁹⁰ M.DAVIDOVIĆ:P2848,paras.77-78; P2900,pp.2-3.

⁹¹ P2855,p.5; M.DAVIDOVIĆ:P2848,paras.78,84; D.ANDAN:D3774,pp.323-327,385-389; D.ANDAN:T.40860-40863,40873-40874; P2897.

⁹² M.DAVIDOVIĆ,para.84; P6434,pp.3-4; D.ANDAN:T.40882-40885.

⁹³ *See* M.DAVIDOVIĆ: P2848, paras.83,101.

⁹⁴ M.DAVIDOVIĆ:P2848,paras.93,95-100; D.ANDAN:T.40874; P2900,p.5.

⁹⁵ M.DAVIDOVIĆ:P2848,para.86.

⁹⁶ P2895; P2808; M.DAVIDOVIĆ:P2848,para.85; D.ANDAN:D3774,pp.132-135.

⁹⁷ D.ANDAN:D3774,pp.322-325; M.DAVIDOVIĆ:T.15519-15520. *See also* P6218,pp.3,5,fn.101; D.SPASOJEVIĆ:T.35860-35862.

⁹⁸ M.DAVIDOVIĆ:P2848,paras.99,101,140,147-148.

⁹⁹ D1409.

¹⁰⁰ D.ANDAN:D3774,pp.443,494-495.

¹⁰¹ M.DAVIDOVIĆ:T.15519-15520. *See also* D.ANDAN:D3774,pp.322-325;D.ANDAN:T.40874-40875; S.MIHAILOVIĆ:T.35731.

¹⁰² AF2264; M.DAVIDOVIĆ:P2848,paras.150-151,153-154; M.DAVIDOVIĆ:T.15583.

families.¹⁰³ Muslims continued to be dismissed from their positions, had their electricity, water, and telephone services cut off and had to perform compulsory work obligations with prominent Muslim citizens assigned menial tasks such as street sweeping.¹⁰⁴ Those who refused to report or perform assigned duties were taken to Batković camp or expelled from the municipality.¹⁰⁵

20. **KARADŽIĆ** and other members of the BSL were well aware of the crimes in Bijeljina, including mass expulsions.¹⁰⁶ **KARADŽIĆ** and **KRAJIŠNIK** were in Bijeljina on a weekly basis¹⁰⁷ and held a meeting there with military and political officials in September 1992.¹⁰⁸ **VOJKAN** was even providing proceeds from his extortion activities directly to **KARADŽIĆ** and **KRAJIŠNIK**.¹⁰⁹ Communications between Bijeljina security officials and **STANIŠIĆ** occurred daily,¹¹⁰ and in May or June 1992, the MUP relocated there.¹¹¹

21. **KARADŽIĆ**'s general non-prosecution policy¹¹² was effected in Bijeljina throughout the war. Criminal law was selectively enforced in the municipality.¹¹³ Despite widespread knowledge of "killing non-Serbs", such cases were not prosecuted, and perpetrators were rarely punished.¹¹⁴ Occasionally, perpetrators were expelled from the municipality instead of being held accountable.¹¹⁵ For instance paramilitary formations taken into custody in Brčko and Bijeljina in July 1992 were either released or taken to the border and handed over to the Serbian police and not prosecuted for their crimes against the non-Serb population.¹¹⁶ Equally, despite an

¹⁰³ AF2264; M.DAVIDOVIĆ:P2848,paras.151-152; M.DAVIDOVIĆ:T.15507; P2878; P6217; D.SPASOJEVIĆ:T.35844,35848; S.MIHAJLOVIĆ:T.35735-35736; [REDACTED]; P6216; D.ANDAN:D3774,pp.491-493.

¹⁰⁴ AF2264; M.DAVIDOVIĆ:P2848,paras.153-155; D1450,p.56.

¹⁰⁵ AF2264; M.DAVIDOVIĆ:P2848,para.153.

¹⁰⁶ See III.D.1: **KARADŽIĆ** knew of crimes being committed in furtherance of the common purpose; III.C.8.(k): TO; III.C.8.(l): Paramilitaries/Volunteers/Serbian MUP.

¹⁰⁷ M.DAVIDOVIĆ:P2848,para.86; P6265,p.6 .

¹⁰⁸ P1479,pp.131-156,150.

¹⁰⁹ M.DAVIDOVIĆ:P2848,para.70.

¹¹⁰ See III.C.9.(a): Communications systems at **KARADŽIĆ**'s disposal. M.DAVIDOVIĆ:T.15462-15463; P2851.

¹¹¹ M.DAVIDOVIĆ:P2848,para.68.

¹¹² See III.D.2.(b): **KARADŽIĆ** propagated a policy of non-prosecution of crimes against non-Serbs.

¹¹³ See [REDACTED]; P2931; D.ANDAN:T.40824-40825 .

¹¹⁴ [REDACTED] See also P2900,p.1; P6218; P6219; D.SPASOJEVIĆ:T.35857-35864; D.ANDAN:T.40824-40825; D3813; D1419.

¹¹⁵ D.SPASOJEVIĆ:T.35860-35864; S.MIHAJLOVIĆ:T.35736.

¹¹⁶ D.ANDAN:D3774,pp.81,102-103,109,122-127,304,318-319,232-327; D.ANDAN:T.40824-40826; D3813; M.DAVIDOVIĆ:P2848,paras.78-80,103,105,107,110; M.DAVIDOVIĆ:T.15612,15614. See also P6218; P6219; D.SPASOJEVIĆ:T.35857-35864.

arrest in July 1992,¹¹⁷ MAUZER was never tried and convicted for his crimes¹¹⁸ and continued to commit crimes against non-Serbs in Bijeljina throughout the conflict.¹¹⁹

22. The BSL's support for the forcible expulsion of Bijeljina's non-Serbs is further evidenced by the treatment of the perpetrators of those crimes. Rather than being punished, they were feted. MALOVIĆ was not held accountable for his crimes.¹²⁰ He was later commended for his service by the RS Presidency.¹²¹ As discussed elsewhere in the brief, ARKAN,¹²² MAUZER¹²³ and VOJKAN¹²⁴ were also honoured by **KARADŽIĆ**.

¹¹⁷ M.DAVIDOVIĆ:P2848,para.94.

¹¹⁸ C.SIMIĆ:T.35699-35700.

¹¹⁹ P1473,pp.87-88; M.DAVIDOVIĆ:P2848,paras.70,89; M.DAVIDOVIĆ:T.15528-15529; P2889.

¹²⁰ See D.SPASOJEVIĆ:T.35736,35844-35845; S.MIHAJLOVIĆ:T.35735-35736; P6215;

¹²¹ P2978,pp.1,3.

¹²² See III.C.8.(l): Paramilitaries/Volunteers/Serbian MUP.

¹²³ See III.C.8.(k): TO.

¹²⁴ See Brief,paras.61-62, 533-535(VOJKAN).

Bosanski Novi

I. BOSANSKI NOVI MUNICIPALITY

A. Overview

1. In 1991 Bosanski Novi municipality was 14,040 (33.7%) Muslim, 25,101 (60.2%) Serb, and approximately 6% other. By the end of July 1992, as a result of a campaign of violence against non-Serbs, only about 1,000 Muslims remained in Bosanski Novi municipality.¹ This ethnic transformation furthered strategic objectives 1, 2 and 4, as Bosanski Novi—an ARK municipality—was situated within the Posavina-Semberija corridor and on the Una River.²

B. Build-up to the conflict

2. Beginning in 1991, the SDS and JNA were involved in the distribution of weapons to the general Serb population;³ in 1992, the mobilised Serbs continued to be armed through the TO.⁴

3. At the beginning of April 1992, pursuant to Variant A/B, the SDS Municipal Board created a CS,⁵ which implemented Variant A by linking TO units in the field, establishing a command structure, improving communications systems, and placing all strategic municipal localities under TO control.⁶

4. Following the RS and ARK decisions declaring an imminent threat of war and ordering public mobilisation,⁷ the CS took over the municipality, created a larger Municipal CS, removed SDA members from the Executive Board, appointed new staff to important municipal posts, and required employees of administrative organs, public companies and institutions to sign loyalty oaths.⁸ Beginning in mid-April, the Serb police chief dismissed Muslim police officers who refused to sign loyalty oaths and issued new

¹ AF672; E.TABEAU:P4994,pp.24,105; P10,p.3 (renamed Novi Grad in RS); P5449,pp.7-8 (renamed Novi Grad in RS).

² P956,p.9; P2561. *See also* III.C.5.(a): The strategic objectives as articulated at the 16th Assembly.

³ *See* P979,p.6; H.ALIC:P687,pp.10,18; KDZ011:P3800,pp.14-15.

⁴ D1913,p.3; R.PAŠIĆ:T.41023-41025.

⁵ P2632,p.1; R.PAŠIĆ:T.41014-41015.

⁶ P2632,p.1.

⁷ P2412; P2818; P2632,p.3.

⁸ P2632,pp.3-4; KDZ011:P3800,pp.9,70.

uniforms with Serb insignia.⁹ Checkpoints manned by JNA soldiers were set up near Muslim villages.¹⁰

5. After receiving the RS Government instructions on the work of CSs,¹¹ on 20 May 1992 the CS reorganised itself again, following instructions to take over all prerogatives and functions of the Municipal Assembly. This new CS included Radomir PAŠIĆ as President, Municipal TO Staff Commander Mile DAMJANOVIĆ and SJB Head Dragomir KUTILJA.¹²

6. Disarmament of Muslims began in April 1992.¹³ Despite the negotiated voluntary surrender of weapons, Muslim inhabitants of Suhača were detained for hours while JNA soldiers searched their homes to ensure no weapons remained.¹⁴ In May, citing Republican¹⁵ and ARK¹⁶ orders, the CS, SJB and TO drew up plans for the confiscation of illegal weapons.¹⁷ Around 9 May, the CS issued an ultimatum over the radio for Muslims to hand in their weapons within 24 hours;¹⁸ VJEŠTICA announced the issuance of this ultimatum to **KARADŽIĆ** and the entire Assembly on 12 May.¹⁹

C. Systematic attacks, mass expulsions and detentions of Muslims

7. Following expiry of the deadlines for disarmament,²⁰ the SJB, TO, MP, the JNA 5th Corps (later the 1KK) and a CSB Special Forces Detachment from Banja Luka, pursuant to orders from PAŠIĆ,²¹ began attacking and looting Muslim villages and Bosanski Novi town under the guise of disarmament,²² killing and wounding civilians,²³

⁹ AF2279; H.ALIĆ:P687,p.9; C.KIRUDJA:P3804,para.50; D1912.

¹⁰ KDZ011:P3800,pp.9-10.

¹¹ P2717; P2589,pp.16-18.

¹² P2632,p.7.

¹³ H.ALIĆ:P687,pp.11,12,19; KDZ011:P3800,pp.12,14-15.

¹⁴ AF2280-AF2281; KDZ011:P3800,pp.10-15,56-57,69-70; KDZ011:T.21239-21240; P3817,p.1.

¹⁵ P2412.

¹⁶ P2818,p.1; P3694.

¹⁷ D1921,pp.1,5.

¹⁸ AF2283; H.ALIĆ:P687,pp.10-11; P2632,p.6.

¹⁹ P956,p.21; M.SAJIĆ:T.44134-44135.

²⁰ P2818,p.1; P3694.

²¹ P6436.

²² AF668; AF2285-AF2286; R.PAŠIĆ:D3849,para.12; D1921,pp.3,5; P2632,pp.8-9; P3817,paras.3-5; KDZ011:P3800,pp.17-21; KDZ011:T.21193-21194; E.BROWN:P3914,paras.1.52,2.8.

²³ H.ALIĆ:P687,pp.13-14,20-22; KDZ011:P3800,p.28.

and destroying mosques²⁴ and other private property.²⁵ These intensive attacks²⁶ forced the entire Muslim population in the Japra valley to leave their homes:²⁷ in mid-May, 500 Muslim inhabitants of Donji and Gorniji Agići fled towards Prijedor and Sanski Most,²⁸ and on 24 May, approximately 8,000 to 10,000 Muslim men, women and children fled in a convoy towards Bosanski Novi after their villages had been destroyed by Bosnian Serb artillery.²⁹ Serb military forces intercepted the convoy at the Blagaj Japra bridge³⁰ and demanded people board a train headed toward Banja Luka. When they refused, their convoy was forced to return to Blagaj,³¹ where they remained for 17 days in prison-camp conditions guarded by armed Serbs.³² Following a Serb attack on the town of Bosanski Novi,³³ on 2 June, Bosanski Novi TO and MP rounded-up approximately 320 men, women and children and detained them in Mlakve stadium for four days.³⁴

8. During May and early June, Serb authorities from both Dvor (Croatia) and Bosanski Novi, including PAŠIĆ, met with Charles KIRUDJA and other UN representatives³⁵ seeking UN assistance with the transit of approximately 5,000 Muslims through a UN-protected area in Croatia.³⁶ Although initially asserting these departures were voluntary—an assertion he repeated in his testimony³⁷—PAŠIĆ then acknowledged that this was not the case, claiming that Muslims were under duress from Serb “irregular” forces and afraid of revenge;³⁸ PAŠIĆ also admitted the expulsion of “disloyal” Muslims would make room for 7,000 Serb refugees who needed housing.³⁹ After UN officials

²⁴ See SIC:D.4(Bosanski Novi).

²⁵ H.ALIĆ:P687,pp.11-13,19-21; KDZ011:P3800,p.17; AF2284; AF2290; P2632,pp.4-5; H.ALIĆ:P687,pp.11-13,19-20.

²⁶ AF2284-AF2285; AF2290.

²⁷ AF2286; P3817,paras.5,6.

²⁸ D470,p.10; D1921,p.3; D470,pp.10,20; KDZ011:T.21204; E.BROWN:P3914,para.2.160; P3817,paras.5,6.

²⁹ AF659; AF669; P3817,p.2; H.ALIĆ:P687,pp.12-13,21; KDZ011:P3800,pp.19-20; P3817,p.2.

³⁰ KDZ011:P3800,pp.21-23,72-73; P3817,p.2; C.KIRUDJA:P3804,para.61.

³¹ AF669; KDZ011:P3800,pp.21-23,72-73; KDZ011:T.21241-21242.

³² P3817,para.8; H.ALIĆ:P687,p.13; KDZ011:P3800,pp.21,23; KDZ011:T.21209.

³³ P629,pp.4-5.

³⁴ C.4.1(Bosanski Novi); AF2618; D1921,pp.1-2; C.KIRUDJA:P3804,paras.55-59; P3821,p.2; P3822; P3823,para.19; P3829,p.2; KDZ011:T.21208-21209; D1921,pp.1-2; P2632,pp.9-10.

³⁵ C.KIRUDJA:P3804,paras.40-42,62-63; P3815,p.2; P3819,para.2; P2632,p.9; C.KIRUDJA:T.21299; P3815,p.1; P3819,p.3.

³⁶ C.KIRUDJA:P3804,paras.40-41,45. *See also* C.KIRUDJA:P3804,para.127.

³⁷ R.PAŠIĆ:T.41047-41049; D3849,para.58.

³⁸ C.KIRUDJA:P3804,paras.45-48; C.KIRUDJA:T.21279-21280; P3815,p.3; P3819,pp.3-5.

³⁹ C.KIRUDJA:P3804,para.51. *See also* D4052,para.2.

requested to speak directly with Muslim representatives,⁴⁰ the Serb delegation admitted the representatives would confirm they did not want to leave.⁴¹ KIRUDJA refused to mobilise any international assistance, determining that PAŠIĆ was disingenuous when he represented that Muslims were leaving their homes voluntarily,⁴² or that “irregular” forces were responsible for attacks against Muslims.⁴³ KIRUDJA’s assessments are borne out by SJB and CS reports that Bosanski Novi TO, MP, Banja Luka CSB forces and the JNA were attacking and imprisoning Muslims,⁴⁴ which are in turn corroborated by other evidence of these events.

9. Further contradicting claims PAŠIĆ and others made to the UN, on 7 June, representatives of seven municipalities, including Bosanski Novi, sent conclusions to the ARK CS, the RS “leadership”, and the IKK, threatening to remove Muslims and Croats under military escort unless the ARK government ensured their removal from the territory to a level where Serbian authority could be maintained and implemented.⁴⁵ PAŠIĆ’s inconsistent and largely incoherent testimony on this document⁴⁶ fails to plausibly reconcile its plain language with PAŠIĆ’s contrary claim that the authorities had no motive or desire to expel anyone.⁴⁷ On 7 and 8 June, the Bosanski Novi CS and Red Cross informed Muslims held in Blagaj that the ARK government determined they should be “resettled” in Banja Luka and they would be escorted to Banja Luka by military and civilian police,⁴⁸ adding, “[i]f these proposals are rejected the Crisis Staff will no longer be able to guarantee security for Muslims in this area.”⁴⁹ On 9 June, Serb soldiers surrounded Blagaj, shot at civilians, killing and wounding a number of them,⁵⁰ and looted and burned houses to ensure people could not return.⁵¹ The soldiers herded the panicked Muslims toward the Blagaj Rijeka bridge where money and other valuables

⁴⁰ P3819,p.5; C.KIRUDJA:P3804,paras.46,61; D1918,p.1.

⁴¹ P3819,p.5. *See also* KDZ011:T.21241.

⁴² P3815,pp.2-3; C.KIRUDJA:P3804,paras.44,47,52,74,77,79,97,114; P3819,para.7; C.KIRUDJA:T.21278-21280,21282-21284,21297-21299,21305-21306.

⁴³ C.KIRUDJA:P3804,para.46; C.KIRUDJA:T.21282-21284.

⁴⁴ D1921; P2632.

⁴⁵ P2641,p.1.

⁴⁶ R.PAŠIĆ:T.41051-41057.

⁴⁷ R.PAŠIĆ:T.41047-41049; D3849,para.58.

⁴⁸ D1917; P2918.

⁴⁹ P2918.

⁵⁰ H.ALIĆ:P687,pp.13,21; KDZ011:P3800,pp.24-25.

⁵¹ H.ALIĆ:P687,p.21.

were taken from them,⁵² then forced the people into the Japra company compound.⁵³ Muslims' bodies lay dead on the road. Soldiers called out several Muslim men, who were taken away and shot nearby.⁵⁴

10. At the Japra company compound, the Bosanski Novi SJB, Municipal TO Staff and MP ordered approximately 4,000 to 8,000 Muslims to board 22 railway carriages used for transporting cattle.⁵⁵ Guarded by Bosanski Novi SJB, the train was transported to a location near Dobož, where authority was handed over to the Serbian army.⁵⁶ There, a Serb soldier separated the men from the women and children, sending the cars with the women and children on to Zenica, in ABiH-controlled territory.⁵⁷ Approximately 700 men returned to Bosanski Novi on 11 June.⁵⁸ They had remained locked in the cattle cars with no hygiene facilities, no food and little water provided only at the end of the three-day trip.⁵⁹ At the train station near Mlakve stadium, the men jumped from the train and ran past rows of armed soldiers into the stadium, where they were detained for 46 days in appalling conditions.⁶⁰

11. Following this mass forcible transfer, PAŠIĆ sent a letter on 6 July to KIRUDJA renewing his request for UNPROFOR assistance to evacuate Muslims, informing him that authorities in Bosanski Novi and Dvor had jointly organised a departure convoy of Muslims utilising buses from Dvor and security by the RSK police.⁶¹ PAŠIĆ's letter confirmed for KIRUDJA that Serb ethnic cleansing was systematic and driven by policies and instructions from higher authorities within the SDS and the new RS.⁶² International

⁵² AF658; H.ALIĆ:P687,pp.13,21; KDZ011:P3800,p.25.

⁵³ AF631; H.ALIĆ:P687,pp.13,21; KDZ011:P3800,p.25.

⁵⁴ H.ALIĆ:P687,pp.13-14,21-23.

⁵⁵ AF631-AF632; D1921,pp.2-3,5; D470,pp.10,18,21; KDZ011:T.21209-21212.

⁵⁶ D1921,p.2; H.ALIĆ:P687,p.23; KDZ011:T.21209-21210; E.BROWN:P3914,p.98.

⁵⁷ AF633; KDZ011:P3800,p.76; H.ALIĆ:P687,pp.14-15,23; KDZ011:T.21209-21210; P3827.

⁵⁸ AF634; KDZ011:P3800,pp.45-46,76; D1921,p.2.

⁵⁹ AF634-AF635; KDZ011:P3800,p.46; H.ALIĆ:P687,pp.14-15,23-24.

⁶⁰ See SIC:C.4.1(Bosanski Novi); KDZ011:P3800,p.46-47; H.ALIĆ:P687,p.15.

⁶¹ P3835; C.KIRUDJA:P3804,para.77; P3840,p.2; P3842,pp.2.

⁶² C.KIRUDJA:P3804,paras.57-61,64-68,70-76,77,79-80; D1918,pp.1-2; P3837,p.3; C.KIRUDJA:T.21302-21303,21305-21306. See also P3661; P3824; P3825; P3826; P3827; P3828; P3829; P3830; P3831; P3832; P3837,pp.2-3; P3838.

authorities grew increasingly concerned about the safety of the Muslims and agreed to assist, [REDACTED].⁶³

12. On 23 July, with UN assistance, a convoy of between 9,000 and 11,000 Bosnian Muslims crossed over to Croatia, more than double the original anticipated number.⁶⁴ Mainly consisting of Muslims from Bosanski Novi, including the 700 detainees from Mlakve stadium, the convoy also included a large number of Muslims from Prijedor, Bosanska Kostajnica and Bosanska Dubica.⁶⁵

[REDACTED]

14. After receiving reports that thousands more Muslim refugees were expected, international authorities publicly stated they would not succumb to further Serb “blackmail.”⁶⁸ Nonetheless, during August, Serb authorities pressed for more mass departures of Muslims who had been moved towards Bosanski Novi in order to pass through Dvor under UN escort even in the face of warnings that such actions could constitute a crime against humanity.⁶⁹ PAŠIĆ warned KIRUDJA, “[i]f we are left to resolve the matter by ourselves, we will resolve it very quickly.”⁷⁰

⁶³ [REDACTED]. See also C.KIRUDJA:P3804,para.97.

⁶⁴ AF671; P3847,p.2; P3848,p.2; C.KIRUDJA:P3804,para.99; [REDACTED]; P3854; [REDACTED].

⁶⁵ AF671; H.ALIĆ:P687,pp.16,24-25; KDZ011:T.21194-21195.

⁶⁶ [REDACTED]

⁶⁷ [REDACTED] P3856,pp.3-5.

⁶⁸ C.KIRUDJA:P3804,paras.101-103; [REDACTED]

⁶⁹ C.KIRUDJA:P3804,paras.101-117; C.KIRUDJA:T.21302-21303,21305-21306,21308.

⁷⁰ C.KIRUDJA:P3804,para.106.

15. At the end of June or beginning of July 1992, the CS issued regulations for departure from the municipality. Under the regulations, Muslims were forced to transfer or relinquish real property, leave behind all personal property (including cars and personal effects), and swear they would permanently leave the area.⁷¹ All documents had to state that these actions were taken on a “voluntary” basis.⁷² After complying with these conditions, PAŠIĆ or the local police Commander would issue a declaration allowing the Muslims to leave.⁷³ KIRUDJA was shocked to receive a printed list detailing 7,782 names of those “ready” to leave “voluntarily,” concluding it showed the calculated nature of the ethnic cleansing of the Muslim population and reaffirming his belief that higher authorities were pushing this agenda.⁷⁴

16. Serb authorities frankly admitted it was questionable these “requests” to leave had been signed voluntarily.⁷⁵ PAŠIĆ’s incoherent claims in his testimony that the documents requiring the Muslims to “permanently” leave Bosanski Novi did not actually mean what they said⁷⁶ only highlight their inculpatory nature. In any event, PAŠIĆ is contradicted by contemporaneous SJB records indicating that thousands of Bosanski Novi Muslims had been “permanently deregistered” pursuant to ARK and Bosanski Novi CS decisions.⁷⁷

⁷¹ P3837,p.2; P3838,p.1; P3840,p.2; P3656,p.1; P6439; KDZ011:P3800,pp.58-61,77; KDZ011:T.21193-21194; H.ALIĆ:P687,p.15.

⁷² AF2292.

⁷³ P3837,p.2; P3838,p.1.

⁷⁴ C.KIRUDJA:P3804,para.112; P3853,pp.4-6.

⁷⁵ P3840,para.11.

⁷⁶ R.PAŠIĆ:T.41081-41089. *But see* P6439,p.1.

⁷⁷ D1921.

Bratunac

I. BRATUNAC MUNICIPALITY

A. Overview

1. In 1991, the ethnic composition of Bratunac municipality was 61.8 % (16,284) Muslim, 36.4 % (9,588) Serb, and 1.8 per cent persons of other ethnicity including Croats.¹ Through a brutal ethnic cleansing campaign that killed approximately 1,000 Muslims and expelled 21,000 more,² the goal of a “clean Drina”³—vital to the third strategic objective⁴—had largely been achieved in Bratunac by June 1992.⁵ As **KARADŽIĆ**, **MLADIĆ**, **KOLJEVIĆ** and **OSTOJIĆ** were informed on 6 June 1992, “there are no Muslims now in Bratunac municipality.—It is a fully liberated town”.⁶

B. Build-up to the conflict

2. The president of the Bratunac SDS, Municipal Board and CS was Miroslav **DERONJIĆ**, **KARADŽIĆ**’s trusted hand-picked associate.⁷ **DERONJIĆ** was an important channel of communication from the top SDS leadership to the Bratunac SDS and conduit for execution of central SDS policies.⁸ **KARADŽIĆ** acknowledged **DERONJIĆ**’s importance to him by the accolades and appointments bestowed upon him: Bratunac War Commission (1992);⁹ Order of Nemanjići award (1994);¹⁰ and Civilian Commissioner for Srebrenica and Bratunac (1995), on which occasion **KARADŽIĆ** [REDACTED],”¹¹ then relying on him extensively throughout the Srebrenica events.¹²

¹ P4994, pp.30,33,36,39; E.TABEAU:T.28411-28412.

² Dž.GUŠIĆ:P3196, para.80; Dž.GUŠIĆ:T.17781.

³ P988, p.68.

⁴ P956, p.9; P988, p.68. See III.C.5.(a): The strategic objectives as articulated at the 16th Assembly.

⁵ M.KATANIĆ:P4374, para.44; P4994, pp.30,33,36,39.

⁶ P1478, pp.93-95,98,101,248,258.

⁷ P4376, pp.1,3; P3197; M.KATANIĆ:P4374, paras.7,11,12; Dž.GUŠIĆ:P3196, paras.40-41;

Dž.GUŠIĆ:T.17792-17793; N.RISTIĆ:T.15391-15393.

⁸ P3197, pp.6-10,13 ; Dž.GUŠIĆ:P3196, para.41; Dž.GUŠIĆ:T.17802-17804; S.DAVIDOVIĆ:T.24384;

[REDACTED]
⁹ P5491.

¹⁰ P5525, pp.17-18.

¹¹ D2055; J.NIKOLIĆ:T.35520; [REDACTED]; [REDACTED]

¹² See e.g. V.C.3(a): Deronjić and municipal authorities.

3. In August 1991, the JNA and SDS leaders, including DERONJIĆ, Rodoljub ĐUKANOVIĆ and Jovan NIKOLIĆ, began arming local Serbs.¹³ After February 1992, the Bratunac SDS arranged for the JNA to give weapons training to local Serbs, who could return to their local SDS boards to train others.¹⁴

4. During 1991, relations between Serbs and non-Serbs rapidly deteriorated.¹⁵ The SDS proclaimed that Bratunac was a Serb municipality and that co-existence was not possible; republic-level reference to the disappearance of Muslims increased the tension.¹⁶ Muslims were intimidated and harassed.¹⁷

5. In September 1991, Serb gunmen killed and wounded a number of Muslims in the Serbian village Kravice, inflaming tensions in the area.¹⁸ **KARADŽIĆ** sent a number of high-ranking political figures to Bratunac on 4-5 September to deal with the situation, including ŽEPINIĆ and KOLJEVIĆ.¹⁹ While assuring Muslims that all necessary action would be taken, KOLJEVIĆ promised Serbs that no investigation would be undertaken, as **KARADŽIĆ** affirmed in a subsequent radio address.²⁰ Privately, **KARADŽIĆ** told Zvonko BAJAGIĆ that the army was on its way from Tuzla, and instructed him to warn the Muslims that the Bosnian Serbs were organised and ready to defend themselves.²¹ As **KARADŽIĆ** discussed with KRAJIŠNIK, the army's arrival would send a clear message to Muslims: "Man you will disappear. Many of us will also disappear, but you will be annihilated!"²²

6. On 19 October 1991, the Bratunac SDS met to discuss **KARADŽIĆ**'s order on the "SDS state of emergency",²³ issued the previous day.²⁴ **KARADŽIĆ**'s order was implemented, and an initial SDS CS established, headed by DERONJIĆ.²⁵ The

¹³ P3201; DŽ.GUŠIĆ:P3196,paras.19,43,62; DŽ.GUŠIĆ:T.17805-17806; [REDACTED]; P3204; D3195,p.2; M.KATANIĆ:P4374,para.25; L.SIMIĆ:D3398,paras.24-30; B.TEŠIĆ:D3115,paras.6-7; R.ĐUKANOVIĆ:D3194,para.24. *See* III.C.8.(a).(iii): The SDS implemented the common criminal plan; III.C.8.(j): JNA/VJ.

¹⁴ P2597,p.2; DŽ.GUŠIĆ:P3196,paras.27-30; DŽ.GUŠIĆ:T.17794-17795.

¹⁵ DŽ.GUŠIĆ:P3196,paras.13-15; M.KATANIĆ:P4374,paras.41-42; M.KATANIĆ:T.24540.

¹⁶ DŽ.GUŠIĆ:P3196,paras.14-15.

¹⁷ DŽ.GUŠIĆ:P3196,paras.13,15-16.

¹⁸ D3195,pp.3-4; DŽ.GUŠIĆ:P3196,paras.33-35.

¹⁹ DŽ.GUŠIĆ:P3196,paras.33-35; P3200,pp.1-2.

²⁰ DŽ.GUŠIĆ:P3196,para.35.

²¹ D1643,pp.5-8.

²² P3200,pp.1-2.

²³ P3197,pp.1-2.

²⁴ P5831; P2581,p.4. *See also* P6238.

²⁵ P3197,pp.1-2 ; DŽ.GUŠIĆ:T.17796-17798; D.HANSON:P2589,paras.17-18 .

following week, the SDS CS was formalised, and continued to implement republic level instructions.²⁶

7. On 23 December 1991, acting pursuant to Variant A/B,²⁷ the SDS Municipal Board established a CS that included DERONJIĆ, ĐUKANOVIĆ, Jovan NIKOLIĆ, Momir NIKOLIĆ and Ljubislav SIMIĆ.²⁸ One week later, a Municipal Serbian Assembly was established²⁹ with SIMIĆ as its president and ĐUKANOVIĆ as Executive Committee chairman.³⁰ On 24 March 1992, the Decision proclaiming the Bratunac Municipal Assembly was verified and approved at the 12th Assembly Session.³¹

8. Following **KARADŽIĆ**'s call to implement the second stage of Variant A/B, on 24 February 1992 DERONJIĆ informed the SDS Municipal Board that "since it was an order, it is our duty to act accordingly." Immediately, both the Municipal Board and the Serbian Municipal Assembly adopted measures pursuant to Variant A/B's second-level.³²

9. In early 1992, with **KARADŽIĆ**'s knowledge, guidance and indeed pressure,³³ the SDS proposed a division of Bratunac municipality and the establishment of a separate Serb police station.³⁴ The SDA authorities, after initially rejecting the proposal,³⁵ accepted it under pressure and threats fearing that otherwise events in Bijeljina and Zvornik would be repeated in Bratunac.³⁶ An agreement between the SDS and SDA to divide the municipality was reached on 8 April 1992³⁷ and ratified by the Bratunac Municipal Assembly.³⁸ The following day, the newly-

²⁶ P1342; P3198; P3197,p.3.

²⁷ P2598,p.1; D.HANSON:P2589,para.21; P3470,pp.5-7; P5,pp.6-10; M.KATANIĆ:P4374,para.15; M.KATANIĆ:T.24526.

²⁸ P2598,p.1; P3470,pp.5-6; M.KATANIĆ:P4374,para.16; DŽ.GUŠIĆ:P3196,para.11; DŽ.GUŠIĆ:T.17800-17802.

²⁹ P2598,p.1; P3199,p.2; DŽ.GUŠIĆ:T.17801.

³⁰ P3199,pp.2-3 DŽ.GUŠIĆ:P3196,para.11.

³¹ P961,pp.23-24.

³² P2597,p.1; M.KATANIĆ:T.24527-24528; P3199,pp.6-7.

³³ D381,p.2 ; DŽ.GUŠIĆ:P3196,paras.31-32,36,39,41; DŽ.GUŠIĆ:T.17793-17794.

³⁴ D297; DŽ.GUŠIĆ:P3196,paras.31,36; DŽ.GUŠIĆ:T.17793-17794; [REDACTED]

³⁵ DŽ.GUŠIĆ:T.17793.

³⁶ DŽ.GUŠIĆ:P3196,paras.31-32,36,39,41; DŽ.GUŠIĆ:T.17793-17794. *See also* R.DONIA:T.3606-3609.

³⁷ D297. The agreement is hand-written in Cyrillic and unsigned.

³⁸ DŽ.GUŠIĆ:P3196,para.39.

established Serb police began wearing their own uniforms displaying the insignia of the RS and the SAO Birač region, which Bratunac had joined.³⁹

10. Despite these negotiations, in early April 1992, the CS proclaimed a state of emergency due to imminent threat of war and granted itself authority to act in the territory and take over the functions of the Bratunac Assembly and Executive Committee including police and defence matters.⁴⁰ Accordingly, on 12 April, the CS ordered the formation of TO commands and units and gave itself authority to render all decisions on their use upon the recommendation of the Commander of the Serb TO.⁴¹ The CS ordered a general mobilisation on 15 April 1992⁴² pursuant to Republican mobilisation orders issued that same day,⁴³ requiring military conscripts to immediately respond otherwise would be brought in and disarmed.⁴⁴ Muslims were never sent mobilisation orders.⁴⁵

C. The takeover of Bratunac and subsequent crimes

11. Having assisted in the takeovers of Bijeljina⁴⁶ and Zvornik,⁴⁷ on 16 April 1992, ARKAN sent a telegram to **KARADŽIĆ** continuing to offer his services.⁴⁸ The following day, on 17 April 1992, a convoy of heavily armed JNA soldiers, mobilised from the Novi Sad and Užice Corps, and paramilitaries arrived in JNA vehicles to take over Bratunac municipality.⁴⁹ Paramilitary units—including ARKAN's and ŠEŠELJ's men, as well as local reservists⁵⁰—cooperated with the JNA and other Serb forces in the takeover of the municipality.⁵¹

12. At a meeting with SDA representatives, JNA officers declared they had taken power, Bratunac was a Serbian municipality subject to Serbian laws, and threatened

³⁹ AF2308; [REDACTED]

⁴⁰ P3202; DŽ.GUŠIĆ:P3196,para.60; P4377.

⁴¹ D3123.

⁴² P4383; P2412.

⁴³ P2412,p.2.

⁴⁴ AF2309; P4383,pp.1-2.

⁴⁵ M.KATANIĆ:P4374,para.23; S.DŽAFIĆ:T.18185-18187.

⁴⁶ See Bijeljina Summary.

⁴⁷ See Zvornik Summary.

⁴⁸ P2854; M.DAVIDOVIĆ:T.15476-15478.

⁴⁹ AF2309; DŽ.GUŠIĆ:P3196,paras.50,52,53,61; [REDACTED];

KDZ605:T.17895-17897; S.DŽAFIĆ:P3263,para.5; L.SIMIĆ:D3398,paras.35-37;

M.KATANIĆ:T.24531-24532; J.NIKOLIĆ:D3126,para.37.

⁵⁰ [REDACTED]; S.DŽAFIĆ:P3263,para.5; R.ĐUKANOVIĆ:D3194,para.29.

⁵¹ A.TEŠIĆ:D3118,para.17; P6196,p.3; M.KATANIĆ:T.24533.

massive retaliation if a Muslim fired a single bullet.⁵² Bratunac's Muslims offered no resistance.⁵³ That same day, Serb forces, including Serb police, disarmed and disbanded the members of the Muslim police.⁵⁴

13. Serb soldiers, including JNA, and paramilitaries then engaged in a campaign of violence against non-Serbs, including the killing of Muslims, looting and destroying their businesses and homes, causing fear within the Muslim population.⁵⁵ SIMIĆ, on 30 June 1992, reported orally to **KARADŽIĆ** and MLADIĆ that the army was looting.⁵⁶ The looting by soldiers and policemen was also addressed in police documentation and discussed in the CS.⁵⁷ As a result of this campaign and fearing for their lives, many Muslims, including the leadership, left Bratunac.⁵⁸

14. Furthermore, Muslims were required to sign loyalty oaths,⁵⁹ were dismissed from job and official positions,⁶⁰ and subjected to searches of their homes and arbitrary detentions.⁶¹ Muslim judges were dismissed and expelled from the municipality.⁶²

15. On 19 April, the CS issued a decision to disarm citizens, citing the NSC and CS decisions on an imminent threat of war.⁶³ Despite its neutral language,⁶⁴ in practice only Muslims were disarmed by Serb military and police forces.⁶⁵

16. On 29 April 1992, pursuant to the NSC decision on an imminent threat of war,⁶⁶ the SAO Birač CS proclaimed a state of war and ordered general mobilisation, directing that all units come under the command of the SAO Birač and municipal

⁵² Dž.GUŠIĆ:P3196,paras.50,52-53,55-56,61; Dž.GUŠIĆ:T.17780-17782.

⁵³ Dž.GUŠIĆ:P3196,paras.53,55-56,61; Dž.GUŠIĆ:T.17780-17782.

⁵⁴ AF2308; [REDACTED]; S.DŽAFIĆ:P3263,para.6; Dž.GUŠIĆ:P3196,para.58; B.TEŠIĆ:D3115,paras.15-19; R.ĐUKANOVIĆ:D3194,paras.35-37; L.SIMIĆ:D3398,para.38; D1524,pp.10-11.

⁵⁵ AF2308; AF2310; AF2313; [REDACTED]; [REDACTED]; R.ĐUKANOVIĆ:D3194,paras.38,60; A.TEŠIĆ:D3118,para.44; [REDACTED]. See D2061,p.4.

⁵⁶ P1478,pp.258-260.

⁵⁷ P3264,p.3; P4378,pp.2-3.

⁵⁸ AF2308; AF2310; Dž.GUŠIĆ:P3196,paras.42-49.

⁵⁹ [REDACTED]

⁶⁰ [REDACTED]

⁶¹ S.DŽAFIĆ:P3263,para.6.

⁶² D92,p.72.

⁶³ P4377; B.TEŠIĆ:D3115,para.20.

⁶⁴ B.TEŠIĆ:D3115,paras.20-21.

⁶⁵ AF2310; M.KATANIĆ:P4374,para.24; M.TALOVIĆ:P3188,paras.13-14; M.TALOVIĆ:T.17654-17656; S.DŽAFIĆ:P3263,para.10; B.TEŠIĆ:D3115,paras.20-21; [REDACTED]

⁶⁶ P2412.

CSs.⁶⁷ In May 1992, in rapid order, Serb forces, comprising JNA, TO, SJB and paramilitaries⁶⁸ attacked Hranča,⁶⁹ Glogova⁷⁰ and other Muslim villages surrounding Bratunac.⁷¹ They destroyed homes and rounded-up, arrested, detained, killed or expelled residents.⁷² DERONJIĆ organised and commanded the 9 May attack on Glogova.⁷³ As a message to the Muslims that they were not welcome to return,⁷⁴ mosques and other places of worship were heavily damaged or completely demolished between April and June 1992.⁷⁵

17. On 6 May 1992, JNA General MANDARIĆ briefed MLADIĆ about events in Bratunac, telling him that two SDS representatives (ĐUKANOVIĆ and DERONJIĆ) were “killing all Muslims by slitting their throats”, and that the decapitated bodies of nine young Muslim men were found. MANDARIĆ appealed that **KARADŽIĆ** “appease them” because they were threatening the local JNA Commander.⁷⁶

18. Thousands of Muslim civilians from villages surrounding Bratunac were detained and abused at the Bratunac football stadium with knowledge of the municipal authorities.⁷⁷ Rounding up the villagers, taking them to detention facilities, guarding them there, separating men from women and children and transporting the latter out of the municipality under police escort was a joint effort by Serb military forces including the Bratunac TO, JNA, paramilitaries, and police.⁷⁸ CS members came by the stadium, saw their Muslim neighbours and watched people boarding buses.⁷⁹ One Serb official openly-acknowledged that the football stadium was used as a centre to forcibly expel Muslims to Tuzla.⁸⁰

⁶⁷ P2615.

⁶⁸ M.KATANIĆ:P4374,paras.33,35; [REDACTED]; M.TALOVIĆ:P3188,para.19; A.TEŠIĆ:D3118,paras.20-21; D1524,pp.7,10-11.

⁶⁹ See SIC:A.3.1;C.6.2(Bratunac).

⁷⁰ See SIC:A.3.2(Bratunac).

⁷¹ AF2321; AF2325; AF2329; AF2331; [REDACTED]; M.TALOVIĆ:P3188,para.20; S.DŽAFIĆ:P3263,paras.10,12,15-18; A.TEŠIĆ:D3118,para.24; L.SIMIĆ:D3398,para.59.

⁷² AF2315; AF2321; AF2325; AF2329; AF2331; S.DŽAFIĆ:P3263,paras.12-13; [REDACTED]; KDZ605:T.17913-17914; A.TEŠIĆ:D3118,para.24.

⁷³ M.KATANIĆ:P4374,paras.29-36; M.KATANIĆ:T.24536-24537; R.ĐUKANOVIĆ:D3194,paras.41-42; A.TEŠIĆ:D3118,paras.20-21; L.SIMIĆ:D3398,paras.57-59. See SIC:A.3.2(Bratunac).

⁷⁴ M.KATANIĆ:P4374,para.55.

⁷⁵ See SIC:D.6(Bratunac).

⁷⁶ P1477,pp.253-254.

⁷⁷ See SIC:C.6.1(Bratunac).

⁷⁸ See SIC:A.3.1;A.3.2;C.6.1(Bratunac).

⁷⁹ R.ĐUKANOVIĆ:D3194,para.43; [REDACTED].

⁸⁰ M.KATANIĆ:P4374,paras.42,45,50.

19. Hundreds of Muslims were also detained, subjected to horrific abuse and killed in Vuk Karadžić school,⁸¹ with the knowledge of the authorities,⁸² who again were part of these joint activities from the outset.⁸³

20. The CS, through DERONJIĆ, sought advice from the top echelon of the civilian and military authorities in Pale about how to handle the situation in Vuk Karadžić school.⁸⁴ The Pale authorities approved the detainees' transfer to Pale for exchange.⁸⁵ On 14 May 1992, 400 detainees from Vuk Karadžić school were driven to Pale⁸⁶ escorted by Bratunac police⁸⁷ and military vehicles and soldiers.⁸⁸

21. The RS government then coordinated transport of the detainees across municipal lines to Visoko, with ĐERIC ordering the Sokolac CS to provide trucks to the Pale CS,⁸⁹ and LAKIĆ directing the Ilijaš CS to approve and provide passage through its territory, noting the Pale CS would provide the transportation and escort.⁹⁰ That the republican authorities understood the illegality of this forcible transfer is obvious from LAKIĆ's request that the Ilijaš CS "destroy that approval the moment when the prisoners leave Ilijaš municipality."⁹¹ On 16 May 1992, the detainees were loaded by police onto open trucks and driven to the front line in Ilijaš under RS soldier escort.⁹² There they were met by members of the BiH TO, who transported the detainees to Visoko,⁹³ where they arrived with serious injuries,⁹⁴ vividly evidencing the extreme abuse they suffered.⁹⁵

22. In another example of expulsion coordinated between Serb forces and across municipalities, after being rounded up on 17 May 1992,⁹⁶ Vitkovići Muslim villagers were forced onto buses by JNA soldiers and taken to Bratunac football stadium under

⁸¹ See SIC:C.6.2(Bratunac).

⁸² M.KATANIĆ:P4374,paras.46-48; R.ĐUKANOVIĆ:D3194,paras.43-46; L.SIMIĆ:D3398,paras.59-62; A.TEŠIĆ:D3118,paras.24-25; N.NIKOLIĆ:D3690,para.12. See also [REDACTED].

⁸³ See SIC:A.3.1;A.3.2;C.6.2(Bratunac).

⁸⁴ L.SIMIĆ:T.37295-37297.

⁸⁵ L.SIMIĆ:T.37294-37297; Z.ČVORO:T.30946.

⁸⁶ See SIC:C.6.2(Bratunac). See also Pale Summary.

⁸⁷ B.TEŠIĆ:D3115,para.29.

⁸⁸ [REDACTED].

⁸⁹ P4983; A.MAŠOVIĆ:P4850,para.32.

⁹⁰ P1604; A.MAŠOVIĆ:P4850,para.32.

⁹¹ P1604.

⁹² [REDACTED] KDZ605:T.17925-17926.

⁹³ [REDACTED] KDZ605:T.17927-17928.

⁹⁴ P3206; [REDACTED]; [REDACTED].

⁹⁵ KDZ605:T.17870-17879.

⁹⁶ AF2322; S.DŽAFIĆ:P3263,paras.14-15.

escort by armed police and paramilitary units.⁹⁷ At the stadium, they were met by a busload of other Bratunac Muslim villagers⁹⁸ and escorted by local policemen to Vlasenica municipality,⁹⁹ where they were handed over to Serb paramilitaries (ARKAN's men and the White Eagles),¹⁰⁰ who subsequently executed them.¹⁰¹

23. While Defence witnesses pointed to CS orders on 1 and 6 May 1992, requiring paramilitary formations to leave Bratunac or banning their operations, as evidence that paramilitaries "were never well received" by municipal authorities,¹⁰² the evidence shows no genuine efforts to enforce such orders against Serb paramilitaries and volunteers. Although allegedly ordered to leave Bratunac by 7 May,¹⁰³ on 8 May the CS created the Bratunac War Staff and formally included a "representative of the volunteers" as part of that staff.¹⁰⁴ Furthermore, Serb military and police forces conducted joint operations with paramilitaries to attack Glogova, Suha and other Muslim villages on 9 and 10 May 1992,¹⁰⁵ Serb military and paramilitaries jointly guarded the detainees in Vuk Karadžić school,¹⁰⁶ and instead of taking action against the mistreatment of detainees by paramilitaries, Serb forces continued to bring more detainees to the school.¹⁰⁷ Police handed over rounded-up villagers from Vitkovići and Krasan Polje to paramilitaries in Vlasenica on 17 May 1992.¹⁰⁸ As in Zvornik,¹⁰⁹ paramilitary members explained they had been hired by the Bratunac SDS leadership.¹¹⁰

24. Only once detainees had been taken to Pale¹¹¹ and paramilitaries started posing a threat to the Serb population¹¹² were paramilitaries either incorporated into existing military structures or sent to Serbia,¹¹³ illustrating both the authorities' ability to

⁹⁷ AF2322; S.DŽAFIĆ:P3263,para.19.

⁹⁸ S.DŽAFIĆ:P3263,paras.20-22.

⁹⁹ See SIC:C.6.1(Bratunac).

¹⁰⁰ AF2322; S.DŽAFIĆ:P3263,paras.24,26.

¹⁰¹ See SIC:B.18.4(Vlasenica); S.DŽAFIĆ:P3263,paras.27-68; P3264,pp.1-2.

¹⁰² AF2314; D3116; D3117/D2060(duplicates); D2061,pp.3-4; B.TEŠIĆ:T.35274-35275,35277-35278; M.KATANIĆ:T.24534-20536.

¹⁰³ D3117.

¹⁰⁴ D2061,p.3.

¹⁰⁵ See above; SIC:A.3.2;B.4.1;C.6.2(Bratunac); R.ĐUKANOVIĆ:D3194,para.42;

A.TEŠIĆ:D3118,para.21.

¹⁰⁶ See SIC:C.6.2(Bratunac).

¹⁰⁷ See SIC:C.6.2(Bratunac).

¹⁰⁸ AF2322; S.DŽAFIĆ:P3263,para.26.

¹⁰⁹ See Zvornik Summary.

¹¹⁰ S.DŽAFIĆ:P3263,para.32; KDZ605:T.17897.

¹¹¹ L.SIMIĆ:T.37295-37296.

¹¹² P6196.

¹¹³ P6196,p.3; P6197,p.3.

control the paramilitaries, and their lack of interest in so doing while the paramilitaries were committing systematic crimes against non-Serbs.

25. Despite the close proximity of the police station to the school,¹¹⁴ police failed to investigate or arrest any of the known perpetrators of the murders at the school,¹¹⁵ while investigating crimes committed against Serbs.¹¹⁶ Indeed, the authorities' total dismissal of crimes against Muslims is evident from an August 1992 meeting between the Bratunac civilian and military authorities regarding volunteer units, with SIMIĆ urging that the police prevent further lootings "because Serbian houses are now being looted too."¹¹⁷

26. The forcible expulsions of Muslims from Bratunac at the municipal level were part of regional efforts by the SAO Birač to ethnically cleanse the area. On 30 May 1992, the SAO government determined the borders of the region, passed a decision on the "safe moving of Muslims from the area" and "suggested" to neighbouring Muslim-Croat municipalities to organise this within seven days. The SAO government simultaneously demanded that authorities in such municipalities make it possible for Serbs to move from their territories.¹¹⁸ In April and May 1992, approximately 6,000 to 7,000 Serbs from Srebrenica and central Bosnia settled in Bratunac,¹¹⁹ moving to municipal land on which they were granted permits to build homes or into empty Muslim homes.¹²⁰

27. Throughout the relevant period, the Bratunac CS had direct communication with **KARADŽIĆ** and the BSL,¹²¹ a fact further evidenced by the Bratunac CS's swift implementation of numerous BSL orders.¹²² As noted above, on 6 June Bratunac authorities informed **KARADŽIĆ** that there were no more Muslims in Bratunac; it was "a fully liberated town".¹²³ **KARADŽIĆ** was able to observe the change in demographics in person when he visited Bratunac on 9 December 1992 and was

¹¹⁴ P4308,p.21; B.TEŠIĆ:T.35253.

¹¹⁵ B.TEŠIĆ:T.35264-35266 ; P6197,pp.2-3; P6196.

¹¹⁶ P4378,pp.2-3; P6196,pp.2-3; P6197,p.4.

¹¹⁷ P6196,p.3.

¹¹⁸ P6030.

¹¹⁹ L.SIMIĆ:D3398,para.47; S.DAVIDOVIĆ:T.24389,24392.

¹²⁰ S.DAVIDOVIĆ:T.24392; A.MALAGIĆ:P405,p.3.

¹²¹ See above paras.1,5,6,8,9,13,16,17,26. See also M.KATANIĆ:P.4374,para.40;

M.KATANIĆ:T.24538-24539S.DAVIDOVIĆ:T.24415-24416.

¹²² See e.g. P4383; P2412; P4377; D2061,pp.5,7; P3919,p.7; P2369; P3919; P2369.

¹²³ P1478,pp.93-95,98,101,248,258.

“visibly pleased with the results achieved in the area of military and civilian life of this municipality.”¹²⁴

¹²⁴ D3119.

Brčko

I. BRČKO MUNICIPALITY (LUKA CAMP)

A. Overview

1. Brčko, a municipality located in the northeast of BiH¹ was initially in the AOR of the JNA 17th Corps and subsequently of the VRS IBK.² Out of the municipality's population, about 44% (38,771 in total) were of Muslim, 25% (22,163) of Croat and 20% (18,133) of Serb ethnicity.³ Brčko was of strategic importance in the achievement of the second strategic objective, namely a corridor along the Posavina joining Serb territories from Krajina in the west of BiH to Semberija in the east.⁴ **KARADŽIĆ** considered the Posavina corridor a 'must have',⁵ and Serb officials in Brčko shared his view.⁶

2. Following the Serb takeover of Brčko in early May 1992, SDS Main Board member⁷ and SDS Brčko President⁸ Milenko VOJINOVIĆ, a.k.a DR. BELI, informed the 16th Assembly that among "the priority tasks set by our President", the first priority of "establishing communication between Semberija and the Bosnian Krajina", in which "Brčko is practically in the centre of all these events", has been "completed, to a degree, in the military aspect".⁹ He stated, however, that "for definitive clearing of the area, it will be necessary to have many more forces".¹⁰

3. At the 40th Assembly, **KARADŽIĆ** underlined the importance of Brčko, as of "vital interest for the Serbian people". He acknowledged that while Serbs had never been a majority in Brčko and "were always the third", the Serbs would rely on the new factual situation to ensure that Brčko would remain Serb.¹¹ In August 1995, **KARADŽIĆ** reminded the Assembly of the effectiveness of the Serb takeover of many towns, including Brčko, where Serbs were in the minority but were "grabbed

¹ P3009.

² R.THEUNENS:P3033,p.419.

³ P2888,p.1; Đ.RISTANIĆ:P3023,para.2.

⁴ P2888,pp.1-3; P781; P2561.

⁵ P956,pp.8-9; III.C.5.(a): The strategic objectives as articulated at the 16th Assembly.

⁶ P6619.

⁷ P3408,p.2.

⁸ P3023,para.13.

⁹ P956,p.12. *See also* P5856,p.3.

¹⁰ P956,p.12.

¹¹ P1390,p.40. *See also* M.MIĆIĆ statement at 34th Assembly in August 1993 that "we need to be honest" and acknowledge that "Brčko has never been a Serbian town":P1379,p.31.

for ourselves” because “[d]ue to strategic importance they had to become ours”.¹² In 1997, Serbs were the overwhelming majority in the RS part of Brčko while Muslims and Croats counted in hundreds.¹³

B. Build up to the conflict

4. In late December 1991, Variant A/B was implemented in Brčko, having been brought by VOJINOVIĆ to the Brčko SDS municipal board shortly after it was issued.¹⁴ Variant A/B was considered authoritative and was implemented without discussion.¹⁵ Pursuant to Variant A/B, a Serb Assembly was established in Brčko on 23 December 1991 and Đorđe RISTANIĆ elected President.¹⁶

5. In February or March 1992, Brčko representatives held discussions with the SDS leadership in Sarajevo, including **KARADŽIĆ**, related to the creation of a contiguous Serb territory that included Brčko.¹⁷ At the same time, the SDS officials in Brčko were calling for the division of the municipality along ethnic lines,¹⁸ and threatened that division would be carried out by force if necessary.¹⁹

6. Indeed, the Serb authorities prepared for the violent takeover of Brčko in advance. Several months before the conflict began, the first paramilitary unit arrived in Brčko, a group of instructors under the command of Dragan VASILJKOVIĆ, a.k.a. CAPTAIN DRAGAN, from Knin.²⁰ Many stayed at the JNA barracks and provided training for Serb reservists.²¹

7. Also prior to the outbreak of the conflict, the JNA unit in Brčko, commanded by Lt. Col. Pavle MILINKOVIĆ, relocated artillery, weapons and ammunition to Serb villages.²² The local Serb population was mobilized,²³ and weapons distributed.²⁴ As VOJINOVIĆ told the Assembly on 18 March 1992:

¹² P988,pp.68-69.

¹³ P4994,pp.30,33,36,39.

¹⁴ Đ.RISTANIĆ:P3023,paras.32-36; P960.

¹⁵ Đ.RISTANIĆ:P3023,paras.17,35.

¹⁶ Đ.RISTANIĆ:P3023,paras.41-44.

¹⁷ Đ.RISTANIĆ:P3023,paras.230-231; Đ.RISTANIĆ:T.16817-16819.

¹⁸ Đ.RISTANIĆ:T.16766-16767; Đ.RISTANIĆ:T.16771-16779; D1570; D1572; P2888,p.1.

¹⁹ I.GAŠI:P3002,pp.20-21; P3020,pp.5-6.

²⁰ Đ.RISTANIĆ:P3023,paras.97-102; P2888,p.3; P6317.

²¹ Đ.RISTANIĆ:P3023,paras.97-103; I.GAŠI:P3002,p.19; P2888,p.3.

²² AF2336; P2888,pp.1-2; Đ.RISTANIĆ:P3023,paras.6,228; P979,pp.7-8.

²³ AF2336; P2888,p.1; Đ.RISTANIĆ:P3023,para.226.

²⁴ AF2335; P2888,p.2; I.GAŠI:P3002,p.17; O.MARKOVIĆ:D3073,para.34;

Đ.RISTANIĆ:P3023,paras.9-12; S.HUSREFOVIĆ:P58,pp.3-4.

we should also have our own units ready, we must declare which territories belong to us and before we declare them ours, we must bring in thousands of armed men waiting and ready for action.²⁵

8. In early April, a CS was formed, comprising local SDS officials.²⁶ Variant A/B implementation also included carrying out preparations for the establishment of municipal organs such as courts and the SJB, making preparations for the takeover of police staff and equipment,²⁷ and cooperation between the SDS and the JNA.²⁸ On 29 April, pursuant to **KARADŽIĆ**'s order, the Assembly of the Serb Municipality of Brčko transferred its powers to a newly elected War Presidency.²⁹ The War Presidency comprised civilian and military leaders, including Municipal Assembly President RISTANIĆ, Assembly Deputy VOJINOVIĆ, Chief of Police VESELIĆ, an active JNA military officer and the TO Commander.³⁰ On the eve of the Serb takeover of Brčko, the SDS War Presidency and the JNA Command moved to the nearby village of Stanovi in anticipation of the attack³¹ and only returned after the initial attack.³²

C. Attack on Brčko and subsequent crimes

9. The takeover of Brčko started on 30 April 1992, when Serb forces destroyed two bridges on the Sava River, killing many civilians.³³ The Serb forces, comprising JNA soldiers, Serb TO, Serb police members and paramilitaries, attacked the town and surrounding villages.³⁴

10. The Serb forces included paramilitaries/volunteers, TO and MUP units arriving from Bijeljina³⁵, among them Ljubiša SAVIĆ's, a.k.a. "MAUZER", Serbian National Guard,³⁶ Mirko BLAGOJEVIĆ's SRS volunteers³⁷ and the Serbian

²⁵ D90,p.17.

²⁶ Đ.RISTANIĆ:P3023,paras.38-40; P2888,p.1; P2761,p.5.

²⁷ Đ.RISTANIĆ:P3023,para.45.

²⁸ Đ.RISTANIĆ:P3023,paras.75-76.

²⁹ Đ.RISTANIĆ:P3023,paras.17,144; P2888,p.1.

³⁰ Đ.RISTANIĆ:P3023,para.21.

³¹ Đ.RISTANIĆ:P3023,paras.116-126.

³² Đ.RISTANIĆ:P3023,para.131.

³³ Đ.RISTANIĆ:P3023,paras.112-118; Đ.RISTANIĆ:T.16740-16741,16757-16758; I.GAŠI:P3002,pp.25-26,101-102; P3010; S.HUSREFOVIĆ:P58,p.3; KDZ010:P416,pp.9-10.

³⁴ AF2340; P5489; P2888; P2889; P2901,p.9; P2761,p.5; D1574; S.HUSREFOVIĆ:P58,p.4; I.GAŠI:P3002,p.93; Đ.RISTANIĆ:T.16720-16721; P3020,pp.6-7.

³⁵ Đ.RISTANIĆ:T.16721; Ž.FILIPOVIĆ:T.35812; P2763; P2855,pp.1,3,5.

³⁶ P2888,p.3; P2884.

³⁷ AF2341; P2888,p.3; P2901,pp.9-11; P3003,p.3; O.MARKOVIĆ:T.34786.

Volunteers Guard of Željko RAŽNATOVIĆ, a.k.a ARKAN³⁸ that had arrived following a request for assistance of the War Presidency.³⁹ The Serb Forces also included paramilitaries of the Special Purposes Unit of the Serbian MUP under the command of Živojin IVANOVIĆ, a.k.a. Žika CRNOGORAC.⁴⁰

11. The War Presidency coordinated its activities with regional Serb leaders, including Bijeljina SDS Main Board member Dr. Milan NOVAKOVIĆ,⁴¹ first president of the SAO Semberija and Majeveca Dojo ARSENOVIĆ,⁴² MAUZER,⁴³ and others.⁴⁴ As an example for such cooperation, SRSy volunteer Branislav FILIPOVIĆ, a.k.a ŠUMAR,⁴⁵ received JNA authorization to obtain ammunition in Belgrade for delivery to the Brčko TO⁴⁶ and authorisations from MAUZER⁴⁷ and RISTANIĆ⁴⁸ to travel between Brčko, Belgrade and Bijeljina during May 1992.⁴⁹

12. The War Presidency coordinated all armed action and forces and closely liaised with the command of the Brčko JNA garrison.⁵⁰ According to BLAGOJEVIĆ, he and his unit “put [themselves] at the disposal of the then crisis staff” and had “good cooperation” with the JNA officers there, praising JNA Commander MILINKOVIĆ and stating “[we] co-operated well, we took control of the city very quickly”.⁵¹ The War Presidency acknowledged the “significant” contribution of the paramilitary forces in the takeover operation in Brčko.⁵²

13. The police station was taken over and a Serb SJB was established beginning May 1992, and SDS member Dragan VESELIĆ appointed Chief of Police.⁵³ A Serb

³⁸ M.DAVIDOVIĆ:T.15541; I.GAŠI:P3002,p.99; P2888,p.4; P2889,p.1; P2855,p.3. *See also* D1412,p.2.

³⁹ AF2342; P2888,p.3; P2889,p.1; P2884,p.4; P2763; Đ.RISTANIĆ:T.16711-16712; P.MARKOVIĆ:T.34734; P2901,p.9; P2855,p.5.

⁴⁰ P6174; P6175; P2855,p.5; P2852; I.GAŠI:P3002,p.99; M.DAVIDOVIĆ:P2848,paras.106-112. *See also* P4263,p.3; P2852,p.1; P2852,Clip 3; P4263,Clip 2.

⁴¹ Đ.RISTANIĆ:P3023,para.131; P3408,p.2.

⁴² Đ.RISTANIĆ:P3023,para.131; ██████████ P1391,p.3.

⁴³ Đ.RISTANIĆ:P3023,para.131; M.DAVIDOVIĆ:P2848,paras.89,93,122-123; P2875.

⁴⁴ Đ.RISTANIĆ:P3023,para.131; M.DAVIDOVIĆ:T.15541; P956,p.22; P2888,p.4.

⁴⁵ M.DAVIDOVIĆ:P2848,para.118; P2901,p.12.

⁴⁶ P2876; P2877.

⁴⁷ P2875.

⁴⁸ P2874.

⁴⁹ P2902.

⁵⁰ P2888,p.2; Đ.RISTANIĆ:P3023,para.162; P2889,pp.1-2.

⁵¹ P2901,p.9.

⁵² P2888,p.3.

⁵³ Đ.RISTANIĆ:P3023,paras.45-50,163-167,188; P3003,p.3; P2888,p.3. *See also* D.ANDAN:D3774,pp.73-74.

police force was mobilised and armed by the JNA.⁵⁴ Among the police recruits were individuals with a criminal background.⁵⁵ From the point of takeover, the Serb SJB had around 150 police officers at their disposal.⁵⁶ Minutes from an SJB meeting of 2 June 1992 state that “affairs and tasks in the field of crime have been functioning” since the takeover.⁵⁷ The War Presidency met with VESELIĆ to discuss daily events,⁵⁸ and could direct him to take action.⁵⁹ Defence witness claims that the civilian authorities were not functioning and were powerless in the face of paramilitaries⁶⁰ are not credible in light of this evidence of the civilian authorities, JNA, police, TO and paramilitaries working together during and after the takeover, and the general lack of credibility of those witnesses.⁶¹ However, when later on the paramilitaries challenged the authority of the civilian organs,⁶² steps were taken to remove them from the municipality as is described in more detail above.⁶³

14. The attack on Brčko included shelling,⁶⁴ searching of houses and rounding up and arrests of non-Serb inhabitants.⁶⁵ Serb forces quickly took control of the town.⁶⁶ Hundreds of non-Serbs were killed and injured in the immediate aftermath of the take-over.⁶⁷ Other non-Serbs were detained at various locations where they were mistreated, beaten and killed.⁶⁸ These included Luka Camp, a detention facility comprising several hangars in the harbour at the bank of the Sava River and guarded by policemen.⁶⁹ Multiple men were killed in Luka Camp in May and June 1992.⁷⁰

15. Contrary to Defence assertions,⁷¹ Luka Camp was under the control of the civilian authorities. War Presidency President RISTANIĆ⁷² and chief of police

⁵⁴ D.RISTANIĆ:P3023, paras. 80-82.

⁵⁵ D.ANDAN:T.40846-40847.

⁵⁶ P.KAURINOVIĆ:T.34124; P2763; D.ANDAN:D3774, pp.76-77.

⁵⁷ P3003, p.3.

⁵⁸ D.RISTANIĆ:P3023, para. 162.

⁵⁹ D.RISTANIĆ:P3023, para. 24.

⁶⁰ P.MARKOVIĆ:T.34725-34727, 34730-34732; P.MARKOVIĆ:D3072, paras. 20, 30-31;

O.MARKOVIĆ:D3073, paras. 29-30; P.KAURINOVIĆ:D3003, paras. 21-24.

⁶¹ DCC(P.MARKOVIĆ; O.MARKOVIĆ; P.KAURINOVIĆ).

⁶² P2888, p.5.

⁶³ M.DAVIDOVIĆ:P2848, paras. 75-81, 102-112; P2888, pp.3,5; D.ANDAN:D3774, pp.122-127;

III. C. 8. (I): Paramilitaries/Volunteers/Serbian MUP.

⁶⁴ S.HUSREFOVIĆ:P58, pp.4-6.

⁶⁵ S.HUSREFOVIĆ:P58, pp.4-6.

⁶⁶ AF2344; P2888, p.2; D.RISTANIĆ:P3023, para. 174; P5489.

⁶⁷ P2888, p.6; P2889; I.GAŠI:P3002, p.120; KDZ057:P424, pp.8-10, 19-20, 54-55.

⁶⁸ I.GAŠI:P3002, pp.54-56; P3011; HUSREFOVIĆ:P58, pp.4-7; P420.

⁶⁹ See SIC:C.7.2(Brčko).

⁷⁰ See SIC:B.5.1(Brčko).

⁷¹ P.KAURINOVIĆ:D3003, para.25; D.ANDAN:D3774, p.89.

VESELIC⁷³ visited the detention facility, police officers conducted interrogations,⁷⁴ and police inspectors were sent there in agreement with the Brčko War Presidency in order to assess which prisoners could be released⁷⁵ with passes issued by the War Presidency.⁷⁶ When one of the police officer, after some days working at the camp reported to the CS, RISTANIĆ angrily scolded him for releasing too many Muslims, and ordered him to keep them detained for exchange purposes.⁷⁷ As to the perpetrators of killings, JELISIĆ wore a blue police uniform and sometimes a camouflage uniform,⁷⁸ answered to tasks issued by Chief of Police VESELIC,⁷⁹ and issued War Presidency release passes,⁸⁰ while perpetrators ČEŠIĆ and SIMONVIĆ were members of SJB Brčko.⁸¹ Paramilitaries, including BLAGOJEVIĆ⁸² and Vojkan ĐURKOVIĆ,⁸³ also visited Luka Camp and as discussed above, they were working together with the civilian authorities.

16. **KARADŽIĆ** closely followed progress on the establishment and expansion of the Posavina corridor,⁸⁴ including VRS activities in Brčko⁸⁵ and had frequent communications with the Brčko authorities. Instructions arrived through Assembly Deputy, SDS Main Board member⁸⁶ and SDS Brčko President VOJINOVIĆ, who would convey the information from meetings held in Sarajevo,⁸⁷ and from its inception, the War Presidency would directly contact the Presidency or the government.⁸⁸ For example, the War Presidency's summary of events in Brčko,

⁷² Đ.RISTANIĆ:T.16719,16721-16722; P3027; S.HUSREFOVIĆ:P58,p.8.

⁷³ KDZ057:P424,pp.56-57.

⁷⁴ I.GAŠI:T.16613-16614; I.GAŠI:P3002,pp.82-85; P.KAURINOVIĆ:D3003,paras.25-26; P6177; P3005,pp.1,4-5(nos.7,8,9,25,217,224,240,297,300,303); P3003.

⁷⁵ Đ.RISTANIĆ:T.16716; P.KAURINOVIĆ:T.34137-34138.

⁷⁶ Đ.RISTANIĆ:T.16716-16717; P3025.

⁷⁷ P.KAURINOVIĆ:T.34138-34141; P.KAURINOVIĆ:P6147,pp.2-3. This contradicts Đ.RISTANIĆ's evidence that the goal was to release camp detainees and shut down the camp:Đ.RISTANIĆ:P3023,para.192.

⁷⁸ I.GAŠI:T.16637-16639; Đ.RISTANIĆ:T.16725; P419; P3008; P3028; M.DAVIDOVIĆ:P2848,para.111.

⁷⁹ For example, around 3 May 1992, VESELIC assigned JELISIĆ and another policeman to accompany Đorđe RISTANIĆ during his visit to Serb villages: Đ.RISTANIĆ:T.16723.

⁸⁰ Đ.RISTANIĆ:T.16717-16718; P3026.

⁸¹ I.GAŠI:T.16612-16613; P3004; P6176; P6177,p.2.

⁸² I.GAŠI:P3002,pp.92-93.

⁸³ KDZ010:P416,pp.20-21,75,94; I.GAŠI:P3002,p.76; I.GAŠI:T.16609.

⁸⁴ P1478,pp.92-111; D232,pp.2-3; D593,p.1; P5509.

⁸⁵ P1479,pp.75-76,108-109.

⁸⁶ P3408,p.2.

⁸⁷ Đ.RISTANIĆ:P3023,paras.13-14.

⁸⁸ Đ.RISTANIĆ:P3023,para.29.

drafted in late May or early June 1992,⁸⁹ was sent to **KARADŽIĆ** and the government.⁹⁰ In early September 1992, **KARADŽIĆ** and **KRAJIŠNIK** met with Semberija and Majevisa military and political officials including **VOJINOVIĆ**.⁹¹ At the 23rd Assembly in late 1992, **VOJINOVIĆ** reaffirmed that if he did not “follow the directives” of the SDS and the Assembly then he would have been doing the wrong thing.⁹²

17. The War Presidency was aware of crimes being committed in Brčko and Luka Camp.⁹³ In its summary report on the events in Brčko, the War Presidency referred to rapes, unauthorised interrogations, and executions.⁹⁴ The police provided regular reports to the War Presidency and informed them about the mistreatment and killing of the prisoners at Luka,⁹⁵ and everyone in Brčko talked about the crimes being committed there.⁹⁶ Indeed, the example of Luka Camp was held out as a model by SDS Main Board member⁹⁷ and Bijeljina SDS Municipal Board President Dr. Milan **NOVAKOVIĆ**, who announced on radio that the **JELISIĆ** “factory” was the most productive at expulsion and murder of Muslims.⁹⁸

18. In their May/June report to the Presidency and Government on the situation in Brčko, the War Presidency stated that “all other necessary information” would be “presented in a more detailed conversation with senior organs”.⁹⁹ This must have included information of the systematic killings that were occurring in Luka Camp of which the War Presidency was well aware. Milorad **DAVIDOVIĆ** and **ANDAN** reported to the Federal MUP and the RS MUP about the situation in Brčko in June/August 1992¹⁰⁰ and stated that “**JELISIĆ** had committed crimes of rape and murder of innocent Muslims” and was bragging about his “evil doings” in Brčko and Bijeljina.¹⁰¹ In September 1992, MOJ envoy Slobodan **AVLIJAŠ** visited Brčko, where the War Presidency presented him with a list of some 226 non-Serbs who were

⁸⁹ P2888; Đ.RISTANIĆ:T.16728.

⁹⁰ Đ.RISTANIĆ:P3023,paras.224-225.

⁹¹ P1479,pp.131-156,150.

⁹² P1364,p.92.

⁹³ Đ.RISTANIĆ:T.16726-16727; Đ.RISTANIĆ:P3023,paras.202-206.

⁹⁴ P2888,p.6.

⁹⁵ Đ.RISTANIĆ:P3023,paras.221-223.

⁹⁶ O.MARKOVIĆ:T.34791.

⁹⁷ P3408,p.2.

⁹⁸ M.DAVIDOVIĆ:P2848,paras.115-116; M.DAVIDOVIĆ:T.15707-15708.

⁹⁹ Đ.RISTANIĆ:T.16727-16728; P2888,p.6.

¹⁰⁰ M.DAVIDOVIĆ:P2848,paras.39-42; D1412; D.ANDAN:D3774,pp.89-91; D1574.

¹⁰¹ D1436,p.3.

killed in Brčko, including at Luka, and buried in mass graves.¹⁰² RISTANIĆ confirmed that these people were civilians and that the War Presidency would have discussed with AVLIJAŠ the manner in which these people were killed.¹⁰³ AVLIJAŠ prepared a white-washed or, as RISTANIĆ noted, “improved”¹⁰⁴ report which asserted that these victims were killed in combat.¹⁰⁵

19. Furthermore, in September 1992, the IBK Command reported to the VRS-GŠ referring not only to murders in Kula but also of the killings of Muslim and Croat people in front of their homes and that such murders were “committed unprofessionally and publicly”.¹⁰⁶ The primary concern was “information leaking” and thus attracting international attention.¹⁰⁷ While the widespread knowledge of atrocities concerned the IKB, it did not concern RISTANIĆ who was “not upset” regarding 300 people who had been killed in Brčko, since “there were much larger graves in Prijedor.”¹⁰⁸

20. Despite their knowledge of the crimes being committed, **KARADŽIĆ** and the local Serb authorities denied them. RISTANIĆ convened a press conference to deny the allegations made by foreign journalist about “an alleged concentration camp for Muslims” in Brčko,¹⁰⁹ while **KARADŽIĆ** publicly dismissed accusations of mass killings by his subordinates in Brčko and claimed that the Serbs were victims.¹¹⁰

21. Nobody was prosecuted or punished for the crimes committed at Luka Camp.¹¹¹ The notorious JELISIĆ was moved into a military unit, and no investigation was carried out into the crimes he committed.¹¹² He was only tried and convicted by the ICTY. Equally, ČEŠIĆ was reassigned from the SJB to the army,¹¹³ and only transferred to the ICTY in 2002.¹¹⁴

¹⁰² Đ.RISTANIĆ:T.16729-16731; Đ.RISTANIĆ:P3023,paras.212-223.

¹⁰³ Đ.RISTANIĆ:P3023,paras.220-222.

¹⁰⁴ Đ.RISTANIĆ:P3023,para.220

¹⁰⁵ P1607,pp.1,3,4,8-20.

¹⁰⁶ P2889,p.1.

¹⁰⁷ P2889,pp.1-2.

¹⁰⁸ AF2367 ; Đ.RISTANIĆ:T.16731-16732; P2889,p.1.

¹⁰⁹ Đ.RISTANIĆ:T.16734; P3029.

¹¹⁰ Đ.RISTANIĆ:T.16735-16736; P3030.

¹¹¹ Đ.RISTANIĆ: T.16736. *See also* P.KAURINOVIĆ:T.34125-34129.

¹¹² Đ.RISTANIĆ:P3023,para.210.

¹¹³ O.MARKOVIĆ:T.34792-34793; P6176; P6177.

¹¹⁴ O.MARKOVIĆ:T.34792.

Foča

I. FOČA MUNICIPALITY

A. Overview

1. Foča was the largest municipality in terms of area in what would become the RS.¹ In 1991, of the 40,513 residents living in Foča municipality, 20,067 or approximately 52%, were of Muslim ethnicity, 18,636 or 45% were ethnic Serbs, and the remaining 2,810 were ethnic Croats and others.² In April 1992, Bosnian Serb Forces, acting under CS President and War Commander Miroslav STANIĆ, took control of the municipality of Foča.³ As a result of the campaign to forcibly remove Foča's non-Serbs—including mass detentions, killings, rapes and destruction—by September 1992, Foča's population was 99% Serb.⁴

2. Foča's transformation was a matter of pride to the Bosnian Serbs. Speaking before the Assembly in April 1993, Foča Municipal Assembly President Petko ČANČAR said there was “only one people living on the territory of Foča, and there is only one religion practised there”.⁵ On a visit to Foča in mid-1993, **KARADŽIĆ** told a reporter, “I am satisfied and happy that Foča has been preserved [...] [T]he Muslims gave up on Foča [...]”.⁶ During the war, Serb authorities renamed Foča “Srbinje”—“town of the Serbs”.⁷ In August 1994, Momčilo KRAJIŠNIK praised Foča's Serbs for having created “a true Serbian town. [...] All that was coming from this town you've managed to eliminate [...]”.⁸ In July 1995, the BiH MUP reported that no non-Serbs lived in Foča.⁹

B. Build-up to War

3. Prior to the war, the SDA¹⁰ and SDS held major rallies in Foča. The SDS rallies were attended by high-level SDS officials including **KARADŽIĆ**; Biljana PLAVŠIĆ; Nikola KOLJEVIĆ; Velibor OSTOJIĆ; President of the SDS Deputies Club in the BiH Assembly Vojislav MAKSIMOVIĆ; and Croatian Serb leader Jovan

¹ P3476,p.3; P1367,p.25; P1371,p.78.

² D4002,p.23. *See also* P1480,p.66; KDZ239:P3336,pp.117-122.

³ P3476; AF745; AF731; P1477,p.255.

⁴ P1480,p.66; AF917; M.VUJIĆIĆ:D2767,para.16.

⁵ P1367,p.25. *See also* P1371,p.78.

⁶ P6205,p.1.

⁷ P3476; V.MARIĆ:T.35591; KDZ379:T.18832.

⁸ P6204; AF2411.

⁹ D4002,p.24.

RAŠKOVIĆ.¹¹ Serb politicians—both from the republic and municipal level—made inflammatory speeches. MAKSIMOVIĆ referenced WWII, warning that blood would flow in the Drina again,¹² while STANIĆ stated that the Drina would “never become a border, but a windpipe between two lungs.”¹³

4. Contrary to the Defence contention,¹⁴ the so-called “Fočatrans affair” in 1990 was not the catalyst for the ethnic violence that was to follow in Foča.¹⁵ It was a labour dispute that was eventually resolved with involvement from Yugoslavia’s pre-war, multiethnic police force.¹⁶ There was no causal relationship between these events and the takeover and subsequent crimes that occurred two years later.¹⁷

5. In 1991, Serbs began arming themselves and training with the assistance of the JNA.¹⁸ The SDS led the pre-war training and preparations, forming and supplying battalions.¹⁹ Serbs initially armed surreptitiously, with light weapons, but as conflict approached, they became more open, including deploying JNA and TO artillery on elevated sites.²⁰ The Muslim population also armed itself but was not as effective, leaving Foča’s Serbs better prepared for the impending conflict.²¹ By January 1992, Muslim reservists began leaving the municipality’s JNA base, and there was a noticeable influx of Serb reservists providing a supply of weapons and potential staff for a Serb force.²² Radio Foča broadcast a call for general mobilisation of Serbs.²³ In March 1992, the Serbian Assembly of Foča requested that the JNA station a garrison in Foča, offering to reinforce the unit with local Serb troops.²⁴

¹⁰ KDZ239:P3336,pp.115-117; R.MLAĐENOVIĆ:D3314,para.15; P6078.

¹¹ R.MLAĐENOVIĆ:D3314,para.16; R.MLAĐENOVIĆ:T.36624; KDZ239:P3336,pp.6-7; KDZ239:T.18961-18962; P5681.

¹² KDZ239:T.18912,18931.

¹³ P3476,p.2; KDZ379:T.18833-18834.

¹⁴ See e.g. M.VUJIČIĆ:D2767,para.4; M.VUJIČIĆ:T.32141.

¹⁵ See DCC(T.PLJEVALJČIĆ).

¹⁶ KDZ017:T.19881. See also M.VUJIČIĆ:T.32117-32121; P6079.

¹⁷ See R.DONIA:T.3223. See also T.PLJEVALJČIĆ:T.32333-32334.

¹⁸ P5481; I.POLJAK:P118,p.3.

¹⁹ P6081; KDZ239:T.18933; P6082. See III.C.8.(a).(iii): The SDS implemented the common criminal plan; III.C.8.(j): JNA/VJ; III.C.8.(k): TO.

²⁰ AF727-AF728; KDZ239:P3336,pp.11-12; KDZ017:T.19876-19877.

²¹ AF727; KDZ239:P3336,p.8; KDZ239:T.18989-18992; D299,p.2.

²² KDZ379:P3332,pp.6-10; KDZ379:T.18867-18868; KDZ239:P3336,p.8. See also M.VUJIČIĆ:D2767,para.20.

²³ KDZ239:P3336,p.157. See also M.KRNOJELAC:D2716,pp.220-221.

²⁴ P5481.

6. In parallel, separate institutions were being developed pursuant to Variant A/B.²⁵ On 25 December 1991, the Foča SDS established the separate Assembly of the Serbian People, made up of SDS members of the Foča Municipal Assembly and other Serb assemblymen,²⁶ and an Executive Committee.²⁷ On 6 January 1992, STANIĆ reported to **KARADŽIĆ** that a Serb municipality had been created. In response to **KARADŽIĆ**'s directive to "take complete control over your affairs", STANIĆ assured him, "Yes, yes, everything as it is in the instructions...". **KARADŽIĆ** replied, "[I]f we succeed, we will have succeeded for all times."²⁸ At the 14 February 1992 SDS Main Board meeting, at which **KARADŽIĆ** called for the activation of the second level of Variant A/B,²⁹ Chairman of Foča's Serbian Assembly Radojica MLAĐENOVIĆ³⁰ confirmed that Foča's Serbs had set up institutions and were acting pursuant to central instructions.³¹ On 2 March 1992, the Foča SDS Municipal Board wrote to **KARADŽIĆ** affirming its unconditional support for the "Crisis Staff of the SDS [BiH]" and stating, "We are ready to carry out any order you issue."³²

7. Variant A/B implementation continued through April 1992. On 3 April, the Serbian Assembly adopted its Statute, formally creating the Serbian Municipality of Foča.³³ Article 11 of the Statute provided that the Serbian Municipality of Foča was to enforce RS and SAO Herzegovina laws, regulations, and general documents.³⁴ The same day, the Assembly established a CS, which included republic-level leader MAKSIMOVIĆ and prominent local leaders STANIĆ, ČANČAR, MLAĐENOVIĆ, Serbian Assembly President Josip MILIČIĆ, and future police chief Dragan GAGOVIĆ.³⁵ On 7 April, the Serbian Assembly announced "all the organs of the Serbian Municipality of Foča shall become operational."³⁶ The Foča police force was ethnically divided, and a Serb force began to operate³⁷ with GAGOVIĆ as chief.³⁸

²⁵ AF729. See P5, pp.6-10.

²⁶ P3333, pp.1-2; R.MLAĐENOVIĆ:D3314, paras.14,20.

²⁷ P6264.

²⁸ P3337, p.2. See also P6264, p.1; R.MLAĐENOVIĆ:T.36630,36632.

²⁹ P12, p.24.

³⁰ P3333, pp.11-12.

³¹ P6264; R.MLAĐENOVIĆ:T.36629-36632,36681-36682.

³² P5515.

³³ P3333, pp.13-14.

³⁴ P3333, p.16.

³⁵ P3333, pp.39-41; D4002, p.23; R.MLAĐENOVIĆ:D3314, para.20; R.MLAĐENOVIĆ:T.36634.

³⁶ D1690, p.1.

³⁷ R.MLAĐENOVIĆ:D3314, para.28; AF732; D3319.

³⁸ AF789; AF795.

There was a Serb military presence on the streets.³⁹ That night, Serbs took the radio station and the TO warehouse.⁴⁰

8. Republic-level leaders visited Foča during the period preceding the conflict. OSTOJIĆ and MAKSIMOVIĆ were seen regularly meeting with local SDS members, including STANIĆ.⁴¹ PLAVŠIĆ was also seen in town.⁴² OSTOJIĆ was in Foča when the attack began.⁴³

C. Attack on Foča and subsequent crimes

9. The Serb attack on Foča began on 8 April 1992, with a combination of infantry fire and shelling from artillery weapons.⁴⁴ Fighting initially focused on the Muslim-controlled neighbourhood of Donje Polje.⁴⁵ The attack resulted in many wounded civilians, most of whom were Muslim.⁴⁶

10. STANIĆ led the TO in the attack,⁴⁷ in which the JNA,⁴⁸ SJB,⁴⁹ and White Eagles paramilitary group⁵⁰ also participated. OSTOJIĆ was actively involved from the beginning of the takeover,⁵¹ reporting from Foča on 8 April that “state and executive authority” had been established;⁵² dictating demands for the CS in their negotiations with the Muslims;⁵³ issuing orders over the radio inciting Serb troops to violence;⁵⁴ and reporting, on 14 April 1992, that the Serbian TO was “controlling a huge part of the town.”⁵⁵ He occasionally visited Serb soldiers in the municipality.⁵⁶

³⁹ AF738; KDZ017:T.19892. *See also* R.MLAĐENOVIĆ:D3314,para.28.

⁴⁰ AF738. *See also* T.PLJEVALJČIĆ:T.32351.

⁴¹ KDZ017:P3568,pp.134-135,173-174; KDZ017:T.19867-19686; [REDACTED]

[REDACTED] *See also* KDZ239:P3336,p.7.

⁴² KDZ239:P3336,p.7; KDZ239:T.18961-18962.

⁴³ R.MLAĐENOVIĆ:T.36636-36638; [REDACTED]

⁴⁴ AF741; [REDACTED]; [REDACTED]; P3353.

⁴⁵ KDZ017:T.19877,19890,19910; AF742; R.MLAĐENOVIĆ:D3314,para.33; KDZ239:P3336,p.9.

⁴⁶ AF744.

⁴⁷ P3476,p.2; P6081; D1684; M.VUJIČIĆ:T.32127-32128. *See also* A.VASILJEVIĆ:T.34703-34704; [REDACTED]

⁴⁸ AF741; KDZ379:P3332,pp.26-27,51,56-59,70-71; KDZ017:T.19892; A.VASILJEVIĆ:D3065,p.14; KDZ239:T.18993.

⁴⁹ D1684; D3319.

⁵⁰ AF741; KDZ379:T.18880-18881; KDZ379:P3332,pp.17,24; [REDACTED]; D4002,p.23.

⁵¹ *See* [REDACTED] KDZ379:P3332,pp.24-26. *See also*

[REDACTED]; KDZ379:T.18885.

⁵² D3319. *See also* D1690.

⁵³ R.MLAĐENOVIĆ:T.36636-36638; [REDACTED]; KDZ017:T.19872-19873.

⁵⁴ [REDACTED] OSTOJIĆ was on the radio “shrieking [...] Shoot anything that moves, slaughter anything that is human.”

⁵⁵ P3338.

During the takeover, MAKSIMOVIĆ, STANIĆ, ČANČAR and OSTOJIĆ were present at the CS headquarters at Velečevo women's prison studying military maps.⁵⁷ OSTOJIĆ and STANIĆ reported on Serb military progress to republic-level bodies.⁵⁸

11. Contrary to the Defence contention,⁵⁹ the Muslim population was poorly armed, disorganized, and unable to mount a strong defence.⁶⁰ Many Muslims gave up their personal weapons so as not to be accused of participating in fighting.⁶¹ The weakness of the Muslim resistance is evidenced by the facts that Serb forces easily took Foča area by area, including the hospital and the local prison, KP Dom;⁶² the take-over of the large part of Foča town was accomplished in just one week;⁶³ and full control was established over the municipality ten days later.⁶⁴

12. Following the takeover, the CS established control in Foča.⁶⁵ STANIĆ issued orders, including to the military police and to the TO,⁶⁶ and work assignments to non-fighting Serbs.⁶⁷ On 30 April, OSTOJIĆ reported that the "[s]ituation in the liberated areas is stabilising because of the rule of law and because the institutions of civilian authority have control over the overall situation."⁶⁸ In June 1992, with things well in hand, KARADŽIĆ replaced OSTOJIĆ as RS Commissioner for Foča with MAKSIMOVIĆ.⁶⁹ The CS consulted with the new Commissioner in making arrangements for the forcible removal of Muslims from the municipality.⁷⁰ Close Serb civilian and military cooperation continued into September 1992, as evidenced by KARADŽIĆ's 17 September 1992 appointment of a joint civilian-military War

⁵⁶ See [REDACTED].

⁵⁷ KDZ379:P3332,pp.24-26; KDZ379:T.18885. See also [REDACTED]; M.RAŠEVIĆ:T.46774.

⁵⁸ P4986; P3476,p.3.

⁵⁹ T.PLJEVALJČIĆ:T.32291-32296,32299-32300,32306-32307. See also KDZ017:T.19882-19888; KDZ379:T.18854-18858.

⁶⁰ D299,p.2; AF743; KDZ239:P3336,p.128; [REDACTED].

⁶¹ AF747.

⁶² AF743.

⁶³ P3476,p.3; AF745; AF748. See also P3338.

⁶⁴ KDZ379:T.18835; AF745; AF748.

⁶⁵ AF769; P4986. See also M.KRNOJELAC:D2716,pp.221-224; P6265,p.6; KDZ379:T.18836; R.MLADENOVIĆ:T.36641-36642.

⁶⁶ D1684; P2642.

⁶⁷ See M.KRNOJELAC:D2716,pp.56-57,220-221; P3340. See also KDZ379:T.18836.

⁶⁸ P4986.

⁶⁹ P3339. See also P1105,p.102.

⁷⁰ P2642,p.1.

Commission for Foča⁷¹ and a meeting of the same date between MLADIĆ and Foča's civilian and military leadership.⁷²

13. In May 1992, the TO was transformed into Tactical Group Foča or "TG Foča",⁷³ following which STANIĆ turned over TG Foča command to Marko KOVAČ.⁷⁴ TG Foča included units led by Brane ĆOSOVIĆ, Gojko JANKOVIĆ, Pero ELEZ,⁷⁵ and Dragan KUNARAC,⁷⁶ who was known as "ZAGA".⁷⁷ TG Foča was under command of the VRS:⁷⁸ it reported to the Herzegovina Corps,⁷⁹ which, in turn, reported to VRS-GŠ.⁸⁰

14. The attack against Foča's non-Serb population continued after the takeover.⁸¹ Muslims were dismissed from jobs or prevented or discouraged from reporting to work⁸² and were subjected to restrictions of movement.⁸³ Muslim businesses were looted or burned.⁸⁴ Serb Forces searched Muslim homes for money, weapons, and other items.⁸⁵ Muslims were ordered to surrender their weapons.⁸⁶ Serbs were not subjected to this treatment.⁸⁷

15. Serb forces—military, police, and paramilitaries—systematically attacked Muslim neighbourhoods and villages, destroying homes and property, rounding up the population, and beating and killing civilians.⁸⁸ They looted and destroyed houses in Muslim neighbourhoods and villages during attacks and after areas were secured.⁸⁹

⁷¹ P6266.

⁷² P1480, pp.60-71.

⁷³ See P3341; P3476, p.3.

⁷⁴ P3476, p.3; P1480, p.66. See also P3355; P3354; T.PLJEVALJČIĆ:T.32327; KDZ239:P3336, p.99.

⁷⁵ P6081; D4002, p.23; M.VUJIČIĆ:T.32127-32129; T.PLJEVALJČIĆ:T.32330;

[REDACTED]. See also R.MLADENOVIĆ:T.36673.

⁷⁶ D4002, p.23; P3354, p.3; [REDACTED]; T.PLJEVALJČIĆ:T.32331-32332.

⁷⁷ [REDACTED]

⁷⁸ P1480, p.66; KDZ239:T.18932-18934, 19006.

⁷⁹ P3355; P6080; P3356. See also P1478, p.394.

⁸⁰ P1480, pp.60-71; P1478, pp.389-390; P3354; P6659; P1482, p.67. See also P6267.

⁸¹ AF749; AF751.

⁸² AF770-AF771.

⁸³ AF766; AF772-AF773; AF775.

⁸⁴ AF779.

⁸⁵ AF776-AF777. See also M.KRNOJELAC:D2716, p.341; [REDACTED]

⁸⁶ AF778; D3316.

⁸⁷ AF776-AF778.

⁸⁸ AF750-AF756; AF760-AF761; AF763-AF765; AF906; AF909-AF910; [REDACTED]

[REDACTED]; KDZ239:P3336, p.10. See also AF902-AF904.

⁸⁹ KDZ239:P3336, p.10; AF752-AF756; AF761; AF776; KDZ379:P3332, pp.15-16; KDZ017:T.19892.

Attacks on villages continued through June and July.⁹⁰ Attacked villages included Jeleč and Mješaja/Trošanj.⁹¹

16. Defence witness claims that the civilian authorities in Foča treated Muslims in the same way as they treated Serbs,⁹² that Muslims who wished to stay in their villages could do so,⁹³ that attacks and killings were carried out by paramilitaries⁹⁴ or were “isolated, individual cases”⁹⁵ and that Muslim units and “renegade elements” were responsible for the destruction and looting of property⁹⁶ should be rejected. The witnesses making these claims were of demonstrably low credibility: one was personally implicated in the events about which he was testifying and sought to minimise his own responsibility and that of **KARADŽIĆ**,⁹⁷ while the testimony of the other witnesses was vague, unsupported hearsay.⁹⁸

17. Mosques and other cultural buildings in Foča were destroyed.⁹⁹ Both Prosecution and Defence witnesses agree that the destruction occurred after the takeover,¹⁰⁰ discrediting Defence suggestions that it was spontaneous and accidental because the mosques served as munitions storehouses.¹⁰¹ That all of Foča’s mosques—as well as mosques throughout BiH¹⁰²—were systematically destroyed further discredits this explanation.

18. In the face of this hostile atmosphere, many Muslims fled Foča.¹⁰³ Others were forcibly exchanged.¹⁰⁴ Those who did not flee were subject to mass arrests and imprisonment.¹⁰⁵ Muslim men were rounded up in the streets, at their places of work,

⁹⁰ AF751; AF763.

⁹¹ See SIC:A.5.2,A.5.4(Foča).

⁹² T.PLJEVALJIĆ:T.32320,32346; M.VUJIČIĆ:D2767,para.31. See also R.MLAĐENović:D3314,para.57.

⁹³ M.VUJIČIĆ:D2767,paras.8,30.

⁹⁴ M.VUJIČIĆ:D2767,para.31.

⁹⁵ R.MLAĐENović:D3314, para.39.

⁹⁶ R.MLAĐENović:D3314,paras.46, 56; R.MLAĐENović:T.36615-36616; M.VUJIČIĆ:D02767, para.15; T.32145-32146.

⁹⁷ See DCC(R.MLAĐENović).

⁹⁸ See DCC(M.VUJIČIĆ;T.PLEVALJIĆ).

⁹⁹ See SIC:D.10(Foča); KDZ239:P3336,pp.12-14; M.KRNOJELAC:D2716,p.340;

[REDACTED]; KDZ379:T.18837; AF908; AF904; AF913. See also A.RIEDLMAYER:P4069,records131-155,157-165.

¹⁰⁰ A.RIEDLMAYER:P4070,pp.127-134; M.VUJIČIĆ:T.32136; T.PLJEVALJIĆ:T.32297; KDZ379:T.18837; [REDACTED];

¹⁰¹ M.VUJIČIĆ:T.32136; T.PLJEVALJIĆ:T.32296-32297.

¹⁰² See III.C.6: Pattern of crimes.

¹⁰³ AF748; AF756; AF761; AF764. See also M.KRNOJELAC:D2716,pp.342-343.

¹⁰⁴ P6080.

¹⁰⁵ KDZ239:T.18915,18984; KDZ379:P3332,pp.12-17; AF767-AF768; AF749; AF823.

or from their homes.¹⁰⁶ They were abused, beaten and sometimes killed during arrest or transportation to detention facilities.¹⁰⁷ In some cases, Muslims leaving Foča were returned and imprisoned, for example in May 1992, when FRY authorities in Montenegro handed over refugees to RS police, who sent them to KP Dom.¹⁰⁸

19. Bosnian Serb Forces, acting under CS authority,¹⁰⁹ initially took many Muslims to the Livade military warehouse,¹¹⁰ before transporting them to the main detention facility, KP Dom.¹¹¹ At both Livade¹¹² and KP Dom, detainees were held in poor conditions, and subjected to torture, beatings, abuse, cruel and inhuman treatment, and other inhumane acts. At KP Dom, many detainees were held for years,¹¹³ and over 200 men were killed.¹¹⁴

20. KP Dom was under joint civilian and military control.¹¹⁵ STANIĆ, in his capacity as military commander, requisitioned the prison for TG Foča to house “prisoners-of-war and detainees”.¹¹⁶ Milorad KRNOJELAC, a reserve officer initially appointed temporary warden by the MOD,¹¹⁷ was subsequently formalized as warden by the MOJ.¹¹⁸ Military and civilian authorities appointed investigators and guards for KP Dom.¹¹⁹ The MOJ was involved in overseeing the facility.¹²⁰ The military command decided which persons could enter KP Dom and had some control over assignments within the facility.¹²¹ The military command (initially the CS functioning as military command) had the power to release detainees.¹²²

¹⁰⁶ KDZ239:T.18915,18984; AF767-AF768; AF749.

¹⁰⁷ AF752; AF754; AF761; AF765-AF766; AF780; AF786; KDZ017:P3568,pp.17,53-54,57; KDZ379:P3332,pp.54-55,59; [REDACTED] M.KRNOJELAC:D2716,p.341; M.RAŠEVIĆ:P6655,p.1.

¹⁰⁸ M.BULATOVIĆ:T.34571; D1746,pp.1-4; KDZ017:P3568,pp.7-8; KDZ017:T.19894-19895.

¹⁰⁹ See [REDACTED]. See also D4002,p.23.

¹¹⁰ KDZ239:P3336,pp.20-22; AF782; AF785.

¹¹¹ KDZ239:P3336,p.25; R.MLAĐENović:D3314,para.36; R.MLAĐENović:T.36657; M.KRNOJELAC:D2716,pp.340-341. See SIC:B.8;C.10.1(Foča).

¹¹² See SIC:C.10.6(Foča).

¹¹³ AF825.

¹¹⁴ See SIC:B.8(Foča).

¹¹⁵ See SIC:B.8(Foča).

¹¹⁶ P3341; P3342.

¹¹⁷ P3349; M.KRNOJELAC:D2716,pp.56-57; M.RAŠEVIĆ:T.46774-46775; R.MLAĐENović:D3314,para.48; [REDACTED].

¹¹⁸ P1141; M.KRNOJELAC:D2716,pp.93-96; M.RAŠEVIĆ:T.46775.

¹¹⁹ P3349; P6268; P3340.

¹²⁰ P6195; P3343; M.KRNOJELAC:D2716,pp.627-629.

¹²¹ AF839-AF840. See also M.RAŠEVIĆ:D4307,para.15; P6659; P3340.

¹²² M.KRNOJELAC:D2716,pp.104,389-396; AF837; D1687; D1688; D1689; P3347; P6206; P3346; D3318; P3344; P5539; P5540; P5526; P6660,p.2; M.RAŠEVIĆ:T.46780-46781; M.RAŠEVIĆ:D4307,para.16.

21. KP Dom detainees were civilians.¹²³ KP Dom Chief of Security Mitar RAŠEVIĆ confirmed this and admitted that a CS or army admission certificate noting that a detainee was “captured in the combat operation” was simply a “standard form which would be issued to everyone”.¹²⁴

22. JNA soldiers initially served as guards at the facility¹²⁵ until the civilian guard service, under the command of RAŠEVIĆ,¹²⁶ was restored.¹²⁷ Some guards were soldiers or former soldiers.¹²⁸ The higher ranking echelons of the KP Dom such as KRNOJELAC and his deputy Savo TODOVIĆ and the guards sometimes wore military uniforms, and guards would serve at the frontline.¹²⁹ Individuals from various Serb bodies—soldiers, military and civilian police, guards, and others—were, at times, present at KP Dom.¹³⁰ Many were involved in the crimes that occurred there.¹³¹

23. Defence witnesses KRNOJELAC and RAŠEVIĆ denied knowledge of the systematic killings, beatings, and mistreatment at KP Dom, contending that any crimes were exceptional occurrences.¹³² This contention does not stand up to scrutiny in light of the evidence of the pervasiveness and systematic nature of the crimes which occurred at KP Dom;¹³³ the frequent presence of KRNOJELAC and RAŠEVIĆ around the facility;¹³⁴ evidence of RAŠEVIĆ standing by while detainees were beaten;¹³⁵ and complaints by detainees to guards, RAŠEVIĆ and KRNOJELAC about conditions and treatment in the prison.¹³⁶ Indeed, RAŠEVIĆ accepted that “evil” was done to the prisoners at KP Dom.¹³⁷ He admitted that after seeing injuries on non-Serb detainees¹³⁸ and hearing reports of their beatings,¹³⁹ he reported these occurrences to

¹²³ See SIC:B.8(Foča).

¹²⁴ P6656,pp.5-6; M.RAŠEVIĆ:T.46768-46769,46777-46780.

¹²⁵ AF833-AF834; M.RAŠEVIĆ:D4307,para.13; M.KRNOJELAC:D2716,pp.67,75,336,339-341; A.VASILJEVIĆ:D3065,para.133; KDZ239:P3336,p.25; KDZ239:T.18913-18914.

¹²⁶ AF862; M.RAŠEVIĆ:D4307,para.1; KDZ239:P3336,pp.101-102; KDZ017:P3568,pp.50,148.

¹²⁷ AF835; M.RAŠEVIĆ:D4307,para.13; P3349.

¹²⁸ M.KRNOJELAC:D2716,pp.75-77,86; M.RAŠEVIĆ:D4307,para.13.

¹²⁹ KDZ017:P3568,pp.138,145,212; KDZ379:P3332,p.40; P3340. See also P3349.

¹³⁰ AF863; AF878-AF879; AF882; AF884-886; AF888; KDZ017:P3568,pp.16,19,41,124-125,189; KDZ239:P3336,pp.25,32,57,99-100,145-146; M.KRNOJELAC:D2716,pp.76-77,86,546-549; M.RAŠEVIĆ:D4307,para.38; M.RAŠEVIĆ:T.46766,46804-46809.

¹³¹ See SIC:B.8;C.10.1(Foča).

¹³² M.KRNOJELAC:D2716,pp.130-131; M.RAŠEVIĆ:T.46796,46804-46806.

¹³³ SIC:B.8;C.10.1(Foča).

¹³⁴ KDZ017:P3568,pp.37-38,124-125,140-143; KDZ239:P3336,pp.92-102;

M.KRNOJELAC:D2716,pp.546-549; M.RAŠEVIĆ:D4307,para.16.

¹³⁵ KDZ017:P3568,pp.124-125. RAŠEVIĆ’s denial on this point was not credible. See DCC(M.RAŠEVIĆ).

¹³⁶ KDZ017:P3568,pp.49-50,146,148; KDZ239:P3336,pp.87,92-102.

¹³⁷ M.RAŠEVIĆ:P6655,p.5. See M.RAŠEVIĆ:T.46768-46769.

¹³⁸ M.RAŠEVIĆ:T.46805-46806.

KRNOJELAC.¹⁴⁰ RAŠEVIĆ's contention that the military—not prison guards—were responsible for all beatings and disappearances¹⁴¹ is inconsistent with his admission that because he treated Muslim detainees well, he felt threatened by and feared his guard staff, some of whom tried to behave “radically”.¹⁴² Despite the knowledge of their criminality, no KP Dom guards were disciplined.¹⁴³

24. Equally, RAŠEVIĆ and KRNOJELAC contended that the conditions at KP Dom were a function of wartime shortages rather than a result of an organised policy of discrimination against non-Serbs.¹⁴⁴ This claim is not only untenable in light of the sustained mistreatment and abuse to which non-Serbs were subjected¹⁴⁵ and these witnesses' lack of credibility,¹⁴⁶ but it is also undermined by RAŠEVIĆ's own admissions that KP Dom detainees were hidden from the ICRC¹⁴⁷ and that he personally asked the warden to distribute food leftovers from Serbs to non-Serbs.¹⁴⁸ Indeed, the administration of KP Dom was clearly part of a RS-wide policy. KRNOJELAC told one detainee that KP Dom was only one of many similar “camps” throughout the municipalities and that he had attended a meeting with other wardens from throughout BiH.¹⁴⁹

25. Muslim women and girls were also arrested in Foča and transferred between sites throughout the municipality¹⁵⁰—including Buk Bijela, Foča high school (*srednja škola*), Partizan Hall, Karaman's House,¹⁵¹ and other locations¹⁵²—where they were

¹³⁹ M.RAŠEVIĆ:T.46796-46797,46804-46805; M.RAŠEVIĆ:P6656,p.8.

¹⁴⁰ M.RAŠEVIĆ:T.46806.

¹⁴¹ M.RAŠEVIĆ:D4307,para.43; M.RAŠEVIĆ:T.46761,46805.

¹⁴² M.RAŠEVIĆ:T.46775-46776; M.RAŠEVIĆ:P6655,pp.1,3.

¹⁴³ See M.RAŠEVIĆ:T.46807.

¹⁴⁴ M.RAŠEVIĆ:D4307,paras.17-20; M.RAŠEVIĆ:T.46757-46759,46794-46795,46810; M.KRNOJELAC:D2716,pp.121-127,549-554,568-569.

¹⁴⁵ SIC:C.10.1(Foča).

¹⁴⁶ See DCC(M.RAŠEVIĆ; M.KRNOJELAC).

¹⁴⁷ M.RAŠEVIĆ:T.46802.

¹⁴⁸ See M.RAŠEVIĆ:T.46795.

¹⁴⁹ KDZ239:P3336,pp.98-99.

¹⁵⁰ AF788; AF793; AF800; AF803-AF804; AF807; AF809-AF811; AF815;

[REDACTED]; M.KRNOJELAC:D2716,pp.341-342.

¹⁵¹ See SIC:C.10.2;C.10.4;C.10.5;C.10.7(Foča).

¹⁵² AF787-AF788.

subjected to systematic rape, abuse, and torture by soldiers, police, and paramilitary members,¹⁵³ often for months or longer.¹⁵⁴

26. Like KP Dom, these locations were Serb-run detention facilities,¹⁵⁵ not, as the Defence argues, locations where women voluntarily gathered, were sent to seek protection or were housed for other benign purposes.¹⁵⁶ By order of Serb authorities,¹⁵⁷ the facilities were guarded by uniformed men, often police.¹⁵⁸ Contrary to the Defence contention,¹⁵⁹ guards did not protect the women¹⁶⁰ but rather prevented them from escaping.¹⁶¹ One of these detained girls was subsequently transferred to Pale to be exchanged. After the exchange failed, she was detained in Lukavica barracks and Kula prison and not exchanged until 26 October 1993, a year and a half after her initial arrest.¹⁶² Similarly, a 16 year old girl held in “ELEZ’s prison in Miljevina” was exchanged in 1993 following MLADIĆ’s discussion with S.MILOŠEVIĆ.¹⁶³

27. These detention facilities and the constant sexual assaults perpetrated there were common knowledge in Foča.¹⁶⁴ The Defence does not deny these crimes but merely attempts to distance the perpetrators from Serb authorities.¹⁶⁵ The perpetrators, however, included TG Foča commanders KUNARAC,¹⁶⁶ JANKOVIĆ,¹⁶⁷ and ELEZ,¹⁶⁸ and their men (including Radovan STANKOVIĆ),¹⁶⁹ ČOSOVIĆ’s men,¹⁷⁰

¹⁵³ See SIC:C.10.2;C.10.4;C.10.5;C.10.7(Foča). See also AF787. See generally [REDACTED].

¹⁵⁴ See SIC:C.10.2;C.10.4;C.10.5;C.10.7(Foča). See e.g. [REDACTED]; AF818-AF820.

¹⁵⁵ KDZ239:T.18984; M.KRNOJELAC:D2716,pp.341-342; P1482,p.67; M.VUJIČIĆ:T.32131-32132.

¹⁵⁶ M.VUJIČIĆ:T.32096-32097; M.VUJIČIĆ:D2767,para.33; M.RAŠEVIĆ:T.46815. See also T.PLJEVALJČIĆ:T.32344,32346. See DCC(M.VUJICIC).

¹⁵⁷ M.VUJIČIĆ:D2767,para.11; AF2409. See also P3333,p.40.

¹⁵⁸ AF2408; [REDACTED].

¹⁵⁹ M.VUJIČIĆ:D2767,paras.11,33; M.VUJIČIĆ:T.32130-32132. But see DCC(M.VUJICIC).

¹⁶⁰ See AF796; [REDACTED]. See also R.MLAĐENOVIĆ:T.36651.

¹⁶¹ AF791; AF796; [REDACTED]; [REDACTED]. See also M.VUJIČIĆ:T.32131-32132.

¹⁶² [REDACTED].

¹⁶³ P1482,p.67; P4865,p.6; A.MAŠOVIĆ: [REDACTED].

¹⁶⁴ R.MLAĐENOVIĆ:D3314,para.49; [REDACTED]; KDZ239:T.18946-18947. See also M.RAŠEVIĆ:T.46815; M.KRNOJELAC:D2716,pp.341-342.

¹⁶⁵ R.MLAĐENOVIĆ:D3314,para.49; R.MLAĐENOVIĆ:T.36649-36651.

¹⁶⁶ See SIC:C.10.2(Foča). See also AF800-AF801; [REDACTED]; [REDACTED].

¹⁶⁷ See SIC:C.10.4(Foča); [REDACTED].

¹⁶⁸ See SIC:C.10.2(Foča). See also [REDACTED].

¹⁶⁹ See SIC:C.10.2(Foča).

and SJB Chief GAGOVIĆ.¹⁷¹ None of these men was held accountable for these crimes by the Serb authorities at the time.¹⁷² Rather, they were rewarded by the Serb authorities and publicly lauded by STANIĆ for their role in the takeover of Foča.¹⁷³ In 1993, JANKOVIĆ was proposed for the “honour of Vojvoda” for his “excellent results in the liberation of Foča”,¹⁷⁴ and in 1995 KARADŽIĆ appointed STANKOVIĆ as commander of a special police unit in “Srbinje”.¹⁷⁵

¹⁷⁰ See SIC:C.10.5(Foča). [REDACTED]

[REDACTED]. See also [REDACTED].

¹⁷¹ See SIC:C.10.5;C.10.7(Foča). See also AF789-AF790.

¹⁷² R.MLAĐENOVIĆ:T.36652,36673; [REDACTED]

[REDACTED].

¹⁷³ P6081.

¹⁷⁴ P6082,p.1.

¹⁷⁵ P6267,p.2.

Hadžići

I. HADŽIĆI MUNICIPALITY

A. Overview

1. In 1991, the ethnic composition of the municipality of Hadžići was approximately 63,6% (15,392) Muslim, 26,3% (6,363) Serb, 3,1% (746) Croat and 7% other.¹ As one of the ten Sarajevo municipalities² and an area of significant strategic importance,³ the takeover of Hadžići and the forcible removal of the non-Serb population were done in furtherance of the first and fifth strategic goals.⁴ Those areas for which the Serbs had “aspirations” were emptied of Muslims.⁵

B. Build-up to the conflict

2. Before the war, the SDS had an “excellent organisation” and “infrastructure from the highest to the lowest level”.⁶ At meetings of the municipal Defence Council in January 1992, SDS President Ratko RADIĆ declared that the crisis in Hadžići was reaching the point where Serbs needed to establish their own assembly, that they wanted their own state, and that separation and division were necessary and unavoidable.⁷

3. By 20 March 1992, 1,500 Serbs (who were neither JNA nor TO members) had been armed by either the JNA or the SDS in Hadžići municipality,⁸ facilitated by RADIĆ, among others.⁹ At the same time, the Serbs were being organised in units.¹⁰

4. On 11 April 1992—approximately two weeks after **KARADŽIĆ** informed the Assembly that Serbian municipalities would “assume control”, “separate the police force, take the resources that belong to the Serbian people, and take command”¹¹—the Hadžići Assembly of the Serbian People constituted its organs and bodies and

¹ P5964; T.GLAVAŠ:P2296,para.22.

² AF2.

³ T.GLAVAŠ:P2296,paras.22,33; R.DUPOVAC:P41,p.6.

⁴ See III.C.5.(a): The strategic objectives as articulated at the 16th Assembly.

⁵ T.GLAVAŠ:P2296,para.22.

⁶ T.GLAVAŠ:T.11953-11954.

⁷ R.DUPOVAC:P41,p.7.

⁸ P979,pp.6,11; R.DUPOVAC:P41,p.8.

⁹ T.GLAVAŠ:P2296,para.27; T.GLAVAŠ:T.11953-11954.

¹⁰ P2297,p.2; T.GLAVAŠ:T.11953-11954.

¹¹ P961,p.22.

established a Serb Police Station and TO.¹² GLAVAŠ was appointed as SJB Commander, as subsequently confirmed by M.STANIŠIĆ.¹³

5. At the same time, the Hadžići CS was formed,¹⁴ comprising President of the Municipality RADIĆ as CS President, the Chairman of the Executive Board, and police and military representatives.¹⁵ The CS, which was located in the municipal building and held daily meetings from April to August 1992,¹⁶ was the highest authority in Hadžići, assuming the role of both the executive and legislative organs.¹⁷ The Hadžići CS frequently communicated with other CSs in the Sarajevo area in order to carry out operations.¹⁸

C. Takeover of Hadžići and subsequent crimes

6. From mid-April 1992, SDS leaders and JNA barracks commanders in Hadžići cooperated openly in bringing JNA reserve units from Serbia and Montenegro, which in the second half of April occupied strategically important buildings and positions in Hadžići town.¹⁹

7. On 7 May 1992, the SDS issued an ultimatum demanding that Muslim members of the police, the TO, and other legal authorities leave the municipality by the following day. Muslim officials were shown a map depicting a partitioned municipality.²⁰ On that day, armed Serbs took over the municipality building and expelled the workers.²¹ On 8 May 1992, RADIĆ threatened at a multiparty meeting that unless a resolution was reached, there would be “blood, deep up to the knees”.²² After the meeting, an artillery attack was launched against the Hadžići police station. During the next few days, Serb forces assisted by the JNA took control over parts of the municipality and started arresting and expelling large parts of the non-Serb population.²³

¹² D2916,p.1; P2306; P2297,p.2.

¹³ D2916,p.1; T.GLAVAŠ:P2296,para.6; T.GLAVAŠ:T.11777.

¹⁴ T.GLAVAŠ:T.11780-11781.

¹⁵ T.GLAVAŠ:P2296,paras.23,25; T.GLAVAŠ:T.11780.

¹⁶ T.GLAVAŠ:P2296,para.21; T.GLAVAŠ:T.11781,11791; P2301.

¹⁷ T.GLAVAŠ:T.11780; P2306,p.1.

¹⁸ T.GLAVAŠ:T.11802.

¹⁹ R.DUPOVAC:P41,pp.8-9; AF2562.

²⁰ R.DUPOVAC:P41,p.9; AF2565.

²¹ R.DUPOVAC:P41,p.9; A.BALIĆ:P134,p.4; AF2564.

²² R.DUPOVAC:P41,p.9.

²³ R.DUPOVAC:P41,pp.9-10; AF2566. *See also* D2491,p.5; A.BALIĆ:P134,p.4.

8. Over the three days following the attack on the police station, several thousand Muslim and Croat inhabitants fled Hadžići town, many on foot through the woods, while Serb women and children were evacuated from Hadžići on buses. Only two to three hundred Muslims and Croats remained in Hadžići town.²⁴

9. Based on a CS decision, Muslim men of military age from certain areas in Hadžići were arrested at their homes and detained²⁵ by the police and the TO.²⁶ Others were kept under house arrest until the point that they were expelled from the municipality.²⁷

10. Contrary to the Defence contention,²⁸ non-Serbs did not leave Hadžići voluntarily but out of fear for their lives.²⁹ Muslim civilians were given an ultimatum, rounded up and removed from the municipality, either through exchange or transfer to detention camps.³⁰ Hundreds of detainees had no other choice than to be exchanged to escape their mistreatment in the detention facilities.³¹

11. Multiple operations were carried out to seize weapons in Muslim villages.³² For example, on CS orders,³³ Mušići village was shelled from 15 May and ultimately taken over on 20 May.³⁴ Three Muslims and one Serb died in the attack.³⁵ Muslim villagers were arrested and subsequently detained at the garage in the Hadžići Municipal Assembly Building.³⁶

12. As in other areas, there were detention facilities in Hadžići,³⁷ including the garage located beneath the Hadžići Municipal Assembly building and the Hadžići Cultural and Sport Centre, where detainees were held for varying periods under poor

²⁴ AF2567; R.DUPOVAC:P41,p.10; A.BALIĆ:P134,p.4; M.MUSIĆ:T.12854-12855.

²⁵ T.GLAVAŠ:P2296,para.26.

²⁶ T.GLAVAŠ:P2296,para.47; T.GLAVAŠ:T.11784; A.BALIĆ:P161,p.1; P134,p.4; Z.OKIĆ:P124,pp.4-5; M.TOLJ:T.34632.

²⁷ Z.OKIĆ:P124,pp.4-5.

²⁸ See e.g. V.BANDUKA:D2915,paras.81,85.

²⁹ M.MUSIĆ:T.12855.

³⁰ M.MUSIĆ:T.12894-12895; T.GLAVAŠ:P2296,paras.26,47,82; T.GLAVAŠ:T.11784; P1607,p.7; D1075.

³¹ M.MUSIĆ:P2403,para.65; M.MUSIĆ:T.12897.

³² T.GLAVAŠ:P2296,paras.37,67.

³³ T.GLAVAŠ:P2296,paras.33-34,37-38,40-41,67; T.GLAVAŠ:T.11787; M.TOLJ:T.34646.

³⁴ M.MUSIĆ:P2403,paras.23-31; AF2569.

³⁵ T.GLAVAŠ:P2296,paras.37-38; T.GLAVAŠ:T.11965.

³⁶ See SIC:C.11.1(Hadžići).

³⁷ T.GLAVAŠ:P2296,para.46.

conditions. They were frequently subjected to beatings, humiliation and physical and sexual abuse.³⁸

13. In light of their proximity to the garage—the CS was located on the second floor of the Hadžići Municipal Building and the SJB on its first floor³⁹—both the CS and SJB were fully informed and in control of the events in this detention facility. They were equally informed about the situation of detainees in the Sport Centre. The CS had decided to use it as a detention facility for non-Serbs⁴⁰ and determined that first the TO and subsequently the Hadžići SJB had to provide security.⁴¹ During this period, the Hadžići Assembly offices were based in the Sports Centre.⁴² Non-Serbs detained in Hadžići were transferred by the police between detention facilities in the municipality and surrounding municipalities, including Novo Sarajevo and Vogošća.⁴³ This transfer of detainees to and from detention centres required the coordination of the authorities of multiple municipalities and military organs.⁴⁴

14. For example, when on RADIĆ's order 280 detainees from the Sports Centre were transferred to the Kula Prison on 22 June 1992,⁴⁵ the detainees were first bussed to Kula, where Serb soldiers boarded the buses and beat them, then taken to Slaviša Vajner Čiča barracks in Lukavica, Novo Sarajevo, where they were interrogated, beaten and abused, and finally taken to Kula Prison in Butmir.⁴⁶ On 7 September, following months of detention during which the detainees were mistreated and subjected to forced labour, the detainees were returned to the Hadžići Sports Centre after a failed exchange attempt,⁴⁷ where they were kept in "very poor conditions."⁴⁸ On 23 October, around 70 of these detainees were transferred by the Hadžići police, pursuant to a MUP order, to Planjo's House in Svrake Vogošća, where they were forced to dig trenches on the frontline and used as human shields.⁴⁹

³⁸ See SIC:C.11.1-C.11.2(Hadžići).

³⁹ T.GLAVAŠ:T.11789-11792; V.BANDUKA:T.33518.

⁴⁰ AF2615; T.GLAVAŠ:P2296,paras.26,46; V.BANDUKA:D2915,para.54.

⁴¹ T.GLAVAŠ:P2296,paras.26,48,50; T.GLAVAŠ:T.11784-11785; M.TOLJ:T.34637,34639; P1607,p.7.

⁴² T.GLAVAŠ:T.11778.

⁴³ M.MUSIĆ:P2403,paras.65-92,123; A.BALIĆ:P161,pp.2-3; M.TOLJ:T.34645-34646; P2307.

⁴⁴ T.GLAVAŠ:T.11801-11802.

⁴⁵ T.GLAVAŠ:P2296,para.50; T.GLAVAŠ:T.11785-11786; M.MUSIĆ:P2403,paras.65-69.

⁴⁶ A.BALIĆ:P161,pp.2-3; M.MUSIĆ:P2403,paras.69-92; AF2617.

⁴⁷ M.MUSIĆ:P2403,paras.89-117. See SIC:C.11.2(Hadžići). See also SIC:C.18.2(Ilidža).

⁴⁸ S.AVLIIJAŠ:T.35143

⁴⁹ M.MUSIĆ:P2403,para.123; Z.OKIĆ:P125,pp.2-3; Z.OKIĆ:P124,pp.6-7; M.TOLJ:T.34645. See also SIC:C.26.1(Vogošća).

15. As non-Serbs were being expelled from Hadžići, arrangements were made to accommodate Serbs moving into the municipality. On 26 May 1992, RADIĆ appointed a commission to produce a list of abandoned flats and property which were to be placed at the municipality's disposal.⁵⁰ On 19 July 1992, the RS Presidency, in a memorandum signed by **KARADŽIĆ**, requested that Serb authorities in a number of municipalities, including Hadžići, prepare an inventory of all vacant housing facilities "following the voluntary departure of Muslims", which were to be "given for temporary use to Serbs from the Muslim part of Sarajevo".⁵¹ The Hadžići municipal authorities acted accordingly.⁵²

16. As another measure against the non-Serb population that had been expelled, in late 1992, the Hadžići Assembly rescinded citizenship rights in the RS and terminated tenancy and employment rights of all former residents of Hadžići who had not returned to the territory of the municipality or provided an explanation for their inability to return before 20 July 1992, allowing the municipality to use their properties.⁵³

17. Contrary to the Defence contention,⁵⁴ throughout the relevant period, the local Serb authorities had frequent communications with the republican level. The republican and military authorities were informed of the events in the municipality⁵⁵ and provided the Hadžići authorities with assistance,⁵⁶ including military assistance.⁵⁷ Telephone communication was possible and the SJB kept the CSB and MUP informed of all police operations, including the Musići operation, in writing *via* courier dispatch.⁵⁸

18. As discussed above, the municipal authorities received and acted on instructions from the republican level. RADIĆ had a close relationship with **KARADŽIĆ** and often conveyed instructions from **KARADŽIĆ** to the municipality

⁵⁰ D1084.

⁵¹ P739.

⁵² P6167.

⁵³ D1083; AF2571.

⁵⁴ V.BANDUKA:D2915,para.68; N.SAMOUKOVIĆ:D3062,paras.14,20.

⁵⁵ P2625,p.2.

⁵⁶ P6166; P3087,p.4.

⁵⁷ D317,p.1.

⁵⁸ T.GLAVAŠ:P2296,paras.15,39; T.GLAVAŠ:T.11948-11949,12044-12045; D1073.

authorities.⁵⁹ On 17 June 1992, **KARADŽIĆ** was “briefed on the situation on the front” in Hadžići at a Presidency session.⁶⁰ Appointments to the Hadžići SJB were made by the MUP on the recommendation of the Hadžići Executive Council.⁶¹

19. **KARADŽIĆ** was also informed of the detention of Hadžići’s Muslims. On 1 July 1992, MANDIĆ informed him that he would try to exchange 300 Muslims from Hadžići who had been held for seven days and about whom “no one seems to care,” for “some Serbs from Hrasnica and Sokolović Kolonija.”⁶² The fact that “no one [was] interested in them, the Muslims”, as well as the indication that only a portion of the Serbs to be exchanged were military-age men, clearly indicated that MANDIĆ was referring to random civilians detained in Hadžići.⁶³

⁵⁹ T.GLAVAŠ:P2296,paras.24-25. *See also* P1481,p.166.

⁶⁰ P3064,p.1.

⁶¹ M.TOLJ:T.34631; P6168.

⁶² P1102,p.2.

⁶³ P1102,p.2.

Ilidža

I. ILIDŽA MUNICIPALITY

A. Overview

1. Prior to the conflict, the municipality of Ilidža was approximately 42% Muslim, 38% Serb and 11% Croat.¹ As one of the ten Sarajevo municipalities,² the division of Ilidža and removal of non-Serbs from Serb-claimed areas furthered the division of Sarajevo on ethnic grounds, pursuant to the first and fifth strategic objectives.³

2. From May 1992, Serb Forces persecuted and expelled non-Serbs in Serb-claimed portions of Ilidža. On 24/26 July 1992, Nedeljko (“Nedo”) PRSTOJEVIĆ, Ilidža SDS Municipal Board and CS President, told the Assembly that, following the outbreak of conflict in Sarajevo, “when [KARADŽIĆ] visited us in Ilidža and encouraged us, 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 majority.”⁴ By July 1995 Serb-held parts of Ilidža were “almost devoid of non-Serbs because they have been either liquidated or driven out.”⁵

3. Throughout the conflict, the BSL including KARADŽIĆ assured the Ilidža authorities that, pursuant to the strategic objectives Sarajevo would be turned into two cities and everything would be done to preserve “Serbian Sarajevo”.⁶ These comments were echoed in late March by Sarajevo Serb leaders who concluded that Sarajevo would be divided either peacefully or by force.⁷

B. Build-up to the conflict

4. The Ilidža SDS was organised prior to the November 1990 multi-party elections.⁸ One of its leading representatives,⁹ PRSTOJEVIĆ was an influential local

¹ E.TABEAU:P4994,pp.31,34,37,40; M.ČEKLIĆ:D3112,para.6.

² AF2; R.KEZUNOVIĆ:P2526,para.17.

³ D92,p.66; N.PRSTOJEVIĆ:T.13565-13566,13850-13851; N.PRSTOJEVIĆ:P2522,p.4. *See also* N.PRSTOJEVIĆ:T.13247,13249,13565; III.C.5.(a): The strategic objectives as articulated at the 16th Assembly.

⁴ D92,p.66.

⁵ D4002,p.60. *See also* E.TABEAU:P4994,pp.74,76.

⁶ N.PRSTOJEVIĆ:T.13565-13566.

⁷ N.PRSTOJEVIĆ:T.12991-12994.

⁸ R.KEZUNOVIĆ:P2526,paras.12-13.

⁹ R.KEZUNOVIĆ:T.13886-13887; R.KEZUNOVIĆ:P2526,para.16.

political figure, a friend of **KARADŽIĆ**'s,¹⁰ and a known extremist who thought "the only place for Muslims is under the ground."¹¹

5. Following the multi-party elections, Tomislav ("Tomo") KOVAČ, then Ilidža SJB Commander, organised illegal meetings with Serb policemen to organise the arming of Ilidža's Serbs.¹² Local Serbs armed themselves with weapons from the Serb TO and MUP and JNA warehouses,¹³ with JNA and SDS assistance.¹⁴

6. The Ilidža SDS received and implemented instructions from the SDS Main Board or Executive Board.¹⁵ These were largely orally transmitted through PRSTOJEVIĆ;¹⁶ Velibor OSTOJIĆ, SDS Executive Board President and Main Board member; or other high-level officials in the Ilidža area.¹⁷ PRSTOJEVIĆ considered himself subordinate to **KARADŽIĆ** and KRAJIŠNIK, explaining that they could have removed him, or any other local official, at any time.¹⁸

7. In accordance with this hierarchy, Ilidža SDS officials received and implemented Variant A/B in Ilidža.¹⁹ Pursuant to Variant A/B, on 3 January 1992, a CS was formed,²⁰ a Serbian Municipality of Ilidža declared,²¹ and a Serb Municipal Assembly established.²² The Decision founding the municipality was forwarded to **KARADŽIĆ**.²³ The Municipal Assembly immediately proposed to the Assembly that the status of Serb volunteers and TO members be regulated, a decision on military obligation be adopted, and immediate measures be taken to protect Ilidža's Serbs.²⁴

M.MANDIĆ:T.4515.

¹² P2308,p.2; T.KOVAČ:D3960,para.60. *See also* R.KEZUNOVIĆ:P2526,para.59.

¹³ M.ČEKLIĆ:T.35214.

¹⁴ P979,pp.6,11. *See also* R.KEZUNOVIĆ:P2526,para.67.

¹⁵ N.PRSTOJEVIĆ:T.12936,12938; [REDACTED]

¹⁶ R.KEZUNOVIĆ:T.13886-13887; R.KEZUNOVIĆ:P2526,para.16.

¹⁷ R.KEZUNOVIĆ:P2526,paras.21-24. PRSTOJEVIĆ explained that OSTOJIĆ was a resident of Ilidža and "[t]herefore, he was at our disposal without any limitations." N.PRSTOJEVIĆ:T.12937.

¹⁸ N.PRSTOJEVIĆ:P2513,p.1; N.PRSTOJEVIĆ:P2519. PRSTOJEVIĆ's claims that these prior statements were incorrect should be disregarded as obvious efforts to assist **KARADŽIĆ**.

N.PRSTOJEVIĆ:T.13582-13584. *See also* M.MANDIĆ:C2,p.29.

¹⁹ N.PRSTOJEVIĆ:T.12940; R.KEZUNOVIĆ:T.13898; R.KEZUNOVIĆ:P2526,para.40.

²⁰ M.ČEKLIĆ:T.35211; R.KEZUNOVIĆ:P2526,paras.46,54-56; N.PRSTOJEVIĆ:T.12957-12958.

²¹ R.KEZUNOVIĆ:P2526,paras.38,41; P2408,p.1; N.PRSTOJEVIĆ:T.12951-12958;

M.ČEKLIĆ:T.35210-35211.

²² P975.

²³ P975.

²⁴ P2409; N.PRSTOJEVIĆ:T.12956-12957.

8. In early March 1992, a Serb flag was hoisted on the Ilidža municipality building,²⁵ Muslim police officers were dismissed from their positions, and a Serb SJB created.²⁶ Meanwhile, PRSTOJEVIĆ led the organisation of barricades by the Ilidža SDS, on instructions from the SDS's top level.²⁷

C. Takeover of Ilidža and subsequent crimes

9. On 6 April 1992, PRSTOJEVIĆ declared a general mobilisation of the Serbian Municipality of Ilidža.²⁸ The Serbian Assembly was transformed into a War Presidency pursuant to Assembly instructions.²⁹ On 10 April 1992, the CS expanded and PRSTOJEVIĆ was appointed Commander.³⁰ Ilidža's TO was formally established in late April 1992 pursuant to the RS Presidency's decision.³¹ On 20 May 1992, TO units were transformed into units of the VRS Ilidža Brigade.³²

10. By the end of April 1992, under Lieutenant Colonel Tadija MANOJLOVIĆ's orders, JNA heavy artillery, rocket launchers, anti-aircraft guns, and tanks, fired every evening on targets in Sarajevo, including the neighbourhoods of Butmir and Hrasnica in Ilidža.³³ The Serb SJB also took part in the attacks.³⁴ By early May 1992, Serb Forces controlled Serb-claimed parts of Ilidža.³⁵

11. PRSTOJEVIĆ led efforts in Ilidža to remove non-Serbs with cooperation from JNA/VRS,³⁶ TO, MUP³⁷ and paramilitary forces.³⁸ Illustrating PRSTOJEVIĆ's role is his conversation with NOVAKOVIĆ on the progress of the cleansing of Kotorac in which he issued instructions to send women and children "to Baščaršija, on foot" unless they "convert to Orthodox religion on the spot" and send "men to prison".³⁹ Accordingly, JNA and TO forces brought the men from Kotorac to Kula Prison where

²⁵ R.KEZUNOVIĆ:P2526,paras.61-62.

²⁶ AF2572; P2308,p.3.

²⁷ R.KEZUNOVIĆ:P2526,para.53.

²⁸ N.PRSTOJEVIĆ:T.12968; P2410; D3113.

²⁹ R.KEZUNOVIĆ:P2526,para.68.

³⁰ N.PRSTOJEVIĆ:T.12962,13657-13660; R.KEZUNOVIĆ:P2526,para.54; D1193.

³¹ N.PRSTOJEVIĆ:T.12970-12971; P2412; N.PRSTOJEVIĆ:T.12967-12969.

³² N.PRSTOJEVIĆ: T.12975-12976,13799.

³³ AF2573; D1210; P2229; D1217; P2411.

³⁴ AF2573.

³⁵ AF2574; D1209,p.2.

³⁶ See e.g. P1126; P5690; P5705; P2411; P5691.

³⁷ See e.g. P2308,p.3; T.GLAVAŠ:P2296,para.84; D1243,pp.10-11; S.MIJANOVIĆ:T.32394; P2229.

³⁸ The coordination with paramilitaries is discussed below.

³⁹ P1086,p.3; N.PRSTOJEVIĆ:T.13859; N.PRSTOJEVIĆ:P2513,pp.2-3.

they were detained for a week,⁴⁰ then expelled.⁴¹ Ilidža authorities then moved Serbs into Muslim homes in Gornji Kotorac.⁴² PRSTOJEVIĆ's claim that his conversation with NOVAKOVIĆ was about having people move to places of their choosing escorted by the police⁴³ is contradicted by the plain terms of their conversation,⁴⁴ and PRSTOJEVIĆ's prior testimony.⁴⁵

12. Defence witness claims that paramilitaries were not tolerated by Serb authorities in Ilidža or on the republic level,⁴⁶ are contradicted by intercepts and contemporaneous documents revealing how paramilitaries, including ARKAN's and ŠEŠELJ's men, were invited in and welcomed by the BSL and Ilidža Serb leaders.⁴⁷ Paramilitaries were a key tool used to forcibly remove non-Serbs from Ilidža⁴⁸ as exemplified by PRSTOJEVIĆ's effort to bring in additional volunteers to "expel them all".⁴⁹

13. Despite their known propensity for criminality, including killing and looting,⁵⁰ these paramilitary groups were involved in operations in Ilidža until at least the end of 1992 and were subordinated to the Ilidža Brigade for specific operations.⁵¹ A notoriously criminal unit led by BRNE,⁵² one of ŠEŠELJ's "Chetnik dukes",⁵³ continued to operate in Ilidža in 1993.⁵⁴

⁴⁰ P1126; D1243, pp.10-11; S.MIJANOVIĆ:T.32394.

⁴¹ P1151.

⁴² S.MIJANOVIĆ:T.32396.

⁴³ N.PRSTOJEVIĆ:T.13723,13857-13859.

⁴⁴ P1086, p.2.

⁴⁵ N.PRSTOJEVIĆ:P2513, pp.2-4; N.PRSTOJEVIĆ:T.13858-13859.

⁴⁶ M.ČEKLIĆ:D3112, paras.45-46; T.KOVAČ:D3960, paras.73-77.

⁴⁷ P1106, p.2; P2229; P2411; P5691; P2302. *See also* M.BOŠKOVIĆ:P133, paras.35-36, 52; T.KOVAČ:D3960, paras.71, 74; T.GLAVAŠ:T.11805-11807; T.GLAVAŠ:P2296, paras.71, 74, 79; R.KEZUNOVIĆ:T.13911-13914; P2526, para.74; R.KEZUNOVIĆ:D1252, para.20; N.PRSTOJEVIĆ:T.12977-12979, 12988.

⁴⁸ [REDACTED]
⁴⁹ P1492, p.3; [REDACTED]. PRSTOJEVIĆ's claim that this conversation was not about bringing in paramilitaries (T.13296-13297) was contradicted by his prior interview in which he made clear he was referring to ARKAN's men, BOBAN's group or BRNE. P2512; D1080, p.3.

⁵⁰ D1080, p.3; R.KEZUNOVIĆ:T.13912; R.KEZUNOVIĆ:P2526, para.74; [REDACTED] T.GLAVAŠ:T.11805-11806;

T.GLAVAŠ:P2296, paras.71, 74-75.

⁵¹ M.BOŠKOVIĆ:P133, paras.38-45; D1248, pp.4, 13.

⁵² D1078; P2303; P2305, p.2; P2304; V.ŠEŠELJ:D3665, para.61; P2228; N.PRSTOJEVIĆ:T.12978; S.SEHOVAČ:T.33026.

⁵³ T.GLAVAŠ:P2296, para.74; V.ŠEŠELJ:D3665, paras.58-61.

⁵⁴ P2304.

14. **KARADŽIĆ** and the BSL closely liaised with the Ilidža authorities before, during, and after the takeover. **KARADŽIĆ** and **KRAJIŠNIK** met with SDS leaders,⁵⁵ including **PRSTOJEVIĆ**.⁵⁶ **KARADŽIĆ** gave **PRSTOJEVIĆ** instructions,⁵⁷ discussed with him the situation in Ilidža,⁵⁸ and intervened in local affairs.⁵⁹ On 18 April 1992, **KARADŽIĆ**, **KRAJIŠNIK**, **SIMOVIĆ** and about eight government members met in Ilidža,⁶⁰ where they discussed the political and security situation⁶¹ and **KARADŽIĆ** encouraged Ilidža's officials to achieve their goal of driving the Muslims out of the municipality.⁶² Around 10 May 1992, **PRSTOJEVIĆ** attended another meeting in Pale, attended by all Sarajevo municipal presidents,⁶³ following which there were more frequent meetings in Pale to discuss the military and political situation.⁶⁴

15. The RS leadership was well aware that **PRSTOJEVIĆ** was leading the expulsion of non-Serbs from Ilidža. On 2 June 1992, **MANDIĆ** called **PRSTOJEVIĆ** to complain about the bad publicity resulting from the fact that **PRSTOJEVIĆ** was "issuing ultimatums to some Turks; evicting people from certain settlements" noting that it had "already reached the top" that **PRSTOJEVIĆ** had given the Muslims in one settlement 24 hours to move out.⁶⁵ According to **MANDIĆ**, this was a problem because the Muslims were "abusing this" in the media and it was causing "very bad publicity for us".⁶⁶ **MANDIĆ** asked **PRSTOJEVIĆ** to find **Fadil MUŠANOVIĆ**, a Muslim judge, and "if he has not already fled, place him to work for us, so that we can say that we employ everyone, Muslims, Croats and Serbs, regardless of nationality, as long as they are loyal to the Serbian state."⁶⁷ This conversation reveals that the BSL was not concerned about the expulsions themselves, but rather the consequent negative publicity. Any doubt about this is resolved by the fact that

⁵⁵ R.KEZUNOVIĆ:P2526,para.71; D92,p.66.

⁵⁶ P5705,p.2; P1085; P1101,pp.5-6; M.MANDIĆ:T.4512-4513.

⁵⁷ See e.g. D1219,pp.2-5; R.KEZUNOVIĆ:T.13886-13887; R.KEZUNOVIĆ:P2526,para.16;

[REDACTED]

⁵⁸ D1219,pp.2-5; R.KEZUNOVIĆ:T.13886-13887; R.KEZUNOVIĆ:P2526,para.16.

⁵⁹ M.MANDIĆ:C2,pp.28-29.

⁶⁰ N.PRSTOJEVIĆ:T.12965,13010-13011; R.KEZUNOVIĆ:P2526,para.69.

⁶¹ N.PRSTOJEVIĆ:T.13012-13015; R.KEZUNOVIĆ:P2526,para.69.

⁶² D92,p.66.

⁶³ N.PRSTOJEVIĆ:T.13258.

⁶⁴ N.PRSTOJEVIĆ:T.13259.

⁶⁵ P1110,pp.2-4.

⁶⁶ P1110,p.3.

⁶⁷ P1110,p.4.

PRSTOJEVIĆ continued these expulsions, proudly reported them to the Assembly in July 1992,⁶⁸ and was never removed or punished.⁶⁹

16. PRSTOJEVIĆ's confused and contradictory claims regarding the purported inaccuracy and inauthenticity of this Assembly speech⁷⁰ only highlight its inculpatory nature. In any event, PRSTOJEVIĆ's claim that he was referring to pushing back enemy manpower is belied by the contemporaneous intercepts demonstrating his expulsion activities.

17. On 15 June 1992, Ilidža officials, including PRSTOJEVIĆ, met with General MLADIĆ. One of the meeting's conclusions was "[t]o clear the Serbian territory in which Mojnilo and Dobrinja come first."⁷¹ Ten days later, PRSTOJEVIĆ instructed a local official and Ilidža CS member,⁷² Rade RISTIĆ, regarding Dobrinja I and Dobrinja IV, to "hold on to it tightly and have them all killed there [...] [a]ll that is Muslim [is] to be killed like, Alija [...] I don't [want] to see one military aged Muslim alive there."⁷³ PRSTOJEVIĆ then authorised RISTIĆ to give Muslim apartments in the area to Serbs.⁷⁴

18. [REDACTED]
[REDACTED]
[REDACTED] [REDACTED]
[REDACTED]
[REDACTED] When the influence and prominent military role of PRSTOJEVIĆ and KOVAČ caused tension with the military,⁷⁸ KARADŽIĆ personally intervened to keep PRSTOJEVIĆ in Ilidža on the basis that he was a "trusted man" who had "done much for the SDS".⁷⁹

⁶⁸ D92,p.66.

⁶⁹ See above.

⁷⁰ N.PRSTOJEVIĆ:T.12923-12925,13242-13243,13017-13020,13552-13556; N.PRSTOJEVIĆ:P2513,pp.15-30.

⁷¹ P1478,pp.171-172.

⁷² D1193.

⁷³ P1515,pp.1-2.

⁷⁴ P1515,p.2; N.PRSTOJEVIĆ:T.13561-13562; AF2665-AF2666.

⁷⁵ [REDACTED]

⁷⁶ [REDACTED]

⁷⁷ [REDACTED] . See also P1478,p.388.

⁷⁸ P1478,p.388; [REDACTED]

19. Non-Serb civilians throughout the Sarajevo area, including Ilidža, Hadžići, Pale, Sokolac, Rogatica, Manjača and Foča, were sent to Kula Prison, one of main detention facilities in the Sarajevo area.⁸⁰ The MUP initially ran Kula; in early August 1992 the MOJ took over operations.⁸¹ Up until October 1994, roughly 10,000 Muslim civilians of all ages were detained at Kula for periods ranging from a few days to several months. At Kula, detainees were abused, held in inhumane conditions, and some killed.⁸² Prisoners were forced to work at dangerous frontline positions, including Gravica, Slaviša Vajner Čiča barracks, Trebević, Zlatište, Dobrinja and the Jewish Cemetery.⁸³ The ICRC complained to the Kula authorities and the SRK Command about the use of prisoners to do military work and of prisoner deaths that resulted,⁸⁴ of which the Exchange Commission was aware.⁸⁵ The Exchange Commission expelled thousands of Kula prisoners to Muslim-held Sarajevo using transparently-false terms such as “family reunification” and “freedom of movement”.⁸⁶

20. **KARADŽIĆ** called Kula warden ŠKILJEVIĆ to testify that only legitimate PoWs were detained at Kula.⁸⁷ However, when confronted with his own prison records reflecting the detention and exchange of teenage girls and elderly men,⁸⁸ ŠKILJEVIĆ conceded that he had wondered at the time whether Kula was simply being used to get Muslims and Croats out of the RS; he raised his concerns about civilians being held at Kula with RS Justice Minister ROSIĆ, but ROSIĆ did not want to discuss the matter.⁸⁹

21. Indeed, ROSIĆ’s predecessor, MANDIĆ had an office at Kula Prison⁹⁰ and was both aware of and involved in the criminal activities related to the prison. On top of his role supervising the Exchange Commission—which he acknowledged dealt

⁸⁰ See SIC:C18.2(Ilidža).

⁸¹ AF2635.

⁸² See SIC:B.13.1;B.13.3;C.18.2(Ilidža).

⁸³ P6280; S.ŠKILJEVIĆ:T.36936-36939.

⁸⁴ S.ŠKILJEVIĆ:T.36941-36942; P6282.

⁸⁵ S.ŠKILJEVIĆ:T.36943-36944; P6282.

⁸⁶ See e.g. P1127; A.MAŠOVIĆ:P4850,para.31; S.ŠKILJEVIĆ:P6277,p.5;

S.ŠKILJEVIĆ:D3331,para.47; S.ŠKILJEVIĆ:T.36928.

⁸⁷ S.ŠKILJEVIĆ:T.36777-36778; S.ŠKILJEVIĆ:D3331,para.7. See also S.ŠKILJEVIĆ:P6277,p.5.

⁸⁸ P6281,pp.6-8; [REDACTED]; S.ŠKILJEVIĆ:T.36924-36925,36928.

⁸⁹ S.ŠKILJEVIĆ:T.36931-36932.

⁹⁰ S.ŠKILJEVIĆ:T.36814; S.ŠKILJEVIĆ:P6277,pp.3-4.

with civilians⁹¹—MANDIĆ ate at the prison's canteen where prisoners who had been beaten were also present.⁹² On one occasion he agreed to send “30 more Turks” imprisoned at Kula for “special tasks”,⁹³ meaning for use as human shields or trench digging.⁹⁴ He also admitted arresting “among others a few women Turks”.⁹⁵ On another occasion MANDIĆ informed **KARADŽIĆ** “[t]here are no more Croats in Kula”.⁹⁶

22. Senior RS figures, including **KARADŽIĆ**, visited Kula. Assistant Minister of Justice Slobodan AVLJIAŠ frequently toured the prison⁹⁷ and was aware prisoners were being subjected to forced labour.⁹⁸ STANIŠIĆ and KOVAČ also visited Kula during the time that it was under MUP jurisdiction.⁹⁹ In early August 1992, **KARADŽIĆ** visited Kula Prison accompanied by foreign dignitaries, ICRC and other international organisation representatives, and local and foreign media.¹⁰⁰ Two or three days beforehand, MANDIĆ informed ŠKILJEVIĆ of the upcoming visit¹⁰¹ following which food was improved, and detainees were allowed to go outside so it didn't look like they were being mistreated.¹⁰² However, these conditions lasted merely “for that one day while Dr. Karadžić was making the tour with the journalists and the Red Cross.”¹⁰³ During this visit, **KARADŽIĆ** handed out release papers to approximately 10 prisoners who **KARADŽIĆ** claimed on camera would not likely be “mobilised” again,¹⁰⁴ but who were in fact selected for release on the basis that they were elderly and in poor health.¹⁰⁵

23. Efforts to expand ethnically Serb territory in Ilidža continued through 1993. Despite having cleansed large portions of Ilidža, on 20 August 1992, PRSTOJEVIĆ reported to the Municipal Assembly that, “[i]n order to free and complete the territory

⁹¹ M.MANDIĆ:C2,pp.153,314.

⁹² M.MUŠIĆ:P2403,para.101.

⁹³ P1143,pp.2-3.

⁹⁴ *See e.g.* M.MANDIĆ:C2,pp.163-164.

⁹⁵ P1152,p.3.

⁹⁶ P1102,p.3.

⁹⁷ S.ŠKILJEVIĆ:T.36944-36946. *See also* M.MUŠIĆ:P2403,paras.92-93,101.

⁹⁸ S.ŠKILJEVIĆ:T.36946-36947.

⁹⁹ S.ŠKILJEVIĆ:P6277,pp.1-2.

¹⁰⁰ S.ŠKILJEVIĆ:T.36779-36780; S.ŠKILJEVIĆ:D3331,para.13; H.KARIĆ:T.15312-15313;

H.KARIĆ:P2839,paras.51-52; P2840.

¹⁰¹ S.ŠKILJEVIĆ:P6277,pp.6-7.

¹⁰² H.KARIĆ:T.15308.

¹⁰³ H.KARIĆ:T.15308-15309.

¹⁰⁴ P2840,p.1; H.KARIĆ:T.15311-15313 .

¹⁰⁵ S.ŠKILJEVIĆ:T.36818-36820.

of the Serbian Municipality of Ilidža, it is necessary to urgently coordinate operations for establishing of the corridor-route through Lukavica.”¹⁰⁶ On 12 September 1992, following a meeting on Jahorina attended by, among others, the top RS political and military leadership, GALIĆ ordered SRK forces to liberate Muslim areas within Ilidža including Hrasnica, Butmir, Sokolović Kolonija and Donji Kotorac.¹⁰⁷ In February 1993, the Ilidža SDS warned that “a black-winged vulture is looming over our Serb land [...] threatening to crush our Serb name, Serb culture and Serb places of worship and to reduce Serbia to the Belgrade pashalic”, and set tasks including establishing Serb control over various “non-liberated” parts of Ilidža.¹⁰⁸

24. Following successful efforts to create a largely ethnically Serb municipality, on 4 April 1993 PRSTOJEVIĆ banned the return of Muslims and Croats to the territory of Ilidža Serb Municipality, ostensibly for “security reasons” and because “the necessary conditions for their return do not exist”.¹⁰⁹

¹⁰⁶ P2449,p.2.

¹⁰⁷ P1006,p.1; N.PRSTOJEVIĆ:T.13264-13265,13269.

¹⁰⁸ P2450,p.2.

¹⁰⁹ D1244.

Ključ

I. KLJUČ MUNICIPALITY

A. Overview

1. In 1991, the ethnic composition of the Ključ municipality was approximately 18,506 (49%) Serb, 17,696 (47%) Muslim, 330 (1%) Croat and 859 others.¹ As a result of a campaign of violence carried out by Bosnian Serb Forces from May 1992 onwards, between 14,000 and 15,000 Muslim inhabitants had left the municipality by September 1992, to be replaced by 2,000 to 3,000 Serbs.² By September 1995, the Muslim population had been reduced to several hundred.³

2. The expulsion, killings and other crimes perpetrated against Ključ's non-Serb population reflected the implementation of the first and second strategic objectives.⁴ As CS President Jovo BANJAC stated on Banja Luka TV in July 1992 "I think that life has to be totally ethnically demarcated and the areas ethnically cleansed of all those who cannot live together in this area."⁵ The Ključ authorities kept the BS political and military leaders informed of their progress. In September 1992, BANJAC informed MLADIĆ that "[t]here were 17,000 Muslims, now there are 5,000, and 1,500 left today."⁶ In November 1992, SDS President Veljko KONDIĆ informed MLADIĆ that only 2,000 Muslims remained.⁷

B. Build-up to the conflict

3. During summer 1991, SJB Chief Vinko KONDIĆ sent Serb police cadets for training in Knin and Banja Luka.⁸ At the same time, local Serbs started arming themselves with the help of the SDS and the JNA.⁹ Serb police and TO were mobilised and weapons distributed.¹⁰ In August and September, the SDS held rallies to commemorate the anniversary of the "Ustasha" genocide in WWII against the

¹ P3492; A.DŽAFIĆ:P3488,paras.7-9.

² P10,p.2.

³ A.EGRLIĆ:P6586,p.182; A.DŽAFIĆ:T.19703; P5449,pp.12-13.

⁴ P2561. See III.C.5.(a): The strategic objectives as articulated at the 16th Assembly.

⁵ P6552,p.2.

⁶ P1480,pp.26-27.

⁷ P1481,p.124. See also P1379,pp.105-106; D1738,pp.4-5; AF2457; P5449,pp.12-13.

⁸ A.DŽAFIĆ:P3488,para.36.

⁹ A.DŽAFIĆ:P3488,para.36; A.DŽAFIĆ:T.19696-19697; A.EGRLIĆ:P6586,pp.32-33; KDZ075:P3359,pp.5-6; KDZ075:T.19015-19016,19037-19038.

¹⁰ A.EGRLIĆ:T.19971; P3424,p.2; P3493. See also P5411,p.1.

Serbs,¹¹ and decided on Ključ's unification with the ARK notwithstanding objections from the SDA and the MBO.¹²

4. On 26 October 1991, **KARADŽIĆ** chaired a meeting of municipality presidents in Banja Luka; the resulting orders (including to form town commands and set up round-the-clock duty)¹³ were implemented in Ključ.¹⁴

5. On 23 December 1991, the SDS Municipal Board received the Variant A/B instructions and formed a Serb CS headed by BANJAC, including police and the TO.¹⁵ The Ključ SDS considered these instructions to be binding and implemented them accordingly.¹⁶ From then on, the SDS representatives no longer participated in the work of the Inter-Party Council, but relied on SDS regional- and republic-level instructions,¹⁷ cooperating and coordinating with the republic, regional and municipality SDS boards.¹⁸

6. On 14 February 1992, Ključ RS Assembly deputy Rajko KALABIĆ attended the extended SDS meeting in Sarajevo at which **KARADŽIĆ** gave instructions to implement the second stage of Variant A/B, following which KALABIĆ briefed the Ključ SDS Municipal Board.¹⁹

7. In February and March 1992, Serb Forces gathered in the municipality, including JNA, paramilitary/volunteer units including the White Eagles, and the Serb TO,²⁰ joining the Red Berets who were already present.²¹ In March, with the SDS's support, JNA units withdrawing from Knin established their headquarters in Lanište, a settlement near Ključ town, which increased Muslims anxiety and fear for their

¹¹ P3420. See [REDACTED]; P3423.

¹² A.EGRLIĆ:P6586,pp.11-19; P3577; P3578; P3580. This decision was affirmed on 26 December 1991. See P3430.

¹³ P3581; A.EGRLIĆ:P6586,pp.34-35. See further Brief, III.C.1:Preparations to create a Serb-dominated state within Bosnia.

¹⁴ A.EGRLIĆ:P6586,pp.38,244-254; P3582.

¹⁵ AF2192; P2592; P2643; [REDACTED]; P3496. See [REDACTED]. See also A.DŽAFIĆ:P3488,para.54.

¹⁶ P2592,p.1.

¹⁷ A.EGRLIĆ:P6586,pp.35-38,276; P3438,p.2; P3584.

¹⁸ A.EGRLIĆ:P6586,pp.35-38,48,277-278.

¹⁹ [REDACTED]; P3432,pp.1-2.

²⁰ AF2426; A.DŽAFIĆ:P3488,paras.51-53; A.EGRLIĆ:P6586,pp.250-251; [REDACTED]; P3432,pp.3-7.

²¹ A.EGRLIĆ:P6586,p.251. See A.DŽAFIĆ:P3488,paras.51-52.

security.²² All members of armed units, including White Eagles, were ordered to place themselves under JNA 30th Division command.²³

8. The SJB Ključ manoeuvre unit participated in a February 1992 tactical training session with manoeuvre units from other municipalities at the Manjača military facility,²⁴ where only Serb police officers were trained in the use of heavy weapons.²⁵ By that time, KONDIĆ no longer followed BiH MUP orders, but only implemented orders issued by Stojan ŽUPLJANIN, Chief of CSB Banja Luka.²⁶

9. In March 1992, the Serbs emptied the TO armoury in the Ključ Municipal Building and transferred the weapons to the Kula TO depot in the predominantly Serb municipality of Mrkonjić Grad.²⁷ The Ključ Battalion, formed on 18 April 1992, was armed with weapons from Kula.²⁸

10. Before the military takeover operation, Serbs had already established a high degree of control over the municipality.²⁹ On 5 May, BANJAC, in his capacity as president of the Council for National Defence, imposed a curfew in Ključ municipality³⁰ pursuant to a decision of the ARK government.³¹

C. Takeover of Ključ and subsequent crimes

11. Following the republican-level decision on mobilisation³² and the corresponding ARK decision,³³ the CS took over the municipality, declaring an

²² [REDACTED]; P3432,pp.3-5; A.EGRLIĆ:P6586,pp.100-103; [REDACTED].

²³ The 30th Division is also referred to as the 30th Partisan Division and became the VRS IKK 30th Division and was commanded by Stanislav GALIĆ. *See* E.BROWN:P3914,pp.16,29; P3590,pp.1-2; AF2434.

²⁴ A.DŽAFIĆ:P3488,paras.64-65.

²⁵ A.DŽAFIĆ:P3488,para.65; D1352,p.4.

²⁶ A.EGRLIĆ:P3488,paras.47,63; D1352,p.4.

²⁷ A.DŽAFIĆ:T.19719; [REDACTED]. *See also* P3433,p.1; P3436,p.1; P3437; A.DŽAFIĆ:P3488,para.48; A.DŽAFIĆ:T.19719. According to an SJB report, the "Muslim TO" had less than one rifle between two persons, or approximately 800 firearms (including registered weapons) for 1,300-1,500 persons. *See* D1352,p.10.

²⁸ P6543,pp.2-3. The Ključ Battalion subsequently became the 3rd Infantry Battalion of the VRS 1st Light Infantry Brigade. P6543,p.3.

²⁹ P3592,pp.9-10. *See also* P3438,p.2.

³⁰ AF2427.

³¹ P3460.

³² P2412.

³³ P2818.

imminent threat of war and ordering public mobilisation.³⁴ In the first week of May 1992, Serb forces—including units of the JNA's 9th Corps in Lanište, the 30th Partisan Division and the 1st Partisan Brigade, the JNA 6th Infantry Brigade commanded by Colonel BASARA and TO and police units—entered Ključ town and took control of all significant and strategic points³⁵ including the municipal building and the police station.³⁶ They were met with no resistance from the non-Serb population.³⁷ Immediately after the takeover, non-Serb policemen were requested to sign a loyalty oath to the RS in the presence of CSB Banja Luka inspectors³⁸ and were dismissed from the police force when they did not comply.³⁹

12. On 8 May 1992, the Ključ CS publicly declared its commitment to the regulations and decisions of the ARK and the RS.⁴⁰ KALABIĆ attended the 16th Assembly at which **KARADŽIĆ** articulated the six strategic objectives, and—together with BANJAC—briefed the CS on the decisions and reports thereon.⁴¹ The strategic objectives' importance was underscored by VRS IKK 30th Division Commander⁴² Colonel GALIĆ⁴³ at a meeting between military and civilian authorities in Ključ on 14 May 1992, which included presidents of the municipalities within the AOR of the 30th Division.⁴⁴

13. Following the RS Presidency decision on the establishment of war presidencies,⁴⁵ the Ključ CS was renamed the War Presidency on 10 July 1992, continuing to comprise civilian and military representatives.⁴⁶ It remained the highest

³⁴ P3438, pp.1-2,4; P3592, pp.10-11; P3497; D1724; P3590, p.2; P2643p.3; P3663, p.5.

³⁵ AF2428; P3592, pp.4-8; P3660, p.3; P3663, p.5; D1352, p.4; A.EGRLIĆ:P6586, pp.121-122.

³⁶ AF2428; A.EGRLIĆ:P6586, p.121; P2231, p.1.

³⁷ See D1352, pp.6-7.

³⁸ AF2429; A.DŽAFIĆ:P3488, paras.74-75.

³⁹ AF2429; A.DŽAFIĆ:P3488, paras.76-80; A.DŽAFIĆ:T.19661-19662, 19691-19692;

██████████; A.EGRLIĆ:P6586, pp.109-111; P3497.

⁴⁰ D1724.

⁴¹ P3439, p.2; ██████████.

⁴² Ključ TO Detachment became a part of the 1KK 30th Division after 12 May 1992. See S.JURIŠIĆ:D4363, para.7.

⁴³ He held this position immediately prior to his promotion to General and Commander of the SRK on 10 September 1992. See S.GALIĆ:T.37154-37155.

⁴⁴ P3590.

⁴⁵ P2369.

⁴⁶ P3452; P3454. The same decision allowed War Presidency members to move around in uniform carrying weapons (unlike all other civilians). See D1739; P5411, p.7; P3429.

authority in the municipality⁴⁷ issuing orders, decisions, and conclusions aimed at consolidating control of the municipality.⁴⁸

14. The CS co-operated fully with the military command and the Ključ SJB,⁴⁹ describing its cooperation with the military during the May-July period as “very successful”.⁵⁰ CS members wore military uniforms⁵¹ and were involved in establishing and equipping the VRS 17th Light Infantry Brigade.⁵² VRS commanders regularly participated in CS sessions and briefed the CS, and no significant questions related to the military and police were resolved without the CS.⁵³ The SJB Chief regularly reported to the CS on the situation “in the field”.⁵⁴

15. Throughout this period, the Ključ civilian and military authorities had efficient communication with the regional and republic level. **KARADŽIĆ**'s 21 May 1992 telex regarding mobilisation was received and discussed by the Ključ CS that same day, and forwarded to the SJB, the National Defence Secretariat, the TO, and the President of the Municipal Assembly.⁵⁵ Ključ CS members attended ARK CS meetings⁵⁶ and reported back to the CS on conclusions reached.⁵⁷ Ključ SJB was duty-bound to send daily events reports to the CSB⁵⁸ and implemented orders received from the CSB Banja Luka.⁵⁹ CSB Banja Luka was obligated to report daily to the RS MUP,⁶⁰ which in turn sent reports to the Presidency detailing events in Ključ municipality.⁶¹ Equally, 1KK Command reports informed the VRS-GŠ about events in Ključ.⁶²

⁴⁷ P2643,p.2; P2606,p.18.

⁴⁸ P2606; [REDACTED]; S.JURIŠIĆ:T.47071-47072; P2643,p.2.

⁴⁹ P2643,pp.3,5; P2606,p.18; P3454; D.HANSON:P2589,para.80.

⁵⁰ P2643,p.3. *See also* P2606,p.2.

⁵¹ P3452.

⁵² P2643,p.5-6; P3455; P3452.

⁵³ P2643,p.3; P2606,pp.2-4,20; D1352,pp.3,9.

⁵⁴ P2606; [REDACTED]. *See also* D1352,p.3.

⁵⁵ [REDACTED].

⁵⁶ P2606,p.8.

⁵⁷ P2606,pp.14,17,23; P2643,p.5.

⁵⁸ D1536; D1537; D1731; P6533; D1352,p.3. *See also* A.DŽAFIĆ:P3488,para.63.

⁵⁹ D1352,p.3. *See e.g.* D1731,p.3; P3508; P3594; P2972; D1744.

⁶⁰ P2715.

⁶¹ *See e.g.* P2748; P2749; P2791; P2762.

⁶² *See e.g.* P1171; P3662; P3927; D1808; D1732. Around 6 June 1992, there was a meeting in the Ključ Municipal Assembly at which the Chief of Staff of the 2KK (a neighbouring Corps) informed the commander of the 30th Division that the territory of Ključ municipality and the units within that territory were being resubordinated to the command of the 2KK. After this time the territory was changed from being within the 1KK AOR to falling under the zone of the 2KK. *See*

16. Following the April and May 1992 orders of the RS and ARK authorities,⁶³ Ključ Serb authorities began a campaign of disarming non-Serbs,⁶⁴ including giving ultimatums to villages inhabited by non-Serbs to sign loyalty oaths and surrender all weapons, and threats of military intervention in the case of non-compliance.⁶⁵ Non-Serbs were forced to walk as human shields in front of Serb Forces when the soldiers went from village to village implementing the orders and searching homes for weapons.⁶⁶ Freedom of movement for Muslims was severely restricted.⁶⁷

17. The CS dismissed non-Serb personnel from the police, army and managerial posts,⁶⁸ referencing ARK decisions⁶⁹ (continuing a policy that had begun well before the conflict⁷⁰). By 31 July 1992, SJB Chief KONDIĆ could confirm to the Ključ Municipal Assembly that “only Serbian workers worked in companies and other business enterprises”.⁷¹

18. Following the disarmament campaign described above, on 27 May 1992, Serb Forces attacked non-Serb villages in the municipality.⁷² The attacks in the wider area of the municipality involved IKK units and the RS MUP and were led by GALIĆ.⁷³ These forces included both local troops and 6th Brigade troops from neighbouring Sanski Most.⁷⁴ In order to co-ordinate the actions in the area, GALIĆ established a Ključ Defence Command that brought together all the military units involved in combat actions, as well as local SJB forces.⁷⁵

E.BROWN:P3914,para.1.95; P2643,pp.5-6. The IKK continued to have involvement in affairs in Ključ municipality. *See e.g.* P3471.

⁶³ P2412; P2818,p.1.

⁶⁴ [REDACTED]; P3591; D1352,pp.8-9; P3662,p.1; D1351.

⁶⁵ AF919; D470,p.27; D3901; P3475/P3694(duplicates); P3925,p.1; P3439,pp.1-2; D4035; D4038; P3444; P3591; D1728; P3662,p.1; E.BROWN:P3914,paras.2.10-2.21. *See also* C.KIRUDJA:P3804,para.53. *See also* KDZ075:P3359,pp.7,9-10,34-36.

⁶⁶ KDZ075:P3359,pp.9-10,34-36.

⁶⁷ AF2432; [REDACTED]; P3443. *See also* D.HANSON:P2589,para.98, fn.167.

⁶⁸ P2606,pp.2,3,15-18. *See e.g.* A.DŽAFIĆ:P3488,para.78; A.DŽAFIĆ:T.19662-19663; KDZ075:P3359,p.5; P3588; A.EGRLIĆ:P6586,pp.103,121,127-131,247-248; A.EGRLIĆ:T.19920-19922,19924,19937-19938; P3587; P3572; D1348; D1349; P3439; P3475; P2606,p.15; P3514; P2740,p.2; P3511/P3464(duplicates); P3490; AF2430-AF2431.

⁶⁹ P2606,p.15.

⁷⁰ P3581,item 5; S.JURISIĆ:T.47071.

⁷¹ P5411,p.1.

⁷² P6543,p.3; D1352,pp.6-8; AF931; [REDACTED].

⁷³ D1352,pp.7-8; E.BROWN:P3914,para.2.46. *See also* P3663,p.5.

⁷⁴ P3586.

⁷⁵ P3445; P5408,p.2; P3367; P3366.

19. The attacks on the villages included shelling and infantry fire and the rounding up and arresting of non-Serbs. Many non-Serb civilians were killed in the attacks or subsequent to their arrest, including killings as a result of the shelling in Pudín Han,⁷⁶ heavy shooting in Prhovo,⁷⁷ killings in Biljani and in the hamlet of Botunići⁷⁸ on the road to Peći,⁷⁹ at the Velagići school⁸⁰ and at the Biljani school.⁸¹ These attacks were publicly reported. On a Banja Luka TV programme entitled “Bajram–Velagići”, the commentator stated “the representatives of the villages of Pudín Han and Velagići [...] and other villages where only Muslims resided, got what they asked for”.⁸²

20. Several locations in Ključ were used to detain hundreds of non-Serb civilians that had been rounded up and arrested,⁸³ including the SJB building,⁸⁴ the Nikola Mačkić school,⁸⁵ the gym in the Sanica school and the gym in the Sitnica school.⁸⁶ At each of these locations, detainees were guarded by the civilian police, both active-duty and reserve policemen.⁸⁷ Lists of detainees were kept by the SJB.⁸⁸ Detainees held at the Nikola Mačkić elementary school and the SJB building were beaten by Bosnian Serb police officers, soldiers and local Serbs.⁸⁹

21. By the end of August 1992, the majority of detainees had been transferred to the Manjača camp in the Banja Luka municipality.⁹⁰ Among those detained and transferred from Ključ were minors and sick people.⁹¹ On one occasion, on or about 7 June 1992, after days of mistreatment and malnourishment,⁹² a group of approximately 400-500 detainees were forced to walk barefoot⁹³ for about 7 hours from Sitnica school to Manjača camp, escorted by Serb police and military

⁷⁶ See SIC:A.7.1(Ključ).

⁷⁷ See SIC:A.7.2(Ključ).

⁷⁸ KDZ075:T.19033-19034.

⁷⁹ See SIC:A.7.2(Ključ).

⁸⁰ See SIC:B.10.1(Ključ).

⁸¹ See SIC:A.7.3(Ključ).

⁸² P3450,p.2.

⁸³ P3927,p.1; P5409; P3367; P5408,item 2(e); P3366.

⁸⁴ See SIC:C.15.1(Ključ).

⁸⁵ See SIC:C.15.2(Ključ).

⁸⁶ A.DŽAFIĆ:P3488,paras.84-95,143-158; A.DŽAFIĆ:T.19746.

⁸⁷ A.DŽAFIĆ:P3488,paras.85,87,95.

⁸⁸ P3360(B/C/S); P5409; P3507.

⁸⁹ See SIC:C.15.1-C.15.2(Ključ).

⁹⁰ P3508,p.1; [REDACTED]; P3507; [REDACTED]; P3734;

A.DŽAFIĆ:T.19747. See Banja Luka Summary and SIC:C.1.2(Banja Luka).

⁹¹ P3491.

⁹² KDZ056:P686,p.24; A.DŽAFIĆ:P3488,paras.84-95.

⁹³ [REDACTED]; A.DŽAFIĆ:P3488,para.97.

personnel.⁹⁴ The CS/War Presidency received reports on the transfer of detainees and on their condition.⁹⁵ The CS/War Presidency and the Ključ SJB reported on detainee transfers to the CSB Banja Luka.⁹⁶ Ključ SJB and military security organs were also involved in the transfer of civilians from Ključ to detention facilities other than Manjača, for example to Sanski Most,⁹⁷ and to the VRS-run facility at Stara Gradiška in Croatia.⁹⁸

22. Those transferred to other detention facilities were not returned to Ključ.⁹⁹ From Manjača camp,¹⁰⁰ detainees from Ključ were deported to Karlovac in Croatia in late 1992,¹⁰¹ or transferred to other VRS-run detention facilities. Some, for example, were transferred to Kamenica camp in Titov Drvar municipality;¹⁰² others were transferred to Batković camp in Bijeljina and later exchanged in Orašje.¹⁰³

23. Between 1 April 1992 and 31 December 1992, houses belonging to Muslims in Ključ town were looted and destroyed by Bosnian Serb soldiers.¹⁰⁴ In particular, during the attacks on villages in May-June 1992, 3,500 Muslim-owned houses were either completely destroyed or heavily damaged by fire and explosives.¹⁰⁵ Villages attacked, looted and destroyed in this way included Krasulje, Gornja and Donja Sanica, Crljeni, the hamlet of Dragonvići, Pudín Han, Velagići, Biljani and its surrounding Bosnian Muslim hamlets, and Prhovo.¹⁰⁶

24. In September 1992, the Ključ SJB summed up the situation:

“The start of war activities was characterised by break-ins of business premises and illegal entry into Muslim apartments by military persons. Then came a process of provoking fear and pressuring persons of Muslim nationality to move out by burning their houses, throwing explosive devices, firing *Zoljas* /hand held rocket launchers/ and infantry weapons at apartment buildings. In

⁹⁴ A.DŽAFIĆ:P3488,paras.96-99.

⁹⁵ P2606,p.14.

⁹⁶ D4365; P3508; P3360(B/C/S).

⁹⁷ AF1350. *See* SIC:22.3(Sanski Most).

⁹⁸ A.EGRLIĆ:P6586,pp.160-162,305,309. *See also* D1350,p.7; D1352,p.8;

[REDACTED];
⁹⁹ D4365.

¹⁰⁰ *See* Banja Luka Summary; SIC:B.1.3-B.1.4,C.1.2(Banja Luka).

¹⁰¹ [REDACTED]

¹⁰² *See e.g.* A.DŽAFIĆ:P3488,paras.128,148; P3505.

¹⁰³ A.EGRLIĆ:T.19980; A.EGRLIĆ:P6586,p.161. *See* P3593.

¹⁰⁴ AF948. *See also* P3662,p.2; D1352,p.11.

¹⁰⁵ AF2448; A.EGRLIĆ:P6586,p.182.

¹⁰⁶ AF949; [REDACTED]; AF950; [REDACTED].

fact, it was common place to set fire to an entire hamlet of some 20 houses [...] in a single night.”¹⁰⁷

25. The Bosnian Serb Forces not only caused widespread destruction of homes, but also destroyed religious sites. In Ključ municipality, at least 17 mosques, one Catholic Church, and other religious institutions were either completely destroyed or heavily damaged by Bosnian Serb Forces between May and August 1992.¹⁰⁸ These destructions were not the result of legitimate combat activities but were part of a violent campaign against non-Serbs. Mosques and other religious sites were being targeted even before the outbreak of the conflict¹⁰⁹ and were completely destroyed, while the adjacent buildings remained in good condition, indicating a deliberate and planned activity to eradicate all traces of other faiths in Ključ.¹¹⁰ By the time Muslims returned to Ključ in 1995, all the mosques in the municipality and the Catholic Church had been knocked down.¹¹¹

26. Throughout this period, the CS/War Presidency coordinated the “organised moving out of Muslims”.¹¹² As early as March 1991, at a meeting in Banja Luka attended by the presidents of the assemblies and executive boards of 17 Krajina municipalities,¹¹³ discussions were had as to reducing the number of “balijas” and “Ustashas” in Krajina.¹¹⁴ On 20 May 1992, BANJAC stated that Serbs would have to leave some territories of BiH, while Muslims and Croats would have to leave others, so that their respective presence as minorities would amount to no more than five or six per cent.¹¹⁵ To speed up the process, an agency for the reception and removal of refugees was established by the Ključ CS.¹¹⁶ On 9 June 1992, KONDIĆ reiterated the need to solve “the question of population resettlement”.¹¹⁷

27. In its decisions related to the departure of non Serbs, the CS/War Presidency made clear—sometimes with reference to ARK positions—that departure was

¹⁰⁷ P2972,p.1. *See also* P2972,p.2.

¹⁰⁸ *See* SIC:D.13(Ključ).

¹⁰⁹ A.DŽAFIĆ:P3488,para.41; [REDACTED].

¹¹⁰ A.RIEDLMAYER:P4070,pp.149-175; A.RIEDLMAYER:P4069,records172,176,179-180,182-186. *See also* SIC:D.13(Ključ).

¹¹¹ A.EGRLIĆ:P6586,pp.182,184.

¹¹² P2643,p.5. *See also* P2606,p.3.

¹¹³ A.EGRLIĆ:P6586,pp.292-293; P3303; M.KARABEG:P3303,pp.7-9.

¹¹⁴ M.KARABEG:P3303,pp.7-9.

¹¹⁵ A.EGRLIĆ:P6586,pp.142-143,277-278.

¹¹⁶ AF2452.

¹¹⁷ P2606,p.15.

permanent.¹¹⁸ Those leaving the municipality had to obtain a permit issued by the municipal authorities,¹¹⁹ and return was prohibited.¹²⁰ Those leaving had to submit a statement saying that they were leaving permanently, and were exchanging their property or surrendering it to the municipality.¹²¹ In addition, in accordance with the ARK decision of 4 August 1992, individuals leaving the ARK could take with them no more than 300 German marks.¹²² The SNO and SJB were in charge of issuing the relevant documents.¹²³ While required to state that they were leaving “without coercion”,¹²⁴ the non-Serbs’ departure and surrender of property was not voluntary.¹²⁵

28. A number of convoys were organised, including one in late July 1992, when approximately 1,000 people, the majority Muslim women and children, left Ključ for Travnik¹²⁶ or third countries.¹²⁷ Such convoys were organised by the police.¹²⁸

29. The civilian and military authorities were highly successful in their violent campaign to permanently and forcibly remove non-Serbs from the municipality, with only several hundred remaining in September 1995.¹²⁹

30. No genuine efforts were made to punish VRS or MUP members for crimes committed against non-Serbs in Ključ between 1992 and 1995,¹³⁰ despite widespread knowledge that crimes had occurred.¹³¹ On the contrary, crimes were covered up. Immediately after the killings in the Velagići school, SJB Chief KONDIĆ and Lt. Col. VUKAŠEVIĆ organised the transport of the bodies from the scene to woods where the victims were buried.¹³² Although several perpetrators were identified,¹³³ and

¹¹⁸ P3472; P3463,pp.1-2; P3573.

¹¹⁹ AF2452.

¹²⁰ P2606,p.3.

¹²¹ AF2453; P3462; P3573.

¹²² AF2454; P3447.

¹²³ AF2453.

¹²⁴ P3573,p3.

¹²⁵ A.EGRLIĆ:P6586,p.131; A.EGRLIĆ:T.19924-19926.

¹²⁶ AF953; AF955-AF956; A.EGRLIĆ:T.20000.

¹²⁷ See C.NIELSEN:P2958,para.325

¹²⁸ AF954.

¹²⁹ See above. A.EGRLIĆ:P6586,p.182; A.DŽAFIĆ:T.19703. See also P5449,pp.12-13.

¹³⁰ P2972; P6671; P3616. Commenting on P6671 (Ključ Basic Prosecutor’s Office Logbook for 1992), JURIŠIĆ stated “[t]he only thing I can conclude from this is that reports were filed against one side only and that’s the Muslim side.” S.JURISIĆ:T.47085. In recent years, Vinko KONDIĆ and Marko ADAMOVIĆ were prosecuted by the BiH State Court for crimes committed against Muslims in the Ključ municipality. See DCC(M.ADAMOVIĆ); [REDACTED].

¹³¹ P5394.

¹³² P1155,pp.6,8,10; A.EGRLIĆ:T.19919; A.DŽAFIĆ:P3488,paras.135-137; D1751.

¹³³ P1155,pp.1-4.

arrested, they were released shortly thereafter to their units.¹³⁴ Proceedings against two of them were subsequently terminated, for reasons including “the stance of the deputy prime minister of the Republika Srpska and the chairman of the Ključ Municipality Executive Committee [...]”.¹³⁵

31. Two months after units of the IKK 30th Division had killed around 77 unarmed men at Velagići, and fourteen days after members of the VRS and MUP had killed around 144 men at Biljani, the Ključ CS paid special tribute to the 1KK 30th Division for “a job well done in crushing armed resistance by Muslim extremists.”¹³⁶ In December 1992, **KARADŽIĆ** promoted GALIĆ, who by then had already been reassigned to the position of SRK commander, to the rank of Major General¹³⁷ and in August 1994, to the rank of Lt. Col. General.¹³⁸

¹³⁴ AF2447.

¹³⁵ P3616.

¹³⁶ P2643,p.3.

¹³⁷ S.GALIĆ:T.37155; P2650.

¹³⁸ R.THEUNENS:P3033,p.504.

Novi Grad

I. NOVI GRAD MUNICIPALITY

A. Overview

1. In 1991, Novi Grad was approximately 51% Muslim, 28% Serb, 7% Croat and 14% other.¹ As one of the ten Sarajevo municipalities,² and given its significant strategic³ and historical importance⁴ to the Bosnian Serbs, **KARADŽIĆ** and the BSL sought to carve out a new Serb municipality of Rajlovac from certain areas of Novi Grad,⁵ in furtherance of the first and fifth strategic goals.⁶

2. On 25 June 1992, an SJB Rajlovac member informed the SJB Ilidža Commander that the territory around Bojnik was “ethnically clean”.⁷ By 1993, the non-Serb population of the Serb municipality of Rajlovac was 2%.⁸

B. Build-up to the Conflict

3. From 1991, Serb leaders in Novi Grad contemplated creating separate Serb organs. On 11 December 1991, Svetozar MILOŠEVIĆ, SDS member and Novi Grad Executive Board President, told the Assembly (referring to Novi Grad), “it is not enough only to pass a decision on the establishment of a Serbian assembly, but also for that Serbian assembly to adopt a decision to form its government and all the organs which are necessary to protect Serbian interests.”⁹

4. **KRAJIŠNIK**, whose home commune of Zabrđe was located in Novi Grad,¹⁰ was directly involved in municipal activities. He attended meetings there, including a session of the Municipal Assembly,¹¹ and apprised **KARADŽIĆ** of events in the municipality.¹² On 9 February 1992, **KRAJIŠNIK** informed **KARADŽIĆ** of a meeting he had just attended and how “they want to form Rajlovac municipality, as it used to be earlier” and explained that given the size of the territory, he had to stay

¹ P5964; E.TABEAU:P4994,pp.31,34,40; D84,p.20.

² AF2.

³ R.DONIA:T.3132; D4002,p.61.

⁴ R.DONIA:T.3132; N.PRSTOJEVIĆ:T.13623.

⁵ S.DŽINO:T.29878.

⁶ See III.C.5.(a): The strategic objectives as articulated at the 16th Assembly.

⁷ P2335,p.5.

⁸ P2340,p.1; P10,pp.2-3; D4002,p.63.

⁹ D84,p.21.

¹⁰ M.KRAJIŠNIK:T.43153; P2327; R.DONIA:T.3132.

¹¹ P5785,pp.1-2; P5758,p.1; P5753,p.1.

¹² P5785,pp.1-2.

some time to discuss it.¹³ Two days later, Jovan TINTOR told an interlocutor that “a new municipality is already being made—Rajlovac, which will include Zabrdce”.¹⁴

5. On 22 February 1992, in collaboration with the BSL,¹⁵ a Serb municipality—with Jovo BOŽIĆ as President¹⁶—was established in Rajlovac, comprised of mixed-population villages, including the predominantly Muslim village of Ahatovići.¹⁷ **KARADŽIĆ**’s “chef de cabinet” in the SDS, Ljubo GRKOVIĆ, informed him of the municipality’s creation.¹⁸ According to an Assembly decision, the Serb municipality of Rajlovac was comprised “of the territory of the current and former Sarajevo Novi Grad municipality”.¹⁹

6. Around this time, the SDS and the JNA distributed arms to Novi Grad’s Serbs.²⁰ The JNA moved heavy weaponry to Butile barracks, including APCs and anti-aircraft guns.²¹ Serb TO and reserve police were mobilized, provided with uniforms and weapons, and trained in operating mortars and other weapons.²² **KARADŽIĆ** was informed of the mobilisation of forces in Novi Grad and other parts of Sarajevo.²³

7. By the end of February/early March 1992, Serbs in Rajlovac and Bojnik had erected barricades in the direction of Sarajevo.²⁴ Non-Serbs were singled out, searched, intimidated and threatened at the checkpoints.²⁵

8. By April 1992, a CS, headed by BOŽIĆ,²⁶ had been formed and was in a position to issue orders to platoon commanders, TO unit members and policemen and to coordinate their activities.²⁷ In early May 1992, the Rajlovac TO took over the JNA

¹³ P5753,p.1.

¹⁴ P965,p.5.

¹⁵ S.DŽINO:T.29878(agreed that “this was done in close connection with the political circles that represented the Serbian people.”).

¹⁶ S.DŽINO:D2387,para.14.

¹⁷ AF2580; R.MUJKIĆ:P2314,para.16; [REDACTED].

¹⁸ P967,p.1; T.2713-2714.

¹⁹ P2315,p.1.

²⁰ P979,pp.1,6,11; R.MUJKIĆ:P2314,paras.5,8,12-13.

²¹ R.MUJKIĆ:P2314,para.7.

²² R.MUJKIĆ:P2314,para.9; D.KIJAC:D4143,para.21; P1505,pp.1-2.

²³ P5604,p.3.

[REDACTED]

²⁶ P2628.

²⁷ P2329.

barracks in Rajlovac and the airport.²⁸ On 22 May, the Rajlovac TO was subordinated to the SRK command.²⁹

C. Attack on Ahatovići and subsequent crimes

9. In March 1992, during negotiations between SDS and SDA representatives, SDS officials requested the Muslim residents of Ahatovići to vacate the village, threatening that they would be attacked if they refused.³⁰ Ahatovići's Muslims refused to leave.³¹

10. By mid-May 1992, telephone and electricity service to Ahatovići were disconnected.³² At the same time, Serb families living in the surrounding villages of Dobroševići, Bojnik, Mihaljevići and Brod left their homes and moved closer to the JNA barracks.³³ Around this time, paramilitary units including ARKAN's men and the White Eagles came to the area and subsequently participated in the takeover of Ahatovići.³⁴

11. On 24 or 25 May 1992, women, children and the elderly attempted to leave Ahatovići for the nearby municipality of Visoko, but were prevented by Serb soldiers who fired at them.³⁵ Following this incident, about 120 men from Ahatovići organised resistance in the village.³⁶ On 25 May 1992, Serb paramilitaries and former JNA soldiers issued an ultimatum to citizens of Ahatovići to surrender their weapons, which they refused.³⁷

12. On 27 May 1992, Serb forces with tanks and armoured vehicles took up positions in the hills around Ahatovići,³⁸ requesting the villagers to surrender and threatening them.³⁹

13. Following an initial failed infantry attack,⁴⁰ from 29 May 1992, Serb forces shelled Ahatovići and the neighbouring village Dobroševići from the hills for four

²⁸ M.VUJASIN:D2686,para.10; R.THEUNENS:P3033,p.441.

²⁹ P1505,p.2.

³³

³⁵ AF2608;

³⁶ AF2608.

³⁸ AF2609;

³⁹ AF2609;

days.⁴¹ Then Serb Forces—including former JNA soldiers, police, paramilitaries and a unit commanded by Jovan TINTOR⁴²—entered the village with APCs and tanks whereupon the Muslim villagers surrendered.⁴³ Serb Forces rounded up approximately 400 women and children, and 80 men that day.⁴⁴ Around that time women, children and men from the towns of Bojnik and Mihaljevići were also taken prisoner.⁴⁵ During the attack on Ahatovići, villagers were killed and wounded.⁴⁶ Serb soldiers led by TINTOR executed captured Muslim men.⁴⁷

14. Non-Serbs who survived the attacks were either arrested or expelled.⁴⁸ Those arrested were detained in the Rajlovac Army Barracks cisterns.⁴⁹ Some of these detainees were taken out and killed,⁵⁰ while others were transferred to detention facilities in other municipalities, including Vogošća.⁵¹ In a 1993 report to MUP headquarters, the SJB Ilidža Chief proudly reported the police involvement in the “liberation of Ahatovići,” noting that “[t]he action was successfully brought to an end.”⁵²

15. Following Ahatovići’s takeover, Muslim houses were systematically burned⁵³ and the Ahatovići mosque destroyed.⁵⁴ Homes not destroyed were, following a request by the RS Presidency signed by **KARADŽIĆ**,⁵⁵ subsequently used to house Serb refugees.⁵⁶

16. Local Serb authorities provided the BSL updates concerning events on the ground. On 28 May 1992, BOŽIĆ reported to the RS government about recent combat

⁴⁰ AF2609; [REDACTED].

⁴¹ AF2610; R.MUJKIĆ:P2314,paras.26,28,33; [REDACTED]; M.VUJASIN:T.31803-31804.

⁴² See Vogošća Summary for TINTOR’s military activities, SDS role and connections to **KARADŽIĆ** and the BSL.

⁴³ AF2610; R.MUJKIĆ:P2314,para.26; [REDACTED]; P2308,p.5.

⁴⁴ [REDACTED]; S.DŽINO:T.29857.

⁴⁵ [REDACTED].

⁴⁶ AF2610; [REDACTED].

⁴⁷ See SIC:A.9.1(Novi Grad).

⁴⁸ R.MUJKIĆ:P2314,para.46; S.DŽINO:T.29870-29871.

⁴⁹ P5425; S.DŽINO:T.29857; R.MUJKIĆ:P2314,paras.46,49; P2327. See SIC:C.17.1(Novi Grad).

⁵⁰ See SIC:B.12.1,B.12.2(Novi Grad).

⁵¹ R.MUJKIĆ:P2314,paras.68-82; see SIC:C.26.1(Vogošća).

⁵² P2308,p.5.

⁵³ R.MUJKIĆ:P2314,para.39; [REDACTED].

⁵⁴ See SIC:D.15(Novi Grad).

⁵⁵ P739.

⁵⁶ R.MUJKIĆ:P2314,para.39.

operations.⁵⁷ On 2 July 1992, the Rajlovac War Committee forwarded a request from Serbs in the Briješće commune to the RS Presidency, asking that Briješće also be subjected to *čišćenje* (cleansing/mopping up) as “life with Muslims in this area is out of the question since they have offended and humiliated us”.⁵⁸

17. KRAJIŠNIK received updates about events in Novi Grad from his brother Mirko and other Serb leaders in Novi Grad.⁵⁹ For example, by 8 June 1992, KRAJIŠNIK was informed by Mirko of problems concerning the detention of prisoners from Ahatovići and by MIJATOVIĆ that women, children and old men were also being detained.⁶⁰

18. As discussed elsewhere, TINTOR—who played a central role in the cleansing of Ahatovići—remained a close associate of both **KARADŽIĆ** and KRAJIŠNIK and was praised by **KARADŽIĆ** for his role in the municipal takeovers.⁶¹

⁵⁷ P2628.

⁵⁸ P2644, pp. 1-2.

⁵⁹ D1088, pp. 2-5; P5647.

⁶⁰ P2334, pp. 1-2.

⁶¹ See Vogošća Summary.

Novo Sarajevo

I. NOVO SARAJEVO MUNICIPALITY

A. Overview

1. In 1991, the ethnic composition of the municipality of Novo Sarajevo was approximately 36% Muslim, 35% Serb, 10% Croat and 16% Yugoslav.¹ Novo Sarajevo was located on the left bank of the River Miljacka, where **KARADŽIĆ** and the BSL sought to create a Serbian Sarajevo,² in furtherance of the first and fifth strategic goals.³ As early as November 1991, **KARADŽIĆ** told Zarko ĐUROVIĆ, then president of the Novo Sarajevo municipal government and Novo Sarajevo SDS, “that we’ll probably carry out some kind of reorganisation of the city” and that “they”, referring to Bosniak settlers in Novo Sarajevo, “can go to fucking hell”.⁴ By late 1992, much of the non-Serb population of Novo Sarajevo had been expelled or fled in fear.⁵

B. Build-up to the Conflict

2. From 1991, the JNA coordinated closely with SDS leaders in Sarajevo, including Jovan TINTOR and Ratko ADŽIĆ, to mobilise and arm local Serbs in Novo Sarajevo.⁶ By March 1992, the JNA and SDS had together armed 2,800 “volunteers”, who were not part of the JNA or the TO, in Novo Sarajevo.⁷

3. During this time, **KARADŽIĆ** was directly involved in municipal level SDS affairs in Novo Sarajevo. **KARADŽIĆ** attended SDS Novo Sarajevo municipal assembly meetings⁸ and communicated directly with Serb leaders in Novo Sarajevo.⁹

4. On 20 December 1991, ĐUROVIĆ and NEŠKOVIĆ attended the SDS meeting at the Holiday Inn Hotel where the Variant A/B instructions were

¹ AF5; P5964; P2577,p.2; R.NEŠKOVIĆ:P2568,pp.76-77; [REDACTED]. See also D1182,p.5.

³ See III.C.5.(a): The strategic objectives as articulated at the 16th Assembly.

⁴ R.NEŠKOVIĆ:P2568,pp.54-59; P2574,p.2.

⁵ R.NEŠKOVIĆ:P2568,pp.113-114; P1266. See also E.TABEAU:P4994,p.74.

⁶ KDZ310:P1938,para.10; P5844.

⁷ P979,pp.6,11. See also P5962; D.KIJAC:D4143,para.21.

⁸ Z.SALIPUR:T.31640.

⁹ See e.g. P2574.

circulated.¹⁰ Novo Sarajevo representatives understood the instructions emanated directly from **KARADŽIĆ** and that their implementation was obligatory.¹¹

5. By 23 December 1991, a Novo Sarajevo CS was formed pursuant to Variant A/B.¹² The CS included SDS members of the Novo Sarajevo municipal assembly,¹³ and representatives of the Novo Sarajevo TO.¹⁴ ĐUROVIĆ was the first CS president; a second CS was created on 10 April with Radomir NEŠKOVIĆ as President.¹⁵ The CS took immediate steps to implement Variant A/B¹⁶ during which time, **KARADŽIĆ** and KRAJIŠNIK remained involved in Novo Sarajevo affairs.¹⁷

6. On 1 March 1992, Milenko JOVANOVIĆ, head of the Novo Sarajevo SJB, and other Serb officials, such as then assistant Minister of Interior, Momčilo MANDIĆ, and SDS officials, such as Rajko DUKIĆ, Jovan TINTOR, and Ratko ADŽIĆ, began to organize barricades at strategic points in Sarajevo, including Novo Sarajevo.¹⁸ On 26 March 1992, the Assembly of the Serb People in Novo Sarajevo was formed,¹⁹ and the Serb Municipality of Novo Sarajevo was established as part of the SAO Romanija.²⁰

C. Takeover of Novo Sarajevo and subsequent crimes

7. Immediately following the announcement of the Serb Municipality of Novo Sarajevo, Serb forces were mobilised and distributed throughout the area. Serb members of the previously multi-ethnic TO were organised into a Serb TO,²¹ which included radicals from ŠEŠELJ's party.²² TO members, including Momir GARIĆ and Budimir OBRADOVIĆ, assisted in distributing weapons to and organising local Serbs.²³ Weapons came from the JNA barracks at Lukavica and Pale.²⁴ Between April

¹⁰ R.NEŠKOVIĆ:P2568,pp.61-62,64-67.

¹¹ R.NEŠKOVIĆ:P2568,pp.69-74.

¹² P2575; P2576,pp.2-3; P6066,p.1. *See also* R.NEŠKOVIĆ:P2568,pp.74-75;

R.NEŠKOVIĆ:D1278,p.30; Z.SALIPUR:T.31627-31640.

¹³ P2575; P2583; M.GARIĆ:T.29653.

¹⁴ R.NEŠKOVIĆ:P2568,p.121. *See also* D2674.

¹⁵ R.NEŠKOVIĆ:D1278,pp.30-33. *See also* D885.

¹⁶ P2575; P2583; R.NEŠKOVIĆ:P2568,pp.74-75,77-79,82-83; D.HANSON:P2589,para.72.

¹⁷ *See e.g.* P5957; P2576,pp.3,6; R.NEŠKOVIĆ:P2568,pp.86-90.

¹⁸ AF2560; D3803; KDZ310:P1938,para.6; [REDACTED]

¹⁹ D2675.

²⁰ P2577; R.NEŠKOVIĆ:P2568,pp.93-94.

²¹ M.GARIĆ:T.29656-29657; M.GARIĆ:D2379,paras.12-13.

²² M.MANDIĆ:T.4644-4645.

²³ B.TOMIĆ:D2418,paras.7-8; M.KATIĆ:T.31400-31404.

²⁴ M.KATIĆ:T.31400-31404.

and mid-May 1992, the JNA and armed Serbs dug trenches and set up a front line along the banks of the Miljacka River.²⁵ On 6 April 1992, Serb Forces seized the police station in Novo Sarajevo.²⁶ On 22 April on the basis of the SNB mobilisation order, the Novo Sarajevo CS ostensibly ordered the mobilisation of all military-aged men but in reality only Serbs were mobilised.²⁷

8. By the end of April 1992, JNA forces began shelling parts of Novo Sarajevo.²⁸ Paramilitaries, including ŠEŠELJ's men, cooperating with the Novo Sarajevo Serb TO and with **KARADŽIĆ**'s knowledge,²⁹ were also active in the areas of Grbavica and Hrasno.³⁰ In mid-May, VRS units attacked and gained control of Grbavica,³¹ taking it without any resistance from its local population.³² In accordance with SRK orders, the Novo Sarajevo TO was organised into the newly-formed SRK.³³

9. **KARADŽIĆ** and the BSL were kept informed of activities in Novo Sarajevo.³⁴

10. As the municipality was being taken over, members of the Serb army, the Serb police, and ŠEŠELJ's men, singled out and searched Muslim and Croat houses in Grbavica for weapons.³⁵ Non-Serbs in Novo Sarajevo were also subjected to systematic crimes by Serb forces. They were forced to perform labour, from cleaning to digging trenches,³⁶ and sometimes killed while doing so.³⁷ They were also beaten and otherwise abused,³⁸ sexually assaulted and raped,³⁹ killed,⁴⁰ and had their properties looted and homes destroyed.⁴¹ On 5 May 1992, MANDIĆ indicated that Serb forces had *očistili* (cleansed/mopped up) Grbavica and Novo Sarajevo; were

²⁵ KDZ310:P1938, paras. 11, 15; [REDACTED].

²⁶ P5743, p. 3.

²⁷ D888; KDZ310:P1938, para. 16.

²⁸ AF2582; [REDACTED].

²⁹ P2228, pp. 1-2.

³⁰ See P2228; P5707; P2523; P1148.

³¹ KDZ310:P1938, paras. 13-14; M.GARIĆ:D2379, para. 16.

³² KDZ310:T.9214; M.GARIĆ:D2379, para. 16; P5695, p. 3.

³³ B.TOMIĆ:T.30163-30164; P1505; D308. See also M.GARIĆ:D2379, para. 22.

³⁴ See P2240; P2220; P5708; P5604, p. 3.

³⁵ AF2584; [REDACTED]; M.SMAJS:P43, pp. 4-5, 9.

³⁶ KDZ310:P1938, para. 46; [REDACTED].

³⁷ KDZ310:T.9170; KDZ310:P1938, para. 46.

³⁸ [REDACTED]; M.SMAJS:P43, pp. 4-5, 9.

³⁹ [REDACTED]; M.SMAJS:P43, p. 5.

⁴⁰ KDZ310:T.9274-9275; [REDACTED]; M.SMAJS:P43, p. 5.

⁴¹ KDZ310:T.9246; KDZ310:P1938, paras. 45, 64.

čistimo (“we are cleansing/mopping up”) Dobrinja; and had taken control of Ilijaš, Rajlovac, Lukavica, a part of Hadžići, Ilidža, Nedžarići and Vogošća.⁴²

11. The VRS, police, paramilitary and volunteer forces⁴³ expelled non-Serbs “in droves” from Novo Sarajevo to the other side of Miljacka River.⁴⁴ The expulsions increased in frequency and scale from July onwards, resulting in the mass displacement of non-Serbs from Novo Sarajevo,⁴⁵ and the detention of many in locations such as Slaviša Vajner Čiča barracks at Lukavica and the Kula Prison in Ilidža.⁴⁶

12. **KARADŽIĆ** and the BSL were well-aware of such crimes. **KARADŽIĆ** was specifically informed of the 30 September 1992 “forced expulsion of nearly three hundred persons from GRBAVICA” by Maj. Gen. MORILLON the day after it took place.⁴⁷ Gen. ABDEL-RAZEK also repeatedly raised the expulsion of non-Serbs from Novo Sarajevo with PLAVSIĆ. Although PLAVSIĆ claimed she would look into it, when ABDEL-RAZEK tried to follow up PLAVSIĆ deflected his inquiries.⁴⁸ **KARADŽIĆ**’s response to the exodus of Bosnian Muslims was an order to Serbs in Novo Sarajevo to use the vacated homes “for temporary use to Serbs from the Muslim part of Sarajevo.”⁴⁹

13. At a 15 November 1992 SRK meeting at Lukavica barracks, attended by MLADIĆ, TOLIMIR, GALIĆ, other senior SRK and VRS Main Staff leaders, and representatives from Novo Sarajevo, it was noted that one of the main “flaws” of the campaign was the “[g]enocide on other nations” and the “[e]xtremely widespread theft, robbery, violent and other crimes”⁵⁰ including “unnecessary mistreatment and killing of members of other ethnicities, especially Muslims.”⁵¹ Milivoje PRIJIĆ, then President of the Novo Sarajevo Municipality, commented that “[a] great portion of soldiers [are] exercising unruly behaviour” such as “[m]ass removals of property from

⁴² P1103,pp.4,9.

⁴³ KDZ310:T.9179; KDZ310:P1938,para.64; M.SMAJS:P43,p.9.

⁴⁴ R.NEŠKOVIĆ:P2568,pp.113-114.

⁴⁵ See P1266; P5419; R.NEŠKOVIĆ:P2568,pp.112-115; KDZ310:T.9179;

[REDACTED]; KDZ310:P1938,paras.45,64; [REDACTED]

⁴⁶ See SIC:C.18.1;C.18.2(Novo Sarajevo).

⁴⁷ P5419; P1266.

⁴⁸ H.ABDEL-RAZEK:T.5521. See also P1478,pp.172-173.

⁴⁹ P739.

⁵⁰ P5065,pp.3-4,9.

⁵¹ P5065,pp.3,9.

the municipality, rape, expulsions from flats” and that the crimes “are going unpunished”.⁵² A 6 April 1993 letter from the RS Prime Minister’s office to the VRS-GŠ and the SRK command noted the RS government’s knowledge of “cases of looting, killing, setting fire to buildings and rape in the municipality of Novo Sarajevo (Grbavica), committed mostly by members of the [VRS].”⁵³ In a related conversation with MLADIĆ, RS Prime Minister Vladimir LUKIĆ commented that “some soldiers rape *even* Serbian women (in Grbavica).”⁵⁴

14. A clear example of the prevailing environment of crime and impunity in Novo Sarajevo was the treatment of notorious criminal Veselin VLAHOVIĆ, a.k.a. BATKO.⁵⁵ BATKO targeted non-Serbs,⁵⁶ raped women and beat men during house searches from June to September 1992,⁵⁷ and looted and plundered non-Serb homes in June-July 1992.⁵⁸ Contrary to Defence contentions that BATKO was independent of the army,⁵⁹ he wore a VRS uniform⁶⁰ and was identified by the Novo Sarajevo SJB as a member of the military police.⁶¹ Although **KARADŽIĆ** and the BSL were informed of BATKO’s crimes,⁶² no genuine steps were taken to apprehend or investigate him, allowing him to continue committing crimes.⁶³ BATKO was eventually “removed” from the municipality. Defence witness RADAN admitted that the police and army could have stopped BATKO’s crimes long before his eventual removal.⁶⁴ NEŠKOVIĆ logically surmised that BATKO “probably had some protection”.⁶⁵

⁵² P5065,p.12.

⁵³ D3574. *See also* V.LUKIĆ:D3563,para.36; P1474,pp.157-158.

⁵⁴ P1474,p.158(emphasis added).

⁵⁵ R.NEŠKOVIĆ:P2568,p.118; B.RADAN:T.31096.

⁵⁶ R.NEŠKOVIĆ:T.14308-14309; R.NEŠKOVIĆ:P2568,pp.117-119,123-127.

⁵⁷ AF2585; [REDACTED]; R.NEŠKOVIĆ:D1278,pp.40-41. *See also* M.SMAJS:P43,p.6; B.RADAN:T.31110.

⁵⁸ AF2586; [REDACTED] *See also* R.NEŠKOVIĆ:P2568,p.116.

⁵⁹ B.RADAN:T.31096; M.KATIĆ:D2651,para.3.

⁶⁰ [REDACTED]; B.RADAN:T.31109.

⁶¹ P6017.

⁶² B.ĐERIĆ:P4982,para.14. *See also* R.NEŠKOVIĆ:P2568,p.124.

⁶³ R.NEŠKOVIĆ:T.14308-14309,14318-14319; R.NEŠKOVIĆ:D1278,pp.41-42; KDZ354:T.13192-13193; B.ĐERIĆ:P4982,para.14. *See also* P1478,pp.172-173.

⁶⁴ B.RADAN:T.31112-31118.

⁶⁵ R.NEŠKOVIĆ:P2568,p.117.

Pale

I. PALE MUNICIPALITY

A. Overview

1. In 1991, Pale was a majority Serb municipality, with 68% Serbs, 25.4% Muslims and a small Croat population.¹ From April 1992, Pale served as the seat of the Bosnian Serb political leadership² and was used as a meeting place for the RS civilian and military leadership.³ In 1992 and 1993, the Assembly, Presidency and Government were seated in three locations in Pale, including the Kikinda and Panorama Hotels.⁴ During the campaign of forcible removal through organised and systematic crimes against non-Serbs described below, notorious paramilitaries, including the Red Berets and ARKAN's men, were accommodated at the Panorama Hotel.⁵ After this campaign, only a handful of Muslims remained in Serb-controlled Pale.⁶

B. Build up to war

2. Following the multiparty elections, the SDS became the leading political party in Pale.⁷ In May 1991, Pale, Sokolac and Han Pijesak joined together to form SAO Romanija.⁸

3. The SDS, together with the JNA, armed the Serb population of Pale.⁹ In January 1992, local Serbs were mobilised and armed.¹⁰

4. In March 1992, a Serb CS formed in Pale.¹¹ Members included Pale Executive Committee President Zdravko ČVORO as CS President,¹² SDS Municipal Board President Jovan ŠARAC, former Municipal Board President Svetislav LUČIĆ, and

¹ D4002,p.56. Population figures differed between the RS and BiH parts of Pale. *See* P4994,pp.31,40.

² N.PRSTOJEVIĆ:T.12965. *See e.g.* P5742,p.2; P4365; D3583; P6293.

³ R.NEŠKOVIĆ:T.14297; P5742,p.2; J.ŠARAC:D4368,para.21; D.HARLAND:P820,paras.50-51; D.HARLAND:T.2064-2068.

⁴ N.RISTIĆ:T.15380-15384; P2842; M.MANDIĆ:T.5011,5099-5100; P.RECHNER:T.11081.

⁵ KOROMAN told a Prosecution witness that the Red Berets "had been put up at the Panorama Hotel and that he couldn't keep them under his control there for long." S.CRNČALO:P733,paras.39,71; P1107,p.3; T.HRŠUM:D2850,para.25.

⁶ *See* D4002,p.57; E.TABEAU:P4994,pp.22-31,40.

⁷ S.CRNČALO:P733,para.12; T.HRŠUM:D2850,para.7.

⁸ D1267; J.ŠARAC:D4368,para.12.

⁹ P979,pp.6,11; S.CRNČALO:P733,paras.19-20. *See also* D325,pp.13-15,158-159; III.C.8.(a).(iii): The SDS implemented the common criminal plan; III.C.8.(j): JNA/VJ; III.C.8.(k): TO.

¹⁰ S.CRNČALO:P733,paras.21-22,58. *See also* D325,pp.69,75; III.C.8.(a).(iii): The SDS implemented the common criminal plan; III.C.8.(j): JNA/VJ; III.C.8.(k): TO.

¹¹ S.CRNČALO:P733,para.42; J.ŠARAC:D4368,para.38; H.KARIĆ:P2839,para.9.

Pale SJB Chief Malko KOROMAN, all of whom were SDS members.¹³ According to ČVORO, the SDS had “absolute power” in Pale and was financially supported by the municipality.¹⁴ The CS controlled all municipal activities.¹⁵

5. That same month, on the order of the CS and the SAO Romanija Government, all Muslims were dismissed from the Pale police force.¹⁶ KOROMAN remained the Chief of what he claimed to be “the first Serbian Police Station in RS”.¹⁷ KOROMAN called for total disarmament of non-Serbs in Pale,¹⁸ which indeed happened.¹⁹

6. Throughout the spring of 1992, Serb authorities harassed and threatened the Muslim community. Paramilitaries—including the White Eagles, ARKAN’s men, Red Berets, ŠEŠELJ’s men and units commanded by Rajko KUŠIĆ, Srđan KNEŽEVIĆ, and Radomir KOJIĆ—appeared in Pale,²⁰ searching Muslim homes, looting Muslim-owned shops and instilling fear in the Muslim population.²¹ Muslims were dismissed from their jobs,²² their movements were restricted²³ and their telephone lines were disconnected on order of the CS.²⁴ Muslims were arbitrarily arrested and beaten,²⁵ and some were killed.²⁶

7. In addition, Serbs exerted other forms of pressure on Muslim inhabitants to make them leave Pale. Police and paramilitary members repeatedly came to Muslim homes and told residents that it would be better for them to leave peacefully than wait to be “chase[d]” out.²⁷ When local Muslims met with KOROMAN and Nikola KOLJEVIĆ in May to seek assurances that they could stay, KOLJEVIĆ told them

¹² J.ŠARAC:D4368,para.38.

¹³ S.CRNČALO:P733,para.42; J.ŠARAC:T.47141.

¹⁴ Z.ČVORO:T.30937; P6029,p.3; H.KARIĆ:P2839,para.9.

¹⁵ S.CRNČALO:P733,para.42.

¹⁶ AF2587; P6090,p.1; P6089; S.CRNČALO:P733,para.25.

¹⁷ P6089,p.2; S.CRNČALO:P733,para.24; P963,p.2; H.KARIĆ:P2839,para.19; P6090,p.1.

¹⁸ P6090,p.1; S.CRNČALO:P733,paras.28-29. *See also* T.HRŠUM:T.32925-32926,32959; J.ŠARAC:D4368,para.43.

¹⁹ S.CRNČALO:P733,paras.28-30.

²⁰ AF2589-AF2590; D4002,p.57; S.CRNČALO:P733,paras.31,39,52-54; H.KARIĆ:P2839,paras.6,16,28; H.KARIĆ:T.15315,15323,15342-15343; T.HRŠUM:D2850,para.25; M.SMAJŠ:P43,p.6.

²¹ S.CRNČALO:P733,paras.31-32,52; S.CRNČALO:T.1255;T.HRŠUM:D2850,para.25; H.KARIĆ:T.15343; J.ŠARAC:D4368,para.45; J.ŠARAC:T.47158.

²² S.CRNČALO:P733,para.58;H.KARIĆ:P2839,para.20; H.KARIĆ:T.15353-15354.

²³ AF2589; H.KARIĆ:P2839,paras.7-8,14-15; H.KARIĆ:T.15338-15339; S.CRNČALO:P733,paras.43-48; S.CRNČALO:T.1209,1226 .

²⁴ P734; S.CRNČALO:P733,paras.50-51.

²⁵ S.CRNČALO:P733,paras.23-27,49,60; H.KARIĆ:P2839,para.20; H.KARIĆ:T.15365.

²⁶ S.CRNČALO:P733,paras.59-60; T.HRŠUM:D2850,para.23; P6091,p.4 .

²⁷ S.CRNČALO:P733,paras.33-34; S.CRNČALO:T.1268-1269; AF2588.

their wish to remain was irrelevant because Serbs no longer wanted to live with Muslims in Pale,²⁸ and KOROMAN added that he could not guarantee their safety.²⁹ Such remarks produced shock and fear among the Muslims.³⁰

8. From approximately April 1992, the former Culture Centre in Pale was used as a detention facility,³¹ controlled by the police.³² The detention centre was located next to the police station.³³ It housed up to 600 predominantly Muslim civilians from Pale and other municipalities, including, at one point, 400 men from Bratunac.³⁴ They arrived in Pale in three truckloads in May 1992, visibly beaten.³⁵ They were met by police and had their names recorded in a document signed by Slobodan MARKOVIĆ of the Exchange Commission.³⁶ The detainees were held at the detention centre for three or four days during which they were beaten by policemen,³⁷ before being loaded onto trucks by police and driven to the frontline in Ilijaš for exchange.³⁸ Individuals were also transferred to the Culture Centre from other Serb-run facilities in Bosnia.³⁹

9. Prisoners at the Cultural Centre were subjected to beatings and other cruel treatment.⁴⁰ Several were beaten to death by men in KUŠIĆ's unit,⁴¹ which, by May 1992, had been incorporated into the VRS's SRK as the Rogatica Brigade.⁴² Although SRK Commander ŠIPČIĆ complained about KUŠIĆ's abuses,⁴³ KUŠIĆ, who was a close associate of KARADŽIĆ and KRAJIŠNIK and a member of the SDS Main

²⁸ S.CRNČALO:P733,paras.36,38; S.CRNČALO:T.1164-1165.

²⁹ S.CRNČALO:P733,para.39; S.CRNČALO:T.1164-1165,1250-1251.

³⁰ S.CRNČALO:P733,paras.39-40.

³¹ See SIC:C.19.2(Pale).

³² See SIC:C.19.2(Pale).

³³ P2842; N.RISTIĆ:T.15391; M.SMAJŠ:P43,p.10; S.CRNČALO:P733,para.57.

³⁴ See SIC:C.19.2(Pale). See also III.C.8.(c): Exchange Commission; III.C.8.(g)(iii): CSs organised and supported detentions; III.C.9.(b): KARADŽIĆ and the BSL had effective communications; III.D.1: KARADŽIĆ knew of crimes being committed in furtherance of the common purpose; SIC:C.6.2(Bratunac); Bratunac Summary.

³⁵ S.CRNČALO:P733,para.56; Z.ČVORO:T.30945-30946.

³⁶ [REDACTED]; P3208; A.MAŠOVIĆ:P4850,para.32.

³⁷ [REDACTED]; KDZ605:T.17926; M.SMAJŠ:P43,pp.6,10-11;

J.ŠARAC:D4368,para.41; J.ŠARAC:T.47148-47149; H.KARIĆ:P2839,paras.24-25.

³⁸ [REDACTED]; KDZ605:T.17925-17926;

J.ŠARAC:D4368,para.41.

³⁹ See SIC:C.19.2(Pale).

⁴⁰ See SIC:C.19.2(Pale).

⁴¹ See SIC:B.14.1(Pale).

⁴² See Rogatica Summary; III.C.8.(k): TO; P1505,p.2; P2834; A.DŽAMBASOVIĆ:P2828,para.75; P2830,pp.4,15; M.LELEK:D3031,para.15; D308,p.2; D568,pp.1-2.

⁴³ See P1001,p.1.

Board,⁴⁴ was neither removed nor punished for his crimes. Rather, he was praised by GALIĆ⁴⁵ and eventually promoted by KARADŽIĆ.⁴⁶

10. On 22 May 1992,⁴⁷ a large group of policemen and soldiers led by KOROMAN attacked—including with artillery⁴⁸—the Muslim-majority commune Renovica.⁴⁹ Muslim civilians were rounded up during the attack and brought to the former Culture Centre.⁵⁰ On the same date, Serb Forces also attacked Donja Vinča, setting houses on fire and forcing residents to leave.⁵¹

11. Instead of condemning such activities, in June 1992, after the killing of Serb soldiers near Žepa, KARADŽIĆ gave a speech to a crowd in front of the Culture Centre in Pale, saying the best way to defend Serb houses was to attack Muslim houses.⁵²

12. On 12 June 1992, the Pale Municipal Assembly President requested that the Pale SDS Main Board “adopt a general position on the moving out of non-Serbian population” so that the Assembly could take action.⁵³ On 18 June 1992, ČVORO complained before the Municipal Assembly that police were undertaking “activities [...] to organise the Muslims and move them out” but had “bypassed” official structures.⁵⁴ The Municipal Assembly then passed a decision granting all who “wished” to change their residence safe passage from Pale.⁵⁵ Although careful to use language portraying departures as voluntary, the Municipal Assembly ensured that changes of residence would be completed in an “organised manner”.⁵⁶

13. Given the violent campaign against them and their fear for their lives, many Muslims were prepared to leave Pale, requesting official approval to relocate.⁵⁷ Some

⁴⁴ [REDACTED];
P.TREANOR:P2536,p.155; P3408,p.2.

⁴⁵ P6108.

⁴⁶ P5586.

⁴⁷ H.KARIĆ:T.15342; J.ŠARAC:D4368,paras.43,54.

⁴⁸ H.KARIĆ:P2839,paras.17,19; H.KARIĆ:T.15342,15346-15347,15349-15350; J.ŠARAC:T.47150; S.CRNČALO:T.1208,1222.

⁴⁹ H.KARIĆ:T.15335; S.CRNČALO:T.1197.

⁵⁰ H.KARIĆ:P2839,para.18; H.KARIĆ:T.15312-15313,15365; T.HRŠUM:D2850,para.19. *See* SIC:C.19.2(Pale).

⁵¹ AF2591.

⁵² S.CRNČALO:T.1166; S.CRNČALO:P733,para.78.

⁵³ D30.

⁵⁴ D31,p.4.

⁵⁵ D32/P5090(duplicates).

⁵⁶ D32/P5090(duplicates); D31,pp.4-5; J.ŠARAC:T.47178-47179; P736; P737; P738/D2535(duplicates); P5524.

⁵⁷ P5524; P5429; J.ŠARAC:D4368,para.48.

signed contracts “swapping” or turning over their homes to Serbs.⁵⁸ Municipal authorities had standard form contracts prepared and ready for this purpose.⁵⁹ Such contracts were signed against the owner’s will,⁶⁰ sometimes immediately before Muslim residents were forcibly transferred out of Pale.⁶¹

14. In late June and early July, Serb authorities organised the mass removal of many remaining Muslims by bus.⁶² According to public notices with schedules indicating affected streets, dates and times, Muslims gathered at designated locations,⁶³ boarded approximately 20 buses and were transported to Sarajevo.⁶⁴ They were only permitted to bring what they could carry.⁶⁵ At the request of the Municipal Assembly, police assisted in this transfer operation,⁶⁶ including escorting the buses.⁶⁷ Some Muslims who refused to leave in this mass forcible transfer were subsequently killed.⁶⁸

15. The departure of the Muslims was not voluntary but rather the result of the systematic commission of crimes against them by police, military and paramilitaries as detailed above. The explicit message to Muslims from KOLJEVIĆ and KOROMAN was that they should leave Pale.⁶⁹

16. Furthermore, the Prača, Podvitez, and Bogovići mosques in Pale municipality were destroyed.⁷⁰ This destruction occurred between July and September 1992, after many of Pale’s Muslims had been expelled.⁷¹

17. Republican authorities were informed about the expulsion of Pale’s Muslims. On 6 July 1992, KOROMAN reported to the RSMUP that 1,042 people were transferred out of Pale over the course of four days.⁷² On 7 July ČVORO complained to the Presidency and personally to PLAVŠIĆ that there had been “forced and wilful

⁵⁸ D33; P5429.

⁵⁹ S.CRNČALO:P733,para.61.

⁶⁰ S.CRNČALO:P733,paras.62,76; S.CRNČALO:T.1268-1269.

⁶¹ S.CRNČALO:P733,para.62; S.CRNČALO:T.1271; D33; P735.

⁶² AF2671; D35/P5428(duplicates); S.CRNČALO:P733,paras.64,66; P736; P737; H.KARIĆ:T.15365.

⁶³ AF2671; S.CRNČALO:P733,paras.65-68.

⁶⁴ AF2672; S.CRNČALO:P733,para.71.

⁶⁵ AF2672; S.CRNČALO:P733,para.71; S.CRNČALO:T.1262.

⁶⁶ T.HRŠUM:T.32928.

⁶⁷ P736; P737.

⁶⁸ S.CRNČALO:P733,para.80.

⁶⁹ S.CRNČALO:P733,paras.63,69,76; S.CRNČALO:T.1260-1262. *See also* Z.ČVORO:T.30964; J.ŠARAC:T.47173-47175; J.ŠARAC:D4368,paras.44,51; P6034.

⁷⁰ *See* SIC:D.16(Pale).

⁷¹ *See* SIC:D.16(Pale).

⁷² D35/P5428(duplicates). *See also* S.CRNČALO:T.1275; P737.

moving out of the Muslim population, which created a series of other problems” including “a large number of illegal and criminal actions”.⁷³

18. Pursuant to a government decree and instructions on the use of war booty,⁷⁴ the municipal authorities issued decisions regulating the handling of property left by expelled Muslims.⁷⁵ The Defence contention that these measures aimed to safeguard the property⁷⁶ is undermined by the fact that the documents provide for the transfer of that property to the municipal commission and ultimately the RS’s “emergency reserves”.⁷⁷ In fact, in July 1992, the RS Presidency in a request signed by **KARADŽIĆ** and addressed to seven municipalities including Pale asked for an inventory of vacant houses that could be allocated to Serb refugees.⁷⁸ Some weeks later, the Pale Municipal Assembly issued a decision providing that the abandoned property be so allocated.⁷⁹

19. The authorities in Pale did not prevent the crimes committed against the Muslim inhabitants. Instead of making efforts to stop or remove them, paramilitaries were accommodated at Pale’s Panorama Hotel as described above. Action was only taken against one paramilitary unit commanded by “ČARLI” in June after the group robbed state-owned shops and thus affected the municipality organs.⁸⁰

20. Furthermore, police in Pale—who were instrumental in forcing Muslims out—did not effectively investigate crimes committed against Muslims⁸¹ or their property.⁸² Pale municipal authorities appealed to republican authorities, including **PLAVŠIĆ**⁸³ and **STANIŠIĆ**,⁸⁴ about the police. The manner in which the expulsion was conducted created problems protecting abandoned Muslim property⁸⁵ that could be used for Serbs or go to the emergency reserves. RS Chief of the Criminal Investigations Service **Stjepan MIČIĆ** visited Pale and repeatedly warned

⁷³ P6034.

⁷⁴ P6031; P5502.

⁷⁵ P738/D2535(duplicates); D34; Z.ČVORO:T.30954.

⁷⁶ Z.ČVORO:T.30950-30951; Z.ČVORO:D2530,paras.7,15.

⁷⁷ P738/D2535(duplicates); P6031.

⁷⁸ P739.

⁷⁹ D4369.

⁸⁰ J.ŠARAC:T.47158-47159; J.ŠARAC:D4368,para.45; T.HRŠUM:D2850,para.25.

⁸¹ P6091,pp.1-4; P6092,p.2. *See also* D2851,pp.45-59; T.HRŠUM:T.32977-32978.

⁸² P6034; Z.ČVORO:T.30951-30952. *See also above*; P6031; P6091; P6092;

J.ŠARAC:D4368,para.46; P6034.

⁸³ P6034.

⁸⁴ J.ŠARAC:D4368,para.46; J.ŠARAC:T.47165-47166.

⁸⁵ P6034.

KOROMAN about the “idleness and negligence” of his force.⁸⁶ In reports of these visits, MIĆIĆ noted that MUP and CSB officials were aware of these problems and took no steps to solve them,⁸⁷ stating, “[o]ne gets the idea that it is all connected.”⁸⁸

⁸⁶ P6091,p.6; P6092,pp.1,10.

⁸⁷ P6092,p.1; P6091,p.10.

⁸⁸ P6091,p.10.

Podrinje

I. THE PODRINJE: 1992-1995¹

A. Directive 4

1. BSL's goals at the end of 1992 and the DK's creation

1. By September 1992, Bosnian Muslim Forces from Srebrenica had linked up with those in Žepa, a Muslim-held town to the south of Srebrenica.² In response, the VRS GŠ formed the DK on 1 November 1992, with ŽIVANOVIĆ as commander.³

2. As discussed above,⁴ on 19 November 1992—following consultations with KARADŽIĆ and other BSL members—MLADIĆ issued Directive 4, requiring the DK to: "exhaust the enemy, inflict the heaviest possible losses on them and force them to leave the Birač, Žepa and Goražde areas *with the Muslim population*."⁵ This was implemented by ŽIVANOVIĆ, who—once again following consultation with KARADŽIĆ and other BSL members—issued his command order on 24 November, requiring the DK to exhaust the enemy "and force the Muslim local population to abandon the area of Cerska, Žepa, Srebrenica and Goražde."⁶

3. ŽIVANOVIĆ understood well Directive 4's goal to force the Muslim civilian population to "leave" or "abandon" the area of Cerska, Žepa, Srebrenica and Goražde,⁷ as reflected in the operations which followed.

2. VRS military operations in the Kamenica, Cerska and Konjević Polje areas and the attack on Srebrenica

4. During the winter and early spring of 1993, the VRS carried out a military offensive in this area characterised by shelling and firing at Muslim civilians, as well as burning (exemplified by ŽIVANOVIĆ's exhortation to burn houses—"[w]ay to go,

¹ The events described herein include acts of persecution and deportation/forced transfer as set out in paras.52,56-57,69,72-74 of the Indictment. Events described that go beyond the scope of these charged acts are included for context relevant to both the overarching and elimination JCEs.

² AF1398. *See also* P2284, para.36; R.BUTLER:T.27490,27709,27796.

³ R.BUTLER:P4914, paras.1,5; M.ŽIVANOVIĆ:T.42578,42581.

⁴ *See* III.C.8. (i). (iii). b.iv: Directive 4.

⁵ P976, p.5 (emphasis added); AF1399. Birač comprised of Milići, Vlasenica, Srebrenica, Bratunac, Zvornik and Šehovići. Cerska is in Vlasenica: M.MANDIĆ:T.5088; I.REDŽIĆ:T.17723.

⁶ P2085, p.1.

⁷ M.ŽIVANOVIĆ:T.42595-42596.

as many as possible"⁸) and destroying Muslim villages.⁹ This was a deliberate tactic to achieve the illegal objective of forcing Bosnian Muslim civilians from the area.¹⁰ Thousands of Bosnian Muslims fled towards Srebrenica, by then reduced to an area of 150km².¹¹ Srebrenica's population swelled to 50,000-60,000 people,¹² creating a humanitarian disaster.

5. Advancing VRS forces destroyed Srebrenica's water supply, leaving almost no running water. The Muslim population relied on makeshift generators for electricity; food, medicine and other essentials were extremely scarce.¹³ By 12 March 1993, when UNPROFOR Commander MORILLON arrived in Srebrenica, the town had been subjected to continuous shelling.¹⁴ It was overcrowded and "siege conditions" prevailed.¹⁵

6. In March-April 1993, 8,000-9,000 Muslims were evacuated from Srebrenica by the UNHCR, despite opposition from the Bosnian Muslim government in Sarajevo, on the basis that this would contribute to the "ethnic cleansing" of the territory.¹⁶

3. Creation of the "Safe Areas" and KARADŽIĆ's response

7. The DK's operations led to international outcry and intervention.¹⁷ On 12 April 1993, Bosnian Serb shelling of Srebrenica killed at least 35 and wounded over 60.¹⁸ On 16 April 1993, while the VRS was still planning to seize Potočari and Srebrenica,¹⁹ the UNSC passed Resolution 819 designating Srebrenica as a safe area, and condemned "the deliberate actions of the Bosnian Serb party to force the

⁸ P5261. *See also* P.TUCKER:T.23217-23218,23201; P3162; P3161; P4253. ŽIVANOVIĆ's denial that the DK was burning Muslim houses/villages or that he personally incited his units to burn houses was obviously dishonest. M.ŽIVANOVIĆ:T.42604,42606-42607. *See* DCC(M.ŽIVANOVIĆ). *See also* DCC(S.ANDRIĆ).

⁹ *See* P2284,p.37; D4190; D2137,p.1; P4250; P5186,para.1; D2135; P5187,p.2; P5082; P4205,para.1; P5163,p.2; P4208; S.SALČINOVIĆ:P404,p.13; H.SALIHOVIĆ:P391,p.2; KDZ064:T.1415,1417-1418; [REDACTED]; M.MALAGIĆ:T.23459-23464; D.MILOŠEVIĆ:T.33109-33110.

¹⁰ D4190; P5082; P5163,p.2.

¹¹ P2284,para.37; P5082; S.SALČINOVIĆ:P404,p.13; H.SALIHOVIĆ:P391,p.2; [REDACTED] KDZ064:T.1415,1417-1418; M.MALAGIĆ:T.23457-23460.

¹² AF1401; P.TUCKER:T.23260; P2284,para.37.

¹³ AF1402; P2284,para.38.

¹⁴ P4235,p.1.

¹⁵ AF1403; P2284,para.38.

¹⁶ AF1404.

¹⁷ P2086; P4789; P4235; P5198; P6077.

¹⁸ P6077.

evacuation of the civilian population from Srebrenica".²⁰ This forced **KARADŽIĆ** to order the cessation of all operations against Srebrenica,²¹ while admitting he knew there would have been a bloodbath otherwise.²²

8. UNPROFOR established safe areas for the displaced Muslim population trapped in the enclaves.²³ UNPROFOR OPs were established around the perimeter of the enclave.²⁴ DK soldiers were deployed around the perimeter.²⁵

9. With the Srebrenica "safe area" established, the UNSC requested that the SG "take immediate steps to increase the presence of the United Nations Protection Forces in Srebrenica and its surroundings."²⁶ UNPROFOR commanders negotiated a cease-fire agreement signed by MLADIĆ and ABiH Commander Sefer HALILOVIĆ, calling for the enclave to be disarmed under UNPROFOR supervision.²⁷ Discord remained as to whether the agreement covered only the urban area of Srebrenica.²⁸

4. May 1993 attack on Žepa and Goražde

10. Despite UN peacekeepers' presence in the Srebrenica enclave, the VRS GŠ kept its attention focused on the Podrinje, and co-ordinated combat operations against Žepa and Goražde in early May 1993 in Operation *Spring-93*.²⁹ Their objective was "to crush and destroy Muslim armed formations in the broader area of Žepa and

¹⁹ P4795.

²⁰ P4209,p.2; AF1405-AF1406. *See also* AF1407-1409.

²¹ D43.

²² At the 33rd Assembly Session on 20 and 21 July 1993, **KARADŽIĆ** stated, "had we gone into Srebrenica, people whose families had been killed would have entered it, 1,200 Serbs were killed, there would be a bloodbath, and we could lose the state for it. That is why I feel that Morillon saved us rather than the Muslims when he entered Srebrenica. As in Srebrenica they have rifles, these rifles justify our going after them, between 300 and 350 of them get out of Srebrenica, they get out with rifles and we cannot treat them as civilians, our troops are after them because they are hostile forces on our territory, and, finally, Stoltenberg asked me if we agreed that they evacuate Srebrenica and take them all to Tuzla, some gain for the Muslims in Srebrenica. They are like in a cage". P1377,p.41. *See also* Defence Opening Statement, T.981.

²³ AF1413. *See also* AF1414-AF1416.

²⁴ AF1418.

²⁵ AF1420-AF1421. *See also* AF1419.

²⁶ AF1410.

²⁷ AF1411. *See also* P2284,paras.38,59-65; D2242; D135.

²⁸ AF1412; V.HAYES:D2745,paras.17,20-21,28.

²⁹ P4074,pp.6-15; P5393.

Goražde and to enable the Muslim civilian population to move out (transfer) to other territories (central part of the former BiH)".³⁰

11. On 6 May 1993 the UNSC established further "safe areas", including in the eastern enclaves of Žepa and Goražde.³¹

B. Eastern enclaves, including Srebrenica, remained a focus for KARADŽIĆ and the BSL

1. BSL's goal to eliminate the enclaves and remove Bosnian Muslims from the Podrinje

12. Despite the "safe areas", the BSL's continued goal was the cleansing of the eastern enclaves.³²

13. In April 1994, Bosnian Serb forces attacked Goražde as part of operation *Zvezda-94*.³³ On 11 April 1994, MLADIĆ ordered subordinate units to

[k]eep pushing energetically onwards, pay no attention to what is going on around us. The Turks must disappear from these areas.³⁴

14. The attack was halted following international intervention.³⁵ On 23 April, at a Supreme Command meeting, **KARADŽIĆ** praised the operation as "successfully and brilliantly implemented", noting that even more had been taken than planned.³⁶ MLADIĆ explained that the Turks suffered military defeat near Goražde and in the Drina River valley, did "not represent a large or organised military force" in Goražde, Žepa and Srebrenica, and must be "neutralise[d] in the near future".³⁷

15. Following this attack on Goražde, **KARADŽIĆ** emphasised the importance of modulating Serb behaviour towards UNPROFOR, including the blocking of convoys, to avoid UN ultimata. He underlined that all agreements with the UN were to be

³⁰ P4074,p.6.

³¹ P984. *See also* P985.

³² P1385,pp.47-49.

³³ This operation is more fully addressed in other parts of the brief. *See* III.C.8.(i).(iii).b.vi: Directive 6. P1657; P1486,pp.10,14-15. *See also* P1662,p.3; P1646,p.5; P1663,pp.3-4; A.BANBURY:P2451,para.13.

³⁴ P1645.

³⁵ A.BANBURY:T.13422-13423; P853; P1647,p.5. *See also* P829,p.2; P1486,pp.18-28; P4447; D.HARLAND:P820,paras.98-119; P1657; P851.

³⁶ P1486,p.29.

³⁷ P1486,p.29.

implemented unless he personally assessed and ordered otherwise.³⁸ In reality, restrictions continued to contribute to the "cage"-like³⁹ conditions of the enclaves.

16. On 15 August 1994 MLADIĆ expressed his frustration that the "Turks" in the Podrinje were protected through UN intervention:

In Podrinje we thrashed the Turks. If the Americans and English, the Ukrainians and Canadians in Srebrenica, in the meantime it's the Dutch, would not protect them, they would have disappeared from this area long ago.⁴⁰

2. MLADIĆ's July 1994 Order

17. Despite UN pressure, on 1 July 1994, MLADIĆ, TOLIMIR and GVERO were briefed by DK Command regarding the DK's combat readiness.⁴¹ During this meeting MLADIĆ announced "[w]e are on our way to [*očistimo* – cleanse/mop up] the enclaves".⁴² Foreshadowing the language and aims of Directive 7, he ordered, in relation to Srebrenica,⁴³ "[t]he enclave is not to survive but to disappear".⁴⁴ MLADIĆ also ordered the strict control of entry of convoys into Srebrenica.⁴⁵

18. Based on that briefing, Bratunac Brigade Commander Slavko OGNJENović issued a report on 4 July 1994 to be disseminated among all Brigade members, stating:

We must attain our final goal—an entirely Serbian Podrinje. The enclaves of Srebrenica, Žepa and Goražde must be defeated militarily. We must continue to arm, train, discipline and prepare the RS Army for the execution of this crucial task—the expulsion of Muslims from the Srebrenica enclave. [...] The enemy's life has to be made unbearable and their temporary stay in the enclave impossible so that they leave the enclave *en masse* as soon as possible, realising that they cannot survive there.⁴⁶

19. Following MLADIĆ's 1 July order and his written 22 July 1994 order, ŽIVANOVIĆ ordered subordinate units to "prevent at any cost the communication

³⁸ P4447. *See also* P857; P858.

³⁹ P1377,p.41.

⁴⁰ P4442; M.LEŠIĆ:T.25030-25032.

⁴¹ P1486,pp.177-181; P6482; P4387,p.1; P4075,p.1.

⁴² P6482,p.2.

⁴³ This is evident from the content of OGNJENović's subsequent report. P4075. *See also* P6482,p.6.

⁴⁴ P6482,pp.5-6; P1486,p.178.

⁴⁵ P6482,p.5

and departure of Muslims from the "enclaves" (Srebrenica, Žepa and Goražde)".⁴⁷ ŽIVANOVIĆ further ordered the DK to reduce the geographic size of the Srebrenica enclave to its urban area, and Žepa and Goražde to their urban areas plus three kilometres.⁴⁸ ŽIVANOVIĆ noted that VRS-GŠ authorisation was required for equipment and cargo entering the enclaves, contacts with UNPROFOR and humanitarian organisations, and movements of UNPROFOR personnel,⁴⁹ thus emphasising one of the means of making life unbearable.

3. Blockade of the enclaves

20. Between 1993 and 1995, **KARADŽIĆ** and the BSL, despite repeated protests,⁵⁰ restricted convoys in and out of the enclaves to pressure both the Muslim population and UNPROFOR, and to achieve their strategic goal for the area.⁵¹ **KARADŽIĆ** controlled access to the enclaves, through MLADIĆ.⁵² **KARADŽIĆ** was aware of the humanitarian suffering caused by the restrictions on humanitarian aid, and also the problems for UNPROFOR in fulfilling its mandate.⁵³ Examples of **KARADŽIĆ** authorising a single convoy must be viewed against his policy of blockading convoys over a sustained period time.⁵⁴

C. Directives 7 and 7/1

21. **KARADŽIĆ** signed Directive 7, dated 8 March 1995,⁵⁵ which explicitly set out the strategy for forcing the Bosnian Muslim population from the enclaves and fulfilling the third strategic objective.

⁴⁶ P4075,p.3.

⁴⁷ P4387,pp.1-2(item 2).

⁴⁸ P4387,p.5(item3).

⁴⁹ P4387,pp.2-3(items3,6,7).

⁵⁰ A.BANBURY:T.13458-13459,13475; A.BANBURY:P2451,paras.76-78; P2475; P871; D.HARLAND:P820,para.153. *See also* P3996,p.2(DK Commander ZIVANOVIĆ was aware of the poor conditions in the Srebrenica enclave).

⁵¹ P838,p.14; Y.AKASHI:T.37767-37769; D.HARLAND:P820,para.147; D.HARLAND:T.2177,2202-2203,2358-2359; R.SMITH:T.11320-11321; P2454,p.3; A.BANBURY:P2451,paras.41-42; P1667,p.2; D.HARLAND:P820,paras.116-117; P857; R.SMITH:T.11305-11308,11311; P2243,p.1; P1470,pp.3-4. *See also* D1157,pp.10-11; P868; P871.

⁵² R.SMITH:T.11418-11420,11320-11321; P838,p.14; P2454,pp.2-3; A.BANBURY:P2451,paras.69,71; P868. *See also* D.HARLAND:P820,paras.144-147.

⁵³ *See below* paras.30-37.

⁵⁴ A.BANBURY:T.13475-13478. *See* [REDACTED].

⁵⁵ P838. *See further* III.C.8.(i).(iii).b.vii: Directive 7.

1. Directive 7 described the BSL's goals for the enclave and it was followed

22. In light of the earlier international outcry and intervention in relation to the Podrinje, Directive 7 required that the DK "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 the same time avoiding condemnation by the international community and international public opinion."⁵⁶ It also stated:

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.*⁵⁷

23. Directive 7's goal was thus to create conditions that would force the civilian population to leave and thereby finally realise the goal of a "clean" Podrinje.

24. The Defence arguments that Directive 7 was not binding, and that the "controversial portion" of Directive 7 "that deals with the tasks of the [DK] was never implemented in practice",⁵⁸ or was somehow replaced by Directive 7/1 is belied by evidence of the strict VRS chain of command with **KARADŽIĆ** as Supreme Commander,⁵⁹ the Directive's signature by **KARADŽIĆ**, the manner by which the Directive was passed down that chain of command and events on the ground following its issuance.

25. General MILOVANOVIĆ sent out Directive 7 to the corps on 17 March.⁶⁰ On 20 March 1995, ŽIVANOVIĆ issued an order quoting the illegal portions of Directive 7.⁶¹ The Directive was passed down the chain of command.⁶²

26. On 26 March 1995, MLADIĆ issued an order referring to Directive 7, ordering the continuation of combat tasks in accordance with it.⁶³

⁵⁶ P838,p.14(emphasis added).

⁵⁷ P838,p.10(emphasis added).

⁵⁸ D3932,para.26.

⁵⁹ See III.C.8.(i).(iii): **KARADŽIĆ**'s command and control authority over the VRS.

⁶⁰ P838,p.1. See also Lj.OBRADOVIĆ:P4444,pp.122-123; R.BUTLER:T.27438-27440,27677-27678; M.TRIVIĆ:T.40530-40533; R.SMITH:T.11303-11304,11322-11328.

⁶¹ P3040,p.6; M.ŽIVANOVIĆ:T.42647-42649; M.MILOVANOVIĆ:T.25508-25509.

⁶² P6450. See also P2674; P2673; P838,p.1.

27. On 31 March 1995, MLADIĆ issued Directive 7/1,⁶⁴ a technical expansion which did not supplant or negate Directive 7,⁶⁵ and which, in fact, cited Directive 7 as its authority.⁶⁶

28. From Directive 7's issuance until July 1995 VRS, MUP and others implemented the measures to achieve its illegal goal by:

- a) Restricting UNPROFOR and humanitarian aid convoys;⁶⁷
- b) Shelling and sniping the Muslim civilian population and DutchBat and conducting other military activities leading up to the attack on the Srebrenica enclave;
- c) Targeting Dutch OPs and Muslim civilians during the 6-11 July attack on the Srebrenica enclave;
- d) Taking DutchBat OP soldiers hostage and disarming DutchBat soldiers in and around Potočari;
- e) Terrorizing, abusing and killing Muslims in and around Potočari on 12-13 July; and
- f) Transporting the women, children and some elderly men from Potočari on 12-13 July.

29. The final four measures are discussed in the JCE to Eliminate section of this Brief and the Srebrenica Narrative.⁶⁸

⁶³ P2249,p.2.

⁶⁴ P2246.

⁶⁵ R.BUTLER:T.27450.

⁶⁶ P2246,p.2:"On the basis of Directive No. 7, the VRS has the task [...] by organised and planned combat operations, to inflict on the enemy the highest possible losses in men and materiel."

⁶⁷ See P4544,p.2; P5084,p.2.

⁶⁸ See V.F: **KARADŽIĆ** Ordered the Attack on the Srebrenica Enclave; V.G.2: Implementation of the JCE to Eliminate, 12-17 July; Srebrenica Narrative,paras.5-35.

2. Restricting UNPROFOR and humanitarian aid convoys March to July 1995

(a) Unbearable conditions were created in the enclaves in furtherance of Directive 7

30. In accordance with Directive 7's instructions to create an "unbearable situation of total insecurity,"⁶⁹ from March to July 1995, the VRS, under **KARADŽIĆ**'s oversight,⁷⁰ "unobtrusively" permitted passage of some convoys in an attempt to avoid attracting international condemnation, but not enough to reduce the brutal suffering of the population or allow the peacekeeping units to perform their duties properly.⁷¹ This VRS "convoy terror"⁷² caused the already poor living conditions⁷³ of the Bosnian Muslim populations inside the enclaves to deteriorate significantly, and created a severe shortage of essential logistical support for DutchBat and UKRCOY exactly as intended by Directive 7.⁷⁴

(b) **KARADŽIĆ** and the GŠ controlled the access of convoys to Srebrenica

31. **KARADŽIĆ**, through the VRS-GŠ⁷⁵ and "State Committee for cooperation with the United Nations and international humanitarian organisations",⁷⁶ controlled⁷⁷ movement of humanitarian⁷⁸ and UNPROFOR convoys⁷⁹ into the enclaves. Access was modulated to avoid international condemnation.⁸⁰ On 8 June, for example,

⁶⁹ P838,p.10; Lj.OBRADOVIĆ:P4444,pp.89-90.

⁷⁰ See below paras.31-32.

⁷¹ P838,p.14. See also R.BUTLER:T.27449; R.SMITH:P2290,p.2.

⁷² R.FRANKEN:P4175,para.26.

⁷³ See e.g. [REDACTED].

⁷⁴ AF1437; AF1433. See below paras.33-36.

⁷⁵ The VRS-GŠ including MLADIĆ, MILOVANOVIĆ and MILETIĆ placed strict controls on convoys. See e.g. P4189; L.OBRADOVIĆ:T.25131-25132(confirming various signatures and initials); P4194,p.1; P2309; R.FRANKEN:P4175,para.24.

⁷⁶ P4543,p.1.

⁷⁷ **KARADŽIĆ** had ultimate control. See P838,p.14; R.SMITH:T.11418-11420,11320-11321; D.HARLAND:T.2202-2203,2358-2359; P2262,p.3; P2260,p.2; P2264,p.2; R.SMITH:T.11346-11347,11359; P5174.

⁷⁸ See P4543,pp.1-2; M.NIKOLIĆ:T.24593; P4543,pp.2-3. Although humanitarian aid convoys were initially dealt with by the State Committee, the VRS had discretion to disagree with decisions of the State Committee and restrict humanitarian aid convoys on the basis of military reasons. Lj.OBRADOVIĆ:T.25138-25140; P839; D2117.

⁷⁹ See Lj.OBRADOVIĆ:T.25113-25114,25138-25140; S.KRALJ:T.36535-36536; R.FRANKEN:P4175,paras.24,28; M.NIKOLIĆ:T.24593-24597; P4194,p.1; P.BOERING:P3969,pp.32,135; L.OBRADOVIĆ:P4444,pp.96-104,110-112. See e.g. P4474; P4472; P4451; P4455; P4454; P4469; P4471(B/C/S); P4197; P4194,pp.1-2; P4187,pp.2-6; P2149. See also P5183/D11709(duplicates); P4536.

⁸⁰ See P838,p.14.

KARADŽIĆ met with **MLADIĆ** for 3 hours prior to meeting with a delegation from UNHCR that afternoon.⁸¹ Noting that **MILOŠEVIĆ** intended to ask for the lifting of sanctions and recognition of RS statehood, **MLADIĆ** recorded the decision to "[I]et UNPROFOR supply the enclaves and give in to the humanitarians".⁸²

32. The Zvornik, Bratunac and other Brigades, their security organs and MPs, rigorously controlled the movement of UNPROFOR and humanitarian aid convoys on the ground and their access to the enclaves pursuant to VRS-GŠ orders.⁸³ At VRS checkpoints, some convoys were blocked and sent back or stripped of their cargo.⁸⁴ Information about convoys and seized items were reported back to the Corps Command and the VRS-GŠ.⁸⁵

(c) The effects of convoy restrictions

33. As a result of the implementation of Directive 7, humanitarian aid organisations experienced confiscations and tightening restrictions in the spring of 1995.⁸⁶ **M.NIKOLIĆ** sent an order on 2 April that "[n]ot a single convoy or ICRC [...] or MSF/Doctors without Borders may enter Srebrenica without my permission and presence."⁸⁷ After that date, only one MSF convoy bringing only personnel entered.⁸⁸ Food supplies and medicines became depleted.⁸⁹ UNHCR convoys permitted into the enclave met less than 25% of the needs of the population.⁹⁰ The desperate civilian regularly scavenged DutchBat's dumped garbage for anything edible.⁹¹ People died of

⁸¹ P2242,p.73; P1473,pp.168-178. See also P2242,p.74; P5018; P5174,p.2. See above para.15.

⁸² P1473,p.177.

⁸³ P2149; P4387; P5123,pp.1-3; P4197,pp.1-4; S.KRALJ:T.36536; P4190,p.1; P4193; P5111,p.20; E.RAVE:P3995,paras.17-18; R.FRANKEN:T.23072-23073,23065; R.FRANKEN:P4186,p.1;

R.FRANKEN:P4175,para.24; [REDACTED].
⁸⁴ R.FRANKEN:P4175,paras.24-25,28; P4569,pp.3-4; P5211,p.2.

⁸⁵ P4569,pp.3-4.

⁸⁶ R.SMITH:P2290,p.2; E.RAVE:P3995,paras.17-18; J.RUTTEN:P3948,para.6; P.BOERING:P3969,pp.31-32; J.RUTTEN:T.21982; R.PATELSKI:P4173,para.5; P840,pp.1,3; D3957(B/C/S).

⁸⁷ P4190,p.1.

⁸⁸ R.FRANKEN:T.23069-23070.

⁸⁹ J.RUTTEN:P3948,paras.6,8; J.RUTTEN:T.21982; M.NIKOLIĆ:T.24601-24602; J.KINGORI:P4140,paras.34-36,39; R.PATELSKI:P4173,para.5; KDZ063:P334,p.53; P4142,p.1; P840,p.1.

⁹⁰ P4142,p.2; R.FRANKEN:T.23092.

⁹¹ J.RUTTEN:P3948,para.8; J.RUTTEN:T.21982; J.RUTTEN:P3950; E.RAVE:P3995,para.18.

starvation.⁹² Medical care and supplies were insufficient.⁹³ These shortages would have the intended tragic consequences during the *Krivaja-95* attack in July.⁹⁴

34. For UNPROFOR convoys, the VRS limited the number of vehicles in a convoy,⁹⁵ denied certain items⁹⁶ and blocked convoys at checkpoints.⁹⁷ Although VRS restrictions applied when DutchBat III first arrived in the enclave in January 1995,⁹⁸ the VRS approved fewer and fewer convoys from March-April 1995 onwards.⁹⁹ DutchBat's medical and food supplies were very limited, as were opportunities for clean water and personal hygiene.¹⁰⁰ DutchBat did not receive any fuel as of February.¹⁰¹ In March, the VRS-GŠ continued to refuse delivery of fuel.¹⁰² By July, fuel reserves were "dangerously low" and DutchBat rationed usage to 250 litres/day.¹⁰³ Lack of fuel prevented DutchBat from carrying out motorised patrols, decreasing DutchBat's presence and ability to gather information,¹⁰⁴ provide medical care to the civilian population¹⁰⁵ or purify water which required diesel fuel.¹⁰⁶

35. Ammunition, parts for weapons and weapons systems, testing devices and communications equipment were banned, rendering DutchBat's larger weapons, such as anti-tank systems and mortars, unusable.¹⁰⁷ DutchBat had little usable ammunition.¹⁰⁸ Beginning in the end of March or April 1995, the VRS prevented

⁹² P4198,p.2; P4073; R.FRANKEN:T.23078.

⁹³ AF1430; P.BOERING:P3969,p.30; M.NIKOLIĆ:T.24601-24602; P841; R.FRANKEN:P4175,paras.27,29.

⁹⁴ P4154,p.4.

⁹⁵ R.FRANKEN:P4175,para.24.

⁹⁶ P4187,pp.2-6; R.FRANKEN:P4175,para.24; R.FRANKEN:T.23065-23066.

⁹⁷ R.FRANKEN:P4175,para.28; P2149.

⁹⁸ R.BUTLER:P4917,p.21; R.FRANKEN:P4175,para.26; R.FRANKEN:T.23067.

⁹⁹ R.PATELSKI:P4173,para.5; E.RAVE:P3995,paras.17-18; AF1429; R.SMITH:P2290,p.2; P.BOERING:P3969,pp.31-32.

¹⁰⁰ P841; AF1430; E.RAVE:P3995,para.21; P.BOERING:P3969,p.31; R.PATELSKI:P4173,para.5. *See also* P2478,p.5; A.BANBURY:P2451,para.91.

¹⁰¹ R.FRANKEN:T.23066; E.RAVE:D1973,p.2.

¹⁰² P2257; A.BANBURY:P2451,paras.102,113; P2482,p.5.

¹⁰³ AF1430; R.FRANKEN:T.23067-23068; R.FRANKEN:P4175,para.29; M.NIKOLIĆ:T.24598. *See also* P4193,p.3; P4194,p.1.

¹⁰⁴ R.FRANKEN:T.23075; AF1432; R.BUTLER:P4917,p.18; P.BOERING:P3969,p.26,31; M.NIKOLIĆ:T.24593,24599-24600; R.PATELSKI:P4173,para.5; E.RAVE:D1973,p.2; P4195,p.1; P4196; P840,pp.1-2; V.EGBERS:P331,p.136.

¹⁰⁵ R.FRANKEN:P4175,para.27.

¹⁰⁶ R.FRANKEN:P4175,para.29; P.BOERING:P3969,p.31; V.EGBERS:P331,p.195.

¹⁰⁷ AF1425; R.FRANKEN:P4175,paras.24,30.

¹⁰⁸ R.FRANKEN:P4175,para.30; R.FRANKEN:T.23059; E.RAVE:D1973,p.2.

DutchBat soldiers and UNMOs from returning following leave.¹⁰⁹ This reduced the number of peacekeepers drastically.¹¹⁰ DutchBat was also unable to rotate their medical personnel.¹¹¹

36. The VRS GŠ had detailed intelligence on the numbers of DutchBat personnel and supplies.¹¹² Fully aware of DutchBat's combat readiness and ability to fulfil its mandate,¹¹³ the GŠ could make an informed decision to act on Directives 7 and 7/1 at the opportune moment.

37. During June and early July 1995, UNPROFOR and humanitarian aid convoys continued to be blocked. The blockade rendered the humanitarian situation in the enclave even graver, and hampered international efforts (including those of UNPROFOR) to assist the civilian population.¹¹⁴

3. Shelling and sniping of the Muslim civilian population and DutchBat

38. In addition to restricting humanitarian aid to "create an unbearable situation of total insecurity with no hope of further survival or life",¹¹⁵ the VRS also shelled and sniped civilian targets in Srebrenica and Žepa.¹¹⁶

39. In late May 1995, in retaliation for NATO airstrikes, the Bosnian Serbs shelled Tuzla, Srebrenica, Sarajevo, Bihać and Goražde.¹¹⁷ The VRS fired into the enclave between May and July 1995, wounding civilians and causing panic.¹¹⁸ Swedish Shelter Project refugees withdrew to Srebrenica from outlying areas.¹¹⁹ From Potočari, Muslim houses were shelled from VRS positions in Bratunac, causing

¹⁰⁹ AF1434; AF1425; AF1433; R.FRANKEN:P4175,para.31; M.NIKOLIĆ:T.24598; E.RAVE:D1973,p.2; V.EGBERS:P331,pp.4,180; Lj.ÖBRADOVIĆ:T.25142; P4453; P4191,pp.2-4; P5211,p.2.

¹¹⁰ P.BOERING:P3969,pp.10,261,270; V.EGBERS:P331,pp.4,180; R.FRANKEN:P4175,para.31; P4197,p.3.

¹¹¹ R.FRANKEN:T.23076-23077; P4191,p.4.

¹¹² M.NIKOLIĆ:T.24599.

¹¹³ M.NIKOLIĆ:T.24599.

¹¹⁴ P4452; P4192,p.5; P2159; P4194; P4196. *See also* J.RUTTEN:P3948,para.5.

¹¹⁵ P838,p.10. *See also* P.BOERING:T.22139-22140; J.KINGORI:T.22800; P2274; P5111,p.7;

P4387,para.10; P4075,p.3; M.NIKOLIĆ:T.24581-24582.

¹¹⁶ J.KINGORI:T.22801-22802; KINGORI:P4140,paras.63-67.

¹¹⁷ A.BANBURY:P2451,para.164; P2496,pp.2-3.

¹¹⁸ P.BOERING:P3969,p.33; R.FRANKEN:P4175,para.32; M.NIKOLIĆ:T.24573-24574; P5111,p.7; P4387,para.10.

¹¹⁹ P.BOERING:P3969,pp.33, 36.

inhabitants to flee for Srebrenica.¹²⁰ The VRS also fired at DutchBat facilities and vehicles frequently in the months prior to the *Krivaja-95* operation.¹²¹

40. On 23 June 1995, a VRS-GŠ 10th DOD team, together with Bratunac Brigade Red Berets, entered Srebrenica through a mining tunnel and attacked civilians by firing projectiles.¹²² The purpose of the operation was to create chaos in Srebrenica, show that there was a lack of safety and security, and cause Muslim soldiers to start fighting amongst themselves.¹²³

41. Two weeks before the enclave fell, shooting intensified and the villages of Budak and Pale were shot at daily.¹²⁴ Serb snipers shot at people, including older men, women and children and soldiers fired mortars and rockets at inhabited Muslim houses.¹²⁵

4. International reaction to convoy restrictions

42. In response to frequent UN complaints about convoy restrictions through the Spring of 1995, the Bosnian Serb military and political leadership—including **KARADŽIĆ**,¹²⁶ **MLADIĆ**,¹²⁷ **GVERO**¹²⁸ and **TOLIMIR**¹²⁹—sought to justify the convoy restrictions on the grounds that convoy supplies were assisting ABiH activities in the enclaves and UN supplies were already ample.¹³⁰ On 5 April 1995, **KARADŽIĆ** told Smith that he would not facilitate the movement of humanitarian aid while the Bosnian Serbs were under international blockade.¹³¹ These were pretexts to justify the implementation of restrictions to neutralise UNPROFOR and "squeeze"¹³² the enclaves.

¹²⁰ P.BOERING:P3969,pp.33-35.

¹²¹ R.FRANKEN:P4175,para.36; P.BOERING:P3969,pp.35-36,331-332.

¹²² F.KOS:T.42393-42395; D.ERDEMOVIĆ:P332,pp.14-16; P.SALAPURA:T.40246,40248; D1062,p.2; P6408.

¹²³ F.KOS:T.42394-42395.

¹²⁴ R.PATELSKI:T.23054; R.PATELSKI:P4173,paras.8-12.

¹²⁵ R.PATELSKI:P4173,paras.10-11. *See also* A.GABELJIĆ:P402,paras.2-4.

¹²⁶ R.SMITH:T.11311-11315,11346-11347,11359; P2260,p.2; P2261; P2262,p.3; P2264,p.2. *See also* P2244; P2245; P1470,p.4.

¹²⁷ R.SMITH:11414-11416; P2273,pp.2-3. *See also* R.SMITH:T.11305-11308; P2243,p.1; P877.

¹²⁸ P2261.

¹²⁹ P2262,p.3.

¹³⁰ R.SMITH:T.11359; P2264,p.2; P2261.

¹³¹ R.SMITH:T.11346-11347; P2260,p.2.

¹³² R.SMITH:T.11317-11319,11344; P877.

43. In their joint letter to **KARADŽIĆ** on 15 June 1995, AKASHI and OGATA expressed their "profound concern" about the "developing disasters in Sarajevo, Bihać, Goražde, Srebrenica and Žepa", emphasising the desperate conditions created by his forces and their refusal "to accept lame excuses, false allegations and suspicions or reference to uncontrolled elements to justify interference with free movement of humanitarian goods and staff."¹³³

5. Forcible removal of the Bosnian Muslim population

44. The Bosnian Muslim population was removed from Srebrenica as a result of the situation caused by implementation of Directive 7, including the July 1995 attack on the enclave as described in the Srebrenica Narrative.¹³⁴ The Srebrenica Narrative also describes the final takeover of Srebrenica and removal of the Bosnian Muslim women, children and some elderly men from Potočari on 12 and 13 July under violent, coercive and forcible circumstances.¹³⁵

¹³³ P5084,p.2. Five days after the letter to **KARADŽIĆ**, the situation had not changed. P5211,p.2.

¹³⁴ See Srebrenica Narrative,paras.5-10. See Indictment,paras.74-75.

¹³⁵ See Srebrenica Narrative,paras.14-18,24,28-32.

Prijedor

I. PRIJEDOR MUNICIPALITY

A. Overview

1. The 1991 ethnic composition of Prijedor included 49,351 (43.9%) Muslims, 6,316 (5.6%) Croats, and 47,581 (42.3%) Serbs.¹ By May 1993, Bosnian Serb forces, in cooperation with Bosnian Serb political organs, killed or expelled virtually all the Muslims and Croats of Prijedor.² This advanced the first and second strategic objectives, furthering the creation of an ethnically-Serb corridor between Semberija and Krajina.³

B. Build-up to the conflict

2. In late 1991, SDS figures and other leading Serbs in Prijedor began preparations that eventually culminated in the takeover of power in the municipality.

[REDACTED]
[REDACTED]
[REDACTED] Serb paramilitaries seized television transmitters on Kozara mountain and SDS leaders directed that Prijedor residents only receive aggressive anti-non-Serb propaganda television broadcasts from Serbia or Banja Luka.⁵ **KARADŽIĆ** approved of this seizure, noting there was “[...] no other option, power has to be taken energetically and we should take all that belongs to us [...]”⁶ Rising Serb nationalism, fuelled by the media propaganda, created great fear among the non-Serb population.⁷ Bosnian Serb leaders with the assistance of the JNA began arming Serb villages in 1991.⁸

¹ P6684,p.2(B/C/S); P3701; P569.

² P10,p.2. By February 1995, the Muslim population had been reduced to around 3,600 (5.44%), approximately 488 (1.54%) Croats, and approximately 500 (0.75%) others; the Serb population had increased to 61,000 (92.28%). P5449,pp.6-7.

³ AF1004; P956,p.9; P781; P2561.

⁴ [REDACTED] P4262; P4263,p.3; P3813; M.MUJADŽIĆ:P3703,pp.40-42.

⁵ AF1094; E.BROWN:P3914,para.2.66; P958,p.4; P6509,p.2; M.SEJMENović:T.20457-20458; J.ARIFAGIĆ:P689,pp.9-10; I.ATLIJA:P3672,pp.7-9; [REDACTED]; NusretSIVAC:P3478,p.166.

⁶ P5633,p.6.

⁷ I.ATLIJA:P3672,p.9; J.ARIFAGIĆ:P689,pp.8-9; NusretSIVAC:P3478,pp.68-69; M.SEJMENović:T.20457-20458; [REDACTED]

⁸ S.SRDIĆ:D2265,pp.26-27; M.MUJADŽIĆ:P3703,pp.37-42; M.SEJMENović:T.20460; NusretSIVAC:P3478,pp.220,229-230; J.ARIFAGIĆ:P689,pp.8,10-14; KDZ074:P711,p.8;

3. The Prijedor SDS received and followed Republic-level instructions. In September 1991, **KARADŽIĆ** personally intervened to replace the local SDS President with Simo MIŠKOVIĆ, who was someone committed to following central SDS policy.⁹ MIŠKOVIĆ attended the December 1991 meeting presided over by **KARADŽIĆ** at which the Variant A/B instructions were distributed,¹⁰ and immediately conveyed Variant A/B to the local SDS leadership, which began implementing stage 1 by proclaiming the Assembly of the Serbian People of the municipality of Prijedor (“Serb Assembly”) and electing Milomor STAKIĆ as President.¹¹ At the same time, the Serb CS—a “shadow government”—was formed¹² and established a communications centre.¹³

4. On 17 January 1992, the Prijedor Serb Assembly joined the ARK¹⁴ and subsequently elected STAKIĆ, MIŠKOVIĆ, DRLJAČA, and Mićo KOVAČEVIĆ as ARK Assembly representatives.¹⁵

5. On 14 February 1992, MIŠKOVIĆ attended the meeting in Sarajevo, where **KARADŽIĆ** ordered the implementation of stage 2 of Variant A/B.¹⁶ On 17 February 1992, MIŠKOVIĆ passed these instructions onto the SDS Municipal Board.¹⁷

6. Contrary to Defence contentions that the takeover of Prijedor was an unplanned response to a fax received from the BiH leadership,¹⁸ contemporaneous documents confirm that Prijedor SDS, CS, SJB, TO and JNA prepared well in

[REDACTED] KDZ611:P4101,p.6; **[REDACTED]**; I.MERDŽANIĆ:P3881,pp.6-7.

⁹ P2571; S.MIŠKOVIĆ:T.45351-45361; P3706,pp.3-4.

¹⁰ S.MIŠKOVIĆ:T.45362-45364; S.MIŠKOVIĆ:P6587,p.39; S.MIŠKOVIĆ:D4206,para.10.

¹¹ AF1007-AF1008; M.STAKIĆ:T.45227-45228; M.STAKIĆ:D4195,paras.2,11; P6610; P6581,p.1;

P2595,p.1; S.MIŠKOVIĆ:P6587,p.60; S.MIŠKOVIĆ:T.45364-45367; P6610; P6581,p.1;

D.HANSON:P2589,paras.25-26; M.MUJADŽIĆ:P3703,pp.101-103;

¹² M.STAKIĆ:D4195,paras.11-12; P2630,p.7; D.HANSON:P2589,paras.25-26.

¹³ AF1030; P5,p.6; P2560; P5414; D4178,p.6/P3712,p.2(partial duplicate); P3449; P3708;

S.BUDIMIR:D4463,pp.68-69,159-160. *See* P2744; D.KEZUNOVIĆ:T.14943-14946;

D.JANKOVIĆ:T.47340-47341.

¹⁴ AF1009; P3728; M.STAKIĆ:D4195,para.13; M.MUJADŽIĆ:P3703,pp.66,73-75.

¹⁵ P5566,p.2; M.MUJADŽIĆ:P3703,p.104.

¹⁶ *See* P6588,p.23.

¹⁷ AF1010; P5516,p.1; D.HANSON:P2589,paras.29-30; S.MIŠKOVIĆ:T.45370-45374; P12,pp.5-7,17.

¹⁸ D400; M.STAKIĆ:D4195,paras.16-33; D.JANKOVIĆ:T.47269-47270; B.MANDIĆ:D4229,para.23;

Ž.TORBICA:D4228,para.9.

advance for the forcible takeover.¹⁹ At most, the pretextual fax merely advanced the date of the takeover.²⁰

C. Takeover and crimes in Prijedor

7. In the early hours of 30 April 1992—pursuant to decision of the Executive Committee of the Serbian Municipality of Prijedor and leading Serb political and military officials—JNA forces, TO, SDS paramilitaries and Serb active and reserve police took control of the town of Prijedor by setting up checkpoints, snipers, machine-gun nests and occupying its most important buildings; they met no resistance from the non-Serb population.²¹ Muslim and Croat public officials were barred from entering municipal buildings.²² Police commanders of Muslim ethnicity were replaced with Serb commanders.²³ MIŠKOVIĆ acknowledged that the takeover was part of the implementation of Variant B.²⁴

8. A day after the takeover, on 1 May 1992, the Prijedor CS issued a Decision on the Organisation and Work of the Crisis Staff,²⁵ implementing ĐERIC's instructions.²⁶ The Prijedor Serb Assembly formally adopted this decision reorganising the CS on 20 May 1992 and appointed its members, including STAKIĆ as President, KOVAČEVIĆ, Slobodan KURUZOVIĆ, Boško MANDIĆ, DRLJAČA, and Slavko BUDIMIR.²⁷ A unified command of CS, TO, police and military was created²⁸ and representatives from military and police were added to the proposed list

¹⁹ P2630, pp.1,5-6,7; P2097; P2968, p.2; P5528, p.2; P5518; D1830. *See also* B.MANDIĆ:T.45758-45759; Ž.TORBICA:T.45732; S.MIŠKOVIĆ:D4206, para.14; S.MIŠKOVIĆ:P6587, p.84; J.ARIFAGIĆ:P689, pp.7-8; [REDACTED]; AF1011-AF1013; AF1015.

²⁰ AF1020; P2630, pp.1,3; P2968, p.2; M.MUJADŽIĆ:P3703, pp.95-98, 257-261; NusretSIVAC:T.19572-19573.

²¹ AF1014; AF1016-AF1019; AF1022; P2630; P2968, p.2; D470, pp.6,32; P6611; P5518; D1838; M.KVOČKA:D4219, para.12; M.STAKIĆ:D4195, para.16; [REDACTED]; NusretSIVAC:T.20387; [REDACTED]; M.MUJADŽIĆ:P3703, pp.99-100, 108; M.SEJMENOVIĆ:T.20465-20466; I.ATLIJA:P3672, pp.11-12; KDZ092:P703, p.6; I.MERDŽANIĆ:P3881, pp.7-9, 102; NusretSIVAC:P3478, pp.18-20.

²² M.SEJMENOVIĆ:T.20467; K.MEŠANOVIĆ:P3528, para.11; [REDACTED]; NusretSIVAC:T.20386-20388. *See* P3530.

²³ AF1023; M.KVOČKA:D4219, para.6; D.JANKOVIĆ:T.47268-47269; M.SEJMENOVIĆ:T.20467-20468.

²⁴ S.MIŠKOVIĆ:T.45378, 45381.

²⁵ P2605. *See* D.HANSON:P2589, para.43, fn.56.

²⁶ P2717; D.HANSON:P2589, paras.38-43.

²⁷ AF1026-AF1027; P3536, pp.1-9; M.STAKIĆ:D4195, para.20; K.MEŠANOVIĆ:P3528, para.12; M.MUJADŽIĆ:P3703, pp.108-110.

²⁸ P3529; P2966; P3536, pp.80-81/P5548 (partial duplicate); D4468, p.2; P956, pp.53-54; P3536, p.49/P3710 (partial duplicate); M.MUJADŽIĆ:P3703, pp.115-117.

of CS members and regularly attended CS meetings.²⁹ Following RS orders, in June 1992 the CS became the War Presidency.³⁰

9. On 5 May 1992 the Prijedor Serb Assembly ordered mobilisation pursuant to ARK and RS Defence Ministry orders.³¹ The CS ordered a further mobilisation on 22 May 1992³² pursuant to the 20 May 1992 RS Presidency order;³³ only Serbs were mobilised.³⁴

10. Following the takeover, living conditions for non-Serbs deteriorated. Serb propaganda controlled by the Serb authorities became more strident.³⁵ Non-Serbs were dismissed pursuant to regional and local policy of the Serb authorities.³⁶ Electricity and telephone service in non-Serb settlements was cut off,³⁷ and travel by non-Serbs except by convoy out of the municipality was effectively prohibited.³⁸ Non-Serbs were required to display their loyalty to the RS.³⁹ Property belonging to non-Serbs was searched, looted or appropriated,⁴⁰ or had to be relinquished as part of the Prijedor departure permit requirements.⁴¹

11. Following ARK and RS orders, Prijedor Serb authorities began disarming non-Serbs and issued ultimatums to non-Serb villages to sign loyalty oaths and

²⁹ AF1027-AF1029; P3536,p.7-9; P3529; K.MEŠANOVIĆ:T.19798-19799.

³⁰ AF1032-AF1033; P2104,p.2; P2608; P2369; D411,p.2; P11,p.3; M.STAKIĆ:D4195,para.2.

³¹ P3922; P2412; D3703; P2818/D4178,pp.1-2(partial duplicate); P3535; P3530,p.2; K.MEŠANOVIĆ:P3528,paras.5-8.

³² P3537; P3919.

³³ P3919.

³⁴ K.MEŠANOVIĆ:P3528,paras.5-6,8; P3530,p.2.

³⁵ AF1024-AF1025; AF1094; [REDACTED]; M.SEJMEMNOVIĆ:T.20468; S.SRDIĆ:D2265,p.22; NusretSIVAC:P3478,pp.68-69; NusretaSIVAC:T.20398; I.ATLIJA:P3672,pp.8-9.

³⁶ AF1096; AF1099; D4178,pp.15,24; P5470; P2740; P2637,p.2; K.MEŠANOVIĆ:T.19801; K.MEŠANOVIĆ:P3528,paras.11,65-66; P3539; P3550-P3558; P3560; P3536,pp.47-48;

[REDACTED]; I.MERDŽANIĆ:T.21402-21404,21414-21419; P3883;

[REDACTED]; NusretaSIVAC:T.20386-20388; KDZ038:P676,p.4; KDZ092:P703,p.6. See B.MANDIĆ:T.45770.

³⁷ AF1098; M.SEJMEMNOVIĆ:T.20468; KDZ014:P674,pp.10,51-52.

³⁸ AF1097; AF1100; D4178,p.20; P2818; P3535,p.2; P2968,p.7; P3536,pp.83-84; P3713; P5555; NusretSIVAC:T.19579,19605; I.ATLIJA:P3672,p.23-24; I.ATLIJA:T.20310-20311;

S.SRDIĆ:D2265,p.22; KDZ038:P676,p.4; I.MERDŽANIĆ:P3881,pp.7-8; [REDACTED];

[REDACTED]; M.MUJADŽIĆ:P3703,pp.125-126; KDZ611:P4101,p.6.

³⁹ AF1092; NusretSIVAC:P3478,pp.25-26; [REDACTED];

[REDACTED]; E.VULLIAMY:P3777,pp.39-40; E.VULLIAMY:T.21095-21096; KDZ014:P674,pp.68-70.

⁴⁰ D4178,p.26; NusretSIVAC:P3478,pp.26,221-223; NusretSIVAC:T.19605-19607;

[REDACTED]; I.ATLIJA:P3672,pp.13,104-105;

[REDACTED]; K.MEŠANOVIĆ:P3528,para.20; D4178,pp.15,20; P6606; P3536,pp.16-17,23,43; P2915; B.MANDIĆ:T.45775-45780.

surrender all weapons, or face military intervention.⁴² Although worded neutrally, the disarmament orders were selectively enforced against non-Serbs.⁴³ Nonetheless, even villages that complied with ultimatums were subsequently attacked.⁴⁴

12. In early May 1992, the 343rd mtbr strategically placed troops, tanks, howitzers and anti-armour artillery around the Prijedor area.⁴⁵ Then, in quick succession starting in late May 1992, Bosnian Serb Forces—military, police and paramilitaries⁴⁶—attacked and decimated non-Serb areas, focusing initially on the Muslim villages of Hambarine and Ljubija (23 May); Kozarac and surrounding villages (24-26 May); Kamičani (6 May); and Stari Grad, the predominantly Muslim section of old town Prijedor (30 May).⁴⁷

13. The Defence claims these initial attacks were military responses to alleged Muslim provocations, such as the 22 May checkpoint incident in Hambarine,⁴⁸ and characterised them as “combat” operations against organised Muslim extremists.⁴⁹ However, the scale, ferocity and criminality of the responses by the Serb forces reveal that these minor incidents were simply a pretext for Bosnian Serb Forces to embark upon a systematic campaign of violence targeting non-Serbs in Prijedor.⁵⁰ Following a decision by Prijedor CS to intervene militarily,⁵¹ the VRS, using tanks and other

⁴¹ AF1101; D470,p.31; P5555,p.8; [REDACTED]; P3693; NusretSIVAC:P3478,pp.144-146; NusretSIVAC:T.19607-19609; I.MERDŽANIĆ:P3881,pp.87,113-114; C.NIELSEN:P2958,para.325.

⁴² AF1021; AF1043; E.BROWN:P3914,para.2.10-2.21; P2412; D470,p.27; P2818,p.1; P3535,p.2; P3530,p.2; P3694; P3475; D4453; P3925; P3529; P6589,pp.1-2; D4178,p.19/D4035(partial duplicate); D4038; D1542; S.SRDIĆ:D2265,p.28; KDZ074:P711,p.8; [REDACTED]; I.MERDŽANIĆ:P3881,pp.9-10; I.MERDŽANIĆ:T.21430-21431; I.MERDŽANIĆ:D1922,p.2; M.MUJADŽIĆ:P3703,pp.140,147-148; NusretSIVAC:P3478,pp.212-215,237-239; M.KVOČKA:D4219,para.19; M.SEJMEHOVIĆ:T.20470-20473.

⁴³ C.KIRUDJA:P3804,para.53; M.KVOČKA:T.45622-45623; [REDACTED]; [REDACTED]. See also M.SAJIĆ:T.44134-44138.

⁴⁴ J.ARFAGIĆ:P689,pp.18-19. See also P3483,pp.2-4.

⁴⁵ E.BROWN:P3914,para.2.5; J.ARFAGIĆ:P689,pp.7-8; KDZ611:P4101,p.5. See also NusretSIVAC:P3478,p.220; P607.

⁴⁶ AF1034; AF1056-AF1059; D470,p.28; P2968,p.4; NusretSIVAC:P3478,pp.214-215.

⁴⁷ AF1061-AF1064; AF1268; [REDACTED]; P2095; P2096; M.STAKIĆ:T.45232-45237.

⁴⁸ P3485,pp.1-2; D470,p.28; P5528,pp.5-6; P2968,p.3; M.KRAJIŠNIK:T.43313; M.STAKIĆ:D4195,paras.15,18; S.MIŠKOVIĆ:T.45384-45385; D.ĐENADIJA:D4882,para.7; R.MILOJICA:D4269,pp.2-9; D.JANKOVIĆ:T.47271-47272; D.VUJIĆ:D4242,paras.2-5,12-13; B.MANDIĆ:D4229,paras.10,15; Č.ŠIPOVAC:D4230,para.11; Z.TORBICA:D4228,paras.6-8.

⁴⁹ D4869,pp.2-3; P3671; D4222; M.STAKIĆ:D4195,para.15; M.KVOČKA:D4219,paras.14-18; M.KVOČKA:T.45624,45631-45632,45640-45644; Ž.MEJAKIĆ:D4138,paras.3,30,38; D.RADETIĆ:D4226,paras.14,16-17.

⁵⁰ AF1035; AF1060; E.BROWN:P3914,paras.2.73-2.76,2.203-2.209. See also D4222.

⁵¹ D470,p.28.

heavy weaponry against a largely unarmed Muslim population,⁵² indiscriminately shelled the villages and later Stari Grad and followed with advances by infantry, paramilitary and police units, who committed widespread looting and destruction of homes, hospitals and religious sites in a effort to permanently remove the non-Serb population.⁵³ Serb forces raped, robbed and killed non-Serbs,⁵⁴ and in an organised and planned operation, rounded-up over 7,000 people and forced them onto pre-arranged bus convoys to camps: mostly men were taken to Keraterm and Omarska, while primarily women, children and the elderly sent to Trnopolje.⁵⁵ Facing virtually no resistance, total Serb control over these villages and Stari Grad was easily established by the end of May.⁵⁶ Defence witness Srdo SRDIĆ admitted that the destruction of non-Serb settlements was “obvious[ly]” carried out so that people would move away and have nothing left to come back to. SRDIĆ’s claim this was never the policy of “our leading people” is contradicted by his further admission that this was happening all over the RS and that “of course” the destruction was carried out by the VRS.⁵⁷

⁵² AF1038; D1743; D1542,p.6; KDZ048:P678,pp.15-17; NusretSIVAC:P3478,p.230;

J.ARIFAGIĆ:P689,pp.21-24; [REDACTED]

⁵³ AF1036-AF1037; AF1044-AF1047; AF1265-AF1272; AF1274; AF1279; AF1280-AF1281. *See* SIC:A.10.1-A.10.3;D.17(Prijedor). **Hambarine:** I.ATLIJA:P3672,pp.14-15; KDZ092:P703,pp.7-10,17; KDZ074:P711,pp.9-11; KDZ074:P709,pp.9,12-13,35-37,81-82; P551; P552. **Kozarac:** N.ERCEG:T.44103; S.MIŠKOVIĆ:T.45385-45386; P605; P3887,V000-0285; P3911,V000-2843; P3662,p.2; J.ARIFAGIĆ:P689,pp.24,30; [REDACTED]; E.NASIĆ:P697,p.2; I.MERDŽANIĆ:P3881,pp.13-17,21,28; P3888; P3889; P3890; P3892; I.MERDŽANIĆ:D1922,p.3;KDZ048:P678,pp.20,36-38; C.McLEOD:P712,pp.50,52,86; P625; P627; P628; P629; P630. *See also* S.SRDIĆ:D2265,pp.27,46,56-57. **Stari Grad:** M.STAKIĆ:T.45232-45235; K.MEŠANOVIĆ:P3528,paras.67-69; D4468,pp.5,7,9; P3536,pp.24-29,40-41,44-45,61-62. **General:** NusretSIVAC:P3478,pp.24-26,60-61,74-75,170-171; M.SEJMENOVIĆ:T.20478-20484; [REDACTED]; KDZ611:P4101,pp.6-7;P3483(00:01:24-00:01:48;00:08:38-00:09:02;00:11:05-00:12:38;00:13:34-00:14:10); S.BUDIMIR:D4463,p.300.

⁵⁴ *See* SIC:A.10.1;A.10.2;A10.3(Prijedor); AF1037; AF1039; AF1046-AF1049; AF1051; AF1053-AF1055; AF1057; NusretSIVAC:P3478,p.73; I.ATLIJA:P3672,p.16; [REDACTED]; M.SEJMENOVIĆ:T.20478-20484; P3671,p.2; P5405; P6685; P1171; D4869,p.3; P5555.

⁵⁵ AF1046; AF1050; P3656,p.2; P5398,p.1; P3788; J.ARIFAGIĆ:P689,pp.25-26,29; KDZ048:P678,pp.33-36; [REDACTED]; KDZ038:P676,p.11; I.MERDŽANIĆ:P3881,pp.26-27,31-34,42; NusretSIVAC:P3478,pp.217-218; NusretSIVAC:T.19567,19638-19639; M.SEJMENOVIĆ:T.20480,20482; M.STAKIĆ:T.45239; R.BRDANIN:T.43694.

⁵⁶ E.BROWN:P3914,paras.2.74,fn.392;2.203-2.208; J.ARIFAGIĆ:P689,pp.22-26,79-80,97-98; [REDACTED]; D1743; P1171; P3485; P5405,pp.1-2; P6685; D4421; P3317; P3662; P3656; P5398; NusretSIVAC:T.19592-19593; NusretSIVAC:P3478,pp.23-24; P3662; M.STAKIĆ:D4195,para.19; P2105.

⁵⁷ S.SRDIĆ:D2265,pp.56-57.

14. Following this initial onslaught and subsequent “mopping up” operations against insignificant numbers of non-Serb “rebels” throughout June and July,⁵⁸ the by-now all-Serb military and police⁵⁹ abandoned all pretextual claims of combat, and during one violent week, from 20-26 July, embarked on an ethnic cleansing campaign focusing primarily on the Brdo region and western Prijedor, resulting in a further round of destruction, detentions, expulsions and executions. Serb forces looted⁶⁰ and destroyed houses;⁶¹ rounded-up and expelled approximately 20,000 non-Serbs;⁶² raped,⁶³ robbed, tortured and slaughtered non-Serbs in Briševo and Brdo area;⁶⁴ and forced survivors to bury⁶⁵ or load hundreds of the bodies onto military trucks,⁶⁶ [REDACTED].⁶⁷ They executed hundreds of Brdo-region detainees in Omarska⁶⁸ and Keraterm,⁶⁹ and executed over one hundred others in Ljubija football stadium⁷⁰ and Kipe mine.⁷¹

15. By 1993, over 80 percent of non-Serb villages in Prijedor were largely destroyed and uninhabited,⁷² virtually all Muslim places of worship damaged or demolished,⁷³ and roughly 44,000 Muslim and Croat citizens had been expelled from the municipality.⁷⁴ IKK units involved in these operations were commended for their actions and commanders were promoted: “They are an example of how one should act while defending the SR BH.”⁷⁵ **KARADŽIĆ** himself rewarded the 43rd Prijedor motorized brigade—which had played a central role throughout the criminal

⁵⁸ P5396,p.1.

⁵⁹ P2641,p.1; P6438; P5469; P3718,p.2; P6437,p.2; P2740; P2637,p.2; B.MANDIĆ:T.45770.

⁶⁰ AF1276; KDZ014:P674,pp.16,26-27; KDZ038:P676,pp.11-12; N.KARAGIĆ:P651,p.8; [REDACTED]; I.ATLIJA:P3672,pp.40-41; E.NASIĆ:P697,p.2;

⁶¹ AF1265; AF1275; AF1277-AF1278; AF1280; P3852; E.NASIĆ:P696,p.13; I.ATLIJA:P3672,pp.40-41,47-53,78-84; P3677; P3678; P3679; P3680; P3681; P3682; P3683; P3688.

⁶² AF1295; [REDACTED]; KDZ014:P674,pp.17,32-36,71; KDZ038:P676,pp.16-18; P4259; [REDACTED]; D4247; P6614.

⁶³ I.ATLIJA:P3672,p.85.

⁶⁴ See SIC:A.10.5-A.10.6;A.10.9(Prijedor).

⁶⁵ N.KARAGIĆ:P651,pp.60-65.

⁶⁶ AF1071; [REDACTED]; I.ATLIJA:P3672,pp.73-74; [REDACTED]; [REDACTED]; [REDACTED];

⁶⁸ See SIC:B.15.4(Prijedor).

⁶⁹ See SIC:B.15.1(Prijedor).

⁷⁰ See SIC:C.20.6(Prijedor).

⁷¹ See SIC:A.10.7(Prijedor).

⁷² P3852,p.2; D4010,p.3; M.SEJMENVIĆ:T.20481.

⁷³ D4010,p.3; See SIC:D.17(Prijedor).

⁷⁴ P10,p.2; P.RADIĆ:P1,pp.74-75. See also P3852,p.2.

⁷⁵ P3656,p.2; E.BROWN:P3914,paras.2.190-2.193; D3707.

campaign in Prijedor—as well as ARSIĆ who had commanded the brigade during 1992.⁷⁶

16. Defence claims that the mass exodus of non-Serbs from Prijedor villages was voluntary⁷⁷ are refuted by the clear contrary evidence from eyewitnesses⁷⁸ and frank admissions from defence witnesses that non-Serbs were expelled in order to create an ethnically-clean municipality.⁷⁹ Furthermore, military, local and regional officials openly acknowledge their goal to rid Prijedor of non-Serbs and transform it into an ethnic Serb municipality:

- KURUZOVIĆ announced the Serb plan to reduce the number of Muslims in Prijedor to 10 per cent or less, and later to reduce this to 2 percent or less;⁸⁰
- BRĐANIN proclaimed that only 3 percent of the Muslim population should stay in Serb-controlled territory;⁸¹
- Municipal representatives at the 7 June sub-regional meeting (including Prijedor) agreed Muslims and Croats should move out “[...] until a level is reached where Serbian authority can be maintained and implemented on its own territory in each of these municipalities.”;⁸²
- A Serb military command told a Muslim doctor seeking to evacuate wounded children from besieged Kozarac, “Let all of you Balija die there. We’ll kill you all anyway.”;⁸³

⁷⁶ P6612,p.3.

⁷⁷ B.MANDIĆ:D4229,paras.11-12; D.RADETIĆ:D4226,para.21; Č.ŠIPOVAC:D4230,para.15. *See also* P3742.

⁷⁸ *See e.g.* [REDACTED]; I.MERDŽANIĆ:P3881,pp.26-27,31-34,42; J.ARIFAGIĆ:P689,pp.25-26,29; KDZ048:P678,p.33-34; KDZ038:P676,p.11; NusretSIVAC:P3478,pp.217-218; NusretSIVAC:T.19567,19638-19639; M.SEJMENOVIĆ:T.20480,20482.

⁷⁹ M.STAKIĆ:T.45239,45269,45289-45290; S.SRDIĆ:D2265,p.28; N.KECMANOVIĆ:D3645,para.54. *See also* AF1274; P1379,p.161; P1405,p.105; NusretSIVAC:P3478,p.203.

⁸⁰ AF1093; I.MERDŽANIĆ:P3881,pp.76,107.

⁸¹ [REDACTED]; M.MUJADŽIĆ:T.20626-20627,20631-20633.

⁸² P2641.p.2. *See also* P3658.

⁸³ AF1047; I.MERDŽANIĆ:P3881,pp.22-25.

- Major Radmilo ZELJAJA, 43rd mtbr deputy, later full commander,⁸⁴ who had already led the brutal attack on Kozarac, informed his commander on 30 May that he was “cleansing everything”, sparing “neither women nor children”;⁸⁵
- DRLJAČA approved of the terrorisation of non-Serbs as part of the “expulsion of these people from that area”.⁸⁶

17. From May through the end of 1992, thousands of Bosnian Muslim and Bosnian Croat civilians were systematically detained in notorious camps, the three largest of which were Keraterm, Omarska and Trnopolje.⁸⁷ The coordination and logistics necessary to create and operate these camps over a lengthy period of time, and the mass, systematic crime associated with them, demonstrate that they were a planned, organised means of implementing the common purpose in Prijedor.⁸⁸ The Prijedor CS established the camps,⁸⁹ which were jointly operated by SJB, Banja Luka CSB, TO and VRS personnel, under the oversight of the Prijedor CS.⁹⁰ Prijedor SJB, Banja Luka CSB and VRS formed mixed teams of investigators from national, public and military security responsible for interrogating the detainees in the camps.⁹¹ In Omarska and Keraterm particularly, the non-Serb detainees—including numbers of females, minors, elderly and disabled—were severely mistreated; psychologically abused; starved; denied water, hygiene and medical treatment; beaten; sexually assaulted; tortured; forcibly transferred and executed.⁹² Only after exposure of these appalling conditions and treatment by foreign press brought international scrutiny and condemnation, did the RS authorities decide to close the camps.⁹³ The camp closures and detainee transfers were coordinated between civilian authorities, VRS, CSB and SJBs across municipality lines.⁹⁴

⁸⁴ E.BROWN:P3914,para.2.193.

⁸⁵ P2105. *See also* [REDACTED]

⁸⁶ [REDACTED]
⁸⁷ AF1102-AF1103; D470,pp.4-5,30-31.

⁸⁸ *See* [REDACTED]

⁸⁹ AF1105; AF1115; AF1223-AF1224; AF1126; D470,pp.2-4,29-30; P2640; D.JANKOVIĆ:T.47274; Ž.MEJAKIĆ:D4138,paras.3,8-24; M.STAKIĆ:T.45255-45257.

⁹⁰ AF1106-AF1108; AF1115; AF1193; AF1223; AF1227-AF1228; D470,pp.2-4,6,11,31; P2640,p.1; P2741; P2637; P2915,p.3; [REDACTED]

⁹¹ AF1126-AF1127; AF1207; D470,pp.3-4,6,20; P2640,p.1; Ž.MEJAKIĆ:D4138,para.10; M.KVOČKA:D4219,para.50; KW609:D4246,p.10; D.RADETIĆ:D4226,paras.30,35; M.SEJMENOVIĆ:T.20491-20492.

⁹² *See* SIC:B15.1-B15.5;C20.1-C20.4;C20.7(Prijedor).

⁹³ *See* III.D.1: KARADŽIĆ knew of crimes being committed in furtherance of the common purpose.

⁹⁴ P2772; D470,pp.3,6,11; D1551; D1864; [REDACTED]; [REDACTED]; D1865; D4464.

18. Keraterm was established during the 23-26 May attacks on Hambarine and Kozarac when the Prijedor CS decided that the military should bring non-Serb men, women and minors rounded-up from their villages to the camp located on the outskirts of Prijedor.⁹⁵ Pursuant to CS decision, Prijedor SJB, under camp commander and police reserve officer Duško SIKIRICA, provided security at the camp;⁹⁶ the mixed-team interrogators worked in the camp.⁹⁷ During the entirety of Keraterm's operation, until its closure around mid-August⁹⁸ when detainees were transferred to the VRS-run camps of Manjača and Trnopolje,⁹⁹ approximately 4,000 detainees were detained in brutal and inhumane conditions, maltreated and many killed,¹⁰⁰ including approximately 150 detainees who were massacred in Room 3 on 24 and 25 July 1992.¹⁰¹

19. News of the Room 3 massacre "resounded in Prijedor";¹⁰² the Prijedor CS, SJB, Banja Luka CSB and VRS all knew of the executions.¹⁰³ Defence witnesses claim that the killing of men from Room 3 resulted from a rebellion on the part of the detainees,¹⁰⁴ an escape attempt,¹⁰⁵ or a spontaneous revenge killing.¹⁰⁶ Apart from the low credibility of these witnesses¹⁰⁷ and the inconsistencies in their claims, the claims are unsustainable in light of: the numerous eyewitness accounts of extensive planning and meticulous set-up of the execution site, intentional gassing of detainees to provide the pretext of an escape attempt, calculated executions of wounded, and the cleaning and cover-up of the massacre site.¹⁰⁸ The complete failure to even mention the mass killing of 150 men in any subsequent RS or CSB Commission reports or SJB review reports on Keraterm,¹⁰⁹ or to order any formal investigation of the shootings by the SJB that guarded the camp, the military whose command and military police were

⁹⁵ AF1102; AF1105-AF1107; AF1192-AF1193; AF1196-AF1197; D470,pp.2-3,29,32; P2095; P2096; P6536,p.3; KDZ093:P705,pp.7-9; KDZ050:P680,pp.35-36; J.ARIFAGIĆ:P689,pp.37-38.

⁹⁶ AF1194; D470,pp.3,6,11,29. *See* D4140.

⁹⁷ AF1204; AF1207; D.RAĐETIĆ:D4226,paras.30,35; D.RAĐETIĆ:T.45677.

⁹⁸ P3549,p.4. *See also* P2968,p.5; P5555,p.4.

⁹⁹ P3549,p.4; I.MERDŽANIĆ:P3881,pp.118,121; J.ARIFAGIĆ:P689,p.56.

¹⁰⁰ *See* SIC:C.20.3(Prijedor).

¹⁰¹ *See* SIC:B.15.1(Prijedor).

¹⁰² M.STAKIĆ:D4195,para.24; M.KVOČKA:T.45622.

¹⁰³ M.STAKIĆ:D4195,para.24; D.JANKOVIĆ:T.47282,47342-47343; E.BROWN:P3914,paras.2.124-2.125; ██████████,70; D.VUJIĆ:D4242,para.8. *See also* P5437.

¹⁰⁴ D.VUJIĆ:D4242,para.8; D.JANKOVIĆ:T.47282-47283.

¹⁰⁵ D.RAĐETIĆ:D4226,para.49.

¹⁰⁶ M.STAKIĆ:D4195,para.24; M.STAKIĆ:T.45286-45287.

¹⁰⁷ *See* DCC(D.VUJIĆ;D.RAĐETIĆ;M.STAKIĆ).

¹⁰⁸ *See* SIC:B.15.1(Prijedor).

¹⁰⁹ *See* D470; P3549; P2968; P6536.

directly across from and behind Keraterm, or the Prijedor CS that established the camp,¹¹⁰ clearly reflects the Serb authorities' view that the killings were a crime that must be covered up.

20. Omarska was formally established under CS authority by written order from DRLJAČA on 31 May 1992,¹¹¹ that directed the SJB, VRS and TO jointly to provide layered security for the camp¹¹² under the command of Omarska SJB commander Željko MEJAKIĆ.¹¹³ DRLJAČA further ordered Prijedor SJB commander Dušan JANKOVIĆ to ensure implementation of his order in collaboration with the Banja Luka CSB and the regional superiors of each branch involved in the operation of the camp.¹¹⁴ MEJAKIĆ and heads of mixed interrogation teams reported every day to DRLJAČA, who was a daily presence at the camp.¹¹⁵ Between 27 May and 21 August 1992, when Omarska closed, thousands of non-Serbs had been detained in Omarska and subjected to interrogation.¹¹⁶

21. Following interrogation, detainees were placed in one of three categories. According to Serb authorities, the first category included “persons [...] who directly organised and took part in the armed rebellion”; the second category included persons who supported or assisted category one detainees in the armed rebellion; and the third category was reserved for those of “no security interest”.¹¹⁷ In practice, however, category one detainees largely comprised the non-Serb leadership in Prijedor—intellectuals and political leaders—who were earmarked for particularly brutal beatings and torture and ultimately for “elimination” and “liquidation”.¹¹⁸ Accordingly, a substantial number of prominent Bosnian Muslim and Bosnian Croat political leaders,¹¹⁹ doctors,¹²⁰ lawyers and judges,¹²¹ professors and teachers,¹²²

¹¹⁰ D.RADETIĆ:T.45673,45675,45686-45688; P6594; D.JANKOVIĆ:T.47342-47343.

¹¹¹ AF1124; AF1126; P2640; D470,pp.3-4,29,32; Ž.MEJAKIĆ:D4138,paras.3,7.

¹¹² AF1128-AF1129; AF1134; AF1137; D470,pp.4,11,29-30,32; P2640,pp.1-2; P5520; Ž.MEJAKIĆ:T.44232-44233; M.KVOČKA:D4219,para.38.

¹¹³ AF1128-AF1129; AF1131; AF1133; P2640,pp.2-3; Ž.MEJAKIĆ:D4138,paras.2,13,19; KW609:D4246,pp.10-11,28-29; [REDACTED];

[REDACTED]; NusretSIVAC:P3478,pp.66-67; P5520.

¹¹⁴ AF1130; AF1132; P2640,p.3; M.KVOČKA:D4219,para.9; M.KVOČKA:T.45580; KW609:D4246,p.23.

¹¹⁵ Ž.MEJAKIĆ:D4138,paras.18-19; Ž.MEJAKIĆ:T.44231-44232.

¹¹⁶ AF1117-AF1118; D470,pp.4-5,30-31; P5528,p.5; P6585.

¹¹⁷ AF1120; D470,pp.4,30; P3549,p.4; Ž.MEJAKIĆ:T.44229; KW609:D4246,pp.29-30,34-37;

[REDACTED]; M.GRUBAN:T.47474,47507-47508,47520-47521.

¹¹⁸ AF1120-AF1121; K.MEŠANOVIĆ:P3528,paras.33,47; K.MEŠANOVIĆ:T.19852. See P956,pp.17,24.

¹¹⁹ **Political leaders:** See e.g. Professor Muhamed ČEHAJIĆ (Municipal Assembly President, former Prijedor mayor, SDA member); Silvije ŠARIĆ (Prijedor HDZ President, lawyer); Bećir

managers or businessmen,¹²³ and police¹²⁴ were targeted in an organised series of killings according to profession and community position,¹²⁵ their bodies, when found, were later exhumed from mass graves.¹²⁶

22. Trnopolje became operational during the Hambarine and Kozarac attacks,¹²⁷ and was run by Serb military under the command of Major KURUZOVIĆ,¹²⁸ TO

MEDUNJANIN (Secretary, People's Defence of Prijedor); Ćamil PEZO (SDA Board Vice-President, manager-general Pobjopromet); Rufat SULJANOVIĆ (member SDA Board, physician); Islam BEHONJIĆ (member Kozarac SDA Board); Velida MAHMULJIN (Municipal Assembly SDA Deputy); Idriz JAKUPOVIĆ (member of SDA, Director Social Welfare Centre Prijedor); Mehmedalija KAPETANOVIĆ (Secretary, Municipal Secretariat of Education and Culture); Senad MUJKANOVIĆ (Secretary, Municipal Secretariat for Urban Planning); Meho TURSIĆ (Revenue Office head); Mehmedalija SARAJLIĆ (president, Executive Council of Municipal Assembly, Ljubija mine engineer). AF1121; AF1187; [REDACTED]; NusretSIVAC:P3478,pp.80,130; K.MEŠANOVIĆ:P3528,para.29; [REDACTED]; [REDACTED];

KDZ048:P678,pp.58-59; Ž.MEJAKIĆ:T.44245.

¹²⁰ **Doctors/medical personnel:** See e.g. Dr. Esad SADIKOVIĆ; Dr. Osman MAHMULJIN (specialist internal diseases, Vice-President management board, Medical Centre Prijedor); Dr. Jusuf PAŠIĆ; Dr. Enes BEGIĆ; Dr. Željko SIKORA; Dr. Rufat SULJANOVIĆ (member SDA Board); Islam BAHONJIĆ (x-ray technician). AF1188-AF1189; [REDACTED]; NusretSIVAC:P3478,pp.136-137; Ž.MEJAKIĆ:T.44258-44259,44264.

¹²¹ **Lawyers/Judges:** See e.g. Esad MEHMEDAGIĆ (deputy Municipal Public Prosecutor); Nedžad ŠERIĆ (Prijedor Court President); Omer KERENOVIĆ (Municipal Court judge, President of Elections Board); Ahmet ATAROVIĆ (defence lawyer); Ismail BURAZOVIĆ (public construction lawyer). NusretSIVAC:P3478,pp.80,83-84,130; [REDACTED]; NusretaSIVAC:T.20382; [REDACTED];

¹²² **Teachers:** See e.g. Sadeta MEDUNJANIN; Edna DAUTOVIĆ; Abdulah PUŠKAR; Husein CRNKIĆ (SDA deputy to local parliament); Mustafa TADŽIĆ; Fikret MUJAKIĆ. AF1186; [REDACTED]; [REDACTED];

KDZ048:P678,p.58; [REDACTED]; M.MUJADŽIĆ:P3703,pp.167-168.

¹²³ **Managers/Businessmen:** See e.g. Zlatan BEŠIREVIĆ (director, Bosna Montaža); Zijad MAHMULJIN (economist, manager/director, Kozarac sawmill Dijel Kozarac, president Municipal Executive Committee); Ziko CRNALIĆ (wealthy restaurant owner); Asif KAPETANOVIĆ (wealthy restaurant owner); Fikret MUJIDIĆ (economist Čelpak factory); Ešref CRNKIĆ (electrical engineer Ljubija mine, uncle to Mirsad MUJADŽIĆ); Hamdija BALIĆ (owner Kozarac textile mill); Kadir MUJKANOVIĆ (railway station manager). [REDACTED]; NusretSIVAC:P3478,pp.134-135.

¹²⁴ **Police:** See e.g. Ago SADIKOVIĆ (inspector Prijedor SUP); Mirzet LISIĆ (inspector Prijedor SUP); Hamdija ARIFAGIĆ (Kozarac police); Senad SARAJLIĆ (Kozarac police); Esad ALIĆ (Kozarac police); Ismet ARAS; Meho MAHMUTOVIĆ; Hajrudin JAKUPOVIĆ (Kozarac police); Mirhad MRKALJ (Prijedor police station). [REDACTED]; KDZ048:P678,pp.54-55; NusretSIVAC:P3478,p.84; [REDACTED]; [REDACTED];

¹²⁵ AF1191; NusretSIVAC:P3478,pp.83-84; KDZ048:P678,pp.56-59; M.SEJMENOVIĆ:T.20484-20485; [REDACTED];

¹²⁶ See SIC:B.15.2-B.15.3(Prijedor); A.MAŠOVIĆ:P4853(B/C/S). See also [REDACTED]; [REDACTED]; A.MAŠOVIĆ:P4856(B/C/S); P5519.

¹²⁷ AF1223; D470,pp.2,28; NusretSIVAC:P3478,pp.140; I.MERDŽANIĆ:P3881,p.42; KDZ038:P676,p.25.

¹²⁸ AF1227-AF1228; S.PUHALIĆ:D4008,para.3; I.MERDŽANIĆ:P3881,pp.46-47; D4468,p.6; D470,p.28; P2772; D3968; [REDACTED]; KDZ611:P4101,p.8; [REDACTED]; KDZ048:P678,p.41; KDZ038:P676,p.26.

commander and Prijedor CS member,¹²⁹ from 24 May¹³⁰ to September 1992, when the RS Presidency transferred control of the camp to Prijedor Red Cross, organised and funded by the Prijedor Serb Assembly.¹³¹ According to the Prijedor Red Cross, over 23,000 people had been detained at Trnopolje by the end of September 1992;¹³² and Trnopolje continued to operate until the end of 1992.¹³³

23. Trnopolje was described by RS officials and Defence witnesses as an “open collection centre” where non-Serb refugees voluntarily came and stayed for protection.¹³⁴ This is contradicted by overwhelming contrary evidence by detainees¹³⁵ and international observers,¹³⁶ not to mention STAKIĆ’s apologetic in-court admission that the people in Trnopolje were not there voluntarily.¹³⁷

24. At Trnopolje, Serb authorities systematically gathered civilians for deportation to other parts of BiH and third countries; convoys of buses and train cattle cars carrying thousands of non-Serbs frequently left the camp.¹³⁸ The convoys were jointly arranged and managed across municipality lines by Prijedor CS, Prijedor SJB, Banja Luka SJB and the VRS.¹³⁹

25. Defence claims that non-Serbs voluntarily joined convoys to leave their homes through Trnopolje¹⁴⁰ do not stand up to scrutiny in light of the eyewitness accounts

¹²⁹ E.BROWN:P3914,para.2.19; P3710; P3536,p.8.

¹³⁰ D470,pp.2,28; NusretSIVAC:P3478,pp.140; I.MERDŽANIĆ:P3881,p.42; KDZ038:P676,p.25.

¹³¹ AF1223-AF1224; P6585; P2958,para.305; P6504,pp.2,11.

¹³² P6504,p.9.

¹³³ AF1224; C.KIRUDJA:P3804,para.74,fn.187; P3833; P2968,p.5. See D3110; P4859,p.10;

¹³⁴ P3784[00:02:34-00:03:03]; S.AVLJIAŠ:D3105,para.38; P3549,p.3; D470,pp.2,28-29; P5471,p.2; D3968; S.PUHALIĆ:D4008,paras.6-7,11,18-19; S.PUHALIĆ:T.43397-43399,43402-43405; D4009;P636,pp.1-2; Č.ŠIPOVAC:D4230,para.15.

¹³⁵ [REDACTED]; KDZ048:P678,pp.40-41; M.SEJMENOVIC:T.20490; [REDACTED]; I.MERDŽANIĆ:P3881,pp.37-42,117-118; P3894;

KDZ038:P676,p.30; NusretSIVAC:P3478,p.141; P3785(00:08:30-00:09:40;00:19:48-00:20:53); P6503,00:34-25-00:34:52. The abuses suffered by detainees contradict the contention that they were there voluntarily. AF1237; I.MERDŽANIĆ:P3881,pp.53-57,60-61,64-65,71,79-80; P3903; P3904; P3905; P3906; P3907; P3896; P3897; KDZ611:P4101,p.30; KDZ054:P682,p.26.

¹³⁶ C.McLEOD:P712,p.49; E.VULLIAMY:T.21114-21116.

¹³⁷ AF1230; M.STAKIĆ:T.45239; P2741; P2915,p.3; S.SRDIC:D2265,p.22; [REDACTED]; [REDACTED]; KW609:T.46145; [REDACTED]; M.GRUBAN:T.47508; S.PUHALIĆ:D4008,para.14; P2637; P2915,p.3; P5528,p.5; D1872,p.1; P3721; P4859,p.10; [REDACTED]; D4380,p.1.

¹³⁸ AF1296-AF1297; I.MERDŽANIĆ:P3881,pp.37,44,74-75; [REDACTED]; KDZ611:P4101,p.13; KDZ054:P684,p.8; KDZ038:P676,pp.27-28; D3110; M.KVOČKA:T.45628; P2072(00:01:50-00:02:17).

¹³⁹ P5503; [REDACTED]; E.BROWN:P3914,paras.2.135,2.155.

¹⁴⁰ S.AVLJIAŠ:T.35130-35132; B.MANDIĆ:T.45764. See also S.PUHALIĆ:D4008,para.13.

that people were forced to leave,¹⁴¹ international and media organisations' observations that "[w]hole minority groups comprising tens of thousands of civilians are systematically transferred by force [...]",¹⁴² and Defence witness admissions that conditions and crimes in Prijedor made it impossible for non-Serbs to stay.¹⁴³ Even in October 1992, 3,000-4,000 Muslims and Croats gathered at Trnopolje desperate to be transported out of the RS due to the pressure placed on them to leave.¹⁴⁴

26. Similarly, Defence claims that Omarska and Keraterm were legitimate "investigation centres" housing suspected criminals¹⁴⁵ are untenable in light of: overwhelming evidence that virtually all the detainees were innocent civilians;¹⁴⁶ even those determined to be of no security interest were not released but were further detained and expelled;¹⁴⁷ and—as admitted by several Defence witnesses—despite thousands of interrogations,¹⁴⁸ there were few criminal reports generated and essentially no prosecutions.¹⁴⁹

27. Around 15 July 1992, representatives from the ARK—ŽUPLJANIN, BRDANIN, Radislav VUKIĆ, and Predrag RADIĆ—together with Prijedor CS members STAKIĆ, DRLJAČA and KOVAČEVIĆ, and SDS leaders MIŠKOVIĆ and SRDIĆ, personally visited Omarska¹⁵⁰ and witnessed non-Serb civilians detained in inhumane conditions and forced to give the Serb salute and sing Serb nationalist songs.¹⁵¹

¹⁴¹ KDZ611:P4101,pp.8,12; KDZ054:P684,p.8; KDZ038:P676,pp.27-28,32-33,36-37;

[REDACTED]; KDZ048:P678,p.42; E.BROWN:P3914,para.2.145.

¹⁴² P807,p.2; [REDACTED]; [REDACTED]; [REDACTED]; P2070; P2072.

¹⁴³ M.STAKIĆ:T.45221-45222,45269-45270,45289; S.SRDIĆ:D2265,p.37; M.KVOČKA:T.45628-45629,45651; N.KECMANOVIĆ:D3645,para.54.

¹⁴⁴ P6504,pp.9-10; [REDACTED].

¹⁴⁵ Č.ŠIPOVAC:D4230,para.15; Ž.MEJAKIĆ:D4138,para.26; Ž.MEJAKIĆ:T.44215-44216; M.GRUBAN:D4388,para.4.

¹⁴⁶ KW609:D4246,pp.26-27,158-159,176-179; B.MANDIĆ:T.45766-45767; P3720; P3929,pp.3-4;

[REDACTED]; [REDACTED]; [REDACTED]; [REDACTED];

¹⁴⁷ AF1131; P1090; P2637; P2741; P2915,p.3; M.KVOČKA:T.45617; [REDACTED]; [REDACTED]; KW609:T.46145; [REDACTED]; S.SRDIĆ:D2265,p.22.

See also M.GRUBAN:T.47508.

¹⁴⁸ P2968,pp.5,12; KW609:D4246,p.29.

¹⁴⁹ [REDACTED]; P6536,p.6; S.MIŠKOVIĆ:T.45391-45392; S.MIŠKOVIĆ:P6591,p.62; M.GRUBAN:T.47520-47521; P5528,pp.5-6; P5555,p.5. See also [REDACTED].

¹⁵⁰ AF1135; P11; P3482; P.RADIĆ:P1,pp.79-80; P.RADIĆ:P2,pp.29-30,34; S.MIŠKOVIĆ:T.45386-45388; S.MIŠKOVIĆ:P6590,p.66; [REDACTED];

K.MEŠANOVIĆ:P3528,para.57; [REDACTED];

¹⁵¹ AF1135; P.RADIĆ:P1,pp.75-77; S.MIŠKOVIĆ:T.45388-45389; S.MIŠKOVIĆ:P6590,pp.68-69;

[REDACTED].

28. MEJAKIĆ claimed that after this visit, Serb officials, including ŽUPLJANIN, angrily denounced Omarska and demanded it be dismantled.¹⁵² However, this contention is refuted not only by the fact that this did not occur, but also by ŽUPLJANIN's subsequent seeking of the "decisive view" of RS officials on the status of detainees of no security interest, recommending they continue to be held as "hostages" for exchange.¹⁵³ Following his visit, BRĐANIN announced, "What we have seen in Prijedor is an example of a job well done [...]".¹⁵⁴

29. As discussed elsewhere, the international outcry following the discovery of Omarska and Trnopolje by foreign journalists spurred RS authorities to close Omarska and Keraterm and generate a flurry of reports which amounted to a whitewash.¹⁵⁵ DRLJAČA and MEJAKIĆ followed the Republic-level lead, providing the media an "official version" of facts concerning Omarska that paraphrased the sanitised information in the reports.¹⁵⁶ DRLJAČA also ordered MEJAKIĆ to destroy documents from 1992.¹⁵⁷

30. After the first truncated visits to camps in early August by foreign journalists and ICRC representatives resulted in a public outcry over "concentration camp"-like conditions,¹⁵⁸ Serb officials took cosmetic steps. Starting on 18 August, they denied ICRC access to Trnopolje for one week.¹⁵⁹ In that interim, officials prepared Trnopolje for subsequent visits by foreign press and ICRC by expelling innumerable detainees by convoy,¹⁶⁰ including the men subsequently executed at Korićanske Stijene on 21 August.¹⁶¹ When ICRC regained access on 26 August, it registered detainees for the first time.¹⁶²

¹⁵² Ž.MEJAKIĆ:D4138,para.25; Ž.MEJAKIĆ:T.44264-44265.

¹⁵³ P1097.

¹⁵⁴ P11,p.2; P3479; P3482.

¹⁵⁵ See III.D.1: KARADŽIĆ knew of crimes being committed in furtherance of the common purpose; III.D.2.(a): KARADŽIĆ made no genuine attempt to exercise his authority to prevent crimes or punish the perpetrators.

¹⁵⁶ Ž.MEJAKIĆ:T.44292-44295.

¹⁵⁷ Ž.MEJAKIĆ:T.44288-44290.

¹⁵⁸ See III.D.1: KARADŽIĆ knew of crimes being committed in furtherance of the common purpose; E.VULLIAMY:P3788.

¹⁵⁹ P807,p.3.

¹⁶⁰ I.MERDŽANIĆ:T.21395-21398.

¹⁶¹ See SIC:B.15.6(Prijedor); III.D.1: KARADŽIĆ knew of crimes being committed in furtherance of the common purpose; III.D.2.(b): KARADŽIĆ propagated a policy of non-prosecution of crimes against non-Serbs.

¹⁶² P807,p.3; KDZ038:P676,pp.33-34; I.MERDŽANIĆ:P3881,p.86. See D4253,p.9.

31. The failure to investigate or punish the known perpetrators of the Korićanske Stijene massacre¹⁶³ is consistent with the overall failure of Serb authorities to prosecute and punish crimes against non-Serbs in Prijedor municipality. After KUPREŠANIN was informed of the killings of unarmed civilians in the non-combat zone of Briševo, he informed KRAJIŠNIK, PLAVŠIĆ as well as ministers or military commanders about the killings; KUPREŠANIN admitted the government did not do its job to identify, punish and hold responsible the perpetrators.¹⁶⁴ Additionally, despite repeated reports of serious crimes committed against detainees held in Omarska, Keraterm and Trnopolje,¹⁶⁵ RS authorities failed to investigate or prosecute these crimes.¹⁶⁶ Instead, well-known perpetrators, such as the CSB Banja Luka Special Detachment, were given awards and then absorbed into the 1KK.¹⁶⁷ Even the most notorious perpetrators—such as Zoran ŽIGIĆ and Duško KNEŽEVIĆ—were not punished, while considerable resources were spent investigating and prosecuting crimes against Serbs.¹⁶⁸

32. In 1993, local and RS officials were working together in an effort to conceal the evidence of the horrors of the Prijedor crimes. Around the end of May 1993,¹⁶⁹ the MUP Minister sent DRLJAČA to SUBOTIĆ and other military leaders with a proposal that the military burn or grind up 5,000 Muslim bodies “buried” at Tomašica mine.¹⁷⁰ SUBOTIĆ went to the Tomašica mine.¹⁷¹ Later, SUBOTIĆ and KRAJIŠNIK went to Prijedor where they learned that the Tomašica burial site was “well known”.¹⁷² Though SUBOTIĆ claims he asked the Minister of Justice Jovo ROSIĆ to conduct an investigation, he did not pursue it any further.¹⁷³ Instead, military leaders sought the opinion of MLADIĆ about DRLJAČA’s proposal: MLADIĆ expressed his

¹⁶³ See III.D.2.(b): KARADŽIĆ propagated a policy of non-prosecution of crimes against non-Serbs.

¹⁶⁴ V.KUPREŠANIN:T.43531-43535,43575; V.KUPREŠANIN:P6510,pp.17-18;

I.ATLIJA:P3672,pp.43,86-100.

¹⁶⁵ D4139; D4140; M.KVOČKA:T.45597-45598; Ž.MEJAKIĆ:D4138,para.15; Ž.MEJAKIĆ:T.44218-44220,44242-44243,44245,44282-44284; D.RADETIĆ:T.45681; S.PUHALIĆ:T.43412; S.PUHALIĆ:D4008,para.25; M.STAKIĆ:T.45249-45251.

¹⁶⁶ See e.g. III.D.2.(b): KARADŽIĆ propagated a policy of non-prosecution of crimes against non-Serbs. Numerous Prijedor officials involved in serious crimes were prosecuted years later by the ICTY or BiH authorities. See e.g. M.STAKIĆ:T.45221; M.GRUBAN:T.47438-47442; M.KVOČKA:T.45577-45578; Ž.MEJAKIĆ:T.44221-44222; D.JANKOVIĆ:T.47306-47314.

¹⁶⁷ D4139; D4225; P5465; P2780; P2978,p.9.

¹⁶⁸ B.MANDIĆ:T.45782-45783; P6607.

¹⁶⁹ P1483,p.151.

¹⁷⁰ P1483,pp.154-155.

¹⁷¹ B.SUBOTIĆ:T.40140.

¹⁷² B.SUBOTIĆ:T.40140-40141.

¹⁷³ B.SUBOTIĆ:T.40140-40141.

position—“They killed them, so they should get rid of them”. He suggested a military investigation, but clearly not with the aim of holding the perpetrators accountable, as he advised that the information be “retained well”.¹⁷⁴

33. Defence claims that DRLJAČA was a rogue police chief¹⁷⁵ cannot possibly account for the mass, systematic crimes against Prijedor non-Serbs carried out by multiple co-operating military and civilian organs. In any event, the evidence shows that DRLJAČA followed and responded to Banja Luka CSB directions,¹⁷⁶ submitted comprehensive reports to the CSB and Prijedor CS,¹⁷⁷ and implemented CS decisions, as a CS member.¹⁷⁸ DRLJAČA’s close connection to, and support from, CSB and MUP is evident from his 30 July 1992 retroactive appointment to Chief of Prijedor SJB by ŽUPLJANIN, with notice sent to MUP.¹⁷⁹ Ultimately, DRLJAČA was not condemned as a rogue, but rewarded as a hero.¹⁸⁰

34. More broadly, the Accused presented an inconsistent and incoherent Prijedor defence. CS President STAKIĆ admitted the MUP and VRS committed mass crime against Muslims and Croats in Prijedor,¹⁸¹ while disclaiming any CS involvement or authority over the military or police.¹⁸² SRDIĆ, in contrast, blamed the CS for the widespread destruction and killings¹⁸³ (while somewhat inconsistently admitting that the VRS was principally responsible for the destruction).¹⁸⁴ Yet a third theory was put forward by CS member Boško MANDIĆ, who made the absurd assertion that any murders or “incidents” were the fault of out-of-control individuals or groups exacting “personal revenge.”¹⁸⁵ Meanwhile municipal SDS President MIŠKOVIĆ strove to distance the SDS from events in Prijedor, emphasizing his efforts to have the

¹⁷⁴ P1483,p.155.

¹⁷⁵ S.AVILJAŠ:T.35188-35189; G.MAČAR:D3663,para.20; Ž.MEJAKIĆ:T.44265-44266; N.KREJIĆ:P3760,p.43; N.KREJIĆ:T.20861-20862; M.STAKIĆ:T.45247-45248.

¹⁷⁶ P5518; D4453; D1537; D4220; P2744; D4222; D4224; P5471; P2772; D3968; D4380,p.1; D1814; P3549; P3752; D1864; D1865; D1866; D476; D4458. *See also* D.JANKOVIĆ:T.47271.

¹⁷⁷ P5528; P5555; P2968; P6536; D470,pp.27-33. *See also* P9,pp.1-2.

¹⁷⁸ P2605,p.2; P2640; P9; P2637; P2915; P3529; D1542,pp.1,6. *See also* P2793;

¹⁷⁹ P6379,pp.5-6.

¹⁸⁰ *See* III.D.2. (b): KARADŽIĆ propagated a policy of non-prosecution of crimes against non-Serbs; III.D.2.(c): KARADŽIĆ rewarded perpetrators of crimes against non-Serbs.

¹⁸¹ M.STAKIĆ:T.45221-45222.

¹⁸² M.STAKIĆ:D4195,paras.21,23,30; M.STAKIĆ:T.45229-45231,45234,45239-45241,45251-45253,45259-45260,45294-45295. *See also* S.BUDIMIR:D4463,pp.70-71,73-74.

¹⁸³ S.SRDIĆ:D2265,pp.6-7,20,32,59-60.

¹⁸⁴ S.SRDIĆ:D2265,pp.56-57.

¹⁸⁵ B.MANDIĆ:D4229,para.19.

municipal leadership dismissed.¹⁸⁶ This claim is both incoherent and ultimately irrelevant given that municipal organs were created and dominated by the SDS.¹⁸⁷

35. These contradictory and confused attempts by former Prijedor municipal authorities to cast blame on each other or on others merely underscore the overwhelming evidence demonstrating the cooperation between political, civilian and military organs in their joint effort to effect the violent permanent removal of Prijedor's Muslims and Croats.

36. Defence attempts to portray Prijedor as a rogue municipality—a “state within a state”—cut off from Pale and beyond its control¹⁸⁸ are similarly untenable. Municipal authorities cooperated principally with MUP and VRS—centralised, hierarchical forces with sophisticated communications networks¹⁸⁹—to implement the common criminal purpose in Prijedor.¹⁹⁰ Furthermore as discussed elsewhere,¹⁹¹ **KARADŽIĆ** and the BSL led efforts to whitewash the most high-profile Prijedor crimes—which came to their personal attention—while maintaining the broader campaign of violent permanent removal.

¹⁸⁶ S.MIŠKOVIĆ:T.45399-45406; S.MIŠKOVIĆ:D4206,paras.6,13,17; D4209.

¹⁸⁷ *See above*; S.MIŠKOVIĆ:T.45402-45404.

¹⁸⁸ M.STAKIĆ:D4195,para.14; M.STAKIĆ:T.45301-45302; V.KUPREŠANIN:T.43541-43542; B.MANDIĆ:D4229,paras.16,22; M.KVOČKA:D4219,para.10; M.SAJIĆ:D4114,para.12; S.MIŠKOVIĆ:D4206,para.12; S.MIŠKOVIĆ:T.45345.

¹⁸⁹ *See* III.C.8.(h): RSMUP; III.C.8.(i): VRS; III.C.9: KARADŽIĆ had a comprehensive communications network.

¹⁹⁰ *See e.g.* SIC:A.10.1-A.10.9;B.15.1-B.15.6;C.20.1-C.20.7;D.17.

¹⁹¹ *See* III.D: KARADŽIĆ shared the intent for the crimes.

Rogatica

I. ROGATICA MUNICIPALITY

A. Overview

1. In 1991 the ethnic composition of Rogatica municipality was 60% Muslim, 38% Serb and 2% other.¹ By late 1992, as a result of a campaign of violence led by the VRS Rogatica Brigade under Rajko KUŠIĆ's command, the Muslim population of Serb-controlled parts of the municipality had largely fled in fear, or been killed or expelled.²

2. The expulsion and other crimes against Rogatica Muslims furthered the first and third strategic goals.³ Rogatica, which was "wedged between Goražde and Žepa",⁴ was linked to the establishment of a corridor in the Drina River valley and the eradication of the Drina River as a border.⁵ Velibor OSTOJIĆ explained to the Assembly in March 1994 that Rogatica was one of four "extremely sensitive" areas to be worked on in order to ensure "geographic continuity of the Serbian population".⁶ In addition, Rogatica was strategically significant with respect to both communication and transport between Serbia and Sarajevo.⁷ In 1995 KARADŽIĆ acknowledged the dramatic demographic transformation of Rogatica, linking this to its strategic importance:

To tell the truth, there are towns that we've grabbed for ourselves, and there were only 30% of us. [...] Don't let this get around, but remember how many of us there were in Bratunac, how many in Srebrenica, how many in Višegrad, how many in Rogatica, how many in Vlasenica, in Zvornik, etc. Due to strategic importance they had to become ours, and no one is practically questioning it any more.⁸

3. Sveto VESELINOVIĆ (SDS Rogatica Municipal Board President and SDS Romanija Regional Board President)⁹ explained that KARADŽIĆ's reference to the demographic transformation of Rogatica related to "cutting off that green transversal,

¹ P3281; P2829. *See also* E.TABEAU:P4994,pp.22,31,34,37,40; E.PASIĆ:P59,p.2.

² [REDACTED]; P3280. After the fall of Žepa, there were virtually no Muslims left in the municipality. S.VESSELINOVIĆ:T.45110.

³ *See* III.C.5.(a): The strategic objectives as articulated at the 16th Assembly.

⁴ P2832,p.2.

⁵ P781.

⁶ P1388,p.168.

⁷ [REDACTED]; D232.

⁸ P988,pp.68-69.

⁹ S.VESSELINOVIĆ:D2950,paras.3,9; D2958; P6105.

the connection with Sandzak”, and did not deny that crimes against Muslims in Rogatica furthered BSL policies.¹⁰

B. Build-up to the conflict

4. In mid-1991, echoing **KARADŽIĆ**'s World War II propaganda and his warnings that efforts to secede from Yugoslavia would be dealt with by force, **VESELINOVIĆ** stated publicly that “the Serbs in Bosnia and Herzegovina are ready and that 1941 will never be repeated”.¹¹ In September 1991, **KARADŽIĆ** ordered **VESELINOVIĆ** to mobilise the Serbs in Rogatica.¹²

5. In December 1991, the Rogatica SDS implemented Variant A/B, establishing separate Serb municipal organs, including a Serb Municipal Assembly with Tomislav **BATINIĆ** (former Municipal Vice-President) as its President, and an SDS CS commanded by **VESELINOVIĆ**.¹³ The CS kept the SDS leadership informed of the situation in Rogatica,¹⁴ and acted on **KARADŽIĆ**'s instructions.¹⁵ On 8 April 1992, the SDS Main Board converted the CS into an expanded Serb Municipal CS, whose members included **KUŠIĆ**, **VESELINOVIĆ** and Mile **UJIĆ**.¹⁶ **KUŠIĆ** was also an SDS Main Board member with close ties to both **KARADŽIĆ** and **KRAJIŠNIK**.¹⁷

6. The distribution of JNA and TO weapons to Serbs in the Rogatica area commenced in late 1991 and early 1992.¹⁸ Mladen **VASILJEVIĆ** (Rogatica SJB Commander),¹⁹ **VESELINOVIĆ**, **KUŠIĆ** and Mićo **ANDRIĆ** were involved in arming Serbs.²⁰ JNA soldiers and officers distributed weapons and ammunition

¹⁰ S.VESELINOVIĆ:T.45110-45111.

¹¹ D2953,p.1; S.VESELINOVIĆ:D2950,para.9; S.VESELINOVIĆ:T.33901-33902. *See also*

¹² P3406; S.VESELINOVIĆ:T.45093-45101.

¹³ P3407,pp.5-7; P5,p.7; T.BATINIĆ:D2930,paras.6,14,19; T.BATINIĆ:T.33668-33670; S.VESELINOVIĆ:D2950,para.13; P2835,p.1; T.BATINIĆ:T.33673-33674,33712-33713; M.UJIĆ:T.33450-33451.

¹⁴ S.VESELINOVIĆ:D2950,para.13; S.VESELINOVIĆ:T.33877.

¹⁵ P6105.

¹⁶ AF2497; P2835,p.1; M.UJIĆ:T.33451; D2960; D2959; S.VESELINOVIĆ:D.2950,paras.13-14; S.VESELINOVIĆ:T.33877-33879.

¹⁷ P3408,p.2; [REDACTED]. *See also* [REDACTED].

¹⁸ [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; E.PASIĆ:P59,pp.12-14,19; A.BAŽDAR:P3286,p.3; A.ISAKOVIĆ:P128,p.2; A.ISAKOVIĆ:P127,p.2; P1383,p.164; P5844; P2830,pp.1,3.

¹⁹ [REDACTED]; KDZ606:T.18292-18293; [REDACTED].

²⁰ [REDACTED]; E.PASIĆ:P59,pp.13-14.

directly to the local Serb population,²¹ in such a manner that Asim DŽAMBASOVIĆ (JNA's 216th Mountain Brigade Chief of Staff) concluded that senior Serb political and military officials planned and organised these activities.²² In contrast, the Muslim population was basically unarmed.²³ The JNA presence and the arming of Serbs, left the Muslim population intimidated and frightened.²⁴

7. With JNA assistance, in early 1992 the SDS began forming paramilitary units in Rogatica, the first of which was led by KUŠIĆ.²⁵ The relationship between SDS representatives and the JNA became that of a "brotherhood", with KUŠIĆ visiting Col. Dragomir MILOŠEVIĆ at the 216th Mountain Brigade's barracks regularly.²⁶ In early March, KUŠIĆ's unit was integrated into the Brigade's 1st Battalion based in Gučevo, issued JNA weapons, and deployed to the Borike plateau.²⁷ Despite never being listed in official JNA records,²⁸ KUŠIĆ's unit cooperated with the JNA and reported to MILOŠEVIĆ.²⁹

8. These units began to terrorise non-Serb citizens almost immediately.³⁰ By late March 1992, both Serbs and Muslims had erected checkpoints in areas of the municipality where they were in the majority.³¹ Armed soldiers and paramilitaries manning Serb checkpoints intimidated Muslim civilians, searched their vehicles,

²¹ A.DŽAMBASOVIĆ:P2828,paras.27,36,39,41-54,82-83. Multiple entries in DŽAMBASOVIĆ's diary document such events. P2831,pp.8-10,18,27,28. *See also* D4002,p.28.

²² A.DŽAMBASOVIĆ:P2828,paras.49-54,89-90.

²³ [REDACTED]; E.PASIĆ:P59,p.15; A.BAŽDAR:P3286,p.3;

A.ISAKOVIĆ:P127,p.2; A.DŽAMBASOVIĆ:T.15156.

²⁴ A.ISAKOVIĆ:P127,p.2. *See also* A.BAŽDAR:P3286,p.3; [REDACTED].

²⁵ AF2494; [REDACTED]; P2830,p.2;

A.DŽAMBASOVIĆ:P2828,paras.65-68,71,119,121; [REDACTED];

T.BATINIĆ:T.33676-33677; D568,pp.1-2; P1505,p.2. *See also* III.C.8.(k): TO.

²⁶ A.DŽAMBASOVIĆ:P2828,paras.28,76-77.

²⁷ AF1973; A.DŽAMBASOVIĆ:P2828,para.55-59,65-66,71,119,121,123; P2831,p.22; P2829;

A.DŽAMBASOVIĆ:T.15152-15154; P2832,pp.2-3; P3270,p.2; P2834; P2830,p.2. *See also* P2838,p.2;

[REDACTED] KDZ606:T.18257-18258; A.ISAKOVIĆ:P128,p.2;

E.PASIĆ:P59,pp.10-11; T.BATINIĆ:T.33676-33677; I.GOLIĆ:D2665,para.10.

²⁸ A.DŽAMBASOVIĆ:P2828,para.71.

²⁹ *See e.g.* A.DŽAMBASOVIĆ:P2828,paras.58,66,83. *See also* para.68; A.DŽAMBASOVIĆ:T.15176;

[REDACTED]; KDZ606:T.18313-18315.

³⁰ A.DŽAMBASOVIĆ:P2828,paras.66-67,72; P2831,p.27. *See also* AF2500; P3269,p.3;

[REDACTED]; KDZ606:T.18255-18356.

³¹ P2838,p.2; P3272; P3271; A.DŽAMBASOVIĆ:T.15176; KDZ606:T.18259-18260,18318;

[REDACTED]; KDZ607:T.18495-18497; KDZ051:T.19381-19382;

E.PASIĆ:P59,p.12; [REDACTED]; A.ISAKOVIĆ:P128,p.2;

A.ISAKOVIĆ:P127,p.3.

seized property, and insulted them on religious and ethnic grounds.³² This contributed to the growing sense of insecurity amongst the Muslim population.³³

9. In the lead up to the conflict, **KARADŽIĆ** visited Rogatica twice, meeting with **KUŠIĆ** and other SDS members at **KUŠIĆ**'s Borike headquarters.³⁴ On 19 May 1992, Mico **STANIŠIĆ** reported that **KUŠIĆ** was "doing excellent so far" in Rogatica.³⁵

10. Between March and May 1992, SDS CS members and Muslim officials participated in negotiations concerning the division of the municipality,³⁶ the progress of which was reported back to the SDS Main Board in Pale.³⁷ Initially, SDS representatives sought a "factual division on the ground" as well as the division of the police in Rogatica,³⁸ in accordance with **KARADŽIĆ**'s instructions.³⁹ Muslim negotiators agreed to the partition in order to avoid war.⁴⁰ The Serbs then implemented the division of the police, keeping the weapons they had been issued and two-thirds of the vehicles.⁴¹ However, it was clear that taking the municipality by force was contemplated as a next step, once the Serbian people were "sufficiently prepared".⁴² Indeed, almost as soon as agreement was reached on the division of territory,⁴³ SDS representatives (under enormous pressure from the SDS Main Board and the military command to get the job done),⁴⁴ demanded control of the whole municipality, and ordered all Muslims to surrender their weapons under threat of arrest and expulsion.⁴⁵ When Muslim authorities objected,⁴⁶ the Serbs prepared to use

³² P2838,p.2; [REDACTED]; [REDACTED]; M.LELEK:P6154; M.LELEK:T.34423-34425; A.DŽAMBASOVIĆ:P2828,paras.66-67,118; A.DŽAMBASOVIĆ:T.15176.

³³ P3270,p.2; [REDACTED]

³⁴ [REDACTED]; KDZ606:T.18309-18311.

³⁵ P5671,pp.4,22.

³⁶ P2835,p.2; [REDACTED]

³⁷ [REDACTED]

³⁸ AF2495; [REDACTED]; KDZ606:T.18261-18262.

³⁹ P6105.

⁴⁰ AF2495; [REDACTED]; KDZ606:T.18267-18268.

⁴¹ AF2496; E.PASIĆ:P59,pp.16-17,57; [REDACTED]

⁴² P6105. *See also* [REDACTED]; KDZ606:T.18260-18261; T.BATINIĆ:T.33675-33678.

⁴³ P2835,p.2; P3273; [REDACTED]; KDZ606:T.18266-18268; T.BATINIĆ:D2930,para.16.

⁴⁴ [REDACTED]

⁴⁵ AF2502; AF2499; [REDACTED]; KDZ606:T.18318. *See also* M.UJIĆ:D2909,para.27.

⁴⁶ AF2502; [REDACTED]

force, surrounding the town with artillery positions⁴⁷ and disarming the Muslim population.⁴⁸

11. On 17 May 1992, **KARADŽIĆ**, **KRAJIŠNIK** and **MLADIĆ** met with Rogatica representatives in Sokolac.⁴⁹ **MLADIĆ** noted quantities of mortar and artillery,⁵⁰ and **KARADŽIĆ** indicated that they were “looking for results from the army”.⁵¹ **KRAJIŠNIK** stated that the time was “ripe for a demarcation of the areas between Croats, Serbs, and Muslims because [...] a common state with them is no longer possible”.⁵² The following day the Serbian Municipal Assembly abrogated the agreement on the division of territory⁵³ and four days later the Rogatica Brigade attacked the municipality’s Muslim-populated areas.

C. Attack on Rogatica and subsequent crimes

12. By 22 May 1992, **KUŠIĆ**’s unit was incorporated into the newly formed SRK as the Rogatica Brigade.⁵⁴ Rogatica’s military takeover was planned and executed by Col. Tomislav ŠIPČIĆ, SRK Commander, in coordination with **KUŠIĆ**’s Rogatica Brigade, within the framework of VRS Main Staff directives and was reported directly to **MLADIĆ**.⁵⁵

13. On 22 May 1992, the Rogatica Brigade attacked Rogatica in a combined shelling and infantry attack,⁵⁶ directed against Muslim-populated parts of town and Muslim villages.⁵⁷ **KUŠIĆ** reported to the Supreme Command that “[t]he enemy was crushed with losses and casualties”.⁵⁸ Defence witnesses claimed this attack was a response to the alleged killing of Draženko MIHAJLOVIĆ on 20 May and its aim was

⁴⁷ [REDACTED]

⁴⁸ See e.g. [REDACTED]

⁴⁹ P1477,p.349; P6254,p.1.

⁵⁰ P1477,p.349.

⁵¹ P1477,p.351.

⁵² P6254,p.2.

⁵³ P2835,p.3.

⁵⁴ The Rogatica Brigade was later incorporated into the DK, and eventually became the 1st Podrinje Light Infantry Brigade. P1505,p.2. See also P2834; P2830,pp.4,15; M.LELEK:D3031,para.15; D308,p.2; D568,pp.1-2.

⁵⁵ [REDACTED]; D232.

⁵⁶ M.UJIĆ:T.33460; P3265. See also E.PASIĆ:P59,p.21; [REDACTED]; A.ISAKOVIĆ:P127,p.3; Š.HURKO:P3267,paras.3,4.

⁵⁷ P3265; Š.HURKO:T.18223-18224,18344; Š.HURKO:P3267,paras.3,4; [REDACTED]; [REDACTED]; A.ISAKOVIĆ:P127,pp.3-4;

E.PASIĆ:P59,p.21; D.HARLAND:T.2118; [REDACTED].

⁵⁸ P3265.

to create a corridor to retrieve MIHAJLOVIĆ's body.⁵⁹ However, the scale of the attack, and the evidence of its planning, make clear that this was merely a pretext.

14. On 23 May 1992, the Rogatica Brigade commenced what KUŠIĆ termed a *čišćenje* operation,⁶⁰ ordering all units to "carry out destruction of personnel without hesitation" and "open fire from all available weapons".⁶¹ Over the next two to three months, this operation moved towards the centre of town, "until the entire town was cleansed of its Muslim population".⁶² Rogatica's Muslim villages were shelled and burned,⁶³ as were Muslim parts of town,⁶⁴ forcing thousands of civilians to flee into the forest or towards Goradže.⁶⁵ The Rogatica Brigade plundered abandoned Muslim property.⁶⁶ Soldiers used grenades, machine guns, tanks, fire and dogs to flush Muslims out of their homes or cellars.⁶⁷ A large number of civilians were killed during these operations, including several elderly women who were burned in their homes.⁶⁸ Bodies of Muslim civilians were left decomposing in the street.⁶⁹ Some were buried, others burned.⁷⁰

15. A few days after the attack commenced, KUŠIĆ met with MLADIĆ.⁷¹ MLADIĆ also met with Rogatica municipal representatives at least twice in June.⁷² KUŠIĆ regularly reported to his superiors.⁷³ By June 1992, the SRK Command complained that KUŠIĆ and the Rogatica Brigade were massacring and abusing innocent civilians in Rogatica but neither removed nor punished him.⁷⁴

⁵⁹ [REDACTED]; T.18344-18346,19386; T.BATINIĆ:D2930,para.23; M.UJIĆ:D2909,para.24; M.UJIĆ:T.33458-33461; S.VESELINOVIĆ:T.33903-33905,45104; M.LELEK:D3031,para.14; M.LELEK:T.34383-34384.

⁶⁰ P3274; Š.HURKO:T.18225; [REDACTED]; KDZ606:T.18270-18272.

⁶¹ P3274.

⁶² [REDACTED].

⁶³ A.ISAKOVIĆ:P128,p.3; [REDACTED].

⁶⁴ E.PASIĆ:P59,pp.30-31.

⁶⁵ AF2512; [REDACTED]

⁶⁶ P3407,pp.31-32. *See also* P3282.

⁶⁷ *See e.g.* [REDACTED]; A.ISAKOVIĆ:P127,p.4; E.PASIĆ:P59,pp.24-25.

⁶⁸ P3283; [REDACTED].

⁶⁹ [REDACTED].

⁷⁰ [REDACTED]; P3410.

⁷¹ P1478,pp.28-29.

⁷² P1478,pp.215,243-244.

⁷³ P3265; D2965; D3037; P3414; P3266.

⁷⁴ P1001,p.1; [REDACTED]

16. Contrary to Defence claims and some of KUŠIĆ's combat reports,⁷⁵ the attack was not focused on "enemy strongholds" or undertaken in response to organised resistance.⁷⁶ The Muslim police and civilian authorities had withdrawn outside of the town,⁷⁷ and KUŠIĆ repeatedly reported to the SRK Command that there was no significant enemy activity in the Rogatica Brigade's zone of responsibility.⁷⁸ Those amongst the local Muslim population who did attempt to defend themselves were overwhelmed by the far superior Serb forces.⁷⁹ UJIĆ—Rogatica Brigade Chief of Staff and artillery coordinator—claimed "if there's fire coming from a village, it's not a village anymore, it's a military target, a legitimate military target."⁸⁰ For UJIĆ, this justified the shelling of Kramer Selo, which he acknowledged caused the villagers to flee and wounded two children left behind by the fleeing population.⁸¹

17. After the shelling of Rogatica, Serb forces ordered the Muslims over loudspeakers to gather in the town's central square.⁸² They demanded that the Muslim population sign a loyalty oath to surrender and move to the Veljko Vlahović Secondary School ("School").⁸³ Those who did not comply were violently removed from their homes.⁸⁴ Up to 1,100 Muslim civilians (mostly women and children) were detained at the School, operated under KUŠIĆ's control.⁸⁵ KUŠIĆ was regularly present at the School,⁸⁶ and told detainees on one occasion that he was "running late with the cleansing of Rogatica" and had to report to Pale why this was not yet completed.⁸⁷

⁷⁵ T.18388-18389,19394-19395,19398-19400; P3265; M.UJIĆ:T.33460-33461; P3414; M.LELEK:D03031,paras.28-29; M.LELEK:T.34401-34403.

⁷⁶ [REDACTED]; KDZ051:T.19394-19396,19398-19399; [REDACTED]; Š.HURKO:P3267,para.4; Š.HURKO:T.18224; A.ISAKOVIĆ:P128,p.3.

⁷⁷ [REDACTED]; KDZ606:T.18271; A.ISAKOVIĆ:P127,p.2.

⁷⁸ D2965; D3037; P3414; P5485.

⁷⁹ See e.g. A.DŽAMBASOVIĆ:P2828,para.46; A.DŽAMBASOVIĆ:T.15156; E.PASIĆ:P59,pp.24,50.

⁸⁰ M.UJIĆ:T.33467.

⁸¹ M.UJIĆ:T.33466-33467; M.UJIĆ:D2909,para.30.

⁸² AF2504; E.PASIĆ:P59,p.22; [REDACTED]; KDZ051:T.19404;

[REDACTED]; AF2504; E.PASIĆ:P59,pp.23-24,60; [REDACTED].

⁸⁴ AF2505; E.PASIĆ:P59,pp.24-27. See also A.ISAKOVIĆ:P127,p.4.

⁸⁵ See SIC:C.21.1(Rogatica).

⁸⁶ See SIC:C.21.1(Rogatica).

⁸⁷ [REDACTED]; KDZ051:T.19415.

18. Defence witnesses' unsubstantiated assertions that the Muslim population came to the School of their own free will to take shelter from war operations⁸⁸ are contradicted by: first-hand accounts of detainees of their arrest and transfer to the School;⁸⁹ the verdict against Radisav LJUBINAC (a.k.a. "PJANO") for forcible transfer of Muslims to and away from the School;⁹⁰ the fact that guards and machine-gun nests were posted around the School, and detainees were informed that the surrounding area had been set with landmines;⁹¹ and the terrible conditions and abuse at the School, which no one would voluntarily subject themselves to, irrespective of the existence of "war operations".

19. Many of the women, children and elderly detained at the School were expelled out of Serb-held territory, while the men were taken to other detention centres.⁹² A number of Muslims were transferred to Rasadnik, a Rogatica Brigade detention facility guarded by both policemen and soldiers.⁹³ KUŠIĆ visited Rasadnik on several occasions and exercised control over the facility (including exchanges and ICRC access).⁹⁴ Contrary to Defence witnesses' claims,⁹⁵ the detainees at Rasadnik were largely civilians, including minors and elderly men and women, a fact confirmed by contemporaneous prisoner lists.⁹⁶

20. On 15 August 1992, a Rogatica Brigade member took 27 detainees from Rasadnik to the frontline on KUŠIĆ's orders, used them as human shields then shot them on the orders of a Rogatica Brigade unit commander killing all but three of

⁸⁸ M.LELEK:T.34384-34390; M.LELEK:D3031,para.30; M.UJIĆ:D2909,para.27; M.UJIĆ:T.33461-33465,33476-33477. *See* DCC(M.LELEK; M.UJIĆ).

⁸⁹ [REDACTED]; KDZ051:T.19397,19404-19405,19409-19411; E.PASIĆ:P59,pp.24-28; A.ISAKOVIĆ:P127,p.4.

⁹⁰ P6106.

⁹¹ AF2507; [REDACTED]

⁹² [REDACTED]; P6106;

J.BOWEN:P2068,para.53; E.PASIĆ:P59,pp.31-35; AF2251; A.ISAKOVIĆ:P128,p.4;

A.BAŽDAR:P3286,p.4; Š.HURKO:P3267,paras.21-22; Š.HURKO:T.18233.

⁹³ *See* SIC:C.21.3(Rogatica).

⁹⁴ Š.HURKO:P3267,para.44; Š.HURKO:T.18238-18242. *See also* A.ISAKOVIĆ:P128,p.5.

⁹⁵ M.LELEK:D3031,para.19; M.LELEK:T.34412-34421,34426; N.ANDRIĆ:T.34458-34464,34479-34481.

⁹⁶ P6155; P6153. *See also* Š.HURKO:P3267,para.34; P4867,p.4; P6152,pp.10-13; DCC(N.ANDRIĆ).

them.⁹⁷ The Rogatica Brigade Command learned of this crime immediately,⁹⁸ yet took no action against those involved.⁹⁹

21. More than ten mosques in the municipality were destroyed by mines, including the two in Rogatica town.¹⁰⁰ Defence witnesses' claims¹⁰¹ that some mosques were destroyed during legitimate combat activities are contradicted by: the targeting of mosques even before the outbreak of the conflict,¹⁰² and the fact that the two mosques in Rogatica town were "completely destroyed", while the adjacent buildings remained in good condition.¹⁰³

22. No genuine efforts were made to punish Rogatica Brigade members for crimes committed against non-Serbs between 1992 and 1995.¹⁰⁴ Instead, the Brigade was rewarded for its conduct.¹⁰⁵ On 26 December 1992, Stanislav GALIĆ congratulated KUŠIĆ and the Rogatica Brigade for the "great and immeasurable contribution" made to the VRS's "magnificent successes in 1992."¹⁰⁶ On 15 February 1993, **KARADŽIĆ** promoted KUŠIĆ to the rank of 1st Class Captain.¹⁰⁷ KUŠIĆ remained in command of the Rogatica Brigade (later renamed the 1st Podrinje Light Infantry Brigade), which was still committing crimes as late as August 1995.¹⁰⁸ Indeed, on 6 August 1995, **KARADŽIĆ** complained about "send[ing] two generals to Žepa to waste time for 15 days and negotiate with ruffians and thugs [...] instead of having Rajko KUŠIĆ deal with it [...]"¹⁰⁹

⁹⁷ See SIC:B.16.2(Rogatica).

⁹⁸ A.BAŽDAR:P3286,p.6; A.BAŽDAR:T.18389-18391; M.UJIĆ:T.33472-33474,33475-33476; P6107,p.3.

⁹⁹ The Rogatica Brigade member and unit commander were prosecuted for their involvement in this incident well after the war. P6107; D1666; P6106,p.2.

¹⁰⁰ See SIC:D.18(Rogatica). See also A.RIEDLMAYER:P4069,records258-262,265-266,268-269.

¹⁰¹ M.LELEK:D3031,para.32; M.LELEK:T.34391-34395; UJIĆ:D2909,para.38.

¹⁰² A.ISAKOVIĆ:P127,p.2.

¹⁰³ P4070,pp.259-263. See also Š.HURKO:P3267,para.61; D2963,00:21:34-00:22:10; S.VESELINOVIĆ:T.33886-33887.

¹⁰⁴ See M.UJIĆ:T.33449-33450. In recent years, Rogatica Brigade members have been convicted in the BiH Court for crimes committed against Muslims in the towns and villages of Rogatica. P6107; D1666; M.UJIĆ:T.33471; P6106; P3287,pp.1,3; D1665; P2832,p.4.

¹⁰⁵ By mid-1993, the VRS Supreme Command had awarded KUŠIĆ the Order of Miloš Obilić, presented the entire Brigade with the Order of Nemanjić, and had rewarded Stojan PERKOVIĆ for commanding one of the best units in the Brigade. P2832,pp.1,4; A.DŽAMBASOVIĆ:P2828,para.120. In 1994, KUŠIĆ recommended Radisav LJUBINAC (a.k.a. "PJANO"), for promotion, citing his "exceptional bravery" during the "Serb liberation of Rogatica". P3287. See also P3407,p.31.

¹⁰⁶ P6108. See also M.UJIĆ:T.33474.

¹⁰⁷ P5586.

¹⁰⁸ P5109,p.1.

¹⁰⁹ P1412,p.17.

Sanski Most

I. SANSKI MOST MUNICIPALITY

A. Overview

1. In 1991, Sanski Most municipality was comprised of 47% Muslims, 42.2% Serbs, 7.1% Croats, and 3.7% other.¹ The municipality was strategically located in the ARK heartland and straddled the corridor from Bosanska Krajina to Serbia that would be targeted pursuant to the second strategic objective.² Both **KARADŽIĆ** and **KRAJIŠNIK** stressed the strategic importance and need to retain Sanski Most.³ Despite being one of the municipalities which “did not belong” to the Serbs,⁴ by 1993, 24,000 Muslims and 3,000 Croats⁵ had left as a result of the campaign of violence by Bosnian Serb Forces. SDS municipal president Vlado VRKEŠ recognised that he and other Sanski Most leadership members were considered war criminals.⁶ By February 1995, Banja Luka RDB reported that only 3,350 (8.81%) Muslims and 1,050 (2.76%) Croats remained in the municipality.⁷

B. Build-up to the conflict

2. As early as June 1991, **KARADŽIĆ** foreshadowed the creation of Serbian municipalities in the Krajina, stating “his people” in Krupa and Sanski Most were ready to “redefine the municipalities”, which would “happen across BH”, while emphasising that these activities must be coordinated “from one place”.⁸

3. During 1991-1992, claims by **KARADŽIĆ**⁹ and SDS ARK leaders, notably **BRDANIN**, that non-Serbs were a threat were replicated in Sanski Most, inspiring great animosity among Serbs towards non-Serbs.¹⁰ The Sanski Most CS’s

¹ P3310.

² P3638. See III.C.5.(a): The strategic objectives as articulated at the 16th Assembly; [REDACTED]; P5509; B.TADIĆ:T.44408.

³ P1379,p.80; P970,p.2.

⁴ P1379,pp.105-106.

⁵ P10,p.2; P6548,pp.6-7.

⁶ P970,pp.176-177.

⁷ P5449,p.8.

⁸ P2714,p.5.

⁹ See e.g. P1343,pp.57-58; P6540,p.3.

¹⁰ [REDACTED]; D1804,p.1. See also P3640,pp.3,6.

“Informator” was a particularly vile and violent publication directed against non-Serbs.¹¹

4. JNA and SDS arming of Serbs in Sanski Most began in 1991,¹² accelerating following MLADIĆ’s attendance at a meeting in Sanski Most at the end of 1991.¹³ On 3 April 1992,¹⁴ when the JNA 6th Brigade was transferred to Sanski Most in secrecy, a further clandestine operation to arm Serbs was undertaken.¹⁵

5. The Serbian Defence Forces or “SOS” was also organised,¹⁶ comprised in part of criminals¹⁷ and under the control of Sanski Most authorities.¹⁸ The SOS assisted in arming Serbs,¹⁹ and carried out a bombing campaign against civilian targets in Sanski Most to incite unrest and ethnic hatred, and intimidate the Muslim population into leaving.²⁰

6. The SDS in Sanski Most was hierarchical; orders from above, including dismissing and disarming non-Serbs, were implemented without objection.²¹

7. In March 1992, following ARK orders, the SDS called for a division of the municipality along ethnic lines²² and later issued a proclamation declaring all “Serbian” territories in Sanski Most to be part of the RS.²³

8. On 3 April the Serb Assembly of Sanski Most declared the municipality part of the ARK.²⁴ The JNA 6th Brigade arrived in Sanski Most the same day,²⁵ tasked with preventing “the slaughter of the Serbian people”.²⁶

¹¹ See e.g. P3640, pp.3-4,6,8,53.

¹² [REDACTED]; B.TADIĆ:T.44433-44434; P3663,p.1; F.BIŠČEVIĆ:P122, pp.18-20.

¹³ [REDACTED]. See also M.KARABEG:P3303, pp.30-32.

¹⁴ P3660,p.2; B.TADIĆ:D4163,p.1; B.TADIĆ:T.44404; P3663,p.2.

¹⁵ P3660,p.2.

¹⁶ [REDACTED] P6680; P3329, pp.20-21. See also III.C.8.(I): Paramilitaries/Volunteers/Serbian MUP.

¹⁷ [REDACTED]
¹⁸ D1679; [REDACTED]; V.NIKOLIĆ:T.45440-45441; D.MUDRINIĆ:T.47367,47397-47398,47366; P6680; P3397; P6681; P3329, pp.20-21.

¹⁹ P3397,p.2; [REDACTED]; V.NIKOLIĆ:T.45453 P6681.

²⁰ [REDACTED] P3397,p.2; [REDACTED]
D.MUDRINIĆ:T.47365; [REDACTED]; P3642,p.1; P3671, pp.2-4; F.BIŠČEVIĆ:P135, pp.104-107; P6681.

²¹ [REDACTED]
²² AF2514; M.KARABEG:P3303, pp.33-34.

²³ AF2515; D1804; P3304.

²⁴ AF2516; D1804; P3325.

9. During March and April, Serb Forces (including the 6th Brigade, police, the SOS) and local Serbs erected checkpoints in Sanski Most,²⁷ at which armed Serbs checked only non-Serbs.²⁸

C. Takeover of Sanski Most and subsequent crimes

10. On 14 April 1992, the Sanski Most CS was established,²⁹ comprising members of the civilian and military leadership, including Nedeljko RAŠULA (RS Assembly Deputy and Municipal Assembly President) as CS President, and Vlado VRKEŠ (SDS municipal president) as Deputy President. The CS followed republic-level policy³⁰ (with VRKEŠ explicitly responsible for implementation) and implemented ARK CS decisions.³¹ The CS was a centre of power at the municipal level³² with the close cooperation of both military³³ and police.³⁴

11. The CS immediately laid out its plan to take over power in the municipality.³⁵ When the Sanski Most Police Chief proved incapable of carrying out the order for ethnic division of the police,³⁶ RAŠULA intervened to divide the police station.³⁷ Police officers were ordered to wear RS insignia and sign a declaration of loyalty to RS. With one exception,³⁸ only Serbs signed.³⁹

12. Non-Serb police officers and SDA leaders barricaded themselves in the municipality building as a passive demonstration against the division of the police and

²⁵ P148; P149, pp.1-2; P3640, p.38; [REDACTED]; [REDACTED]; P3663, p.2; P3660, p.2.

²⁶ P3660, p.2.

²⁷ [REDACTED]; AF2525; A.ZULIĆ:P718, pp.8-9,28; [REDACTED]; P3400; P6681.

²⁸ AF2525; [REDACTED]; KDZ052:P3370, p.8; KDZ052:T.19092-19093; A.ZULIĆ:P718, paras.8-9,28.

²⁹ P3329, pp.10-13.

³⁰ P2614. *See also* P2613.

³¹ [REDACTED]; [REDACTED] P3649; P3646; P2614; P3644; P3694; P2613; P3648; P3645, p.2.

³² [REDACTED] *See also* D.HANSON:P2589, para.58.

³³ [REDACTED] D.HANSON:P2589, para.58.

³⁴ [REDACTED] D.HANSON:P2589, para.58.

³⁵ P3329, pp.10-13; D.HANSON:P2589, para.58. *See also*, P3324; [REDACTED]

³⁶ AF2520; [REDACTED] P3330, pp.1-3; P2746; P3329, pp.10-14.

³⁷ AF2522; [REDACTED]; P3329, p.14;

³⁸ *See e.g.* [REDACTED]; M.KARABEG:P3303, p.41.

the imminent Serb takeover of the municipality.⁴⁰ On 19 April, the CS addressed an ultimatum to those inside⁴¹ and TO Commander Col. ANIČIĆ ordered an attack on the municipality building.⁴² While the 6th Brigade, TO and SOS units attacked,⁴³ those inside the building fled to surrounding villages.⁴⁴

13. At a meeting the following day, then 5th Corps Commander General TALIĆ warned the non-Serb representatives not to call anyone for help, otherwise “you will have Kupres, Bosanski Brod, Vukovar”.⁴⁵ That day, the CS issued a statement that only the RS constitution and laws applied in the territory of Serb Sanski Most,⁴⁶ declared the former municipal assembly illegal, instructed RAŠULA and ANIČIĆ to visit ARK leadership and obtain guidelines for further action, and ordered that the RS leadership be informed by telex of the situation in Sanski Most.⁴⁷

14. The SDS took over the public radio station Sana, and on 24 April 1992 the Sanski Most CS appointed SAVANOVIĆ to disseminate propaganda in the municipality.⁴⁸ From 7 May 1992, the CS began operating secretly as a War Staff.⁴⁹ Throughout this period, the civilian and military authorities continued to liaise closely: the CS met with BASARA to regulate the relationship between the TO and the JNA⁵⁰ and to involve him in the War Staff,⁵¹ and on CS instructions the SOS delivered stolen trucks to the JNA and TO.⁵²

15. On 28 April 1992 the CS called for Sanski Most citizens to hand weapons in to the SJB, the JNA or the TO.⁵³ Non-Serbs were the real targets of disarmament⁵⁴

³⁹ AF2520; [REDACTED]

⁴⁰ [REDACTED]; M.KARABEG:P3303,pp.47-52; AF2521;

F.BIŠEVIĆ:P135,pp.21-22.

⁴¹ AF2521; P3329,pp.15-16; [REDACTED]; M.KARABEG:P3303,pp.47-52.

⁴² P3398; [REDACTED]; M.KARABEG:P3303,pp.47-52.

⁴³ [REDACTED]; P2806. *See*

AF2522; P3305; P3397,p.4; P3663,p.4; [REDACTED];

M.KARABEG:P3303,pp.47-52; P6681.

⁴⁴ AF2522; [REDACTED]; M.KARABEG:P3303,pp.47-52.

⁴⁵ P3329,pp.14-18; M.KARABEG:P3303,pp.53-64; [REDACTED].

⁴⁶ P2806; AF2517.

⁴⁷ P3399; AF2517.

⁴⁸ [REDACTED]; P3400. *See also* P2613; M.ORLOVIĆ:T.46626-46627,46631.

⁴⁹ P3645; [REDACTED]

⁵⁰ P3328.

⁵¹ P3645.

⁵² P3644; P3329,p.26; P6554,pp.2,4.

⁵³ P3328.

which was synchronised from the ARK level and coordinated with other ARK municipalities.⁵⁵ Disarmament was initially voluntary, and most non-Serbs in the municipality surrendered weapons voluntarily.⁵⁶ However, on 20 May 1992, the CS ordered the TO to prepare a disarmament operation,⁵⁷ with BASARA and ANIČIĆ responsible for the operations, setting a final deadline of 24 May.⁵⁸ The CS ordered that a call for disarmament be issued on the radio every 20 minutes on 23 May,⁵⁹ and Radio Sana explicitly called on Muslims to surrender their weapons.⁶⁰

16. As part of their planned attack, the CS ordered the arrest of Croat and Muslim leaders and other non-Serb civilians, and prepared detention facilities.⁶¹ As RAŠULA ordered, “captured civilians to be used for exchange”. RAŠULA also made clear that all those found with weapons should be killed, stating “no prisoners if armed”.⁶²

17. On 25 May, the TO, 6th Brigade,⁶³ and SJB⁶⁴ attacked Mahala, resulting “in the capture of 2000 civilians”.⁶⁵ Mahala, Muhići and Otoka were shelled by artillery, killing civilians;⁶⁶ after entry, houses were burned down.⁶⁷ Other villages were attacked at the same time, all with the objective “to cause the enemy great human, material and technical losses”.⁶⁸ No significant amount of weapons were found.⁶⁹ In accordance with CS and TO orders⁷⁰ Serb soldiers rounded up residents,⁷¹ then

⁵⁴ [REDACTED]; P3928; C.KIRUDJA:P3804,para.53; A.ZULIĆ:P718,paras.25-27; G.STOJIĆ:P3515,pp.8-9,70; G.STOJIĆ:T.19764.

⁵⁵ P3694; P3644; P3928; P2769; P956,p.21; P3648.

⁵⁶ P3399; P2818; P3644; [REDACTED]; P3928.

⁵⁷ P3647,p.2.

⁵⁸ P2613,p.2.

⁵⁹ P3402.

⁶⁰ KDZ052:P3370,pp.9-11; P725; P723,p.3; R.BEGIĆ:P691,pp.9-10.

⁶¹ P3329,pp.32-33. *See also* P3635,p.4.

⁶² P3329,p.33; [REDACTED]. *See also* P3635,p.4.

⁶³ [REDACTED].

⁶⁴ P3928; P2769.

⁶⁵ P3928. *See also* D4356,p.1.

⁶⁶ [REDACTED]; P3316; P3652; P3313; P3663,p.5. *See also* P3928; P3635,pp.5-6; P3326; AF1302; A.ZULIĆ:P718,paras.33-34; F.BIŠČEVIĆ:P122,pp.29-32;

⁶⁷ [REDACTED]; [REDACTED]; [REDACTED]; AF2528; AF1300; A.ZULIĆ:P718,paras.33-34;

⁶⁸ P3313.

⁶⁹ P3928. *See also* D4356,p.1.

⁷⁰ P3329,pp.32-33; P3313,p.3.

⁷¹ A.ZULIĆ:P718,para.32.

transferred them to detention facilities.⁷² By 30 May 1992 “all of the Muslims living in Mahala had been expelled and it was completely empty”.⁷³

18. Serb radio announced that other non-Serb settlements should surrender weapons or the “Serbian Armed Forces will act as they did with Mahal[a] today [...] your resistance will force us to destroy and devastate your villages, which means that you will not be able to live with us in these territories.”⁷⁴ The authorities made clear that it would take little to trigger this destruction and expulsion: “As long as one of you has a weapon, you risk the destruction of your houses and families”.⁷⁵

19. The authorities made good on their threat. On 30-31 May 1992, the 6th Brigade in cooperation with the police and subordinated paramilitary formations,⁷⁶ attacked Hrustovo,⁷⁷ Vrhpolje,⁷⁸ and other Muslim villages, killing multiple civilians and forcing others to flee.⁷⁹ The 6th Brigade Command was aware of these crimes, which it characterised as “acts of genocide against people unable to conduct an armed struggle”,⁸⁰ but no action was taken against the perpetrators.⁸¹ Throughout the summer, civilians from Sanski Most’s Muslim hamlets were targeted and killed by Serb soldiers, including in Blaževići⁸² and Budin.⁸³ The CS considered means to cover-up these crimes, including excluding those who “talk too much”, disguising civilian casualties by dressing them in military uniforms and putting bodies in a common grave without “rituals”.⁸⁴ Most of those non-Serbs “fortunate enough to survive” this period were expelled.⁸⁵

20. During this period, BASARA commanded the 6th Brigade within the VRS command and control system, carrying out orders from the 1KK Command (General

⁷² [REDACTED]; P3315.

⁷³ [REDACTED]. See P3653.

⁷⁴ P725,pp.7,9; KDZ052:P3370,pp.9-11.

⁷⁵ P725,p.7.

⁷⁶ [REDACTED]; P6681

⁷⁷ See SIC:A.12.2(Sanski Most).

⁷⁸ See SIC:A.12.1(Sanski Most).

⁷⁹ See SIC:A.12.3-A.12.5(Sanski Most).

⁸⁰ P3601.

⁸¹ [REDACTED]; [REDACTED].

⁸² See SIC:A.12.3(Sanski Most).

⁸³ See SIC:A.12.4(Sanski Most).

⁸⁴ P3635,pp.5-6; P3652; [REDACTED];P3318; P5443; P3654.

⁸⁵ [REDACTED]

TALIĆ⁸⁶ and sending daily reports to the 1KK, which in turn reported to VRS-GŠ,⁸⁷ which reported in turn to the RS Presidency.⁸⁸

21. As the “captured civilians to be used for exchange” accumulated, the CS established detention facilities⁸⁹ at the SJB building,⁹⁰ Betonirka Factory Garage,⁹¹ Sports Hall,⁹² and Krings Hall.⁹³ Magarica military facility⁹⁴ was also used as a detention centre. Detainees included community leaders,⁹⁵ some of whom—including the SDA municipal board secretary, a Muslim judge, and the municipal chief of police—were murdered in detention.⁹⁶ From those facilities, many were ultimately transferred to Manjača camp, where authorities immediately recognized that the detainees had [REDACTED]. [REDACTED] Similarly, the 1KK explicitly acknowledged that these detainees were mainly civilians who had not been involved in armed rebellion.⁹⁸

22. The CS had close oversight over the detention centres, appointing the warden,⁹⁹ authorizing transfer of non-Serbs between centres,¹⁰⁰ and making decisions on release.¹⁰¹ The SJB was made responsible for security and interrogations.¹⁰² Detainees were held in inhumane conditions, beaten, mistreated and many killed.¹⁰³

23. Virtually every non-Serb was subject to detention. The CS determined that three categories of people were to be detained: “politicians”, “nationalist extremists”,

⁸⁶ [REDACTED].

⁸⁷ See e.g. P5405,pp.1-2; P5398; D1732; P3918,p.2; P3317; P5407; P3927; P3656; P3665.

⁸⁸ See III.C.8.(i).(iii).d: Situational awareness.

⁸⁹ D470,pp.7-8,11,14-16; P3329,pp.32-33; P3635,pp.4-5,7; P3315,p.2; AF2537.

⁹⁰ See SIC:C.22.1(Sanski Most).

⁹¹ See SIC:C.22.2(Sanski Most).

⁹² See SIC:C.22.3(Sanski Most).

⁹³ See SIC:C.22.4(Sanski Most).

⁹⁴ See SIC:C.22.5(Sanski Most).

⁹⁵ [REDACTED]. E.g. [REDACTED].
[REDACTED] M.KARABEG:P3303,pp.73-79; [REDACTED]

[REDACTED]. See also F.BISČEVIĆ:P135,pp.23-24; P3651,p.14.

⁹⁶ AF2530; [REDACTED]; AF1330.

⁹⁷ [REDACTED]

⁹⁸ P3929,pp.3-4. See also [REDACTED]

⁹⁹ D470,p.7; [REDACTED] P2639.

¹⁰⁰ P3315,p.2; P2614; P2639; P5455; P3327; P3319; P2732; [REDACTED];

KDZ052:P3370,pp.25-28.

¹⁰¹ D4329; D4108; P5444; [REDACTED]; D4329; D4108.

¹⁰² D470,pp.7-8,11,14-16; P3928; P2769; P3928; AF1323; AF1324; [REDACTED]

[REDACTED]; AF2539; AF1323; AF1324; AF1344; AF1351.

and “people unwelcome in Sanski Most municipality”.¹⁰⁴ These categories reflected a “general witch hunt” targeting the non-Serb population.¹⁰⁵

24. Those non-Serbs who were not detained were subjected to a wide range of discriminatory measures. Pursuant to ARK level policies,¹⁰⁶ both before and after the takeover, the CS dismissed non-Serbs from their jobs¹⁰⁷ and dismissed Serb managers who continued to allow their non-Serb employees to come to work.¹⁰⁸

25. The CS repeatedly acknowledged its policy of expelling non-Serbs:

- On 8 June 1992, it concluded “Move the Muslims and Croats to the extent which would provide for a steady control of power.”¹⁰⁹
- On 10 June 1992, the CS noted that “the job of deportation of a part of the Muslim population failed” due to mistakes – and appointed someone to be responsible for it.¹¹⁰
- On 24 June, the CS concluded that the most “efficient” and “peaceful” solution to national strife is “the transfer of people from one area into another” and therefore some Muslims and Croats should be “relocated” to Central Bosnia and Serbs from areas where they were minority move to Sanski Most.¹¹¹
- On 27 July, the Assembly Executive Committee concluded that about 18,000 Muslims and Croats “remain” in the municipality and “to avoid danger to the Serbian people, it is necessary to organise their voluntary resettlement.”¹¹² As VRKEŠ had stated in the discussion preceding the

¹⁰³ See SIC:C.22.1-C.22.5(Sanski Most).

¹⁰⁴ P2639; AF2558.

¹⁰⁵ [REDACTED]; P2639; AF2558.

¹⁰⁶ [REDACTED]; P2740; P2732.

¹⁰⁷ AF2518; [REDACTED]; P3399; D1679; P3649; P3646;

P3400; P3309; P2740; P2732; [REDACTED]; AF2519.

¹⁰⁸ AF2518; [REDACTED].

¹⁰⁹ P3635,p.7.

¹¹⁰ P3635,p.8.

¹¹¹ P3640,pp.30-31.

¹¹² P3657,p.4.

conclusion, “this has to be a Serbian town” and “Manjaca cannot take any more.”¹¹³

- In November, police chief and former CS member VRUČINIĆ reported attacks on Muslims to expel them by people who believed that “the policy of expulsions” had not been done properly and were now attempting to remedy that.¹¹⁴

26. The CS worked with ARK authorities regarding these expulsions, deciding on 30 May to contact the ARK leadership about resettling non-Serbs,¹¹⁵ and a few weeks later, appointing VRKEŠ to deal with “matters of relocation and exchange of population and prisoners” in response to an ARK CS instruction that all municipalities appoint such a representative.¹¹⁶

27. The method and scale of the expulsions varied, e.g., (a) truckloads of military police forcing Muslims from their homes onto buses and driving them away;¹¹⁷ (b) attack on a village followed by Serb authorities telling villagers that they couldn’t guarantee their safety;¹¹⁸ (c) the “voluntary resettlement” organized by the CS’s “committee for migration”¹¹⁹ resulting in non-Serbs bussed to Croatia beginning on 18 August 1992 upon payment of 1000 dinars.¹²⁰ Those leaving were required to attest that they were “permanently leaving the municipality” and had either left their real property to the municipality, or exchanged or sold it.¹²¹ One way or another, as one witness put it, they were [REDACTED]

[REDACTED]¹²² By May 1993, the MUP reported that 24,000 Muslims and 3,000 Croats had left the municipality and that 5,000 Serbs moved in.¹²³

¹¹³ P3657,pp.3-4.

¹¹⁴ D4356,p.3.

¹¹⁵ See e.g. P2614,p.1; AF2550; [REDACTED]; P2732; P3636.

¹¹⁶ P2732; P3636; [REDACTED]

¹¹⁷ AF2551; [REDACTED]

¹¹⁸ [REDACTED] See also P3853,p.5; P3856,p.3; [REDACTED]

¹¹⁹ P2732; P3636; [REDACTED]. See also R.BEGIĆ:P691,pp.38-39; R.BEGIĆ:P692,pp.6-7,12,21.

¹²⁰ P3659,pp.8-9; [REDACTED]

¹²¹ P3307; [REDACTED]. See also G.STOJIĆ:P3515,pp.12-13;

G.STOJIĆ:T.19766-19767; P3517.

¹²² [REDACTED]

¹²³ P10,p.10. See [REDACTED]

28. The authorities allowed approximately 5,000 non-Serb residents to remain in Sanski Most, to be used for forced labour on the frontlines, or for whatever other purpose the political or military authorities required.¹²⁴ Those remaining non-Serbs were required to make a declaration of loyalty to the Municipal Assembly.¹²⁵

29. Sanski Most's mosques and churches were systematically destroyed by Bosnian Serb forces,¹²⁶ many pursuant to CS command.¹²⁷ CS members SAVANOVIĆ and VRKEŠ spread propaganda that the destruction of a Muslim religious site and set fire to Muslim homes meant that they would never return.¹²⁸ As described by one witness, the authorities' intent was clear: [REDACTED]

[REDACTED]¹²⁹

30. Contrary to defence contentions,¹³⁰ no genuine efforts were made to punish perpetrators of the crimes committed against Sanski Most's non-Serbs. According to the Sanski Most Public Prosecutor's logbook, of fifty criminal reports submitted from March to December 1992, only seven were submitted in respect of crimes committed by identified Serb perpetrators against non-Serbs, and only two of those related to serious crimes.¹³¹

31. The environment of impunity is evidenced by the treatment of SOS and 6th Brigade member Daniluško KAJTEZ,¹³² who killed several Croat civilians in Škrljevita village in November 1992¹³³ but was not tried for his crimes until after the war.¹³⁴ Although the Deputy Military Prosecutor described the facts surrounding the

¹²⁴ P10,p.10; [REDACTED]; B.TADIĆ:T.44429,44433-44434.

¹²⁵ P3850; G.STOJIĆ:P3515,pp.11-12; G.STOJIĆ:T.19765.

¹²⁶ See SIC:D.19(Sanski Most). See also A.RIEDLMAYER:P4069,records271-272,274,276-277,279,282-283,285-286,288,291,293,296,298-303.

¹²⁷ [REDACTED].

¹²⁸ [REDACTED].

¹²⁹ [REDACTED].

¹³⁰ M.DOBRIJEVIĆ:D4170,paras.21-22.

¹³¹ P6669; [REDACTED] See also D4356,p.3.

¹³² P3329,p.20; [REDACTED]; D.MUDRINIĆ:T.47365-47366; P6557; P3519,p.1.

¹³³ See SIC:A12.5(Sanski Most).

¹³⁴ [REDACTED]. See also M.DOBRIJEVIĆ:T.44629,44652-44657; G.STOJIĆ:P3523,pp.33-35.

murders as “incontestable and certain”,¹³⁵ including KAJTEZ’s confession,¹³⁶ there were various interventions on his behalf, [REDACTED]

[REDACTED].¹³⁷ Despite such efforts, KAJTEZ complained in a letter to VRKEŠ that while “[y]ou are all supposedly working on my behalf”, nothing was happening,¹³⁸ noting that his fellow prisoners “who also killed the Baliija and the Ustasha, are being acquitted and helped by their municipalities”.¹³⁹ He threatened to implicate VRKEŠ and others in killings at Škrljevita and Manjača, and requested that VRKEŠ “[g]o to TALIĆ, MLADIĆ, KARADŽIĆ, to whoever you can think of, but get me out [of] here”.¹⁴⁰ In March 1995, the Banja Luka Military Court found that there was “no longer any reason to keep [KAJTEZ] in detention”, and ordered his immediate release.¹⁴¹

¹³⁵ P3519,p.2.

¹³⁶ P3519,p.2; P6556; [REDACTED]

¹³⁷ [REDACTED]

[REDACTED] P6542/ [REDACTED] (duplicates).

¹³⁸ P6556/ [REDACTED] (duplicates). *See also* [REDACTED]

¹³⁹ P6556/ [REDACTED] (duplicates),p.2.

¹⁴⁰ P6556/ [REDACTED] (duplicates).

¹⁴¹ P3521. *See also* [REDACTED]; P3618; P3619; P3607,p.53; [REDACTED]

Sokolac

I. SOKOLAC MUNICIPALITY

A. Overview

1. In 1991 the ethnic composition of Sokolac municipality was about 66% Serb (8,646), 33% Muslim (4,250) and 1% other. By July 1995 the entire non-Serb population of Sokolac had “been either driven out” or had “fled”.¹ The demographic transformation of Sokolac (SAO Romanija)² was achieved through a campaign of violence, carried out primarily by the 2nd Romanija Motorised Brigade, in furtherance of the first and third strategic objectives.³

B. Build-up to the conflict

2. One week after the distribution of Variant A/B, Sokolac SDS member Milovan BJELICA reported to **KARADŽIĆ** that they were “doing the job here”, and confirmed that the municipality was “functioning well” with Milan TUPAJIĆ,⁴ the newly appointed Sokolac Municipal Assembly President.⁵ The SDS, JNA, and senior MUP officials MANDIĆ and STANIŠIĆ distributed weapons and ammunition to the Serbs in Sokolac area in late 1991 and early 1992.⁶ The 2nd Battalion of the JNA’s 216th Mountain Brigade began forming volunteer units in Sokolac on 7 March 1992.⁷ Barricades were set up and manned by Serbs and some local Serbs began appearing in JNA and camouflage uniforms and carrying automatic weapons.⁸ JNA units and equipment were relocated to Sokolac from April 1992.⁹ The relationship between SDS representatives in the area and the JNA became that of a “brotherhood”, with SDS politicians (including TUPAJIĆ) and TO commanders meeting regularly with Col. Dragomir MILOŠEVIĆ at the barracks in Han Pijesak, in Sokolac and elsewhere.¹⁰

¹ P4994,pp.22,32,35,38,41; D4002,pp.63-64; D.OBRADOVIĆ:T.36104.

² D83,p.33; P6205; R.DONIA:P973,pp.18,21-22; P.TREANOR:P2536,paras.136-137; M.BJELICA:D3206,para.8.

³ P781; P2561. *See also* III.C.5.(a): The strategic objectives as articulated at the 16th Assembly.

⁴ P5783,p.2.

⁵ M.TUPAJIĆ:P5238,p.2.

⁶ P1383,p.164; A.HAMZIĆ:P.131,pp.3-4; P6072,p.3; A.DŽAMBASOVIĆ:P2828,paras.27,35-36,41-54,82-83,89-90; P2831,pp.8-10,18,27,28; D4002,p.63.

⁷ A.DŽAMBASOVIĆ:P2828,paras.55,57,63,75; P2831,p.22.

⁸ AF2673; A.HAMZIĆ:P131,p.5; M.BJELICA:D3206,paras.61,67; P5250,p.5; P5244,p.2.

⁹ A.DŽAMBASOVIĆ:P2828,paras.73,108-109; P2833,pp.2-3; M.BJELICA:D3206,para.24.

¹⁰ A.DŽAMBASOVIĆ:P2828,paras.76-77,79-80.

3. On 30 March 1992, the SAO Romanija MUP was formed; Mićo STANIŠIĆ attended a parade in Sokolac to review the troops.¹¹ In late March 1992, Zoran CVIJETIĆ, Sokolac SJB Chief, dismissed all Muslim police officers.¹² Muslims were also dismissed from their jobs, or prevented from working as a result of harassment.¹³ During April 1992, several paramilitary units—including ARKAN’s men, the White Eagles, and some local groups—based themselves in Sokolac town and surrounding villages.¹⁴

4. TUPAJIĆ was elected Sokolac CS President, which held its first session on 6 April 1992,¹⁵ and immediately assumed governmental functions, including matters related to the TO.¹⁶ CS membership was controlled by the SDS Municipal Board.¹⁷ CS members, according to a 29 May decision making reference to the RS Law on Defence,¹⁸ were obliged to collaborate with the “Serbian Army” and RS Government on “all vital issues”.¹⁹ The CS also communicated with police stations.²⁰ All important SDS Main Board decisions that needed to be implemented at the municipality level were passed on to the CS by BJELICA, SDS Municipal Board President.²¹

5. The CS and other municipal authorities coordinated with regional and republic organs, including KARADŽIĆ himself, and complied with their orders, instructions and requests²² regarding: transport and secure storage of weapons and military equipment;²³ enforcement of mobilisation orders;²⁴ the attack on Rogatica;²⁵ transfer of the Bratunac prisoners in May 1992;²⁶ establishment of a MUP special purpose unit;²⁷ and various other matters.²⁸

¹¹ D4271; M.BJELICA:D3206,para.8; G.MAČAR:T.39515-39516.

¹² AF2674; A.HAMZIĆ:P131,p.5; P6089,p.2; M.MANDIĆ:T.4889-4890; M.MANDIĆ:C2,pp.53-55,58-61; P1383,p.164; R.DONIA:P973,p.28; A.DŽAMBASOVIĆ:P2828,para.87; P2831,p.34.

¹³ D4002,p.63; A.HAMZIĆ:P131,p.5; M.TUPAJIĆ:P5238,pp.64-65; D3227,pp.2-4; D3231; D3228.

¹⁴ AF2675; D458.

¹⁵ M.TUPAJIĆ:P5238,pp.2,4.

¹⁶ P5250; P5240.

¹⁷ P5242,p.1; M.TUPAJIĆ:P5238,p.44.

¹⁸ See P2602.

¹⁹ P5243; M.TUPAJIĆ:P5238,pp.10-11.

²⁰ M.TUPAJIĆ:P5238,p.11.

²¹ M.TUPAJIĆ:P5238,pp.30-31; M.BJELICA:D3206,para.18.

²² D.HANSON:P2589,paras.60-61.

²³ P5240,p.2; P5245; M.TUPAJIĆ:P5238,pp.12-13,24-26; D.HANSON:P2589,para.60; D3225,p.2.

²⁴ P5248; M.TUPAJIĆ:P5238,pp.21-24.

²⁵ P3265; P3274; [REDACTED].

²⁶ P2619; P4983; M.TUPAJIĆ:P5238,pp.74-77; B.ĐERIĆ:P4982,paras.33-34;

D.HANSON:P2589,para.60.

²⁷ D3207; D3225,p.4.

6. On 17 May 1992, **KARADŽIĆ**, **KRAJIŠNIK** and **MLADIĆ** met with SAO Romanija, Olovo and Rogatica representatives in Sokolac²⁹ to discuss military matters, including the number of men at Sokolac's disposal, as well as quantities of mortars, guns, tanks and artillery.³⁰ **KARADŽIĆ** indicated that they were "looking for results from the army" and that they would respond to all requests by the army.³¹ On the same day, **KRAJIŠNIK** stated publicly that the time was "ripe for a demarcation of the areas between Croats, Serbs, and Muslims because [...] a common state with them is no longer possible".³² On 21 May the Sokolac TO was incorporated into the VRS's 2nd Romanija Motorised Brigade.³³

C. Attacks on Muslim villages and other crimes

7. From late May into July 1992, columns of thousands of Muslim civilians, mainly from Rogatica and Višegrad, passed through Sokolac on their way to ABiH-controlled areas.³⁴ Sokolac authorities had information that these civilians were fleeing "killings, sometimes mass killings".³⁵ The civilians were transported in organised convoys escorted by Serb soldiers and police, including Sokolac police.³⁶ Hundreds of Muslim detainees from Bratunac were also transported through Sokolac to Pale and, with Sokolac CS assistance, from Pale to Visoko.³⁷ **TUPAJIĆ** knew this was part of the mass expulsion of Muslims from Eastern Bosnia.³⁸ Sokolac authorities were also aware that Serb forces killed Muslim civilians on Sokolac territory during this period, including approximately 48 men from Višegrad who were executed at

²⁸ P5247; M.TUPAJIĆ:P5238,pp.16-20,151; P5242,pp.3-4; D3207; D3225,pp.2-4; P5239; P5241,p.1; D3227,p.1; M.TUPAJIĆ:P5243,pp.15-16; D406,p.1; P5242,p.5; D.HANSON:P2589,paras.60-61; D.HANSON:T.14554-15555; P5250,pp.5-6; M.TUPAJIĆ:P5238,pp.45-46; P5783,pp.1-3.

²⁹ P1477,p.349; P6254.

³⁰ P1477,pp.348-349.

³¹ P1477,p.351.

³² P6254,p.2.

³³ M.TUPAJIĆ:P5238,pp.56-57,62; P5182,p.2; D.OBRADOVIĆ:D3175,para.14; D.OBRADOVIĆ:T.36116-36117; P6236.

³⁴ M.TUPAJIĆ:P5238,pp.57-59; F.SPAHIĆ:P60,pp.7-8; F.SPAHIĆ:P61,pp.12-26; A.HAMZIĆ:P131,p.8.

³⁵ M.TUPAJIĆ:P5238,pp.59-60.

³⁶ M.TUPAJIĆ:P5238,pp.59,69-70.

³⁷ P2619; P4983; M.TUPAJIĆ:P5238,pp.74-77; B.ĐERIĆ:P4982,paras.33-34; D.HANSON:P2589,para.60. *See also* III.C.8.(c): Exchange Commission; III.C.8.(g)(iii): CSs organised and supported detentions; III.C.9.(b): **KARADŽIĆ** and the BSL had effective communications; III.D.1: **KARADŽIĆ** knew of crimes being committed in furtherance of the common purpose; SIC:C.6.2(Bratunac); Bratunac, Pale Summaries.

³⁸ M.TUPAJIĆ:P5238,p.77.

Paklenik cave,³⁹ and 30 to 35 men from Nedžarići whose bodies the Sokolac authorities later buried by the roadside.⁴⁰

8. In April, the Municipal authorities led by TUPAJIĆ were encouraging the civilian population who had left the municipality to return to or remain in Sokolac,⁴¹ However, once the 2nd Romanija Motorised Brigade was established and serious crimes against non-Serbs in other municipalities became known, TUPAJIĆ began informing Muslims he could no longer protect them “due to the ethnic cleansing that had begun”.⁴² Disarming of Muslim villages began in May and continued into September 1992.⁴³ From late July to late September, the 2nd Romanija Motorised Brigade, under Radislav KRSTIĆ’s overall command,⁴⁴ attacked and destroyed a number of these Muslim villages.⁴⁵ Attacks began with artillery fire, followed by infantry incursions and lastly, the villages were looted and burnt.⁴⁶ Civilians were killed,⁴⁷ despite there being “almost no resistance to speak of”.⁴⁸ All five mosques in Sokolac municipality were systematically destroyed within a few days, during attacks on Muslim villages carried out by the 2nd Romanija Motorised Brigade.⁴⁹ The ruins were razed,⁵⁰ and the rubble from one such mosque used to bury Muslim civilians executed by the Brigade.⁵¹

9. Muslim civilians were detained in various places in the municipality, including the cellar of the Slaviša Vajner Čiča elementary school in Sokolac,⁵² an abandoned school building in Čavarine village,⁵³ the Palež factory, a restaurant in Knežina, and the cellar of the post office building and seat of the local commune.⁵⁴

³⁹ See SIC:A.14.2(Višegrad); F.SPAHIĆ:P60,pp.8-9.

⁴⁰ M.TUPAJIĆ:P5238,pp.120-123.

⁴¹ D3185,p.1; D3223,p.6; M.BJELICA:D3206,para.34; D.OBRADOVIĆ:T.36070-36071,36077. See also M.SELMANOVIĆ:P3295,paras.4-6; M.SELMANOVIĆ:T.18549-18556.

⁴² M.TUPAJIĆ:P5238,pp.56-58; A.HAMZIĆ:P131,p.6.

⁴³ M.SELMANOVIĆ:P3295,paras.3-4; M.SELMANOVIĆ:T.18550-18552; P5242,p.7;

M.TUPAJIĆ:P5238,pp.54-55,84; P3296; D1667,p.1; P6235,pp.1-2.

⁴⁴ M.TUPAJIĆ:P5238,p.110; R.KRSTIĆ:D4136,pp.19,22.

⁴⁵ M.TUPAJIĆ:P5238,pp.84-87.

⁴⁶ M.TUPAJIĆ:P5238,pp.87,91-92; AF2684; A.HAMZIĆ:P131,p.9; D613.

⁴⁷ A.HAMZIĆ:P131,p.9; A.HAMZIĆ:P132,p.2.

⁴⁸ M.TUPAJIĆ:P5238,p.95.

⁴⁹ AF2684; M.TUPAJIĆ:P5238,p.109; A.HAMZIĆ:P131,p.8. See also SIC:D.18(Sokolac).

⁵⁰ A.RIEDLMAYER:P4070,pp.312,315,321.

⁵¹ A.RIEDLMAYER:P4068,para.41; A.RIEDLMAYER:P4070,pp.316-318; A.RIEDLMAYER:T.22548,22558-22559,22585-22586; P3297. See SIC:A.13.1(Sokolac).

⁵² See SIC:C.23.2(Sokolac).

⁵³ See SIC:C.23.1(Sokolac).

⁵⁴ M.TUPAJIĆ:P5238,pp.87-88.

10. On 14 July 1992, **KARADŽIĆ** addressed a telegram to the presidents of all municipalities in the Goražde area, including Sokolac, purporting to hold them personally responsible for the protection of villages in which the Croatian and Muslim inhabitants “hand over their weapons and do not intend to fight against us”.⁵⁵ TUPAJIĆ’s response the following day reveals the disingenuousness of **KARADŽIĆ**’s telegram: “All activities on the area of the Municipality, on security issues are conducted by” the SJB which was “responsible for its work to MUP”, and the 2nd Romanija Mbr which was “responsible to its superior command”.⁵⁶ This response made clear that the fate of Sokolac’s Muslims rested in the hands of forces ultimately controlled by **KARADŽIĆ**.

11. This proved true in Novoseoci village, when in September members of the 2nd Motorised Romanija Brigade surrounded the village, transferred the women and children in buses to Sarajevo, and executed the 44 remaining men.⁵⁷ KRSTIĆ informed the VRS-GŠ that same day that the *čišćenje* (cleansing or mopping up) of the village of Novoseoci was complete.⁵⁸ The Sokolac SJB and municipal authorities were aware of the massacre that evening.⁵⁹ However, neither the SJB nor the MP conducted an investigation.⁶⁰ The bodies were only exhumed in 2000.⁶¹ KRSTIĆ was later promoted to DK Chief of Staff,⁶² and later—by **KARADŽIĆ** himself—to DK Commander.⁶³ After Novoseoci, TUPAJIĆ attempted to resign, citing his inability to “change the course of events” in Sokolac, where “so many harmful events” had occurred.⁶⁴

12. Mistreatment of Sokolac’s few remaining Muslims continued throughout the Indictment period. In 1994, for example, both Commander KRSTIĆ and the police forced Vrhbarje village’s Muslim inhabitants to work on the front. The villagers were subjected to regular looting and thefts, spent nights in the woods out of fear for their

⁵⁵ D95; D3190.

⁵⁶ P6236; M.TUPAJIĆ:P5238,pp.56-58,62-63,65-66; D3232,p.2; M.BJELICA:T.36391-36393; D.OBRADOVIĆ:T.36117-36118.

⁵⁷ See SIC:A.13.1(Sokolac).

⁵⁸ P5438,p.1; AF2677. See also D3192,p.2.

⁵⁹ M.TUPAJIĆ:P5238,pp.106-107; D.OBRADOVIĆ:D3175,para.20; D.OBRADOVIĆ:T.36095-36096,36129.

⁶⁰ D.OBRADOVIĆ:T.36096-36097,36100,36102-36103,36129-36133.

⁶¹ P3297.

⁶² R.KRSTIĆ:D4136,p.30. See also P1412,p.17; P5182,p.3.

⁶³ P3044.

⁶⁴ P5249; M.TUPAJIĆ:P5238,pp.110-113; P5251.

safety, and were ultimately taken under police escort to Kula prison where they were detained.⁶⁵

13. Claims from low-credibility Defence witnesses⁶⁶ that Muslim civilians were not pressured to leave⁶⁷ are demonstrably false. For example, OBRADOVIĆ claimed that in October 1994 Vrhbarje villagers “got into their cars and [...] simply left”, “of their own free will”⁶⁸ in spite of his own contemporaneous report that they “were handed over to the Kula KP Dom” by Sokolac policemen.⁶⁹ BJELICA, who made similar assertions, admitted in 2004: “We want to have a complete break from the Muslims [...] We did not want to live with them and we don’t want to be buried near them.”⁷⁰

⁶⁵ P6235, pp.2-5; D3189.

⁶⁶ DCC(M.BJELICA; D.OBRADOVIĆ).

⁶⁷ M.BJELICA:D3206, para.37; M.BJELICA:T.36400-36402,36459-36463; D.OBRADOVIĆ:D3175, paras.18-19,30; D.OBRADOVIĆ:T.36082-36084.

⁶⁸ D.OBRADOVIĆ:D3175, para.19; D.OBRADOVIĆ:T.36083,36109.

⁶⁹ D3189; D.OBRADOVIĆ:T.36110-36111.

⁷⁰ P6257; M.BJELICA:T.36466-36467.

Vlasenica

I. VLASENICA MUNICIPALITY

A. Overview

1. In 1991 the ethnic composition of Vlasenica municipality was 55.2% Muslim, 42.3% Serb, 0.1% Croat and 2.4% other.¹ Vlasenica was strategically important for attainment of the first and third strategic objectives,² forming part of the geographic link to Serbia.³ As a result of the campaign to secure Vlasenica through removal of non-Serbs, including attacks, killings, mass detentions and destruction, Vlasenica's Muslim population dropped from 55.2% to 0.2%.⁴

B. Build-up to the conflict

2. During 1990, General ADŽIĆ ordered all weapons and equipment belonging to the Vlasenica TO and civilian protection units moved to the JNA depot.⁵ As **KARADŽIĆ** would later note, "we were supported by general ADŽIĆ. He worked on distribution of ammunition, he knew about it".⁶ In 1991, the local SDS, including then-SJB Chief Rade BJELOVANOVIĆ, began secretly arming the Serb population in the Vlasenica area with weapons supplied by the JNA.⁷

3. By late 1991, under **KARADŽIĆ**'s supervision, the SDS assisted the JNA in forming a volunteers' detachment in Milići, near Vlasenica.⁸ They wore Chetnik symbols, manned barricades and intimidated the local population.⁹ Dragomir MILOŠEVIĆ, then a JNA commander, claimed that the unit was needed to protect Serbs.¹⁰ **KARADŽIĆ** coordinated deployment to Croatia of the JNA troops or volunteers from the area through Rajko DUKIĆ and MILOŠEVIĆ.¹¹

¹ P6199; I.REDŽIĆ:P3189,p.2; P4994,pp.32,35,40.

² P956,p.9; P781. *See also* III.C.5.(a): The strategic objectives as articulated at the 16th Assembly.

³ P921,pp.45-46; P1478,pp.102-103; D115,p.42; P972,p.131.

⁴ P4994,p.32. *See also* D4002,p.34.

⁵ I.REDŽIĆ:P3189,p.10; P3201.

⁶ P5581,p.4.

⁷ I.REDŽIĆ:P3189,pp.16,18-19. *See also* P979,p.12; P1478,pp.233-234; Z.JOVANOVIĆ:D3007,para.20; M.ĐURIĆ(KW117):D3093,para.15;

⁸ D1653,p.3; Z.BAJAGIĆ:T.41175; I.REDŽIĆ:P3189,pp.13-14; A.DŽAMBASOVIĆ:P2828,paras.55-56.

⁹ I.REDŽIĆ:P3189,pp.5-7.

¹⁰ I.REDŽIĆ:P3189,pp.10-11.

¹¹ P5802.

4. On 26 December 1991, over objections from other deputies, Serb representatives of the Vlasenica Municipal Assembly passed a decision to join the Birač SAO.¹² On 18 February 1992, at its first session, the Executive Council of the Birač SAO passed conclusions envisaging steps “in order to take over power in the area of the SAO Birač as efficiently as possible.”¹³ On 24 February 1992, shortly after **KARADŽIĆ**’s call to implement the second stage of Variant A/B, the SDS Executive Board assigned DUKIĆ (President of republic-level SDS Executive Board and director of the *Boksit* mine in Milići)¹⁴ as coordinator for SAO Birač; one of his tasks was to involve himself in the work of the SAO CS.¹⁵

5. From late 1991 and up to May 1992, Muslims working in state-owned companies and other public services in Vlasenica municipality were dismissed from their jobs.¹⁶ Muslim shopkeepers feared keeping their businesses open, and Muslim workers in the local bauxite company stopped being paid, while their Serb colleagues continued to receive salaries.¹⁷

6. Negotiations to “divide” the municipality began on 30 March 1992, although the area (Milići) that included the Boksit mine—the “backbone of the Vlasenica economy”¹⁸—had already been proclaimed a Serb municipality.¹⁹ Tomislav SAVKIĆ, SDS president in Vlasenica, threatened the Muslim negotiating team that if they didn’t agree to the division, “there are tanks ready to shed blood” and “the borders would be drawn up in blood.”²⁰ CS President STANIĆ told Muslim negotiators that orders regarding the division came from “higher up”.²¹ Meanwhile, armed Serb paramilitaries placed increasing pressure on Muslims to leave.²² In the face of such threats and duress, in addition to the presence of well-armed JNA troops²³ and recent

¹² T.SAVKIĆ:D2932,para.28; D3098; M.STANIĆ:D2982,para.13; M.ĐURIĆ(KW117):D3093,para.7; M.ĐURIĆ(KW117):T.35009-35010.

¹³ P6113,p.3; [REDACTED].

¹⁴ P2580; P1479,pp.91-94; D82,p.3; D1187; P3408,p.2.

¹⁵ P2589,p.13,fn.36.

¹⁶ AF2686; I.OSMANOVIĆ:P3212,paras.41-42,49,69; I.REDŽIĆ:P3189,pp.25-26;

I.REDŽIĆ:T.17681; [REDACTED].

¹⁷ AF2686.

¹⁸ I.REDŽIĆ:P3189,pp.32-34,36-37. *See also* P6114.

¹⁹ P961,p.23. *See also* P6484,p.2.

²⁰ AF2689; I.REDŽIĆ:P3189,pp.37-38.

²¹ I.REDŽIĆ:P3189,p.47.

²² I.REDŽIĆ:P3189,pp.33-34; T.SAVKIĆ:D2932,para.35.

²³ I.REDŽIĆ:P3189,pp.5-7,29-30; I.OSMANOVIĆ:P3212,para.52.

events in other parts of BiH, the SDA agreed on 11 April 1992 to divide the municipality.²⁴

7. On 19 April 1992, the Vlasenica CS decided to “take over power” in Vlasenica;²⁵ introduce a state of imminent threat of war;²⁶ form a TO unit under its command;²⁷ demand seizure of “illegal” weapons;²⁸ and disarm members of the Vlasenica SJB²⁹ in order to [REDACTED] [REDACTED] Afraid, people started leaving the area, including Muslim representatives in the municipal authorities.³¹

C. Attack on Vlasenica and subsequent crimes

8. On 21 April 1992, the Serbs took over power in the municipality. JNA units, in coordination with the local police and TO units commanded by the CS, took control of municipal institutions, including the town hall, bank, post office, police and the court.³² The non-Serb population offered no resistance³³ that day or thereafter.³⁴ Even so, three Muslim houses were torched and burned in Vlasenica town;³⁵ others were covered in graffiti, such as: “Ustasha”, “Muslims out”, “We will slaughter”, “This is Serb, this is Serbia”.³⁶ All non-Serb police officers were dismissed by 21 April 1992.³⁷

²⁴ D1286; I.REDŽIĆ:P3189,pp.29-33,36-37,47; M.STANIĆ:D2982,para.14.

²⁵ P3214; M.ĐURIĆ(KW117):D3093,para.21.

²⁶ P6137; M.ĐURIĆ(KW117):D3093,paras.18-19. *See also* P2615; DCC(M.STANIĆ; T.SAVKIĆ).

²⁷ P6140.

²⁸ P3215; I.REDŽIĆ:P3189,pp.40-41.

²⁹ P6138; M.ĐURIĆ(KW117):D3093,paras.23-26; M.ĐURIĆ(KW117):T.35062-35063; [REDACTED]. *See also* DCC(M.STANIĆ; T.SAVKIĆ).

³⁰ [REDACTED]

³¹ I.REDŽIĆ:P3189,pp.33-34,43; M.STANIĆ:D2982,para.17; M.ĐURIĆ(KW117):D3093,paras.18-19,41.

³² AF2690; P2636; P6458,p.3; I.OSMANOVIĆ:P3212,paras.17,23-24; I.REDŽIĆ:P3189,pp.50-51; D4002,p.34; D3101; D3100; P2615; [REDACTED].

³³ I.OSMANOVIĆ:P3212,paras.28-29; [REDACTED]; S.HODŽIĆ:T.18432; Z.JOVANOVIĆ:D3007,para.21; M.ĐURIĆ(KW117):D3093,paras.14,27.

³⁴ I.OSMANOVIĆ:P3212,para.59.

³⁵ I.OSMANOVIĆ:P3212,para.37.

³⁶ I.OSMANOVIĆ:P3212,paras.38-39.

³⁷ [REDACTED]; [REDACTED].

9. After the takeover, Serb authorities introduced a curfew,³⁸ restricted the movement of Muslim population,³⁹ imposed work obligation,⁴⁰ and arbitrarily arrested non-Serbs.⁴¹

10. On 22 April 1992, Serb police demanded over loud-speakers that Muslims surrender all their weapons or face arrest.⁴² Only non-Serbs were required to surrender weapons, even if legally possessed.⁴³ In addition to Muslims allegedly suspected of having weapons, Serb police also arrested and charged SDA members and those involved in the referendum;⁴⁴ no similar charges were brought against Serbs.⁴⁵

11. Attacks on Muslim villages began shortly after the takeover. In the first half of May, a special police platoon attacked several villages, burning houses and killing people with the aim of cleansing the area of Muslims.⁴⁶ On 16 May 1992—the day after the Birač Brigade ordered its units to in “a coordinated action” with the TO units “enable the functioning of the organs of government”,⁴⁷—Serb Forces attacked Zaklopača, a village on the road between Vlasenica and Milići, killing about 80 people.⁴⁸ There was no armed resistance.⁴⁹ Thirty survivors of the attack (women, children and one elderly man) were deported to Muslim-held territory after signing statements that they abandoned their houses and property.⁵⁰

12. Further joint VRS/MUP cleansing operations⁵¹ followed ANDRIĆ’s 28 May order that military-age men were to be put in camps for exchange.⁵² Serb Forces

³⁸ I.OSMANOVIĆ:P3212,paras.33-34,48.

³⁹ I.OSMANOVIĆ:P3212,para.43; I.OSMANOVIĆ:T.17972; P3217.

⁴⁰ I.OSMANOVIĆ:P3212,paras.40-42.

⁴¹ AF2691; I.OSMANOVIĆ:P3212,paras.50-51; P3217; S.HODŽIĆ:P3285,para.15;

[REDACTED].

⁴² AF2693; I.OSMANOVIĆ:P3212,paras.27-28; I.OSMANOVIĆ:17962; P1478,p.233;

[REDACTED]; [REDACTED]; Z.JOVANOVIĆ:D3007,para.21.

⁴³ I.REDŽIĆ:P3189,pp.40-41.

⁴⁴ I.OSMANOVIĆ:P3212,paras.33-35,36,,50-51,72; [REDACTED]

[REDACTED]; M.ĐURIĆ(KW117):D3093:para.46;

M.ĐURIĆ(KW117):T.35059-35060; P3216; D1646.

⁴⁵ M.ĐURIĆ(KW117):T.35059-35060.

⁴⁶ [REDACTED].

⁴⁷ D3890,pp.1-3. *See also* S.ANDRIĆ:D3886,para.2; P2636,p.1.

⁴⁸ M.SAIM-HODŽIĆ:P418,pp.5-6. *See* SIC:A.15.2(Vlasenica).

⁴⁹ M.SAIM-HODŽIĆ:P418,p.5; I.OSMANOVIĆ:P3212,para.28.

⁵⁰ M.SAIM-HODŽIĆ:P418,p.6. *See also* B.TRIŠIĆ:T.34504.

⁵¹ AF2694; [REDACTED]; M.ĐURIĆ(KW117):T.35005.

⁵² P3055. *See* III.C.5.(c): The strategic objectives were transformed into concrete results on the ground.

attacked villages to the north of Vlasenica in the area of Drum and Gradina;⁵³ these were “standard” cleansing operations in which those Muslims encountered were typically killed.⁵⁴ [REDACTED]

[REDACTED] In Drum, which the police had previously disarmed, over 20 civilian men were killed by Bosnian Serb Forces.⁵⁷ Women, children and old men were loaded onto a bus, and transferred to Sušica;⁵⁸ some were transferred after a month to Batković⁵⁹ and exchanged several months later.⁶⁰ Muslim detainees at Vlasenica prison were taken under guard to Drum to bury the bodies of civilians killed in the attack.⁶¹

13. Beginning in May 1992, Serb MUP members took Muslim men to the SJB building for alleged questioning about weapons. The men were beaten and kept in harsh conditions.⁶² At least one was killed.⁶³ Muslim men were also held in the municipal prison⁶⁴ in Vlasenica. Following the establishment of Sušica detention facility—established by ANDRIĆ on 31 May 1992 pursuant to the SAO Birač decision regulating the moving out of the Muslim population from the area⁶⁵—the police transferred prisoners from the Vlasenica Prison to Sušica.⁶⁶

14. [REDACTED] Sušica [REDACTED] [REDACTED] guards were members of the VRS Birač Brigade and Vlasenica SJB.⁶⁸ [REDACTED] and

⁵³ AF2694; [REDACTED]; D3890,p.2; P6458.

⁵⁴ AF2694; [REDACTED]; P6382.

⁵⁵ [REDACTED]; P6382.

⁵⁶ AF2694; [REDACTED].

⁵⁷ See SIC:A.15.1(Vlasenica).

⁵⁸ See SIC:C.25.3(Vlasenica); AF2696; [REDACTED].

⁵⁹ See SIC:C.2.1(Bijeljina); [REDACTED].

⁶⁰ AF2258; [REDACTED].

⁶¹ See SIC:C.25.2(Vlasenica).

⁶² See SIC:C.25.1(Vlasenica).

⁶³ See SIC:B.18.3(Vlasenica).

⁶⁴ See SIC:C.25.2(Vlasenica).

⁶⁵ AF2706; P3240; P6030; [REDACTED]; P6130; S.ANDRIĆ:D3886,para.4; S.ANDRIĆ:T.41682 .

⁶⁶ I.OSMANOVIĆ:P3212,paras.100-104.

⁶⁷ [REDACTED].

⁶⁸ AF2706-AF2707; [REDACTED]; S.ANDRIĆ:T.41685; M.DEURIC:D2967,para.17; M.DEURIC:T.33921; M.ĐURIC(KW117):D3093,para.52.

⁶⁹ [REDACTED].

the CS and SJB received daily reports⁷⁰ and made decisions about the daily running of the camp and detainees, including decisions on releases, visits and exchanges.⁷¹ In the first days of its operation, over 1000 persons were detained at Sušica.⁷² Sušica detainees (which included women, children and elderly)⁷³ were subjected to inhumane and degrading treatment,⁷⁴ including frequent beatings,⁷⁵ forced labour,⁷⁶ and sexual abuse.⁷⁷ Some were murdered.⁷⁸

15. The SJB reported up the hierarchical chain to the CSB⁷⁹ and the Birač Brigade reported to the IBK, which in turn reported to the VRS GŠ, about the camp.⁸⁰ On 7, 14 and 21 June 1992, the IBK informed MLADIĆ that they were holding hundreds of prisoners in Vlasenica.⁸¹ On 25 June 1992, the CS President informed MLADIĆ about hundreds of prisoners, including many women and children, in Vlasenica.⁸²

16. The overwhelming numbers of prisoners resulting from the continuing cleansing (and the resulting burden on the Birač Brigade) prompted MLADIĆ to order the IBK on 17 June 1992, to establish a new camp.⁸³ As a result, Batković camp was established in Bijeljina municipality and many Sušica detainees were transferred there.⁸⁴ Serb officials allowed a group of about 800 women, children and elderly Muslims to leave Sušica camp after signing declarations that they were leaving the

⁷⁰ AF2708; [REDACTED]

⁷¹ AF2709; [REDACTED]

⁷² SIC:C.25.3(Vlasenica).

⁷³ I.OSMANOVIĆ:P3212,paras.114-118; [REDACTED]

P1478,p.232.

⁷⁴ AF2714; I.OSMANOVIĆ:P3212,paras.118-123; [REDACTED]

⁷⁵ AF2715; I.OSMANOVIĆ:P3212,paras.125,130-132; M.KURALIĆ:P84,pp.6-7;

[REDACTED]; P6130; P3223.

⁷⁶ AF2713; I.OSMANOVIĆ:P3212,para.124; [REDACTED]

[REDACTED]; I.OSMANOVIĆ:P3212,para.114; [REDACTED]; P6132,p.5.

⁷⁸ SIC:B.18.1(Vlasenica).

⁷⁹ M.ĐURIĆ(KW117):T.35024-35025; D3101,pp.2-3.

⁸⁰ P3237,p.2; P3220; P3221; [REDACTED]

⁸¹ P3237; P3220; P3221; [REDACTED]

⁸² P1478,p.232.

⁸³ P3238.

⁸⁴ See SIC:C.2.1(Bijeljina). See also I.OSMANOVIĆ:P3212,paras.145-147; E.PAŠIĆ:P59,pp.31-36;

[REDACTED]; P3213(B/C/S),pp.1,3,5,9,13,23,26,28,30,32,34,40,45,48,53,55,57,59,62,64,80,82,86,94,111,113,117,138,140,143,151,158,171,178,186,189.

municipality voluntarily and abandoning their property.⁸⁵ Approximately 2500 Muslim civilians passed through Sušica camp between June and September 1992.⁸⁶

17. On 20 September 1992, ANDRIĆ reported to SIMIĆ that there were 2 women and 130 men in the “prison in Vlasenica”.⁸⁷ About ten days later, **KARADŽIĆ** delivered a speech in Vlasenica at a funeral for 28 Serb soldiers, stating that the executioners of the soldiers should never be forgiven and reminding the crowd how the Muslims “have been at our throats”.⁸⁸ He also met with CS and MUP officials.⁸⁹ That same evening, MUP representatives took the remaining 140-150 detainees in Sušica camp to Debelo Brdo and executed them.⁹⁰ Municipal authorities ordered the dismantling of the camp and concealment of its traces.⁹¹

18. Serb officials obstructed efforts by, internationals to gain access to the camp. When the ICRC tried to visit in July 1992, the SJB instructed Sušica guards to move the detainees to another place.⁹² OSTOJIĆ accompanied international representatives to Sušica during which similar efforts—which he knew about—were made to cover-up the existence of the camp.⁹³

19. [REDACTED]

20. In summer 1992, Serb Forces destroyed the mosque in Vlasenica town in a massive explosion.⁹⁷ [REDACTED]
[REDACTED] No one was prosecuted for the crime.⁹⁹

⁸⁵ AF2712; [REDACTED]

⁸⁶ [REDACTED]

⁸⁷ P6518, p.53.

⁸⁸ AF2718; P3261; [REDACTED]

[REDACTED] M.DEURIC:D2967, para.24.

⁸⁹ P3261; [REDACTED]

⁹⁰ See SIC:B.18.2(Vlasenica). See also I.OSMANOVIĆ:P3212, paras.85-87;

[REDACTED]

⁹¹ AF2720; [REDACTED]

⁹² AF2716; [REDACTED];

P3228; P6131.

⁹³ [REDACTED]; P3228.

⁹⁴ [REDACTED]

⁹⁵ [REDACTED]

⁹⁶ [REDACTED]

21. The goal, as KRAJIŠNIK articulated on 6 June, to “conquer what is ours” in order to, *inter alia*, “form and unite the Birač-Romanija area” was largely accomplished.¹⁰⁰ As DUKIĆ told the Assembly in July 1992, Birač once had 120,000 Muslims but he hoped that had “at least been halved”.¹⁰¹ By October 1992, the only Muslims who remained in Vlasenica town were a handful in mixed marriages. No non-Serbs remained in surrounding villages; the cleansed area extended almost to Cerska.¹⁰²

22. With the remnants of the Vlasenica Muslim community gathered in Cerska, brutal operations to force the Muslim population to leave pursuant to Directive 4 started and the Muslim population was “squeezed into enclaves [Srebrenica, Žepa and Goražde]”.¹⁰³

23. While crimes by Serb Forces against Muslims in the Vlasenica municipality were widely-known,¹⁰⁴ not a single case was prosecuted¹⁰⁵ or disciplinary measures imposed.¹⁰⁶

24. To the contrary, **KARADŽIĆ** awarded or promoted some of those most responsible for these crimes, awarding both Vlasenica SJB Chief Mane ĐURIĆ¹⁰⁷ (who later became deputy CJB Chief)¹⁰⁸ and the Vlasenica SJB,¹⁰⁹ and promoting ANDRIĆ to Chief of Staff of the DK during the Srebrenica operations.¹¹⁰

⁹⁷ Z.JOVANOVIĆ:T.34195-34196; [REDACTED]

⁹⁸ [REDACTED]

⁹⁹ M.ĐURIĆ(KW117):T.35055-35056.

¹⁰⁰ P1478,pp.93-94,108-109; P3238. *See also* D3890.

¹⁰¹ D92,p.73.

¹⁰² [REDACTED]

¹⁰³ *See* Podrinje Narrative; D2135; D2137; P5082; P5499,p.1; P4251.

¹⁰⁴ M.ĐURIĆ(KW117):D3093,paras.34,44; M.ĐURIĆ(KW117):T.35006; [REDACTED]

¹⁰⁵ P3216; [REDACTED]

¹⁰⁶ [REDACTED]. In recent years members of the Serb Forces have been convicted before the ICTY and BiH Court for crimes committed against Muslims in Vlasenica. In 2003, Dragan NIKOLIĆ, commander of the Sušica camp, pleaded guilty before the ICTY. In 2010, the BiH Court convicted police officer Predrag BASTAH and VRS soldier Goran VISKOVIĆ. *See* P6132. *See also* P3244; [REDACTED].

¹⁰⁷ P2978,p.5.

¹⁰⁸ M.ĐURIĆ(KW117):T.35031,35036.

¹⁰⁹ P2978,p.7.

¹¹⁰ P3044.

Vogošća

I. VOGOŠĆA MUNICIPALITY

A. Overview

1. In 1991, the ethnic composition of Vogošća municipality was approximately 51% (in total 12,549) Muslim, 35% (8,843) Serb, 5% (1,074) Croat, 8% other.¹ Because it was one of Sarajevo's ten municipalities,² its takeover furthered the first and fifth strategic objectives.³ Vogošća was strategically significant to the Bosnian Serbs because of its industrial infrastructure,⁴ which included *Pretis*, one of the largest arms and rocket producing factories in BiH.⁵ KRAJIŠNIK told then Vogošća Assembly on 14 November 1992 that Vogošća was taken "because of its industry".⁶

2. **KARADŽIĆ** and the BSL achieved their goals in Vogošća. By June 1993, most of the non-Serb population was removed from the municipality;⁷ by mid-1995, around 100 Muslims and a small number of Croats lived in Vogošća.⁸

B. Build-up to the conflict

3. Starting as early as September/October 1991, SDS Main Board member⁹ Jovan TINTOR (a close friend of KRAJIŠNIK)¹⁰ and **KARADŽIĆ**'s future adviser,¹¹ pursued the creation of a Serb municipality and separate Serb institutions in Vogošća,¹² for an ethnically separated BiH.¹³ TINTOR and other Serb leaders in Vogošća coordinated with and sought guidance from **KARADŽIĆ**¹⁴ and the BSL, including STANIŠIĆ¹⁵ and KRAJIŠNIK.¹⁶ They regarded the decisions of the BSL as binding and acted accordingly.¹⁷

¹ D4002,p.55; KDZ020:P2345,para.6; S.STANIĆ:T.31678-31679; M.TRIFUNOVIĆ:D2444,para.3.

² AF2.

³ See III.C.5.(a): The strategic objectives as articulated at the 16th Assembly.

⁴ P5511,p.3.

⁵ KDZ020:P2345,para.5.

⁶ P5511,p.3.

⁷ P2401; P2402; E.MURAČEVIĆ:T.12812.

⁸ D4002,p.55.

⁹ S.STANIĆ:T.31676; G.SIKIRAŠ:T.31013.

¹⁰ See e.g. P2359,pp.1-2; P5722,p.4; R.TINTOR referred to as "Kole". See [REDACTED].

¹¹ P5430.

¹² P2347,pp.6-8; P2545,p.1; P5807,p.3.

¹³ P2348,p.2; P5807,p.3.

¹⁴ D.HANSON:P2589,p.14,fn.37.

¹⁵ P2219,p.3; [REDACTED].

4. In January or February 1992, a Serb CS was established in accordance with Variant A/B, with TINTOR as president.¹⁸ Members included Slavko JOVANOVIĆ, Rajko KOPRIVICA,¹⁹ Municipality President Svetozar STANIĆ and commanders of the Vogošća Brigade and SJB.²⁰

5. In late 1991 and early 1992, the JNA coordinated closely with the BSL to arm Vogošća's local Serbs. In January 1992, JNA military trucks removed TO weapons, including heavy weaponry²¹ and weapons that had been brought from the *Pretis* industrial factory to the JNA Semizovac barracks.²² Weapons stored at the JNA barracks were distributed by the JNA and SDS to local Serbs.²³ On **KARADŽIĆ**'s order, TINTOR took a leading role in the arming of Serbs in Vogošća and other municipalities, later describing how he "went from municipality to municipality and created military formations on order from my president."²⁴ Weapons were handed to members of the Serb TO²⁵ whose commander reported to TINTOR.²⁶

6. From this time, Serbs began wearing their weapons publicly.²⁷ JNA reservists accommodated at the Semizovac barracks²⁸ fired weapons, looted property and threw grenades.²⁹ The security situation in Vogošća deteriorated, with daily gunfire incidents.³⁰ Despite the ongoing violence, KOPRIVICA,³¹ then Vogošća Executive Committee President, with **KARADŽIĆ**'s support, opposed efforts to mobilise civilian protection on the municipality's behalf.³²

¹⁶ [REDACTED]; KDZ020:T.12631; P2348,pp.2-4. *See*

¹⁷ P5836,pp.1-3.

¹⁸ S.STANIĆ:T.31670,31672,31675-31676; N.POPLAŠEN:D4027,para.5; D.HANSON:T.14572.

¹⁹ KDZ020:P2345,para.45.

²⁰ [REDACTED]; P5512,p.2.

²¹ KDZ020:P2345,para.35.

²² E.MURAČEVIĆ:P2361,para.9.

²³ KDZ020:P2345,paras.34-35,48; P979,pp.6,11; E.MURAČEVIĆ:P2361,para.9.

²⁴ P970,p.298.

²⁵ [REDACTED].

²⁶ KDZ020:P2345,para.45.

²⁷ KDZ020:P2345,para.47; E.MURAČEVIĆ:P2361,para.7.

²⁸ KDZ020:P2345,para.47.

²⁹ KDZ020:P2345,para.47.

³⁰ KDZ020:P2345,para.49; [REDACTED].

³¹ M.TRIFUNOVIĆ:T.30433; N.PRSTOJEVIĆ:T.13769.

³² P2360,p.1.

7. In March 1992, TINTOR warned of an “Islamic state” and outlined plans for a separate Serb municipality in Vogošća to be incorporated into SAO Romanija.³³ He also elaborated on the SDS’s territorial objectives,³⁴ foreshadowed that non-Serbs would have to sell their houses, whether or not they wanted to,³⁵ and asserted that Muslims “are not even a people”.³⁶

8. In the lead-up to Vogošća’s takeover, TINTOR and the Vogošća Serb leadership continued to coordinate with the BSL, including **KARADŽIĆ** (referring to him as “Doktor”), and discussing with him, *inter alia*, the mobilisation and establishment of units.³⁷

9. In early March, the JNA set up roadblocks around important factories in Sarajevo, including the *Pretis* plant.³⁸ In addition, Serb police and SDS officials set up barricades at strategic points in the region, including Vogošća.³⁹ TINTOR played a key role in organising the Serb barricades.⁴⁰

10. At the same time, non-Serb weekend houses were burned down and people expelled from their homes in an effort to intimidate the non-Serb population.⁴¹ MANDIĆ⁴² and TINTOR prevented investigations into crimes against non-Serbs, such as the murder of a Muslim teenager.⁴³

11. In March 1992, Vogošća SDS delegates, led by KOPRIVICA,⁴⁴ withdrew from the Vogošća Municipal Assembly.⁴⁵ KOPRIVICA announced they were going to organise a “Serb Municipality of Vogošća”.⁴⁶ Attendees were told that if they showed loyalty they could stay, but if not, they would be expelled.⁴⁷ [REDACTED]

³³ P965,pp.4-5; [REDACTED]. See also R.DONIA:P973,p.33.

³⁴ P5722,p.3. See also P5723,p.5.

³⁵ P965,p.5.

³⁶ P965,p.6.

³⁷ P5604,p.3; P5723,p.5; P5722,p.4; P5733,p.1.

³⁸ AF2594.

³⁹ AF2560; KDZ020:P2345,paras.5,53; G.SIKIRAŠ:D2540,para.4.

⁴⁰ R.DONIA:P973,pp.53-54.

⁴¹ KDZ020:P2345,para.55; E.MURAČEVIĆ:P2361,para.8.

⁴² KDZ020:P2345,para.57.

⁴³ KDZ020:P2345,para.55.

⁴⁴ KDZ020:P2345,para.63.

⁴⁵ AF2592; KDZ020:P2345,paras.59,63. See also KDZ020:T.12470-12471.

⁴⁶ KDZ020:P2345,paras.59,63.

⁴⁷ KDZ020:P2345,para.59.

Thereafter, meetings were held between local SDS and SDA officials at which SDS officials, including TINTOR and KOPRIVICA, insisted that the municipality be divided.⁴⁹ The division was intended to leave the Serbs with the town centre, important communication links and all local industry.⁵⁰

12. Following MANDIĆ's 31 March dispatch,⁵¹ the Vogošća police divided along ethnic lines.⁵² Around that time, 15 to 20 Serbs armed with weapons and rocket launchers attacked the Vogošća SJB.⁵³ The attack was led by Borislav ("Boro") RADIĆ,⁵⁴ who operated under the auspices of the SDS⁵⁵ and whose unit would later be integrated into the VRS.⁵⁶ Muslims in the SJB were disarmed.⁵⁷ After the SJB building was evacuated, RADIĆ attacked the station with automatic weapon fire⁵⁸ until [REDACTED].⁵⁹

C. Takeover of Vogošća and subsequent crimes

13. While SDS officials were negotiating with the SDA, TINTOR was aware that a military conflict was imminent.⁶⁰ On 3 April 1992, TINTOR ordered deployment of "[a]ll available manpower [...] at the checkpoints".⁶¹ Already in early April the Serb TO surrounded the municipality building and TINTOR raised the Serb flag.⁶² Before and during the takeover operations, TINTOR was in frequent contact with KRAJIŠNIK, informing him of the developments in Vogošća⁶³ and discussing with him the developing situation around Vogošća.⁶⁴ KARADŽIĆ was also in direct

⁴⁸ [REDACTED]. See also KDZ020:P2345, para. 59.

⁴⁹ AF2593; KDZ020:P2345, paras. 61, 63.

⁵⁰ AF2593; KDZ020:P2345, paras. 61, 63.

⁵¹ P1116.

⁵² [REDACTED]. See also KDZ020:P2345, para. 65; KDZ020:T.12471-12472; AF2595; E.MURAČEVIĆ:P2361, para. 8.

⁵³ KDZ020:P2345, para. 68. See also KDZ020:T.12471-12472. See further below.

⁵⁴ KDZ020:P2345, para. 68.

⁵⁵ [REDACTED]; E.MURAČEVIĆ:P2361, p. 20.

⁵⁶ [REDACTED]; P6002.

⁵⁷ KDZ020:P2345, para. 68.

⁵⁸ KDZ020:P2345, para. 68.

⁵⁹ [REDACTED].

⁶⁰ P5735, p. 3; P979, p. 11.

⁶¹ P5737, p. 1.

⁶² KDZ020:P2345, paras. 61, 66.

⁶³ P2359, p. 1.

⁶⁴ P5740.

contact with TINTOR.⁶⁵ KOPRIVICA maintained contact with MANDIĆ on operational matters,⁶⁶ and he and the CS solicited MANDIĆ's advice.⁶⁷ KOPRIVICA also had contacts with the military and was told to "[a]ct according to the instructions on operation in the crisis situation".⁶⁸

14. A large part of Vogošća was brought under Serb control through military force between 4 and 17 April by forces that included the JNA, the Serb TO (commanded by TINTOR)⁶⁹ and police, organised by Vogošća's Serb CS.⁷⁰ On 2 May, Serb Forces surrounded and attacked the villages of Svrake and Semizovac.⁷¹ During the attack, which included the use of artillery, Serb Forces destroyed homes, wounded people and killed at least one person.⁷²

15. Among those who participated was RADIĆ and his special detachment,⁷³ whose members looted and vandalised properties.⁷⁴ Svrake SDS President Kosta NEŠIĆ commanded a unit participating in the attack, which also included Risto BEROVIĆ, a local SDS Municipal Board member.⁷⁵

16. The CS remained actively involved in military matters in Vogošća, ordering mobilisation⁷⁶ and dealing with transfer of weapons from the JNA.⁷⁷ On 17 May 1992, it issued instructions for the *čišćenje* (cleansing/mopping up) of Svrake and Semizovac.⁷⁸ On 22 May 1992, SRK Commander ŠIPČIĆ ordered the subordination of the Vogošća TO to SRK command.⁷⁹ Miladin TRIFUNOVIĆ was subsequently appointed Vogošća Brigade Commander.⁸⁰ Nevertheless, for months following the takeover, the CS paid soldiers' salaries.⁸¹

⁶⁵ P5743,p.4.

⁶⁶ P5721.

⁶⁷ P5715.

⁶⁸ D1109,p.2.

⁶⁹ P1505,p.2.

⁷⁰ P5512,pp.1-2; E.MURAČEVIĆ:P2361,para.10.

⁷¹ AF2601; E.MURAČEVIĆ:P2361,para.13.

⁷² AF2601; P5512,p.2; E.MURAČEVIĆ:P2361,para.13; E.MURAČEVIĆ:T.12793.

⁷³ E.MURAČEVIĆ:P2361,p.20.

⁷⁴ [REDACTED].

⁷⁵ E.MURAČEVIĆ:P2361,para.14.

⁷⁶ P2624.

⁷⁷ P2364.

⁷⁸ See P2635. See also D.HANSON:T14572.

⁷⁹ P1505,p.2; R.THEUNENS:P3033,pp.443-444.

⁸⁰ M.TRIFUNOVIĆ:D2444,para.1.

⁸¹ P2373; S.STANIĆ:T.31702-31703.

17. After the takeover of Svrake and Semizovac, Serbs Forces expelled non-Serbs from their houses and apartments, including in towns where non-Serbs were the majority, such as Svrake and Bioča, which were completely cleansed of non-Serbs.⁸² Serb Forces looted Muslim property, arrested Muslim men, women, and children and detained them in Vogošća, where they were subjected to physical abuse, including sexual assaults and killings.⁸³

18. Detainees were transferred between detention facilities in the municipality including Planjo's house in Svrake⁸⁴ and the "bunker" in Vogošća,⁸⁵ the latter located immediately next to the CS headquarters at Sonja's house.⁸⁶ Defence witness AVLIJAŠ testified that it was "about the same distance as from the witness chair to the door in the courtroom."⁸⁷ AVLIJAŠ also testified conditions in the bunker were "truly horrific", that "this was inhumane behaviour which left me feeling horror".⁸⁸

19. These facilities were set up by the MOJ and the CS and overseen by warden Branko VLAČO,⁸⁹ a subsequent MANDIĆ appointee.⁹⁰ Detainees at these facilities were subjected to beatings, sexual assaults, forced labour including work on the frontline and being used as human shields, and killings.⁹¹ The War Commission was informed that detainees were taken for forced labour on the frontline.⁹² Detainees were also transferred to and from other municipalities, including Hadžići, Novi Grad, Ilijaš and Ilidža⁹³ which required coordination between municipal and military authorities.

20. Discriminatory measures were imposed on the non-Serb population including removal from their jobs,⁹⁴ and restriction of their movements. By CS order, non-Serbs leaving Vogošća were required to obtain certificates and permits,⁹⁵ and forced to sign

⁸² E.MURAČEVIĆ:P2361,para.14.

⁸³ AF2601; E.MURAČEVIĆ:P2361,paras.14-15. See SIC:B.19.1;C.26.1;C.26.3(Vogošća).

⁸⁴ See SIC:C.26.1(Vogošća).

⁸⁵ See SIC:C.26.3(Vogošća).

⁸⁶ S.STANIĆ:T.31686-31687; P2353.

⁸⁷ S.AVLIJAŠ:T.3161

⁸⁸ S.AVLIJAŠ:T.35159-35161.

⁸⁹ See SIC:C.26.1;C.26.3(Vogošća).

⁹⁰ P2374; S.AVLIJAŠ:T.35165.

⁹¹ See SIC:B.19.1;C.26.1;C.26.3(Vogošća).

⁹² P5999; P6000.

⁹³ See SIC:C.26.3(Vogošća).

⁹⁴ See P2635.

⁹⁵ P2365.

over their property to the Serb Municipality of Vogošća or contract with a person of Serb ethnicity located in another municipality to exchange properties.⁹⁶

21. After the takeover, several paramilitary units remained active in Vogošća with the support of the authorities. One of them was comprised of ŠEŠELJ's volunteers commanded by Jovo OSTOJIĆ, referred to as Šoša's Detachment.⁹⁷ The Vogošća authorities remunerated volunteers,⁹⁸ including those engaged under OSTOJIĆ's command.⁹⁹ In approving the Šoša Detachment's funding, the Vogošća War Commission found that it was "indispensable for the successful defence of the Serbian municipality of Vogošća and that the necessary funds must be found to pay them."¹⁰⁰ OSTOJIĆ and his volunteers fought alongside the Vogošća Brigade.¹⁰¹

22. Another such group was the volunteers led by RADIĆ.¹⁰² RADIĆ and his special detachment¹⁰³ (comprised mostly of criminals),¹⁰⁴ reported to the SDS,¹⁰⁵ requested supplies from the Vogošća War Commission¹⁰⁶ and participated in operations with the Vogošća Brigade.¹⁰⁷ Members of RADIĆ's unit were later incorporated directly into the VRS Vogošća Brigade.¹⁰⁸

23. Another armed group of 70 soldiers sent by Mirko KRAJIŠNIK was placed under the Vogošća Brigade's command, which also fought together with a ŠEŠELJ volunteers group called "Vaske".¹⁰⁹ As Defence witness TRIFUNOVIĆ testified, "[w]hoever came and placed himself under the command of the Army of Republika Srpska was welcome."¹¹⁰

24. Communication with the BSL continued in the months following the takeover through representatives on the local and republican level. Nikola POPLAŠEN was

⁹⁶ E.MURAČEVIĆ:P2361,p.20.

⁹⁷ KDZ020:T.12625. *See* III.C.8.(I): Paramilitaries/Volunteers/Serbian MUP.

⁹⁸ P2373; S.STANIĆ:T.31702-31703.

⁹⁹ P5418.

¹⁰⁰ P2377.

¹⁰¹ M.TRIFUNOVIĆ:T.30454-30455; P6003.

¹⁰² [REDACTED]; E.MURAČEVIĆ:P2361,para.16.

¹⁰³ P2366.

¹⁰⁴ E.MURAČEVIĆ:P2361,p.20.

¹⁰⁵ E.MURAČEVIĆ:P2361,p.20.

¹⁰⁶ P6001.

¹⁰⁷ M.TRIFUNOVIĆ:T.30454-30455; P6003.

¹⁰⁸ P6002.

¹⁰⁹ M.TRIFUNOVIĆ:T.30455-30457.

¹¹⁰ M.TRIFUNOVIĆ:T.30452.

appointed as an adviser to the Presidency in April¹¹¹ and appointed War Commissioner for Vogošća in June 1992, along with TINTOR.¹¹² The Vogošća War Commission would convene “upon request of civilian or military authorities of Vogošća Serbian Municipality or civilian or military authorities of [the RS].”¹¹³ The RS Government assigned ministers with responsibility to visit Vogošća¹¹⁴ and KOLJEVIĆ was tasked with completing work on a commission in Vogošća.¹¹⁵ KRAJIŠNIK attended the Vogošća Serb Assembly on 14 November 1992¹¹⁶ and was informed of the successes of the takeover and that the area up to Kobilja Glava (a predominantly Muslim village)¹¹⁷ still had to be cleaned up.¹¹⁸ At a meeting the following day with MLADIĆ, SRK commanders and presidents of five neighbouring municipalities, including Vogošća, STANIĆ also addressed the liberation of Kobilja Glava as a joint operation.¹¹⁹

25. Furthermore, the BSL issued orders to the Vogošća authorities, such as DERIĆ’s 17 June order to the Vogošća War Presidency to take all necessary steps to secure production operations at the *Pretis* factory.¹²⁰ Activities of the Vogošća CS were funded or coordinated by the RS government.¹²¹

26. The BSL were aware of the detention of non-Serb civilians in Vogošća municipality. In June, following POPLAŠEN’s visit to a Vogošća facility at which civilians were detained, he reported to the RS War Presidency that the “prison in Vogošća is illegal in view of our legal regulations” and recommended that the MOJ be assigned with the task of integrating it.¹²² MANDIĆ knew that Branko VLACO had been in charge of the bunker,¹²³ the facility that triggered “horror” in his deputy

¹¹¹ N.POPLAŠEN:D4027,para.1.

¹¹² N.POPLAŠEN:D4027,para.1; E.MURAČEVIĆ:P2361,p.21; P1093.

¹¹³ D4029. *See also* D4030.

¹¹⁴ P3083,p.3.

¹¹⁵ P1093,p.2.

¹¹⁶ P5511,p.3.

¹¹⁷ S.STANIĆ:T.31685.

¹¹⁸ P5511,pp.2,9.

¹¹⁹ P5065,p.16.

¹²⁰ P2621; D.HANSON:T.14553-14554.

¹²¹ P5239.

¹²² P2371; N.POPLAŠEN:T.43609-43611.

¹²³ S.AVLJIJAŠ:T.35160,35165.

AVLIJAŠ, yet appointed VLACO warden of the detention department of the Penal and Correctional Facility “Butmir” Ilidža located in Vogošća.¹²⁴

27. **KARADŽIĆ**, who subsequently praised TINTOR for his role as “the head of an illegal brigade” in Vogošća,¹²⁵ [REDACTED]

28. TINTOR was not punished for his leadership role in the cleansing of Vogošća’s non-Serb community. To the contrary, on 30 September 1992, **KARADŽIĆ** appointed TINTOR as one of his presidential advisors.¹²⁸ Indeed, in April 1995, **KARADŽIĆ** praised him before the Assembly as a man “who gave everything for this Party, for this people”.¹²⁹

¹²⁴ P2374; S.AVLIJAŠ:T.35165.

¹²⁵ P970,pp.316-317.

¹²⁸ P5430.

¹²⁹ P970,p.317. *See also* P968,p.1.

Zvornik

I. ZVORNIK MUNICIPALITY

A. Overview

1. In 1991, the ethnic composition of Zvornik municipality was 59% Muslim (48,102), 38% Serb (30,863) and 3% other.¹ In late 1992, the DK Command declared that the municipality's population had been "cleansed and replaced with an ethnically pure Serb population".² This ethnic cleansing was carried out in furtherance of the first and third strategic goals.³ In January 1993, **KARADŽIĆ** stated that while Zvornik's population was formerly "fifty-fifty", now "they are all Serbs".⁴ **KARADŽIĆ** later expanded that Serbs from Zenica who had settled in Zvornik would "never leave Zvornik again, and the state of facts established by this war, by this one year of war, will not be reconciled without large crimes".⁵

B. Build-up to the Conflict

2. From 1991, the SDS,⁶ Serb police personnel⁷ and the CS⁸ distributed weapons obtained from the JNA and the Serbian DB to local Serbs. In late February 1992, SDS President Branko GRUJIĆ and JNA officers met to organise a military brigade for the Zvornik area.⁹ In late March 1992, the CS and Serb reserve policemen handed out assignments for the erection of barricades, the securing of important facilities, and the seizing of bridges.¹⁰

3. The Zvornik SDS municipal board received Variant A/B shortly after it was issued and implemented it in late December 1991.¹¹ The instructions were considered to have had emanated directly from **KARADŽIĆ**, who had discussed them during an

¹ P4838; P6199,p.2.

² P2955,p.1.

³ See III.C.5.(b) The strategic objectives were transformed into concrete results on the ground.

⁴ P794,p.4.

⁵ P5591. See also P1403,p.157; P988,pp.68-69.

⁶ KDZ555:T.17246-17247; [REDACTED]; [REDACTED]; [REDACTED]; D1610,p.4.

⁷ P3390,p.20.

⁸ [REDACTED] J.IVANOVIĆ:T.39853-39855.

⁹ [REDACTED]

¹⁰ P3390,p.21.

¹¹ KW317:T.39329; J.IVANOVIĆ:T.39844-39845(confirming prior statement that Serbs in Zvornik established a parallel municipality administration based on **KARADŽIĆ**'s instructions).

SDS Deputies Club meeting attended by Zvornik representatives,¹² and their implementation was obligatory.¹³

4. The SDS Municipal Board formed a CS—commanded by SDS Municipal Board President Branko GRUJIĆ—pursuant to the instructions on 22 December 1991.¹⁴ Members included the Zvornik JNA Command Staff.¹⁵ Days later, the Serb Municipal Assembly declared the Serb Municipality of Zvornik pursuant to the instructions,¹⁶ claiming Muslim majority areas as part of it.¹⁷ A Zvornik representative attended the 14 February meeting at which **KARADŽIĆ** activated the second level of Variant A/B, and Zvornik authorities began implementing the second level during the 15 March 1992 Municipal Assembly session.¹⁸ In late March 1992, **KARADŽIĆ** told municipality presidents and other SDS officials, including from Zvornik that the conflict would soon erupt and that their duty was to create Serbian territories where Serbs were in majority.¹⁹ At the 24 March Assembly, **KARADŽIĆ** used Zvornik as an example of how municipal takeovers would be effected.²⁰

5. Pursuant to MANDIĆ's 31 March 1992 order to separate the MUP, a Serb SJB was established in Zvornik on 5 April 1992.²¹

6. The local Serb authorities, having invited in the paramilitaries/volunteers,²² paid for them to come from Belgrade to Zvornik to assist in its takeover.²³ When paramilitaries/volunteers flooded in,²⁴ such as Vojin VUČKOVIĆ (a.k.a. ŽUĆO),²⁵ NIŠKI, PIVARSKI and their units, they were welcomed by the local authorities²⁶ and assigned to TO brigades.²⁷ ARKAN, whose deputy was Marko PEJIĆ (a.k.a. PEJA),²⁸ MAUZER and their men came to Zvornik following the forcible removal of non-

¹² [REDACTED]

¹³ B.GRUJIĆ:T.40367-40372; B.GRUJIĆ:P6415,pp.2-3.

¹⁴ P2590; B.GRUJIĆ:D3724,para.18.

¹⁵ P2590.

¹⁶ P2591. *See also* KW317:T.39333-39339.

¹⁷ M.VASILIĆ:T.39920-39923.

¹⁸ KW317:T.39334-39337; D3656.

¹⁹ B.GRUJIĆ:T.40373-40374; B.GRUJIĆ:P6414,p.9.

²⁰ P961,p.22.

²¹ P1116; [REDACTED]; P3390,p.22; B.GRUJIĆ:P6415,p.6;

P.PANIĆ:P3380,pp.3-4; AF2729.

²² [REDACTED];

P3390,p.23. *See also* J.IVANOVIĆ:T.39865; B.GRUJIĆ:T.40362-40366; B.GRUJIĆ:P6414,p.5.

²³ P3156.

²⁴ AF2728; M.BOSKOVIĆ:P133,para.19.

²⁵ [REDACTED].

²⁶ B.GRUJIĆ:T.40384; KDZ555:T.17292-17293; Č.ZELENOVIĆ:T.40322.

²⁷ KDZ340:T.17518-17519.

Serbs from Bijeljina and Brčko, to cleanse Zvornik in the same manner,²⁹ with the support of the republican authorities.³⁰

7. Between 4 and 10 April 1992, the CS met daily³¹ to mobilise the TO,³² declare a state of war,³³ and implement general mobilisation.³⁴ During the takeover, the CS, TO, Serb SJB³⁵ and paramilitaries—including ARKAN's men and ŠEŠELJ's men³⁶—were headquartered at the Alhos building in Karakaj. The actions were coordinated with the republican authorities: KRAJIŠNIK was in Zvornik on 5 and 6 April,³⁷ and PLAVŠIĆ met with the CS in Zvornik on 6 or 7 April.³⁸

8. Branko POPOVIĆ (a.k.a. Marko PAVLOVIĆ)—who was first introduced to the SDS leadership in Zvornik in December 1991³⁹—was a Serbian DB member,⁴⁰ with links to Rade KOSTIĆ⁴¹ and JNA connections⁴² and had a close relationship with ARKAN.⁴³ PAVLOVIĆ “placed himself at the disposal of the Crisis Staff to implement policies they had charted.”⁴⁴

9. During this time, Serb authorities in Zvornik communicated directly with republic-level officials, reporting on the situation on the ground to the SDS Main Board.⁴⁵ Assembly deputy Jovan MIJATOVIĆ conveyed republic-level information and instructions to the Zvornik CS.⁴⁶ Zvornik authorities coordinated with neighbouring municipalities in relation to Variant A/B implementation.⁴⁷

²⁸ [REDACTED]

²⁹ M.DAVIDOVIĆ:P2848,pp.43-44.

³⁰ M.DAVIDOVIĆ:P2848,p.24. *See also* P.PANIĆ:P3380,pp.10-11,13-15; T.19147,19164.

³¹ [REDACTED]

³² P5505.

³³ P3154.

³⁴ P3381,pp.5-6; B.GRUJIĆ:T.40379-40381; B.GRUJIĆ:P6415,p.5.

³⁵ [REDACTED]; [REDACTED]; P2764,p.2;

³⁶ P.PANIĆ:P3380,p.5; M.VASILIC:T.39926-39927.

³⁷ J.IVANOVIĆ:T.39897.

³⁸ [REDACTED]

³⁹ KW317:T.39342.

⁴⁰ M.DAVIDOVIĆ:P2848,para.128; [REDACTED].

⁴¹ [REDACTED]; B.GRUJIĆ:T.40362.

⁴² [REDACTED]

⁴³ B.GRUJIĆ:T.40361.

⁴⁴ M.DAVIDOVIĆ:T.15536.

⁴⁵ KW317:T.39328; B.GRUJIĆ:T.40372-40373.

⁴⁶ B.GRUJIĆ:T.40372-40373. *See also* [REDACTED]

⁴⁷ KDZ555:T.17239.

C. Takeover of Zvornik and subsequent crimes

10. On 8 April, ARKAN—accompanied by PAVLOVIĆ,⁴⁸ PEJA and MAUZER⁴⁹— interrupted negotiations between Serb and Muslim representatives.⁵⁰ The Serb representatives were beaten and called traitors while the Muslim representatives were threatened, interrogated and given an ultimatum to hand over any weapons.⁵¹

11. That same day, [REDACTED] several hundred terrified Muslims, reporting the presence of Serbs from outside BiH who were creating fear and ethnic tension, encouraging Serbs to leave the town. The Muslims were terrified that, as soon as the Serbs left the town, paramilitaries would come in and kill all the Muslims as they did in Bijeljina.⁵²

12. On 9 April, Serb Forces, comprising police, TO, JNA, and paramilitaries/volunteers from Serbia, many of whom were ARKAN's men, violently took over Zvornik town.⁵³ Contrary to Defence claims,⁵⁴ the Muslim population was ill-prepared to defend the town.⁵⁵ Dozens of civilians were killed during the attack⁵⁶ and thousands of Muslim civilians fled to save their lives.⁵⁷ Bosnian Muslim women and children were herded onto vehicles and transported to Serbia.⁵⁸ Many Muslims withdrew to the nearby deserted village of Kula Grad.⁵⁹ Kula Grad came under Serb control on 26 April.⁶⁰

13. The events in Zvornik became immediately publicly known and reported. [REDACTED]

⁴⁸ KW317:T.39350.

⁴⁹ J.IVANOVIĆ:T.39863-39864; D1605; [REDACTED].

⁵⁰ J.IVANOVIĆ:T.39864.

⁵¹ J.IVANOVIĆ:T.39864; D1611; D1612,p.13; D1605.

⁵² [REDACTED]
⁵³ AF2741; M.VASILJIĆ:T.39929; KDZ555:T.17275-17276; P2882,p.3; P3180,p.2; [REDACTED]; M.BOŠKOVIĆ:P133,para.12; P2871; P3390,p.22; P2955,p.1; P3392; P2001; [REDACTED]; P4849; D1612,p.13; P2002; [REDACTED]

⁵⁴ J.IVANOVIĆ:D3692,para.18; B.GRUJIĆ:D3724,para.30.

⁵⁵ M.BELL:P1996,para.24; D1617,p.2; D1622; KDZ610:T.27179-27180;

[REDACTED]; N.HADŽIEFENDIĆ:P62,pp.4-7; P2002; P4849.

⁵⁶ [REDACTED]. See SIC:A.16.1(Zvornik).

⁵⁷ M.BELL:P1996,para.24;

⁵⁸ [REDACTED]

⁵⁹ AF2732; [REDACTED]
⁶⁰ KDZ555:T.17275-17276; M.BOŠKOVIĆ:P133,para.26; N.HADŽIEFENDIĆ:P62,p.5; AF2732.

14. The takeover of Zvornik was swift, with a large part of the town coming under Serb control within hours.⁶² Later that day, members of the Serb municipal authorities, the TO (including ŽUĆO and PEJA), and the JNA, gathered at the Alhos building. Peja reported to a JNA colonel that the town had been liberated.⁶³

15. On 10 April 1992, the CS formed an Interim Government—also headed by GRUJIĆ—to take over its work.⁶⁴ On the same date, the Interim Government formally constituted the Zvornik TO with PAVLOVIĆ as its Commander.⁶⁵ PAVLOVIĆ controlled and coordinated all paramilitary/volunteer units operating in the Zvornik area.⁶⁶ He and GRUJIĆ were the two most powerful figures in the municipality.⁶⁷ GRUJIĆ provided the logistics and support for operations conducted by PAVLOVIĆ⁶⁸ and PAVLOVIĆ frequently attended Interim Government sessions.⁶⁹

16. The Republic level continued to be informed about the developments in Zvornik. For instance, after the takeover, PLAVŠIĆ visited Zvornik again and discussed matters with PEJA and GRUJIĆ.⁷⁰ In early July 1992, ŽUĆO and members of his unit traveled to Pale to meet with PLAVŠIĆ and General SUBOTIĆ to discuss civilian and military concerns, and General SUBOTIĆ confirmed that all those who received orders from the Zvornik Brigade were part of the regular VRS.⁷¹

17. On 18 April 1992, the Interim Government formed a TO Special Unit,⁷² which became known as the Igor MARKOVIĆ unit,⁷³ a.k.a. the Yellow Wasps, commanded by the notorious ŽUĆO.⁷⁴ Unit members reported to the CS on a daily basis⁷⁵ and

⁶¹ [REDACTED]; P2950. *See also* P2849; M.DAVIDOVIĆ:T.15458-15460.

⁶² D1612,p.13; KDZ555:T.17275-17276; P.PANIĆ:P3380,p.19; B.GRUJIĆ:T.40402-40403; M.BELL:P1996,para.24.

⁶³ [REDACTED].

⁶⁴ P3381,pp.2-5; P.PANIĆ:T.19127; KW317:T.39343; [REDACTED].

⁶⁵ P3155; P2910,pp.2-3.

⁶⁶ J.IVANOVIĆ:T.39866-39867; [REDACTED]; [REDACTED]; [REDACTED]; P313; B.GRUJIĆ:T.40390.

⁶⁷ KW317:T.39343; [REDACTED]; [REDACTED].

⁶⁸ J.IVANOVIĆ:T.39867.

⁶⁹ KW317:T.39405.

⁷⁰ [REDACTED]; [REDACTED].

⁷¹ [REDACTED].

⁷² D1719.

⁷³ P2867.

⁷⁴ M.DAVIDOVIĆ:T.15491,15497.

received TO salaries from the Interim Government.⁷⁶ PAVLOVIĆ had a close relationship and was directly linked with ŽUĆO.⁷⁷

18. The local authorities also provided significant financial and logistical assistance to similar units, such as ARKAN's unit, the White Eagles, and other paramilitary groups including those under the command of Zoran ALEKŠIĆ, NIŠKI and PIVARSKI. They, too, were on the Zvornik TO payroll, in accordance with Interim Government instructions.⁷⁸ The TO under PAVLOVIĆ also paid the guards and other staff engaged at Ekonomija Farm,⁷⁹ and Karakaj Technical School,⁸⁰ and those providing security at Captain DRAGAN's training camp.⁸¹ The MUP paid CRNI's group and GOGIĆ's men.⁸² ŽUĆO also received logistical support from the Pale SJB.⁸³ Interim Government member Stevo RADIĆ, who was responsible for the government finances, had close contacts with ŽUĆO's unit,⁸⁴ and both had their offices on the first floor of the Alhos building.⁸⁵

19. Until the VRS's establishment, the TO was under the command of the CS and PAVLOVIĆ.⁸⁶ Following the Zvornik Brigade's establishment on 30 May 1992, TO units were eventually incorporated into the VRS.⁸⁷ For a while, the Zvornik TO continued to exist alongside the Zvornik Brigade command, with both TO Commander PAVLOVIĆ and Zvornik Brigade Commander BLAGOJEVIĆ issuing orders to their subordinates,⁸⁸ however, both the TO and the Zvornik Brigade cooperated.⁸⁹ The Yellow Wasps unit came under the command of the Zvornik Brigade:⁹⁰ ŽUĆO reported to⁹¹ and was directly tasked by the Zvornik Brigade

⁷⁵ KDZ340:T.17479.

⁷⁶ [REDACTED]. See also P6372.

⁷⁷ D.ANDAN:T.40894-40895.

⁷⁸ [REDACTED]; M.DAVIDOVIĆ:T.15488-15497; KW317:T.39358; P2859; P2860; P3382; P159; P158; P2870; P3157; P2634; P2863; P2872; P5434; P5435; P2865; P3383; P2864(confidential); [REDACTED]; P2867; P2634; P5542; P3174.

⁷⁹ P3386.

⁸⁰ P3194.

⁸¹ P2873; P2871; P2869.

⁸² P.PANIĆ:P3380,pp.40-43; M.VASILJIĆ:T.39945-39946.

⁸³ P3174.

⁸⁴ KW317:T.39346; B.GRUJIĆ:T.40391.

⁸⁵ [REDACTED]

⁸⁶ [REDACTED]; KDZ340:T.17511-17512 ; P3167; D1457; D1626.

⁸⁷ [REDACTED]

⁸⁸ [REDACTED] KDZ340:T.17519-17521.

⁸⁹ [REDACTED]

⁹⁰ [REDACTED]

⁹¹ [REDACTED]

Command,⁹² individuals were transferred to the Yellow Wasps by order from the Zvornik Brigade Command,⁹³ and the Yellow Wasps were armed by the Zvornik Brigade.⁹⁴ Similarly, both PIVARSKI and NIŠKI's units became part of the Zvornik Brigade structure.⁹⁵ ŽUĆO, NIŠKI, PIVARSKI and their units were paid as members of the Zvornik Brigade.⁹⁶

20. Following the attack and takeover of Zvornik town, Serb Forces forcibly removed non-Serbs from the municipality. Multiple attacks on non-Serb settlements involved a pattern of threatened or actual violence, physical abuse, killings—including several mass executions—and expulsion by Serb Forces,⁹⁷ including attacks on Drinjača,⁹⁸ Sopotnik,⁹⁹ Djevanje,¹⁰⁰ Kostijerevo,¹⁰¹ Liplje,¹⁰² Setici,¹⁰³ Klisa,¹⁰⁴ Snagovo,¹⁰⁵ Đulići,¹⁰⁶ and Divić.¹⁰⁷

21. Non-Serbs were arrested and detained at various detention centres where they were subject to numerous crimes, including killings.¹⁰⁸ Muslim religious sites were virtually all destroyed after the Serb takeover.¹⁰⁹ The Serb authorities enacted discriminatory and persecutorial measures against non-Serbs, including on issues of real estate and property,¹¹⁰ employment,¹¹¹ the judicial system,¹¹² and payment of pensions.¹¹³ Non-Serbs were subjected to arbitrary searches of their homes and interrogations on a massive scale.¹¹⁴ Serbs were moved into the villages in Zvornik from which Muslims had been evicted, some on order of the Interim Government.¹¹⁵

⁹² P3170,p.7; [REDACTED]

⁹³ [REDACTED]

⁹⁴ [REDACTED]

⁹⁵ [REDACTED]

⁹⁶ P3169.

⁹⁷ See SIC:A.16.1,A.16.3.

⁹⁸ [REDACTED]

⁹⁹ [REDACTED]

¹⁰⁰ [REDACTED]

¹⁰¹ [REDACTED]

¹⁰² S.HAMZIĆ:P71,p.4.

¹⁰³ KDZ029:P3195,paras.6-13.

¹⁰⁴ KDZ029:P3195,paras.6-13; P.PANIĆ:P3380,pp.32-34.

¹⁰⁵ O.KRUPINAC:P64,pp.2-5; P6372,p.2.

¹⁰⁶ KDZ555:T.17301-17302; AF2733; P.PANIĆ:P3380,pp.32-34.

¹⁰⁷ AF2735; AF2771.

¹⁰⁸ See SIC:B.20.1-B20.4.;C.27.1-C.27.7(Zvornik).

¹⁰⁹ See SIC:D.22(Zvornik).

¹¹⁰ AF2769; P3151; P2734; P.PANIĆ:T.19139,19151; J.IVANOVIĆ:P6404,p.2.

¹¹¹ [REDACTED]

¹¹² D92,p.72; D.HANSON:P2589,p.48.

¹¹³ P3152.

¹¹⁴ P3390,pp.41-42.

¹¹⁵ AF2773.

22. Cleansing operations were carried out and coordinated between the JNA—later the VRS—TO, MUP, paramilitaries and civilian authorities.¹¹⁶ The Interim Government formed a War Staff on 20 May 1992 comprising members of the civilian and military organs, namely GRUJIĆ, PAVLOVIĆ, Dragan OBRENOVIĆ, Miloš PANTELIĆ and Stevan IVANOVIĆ.¹¹⁷ On 28 May, 1st Birač Brigade Commander Svetozar ANDRIĆ ordered the Zvornik TO to organise and coordinate the moving out of the Muslim population with the municipalities through which they would pass, adding, “[o]nly women and children can move out, while men fit for military service are to be placed in camps for exchange”.¹¹⁸ The cleansing of the Đulići area began the next day.¹¹⁹ Around the same time, women, children and elderly were forced onto buses by the Yellow Wasps in Divić and told they would be taken to Muslim territory.¹²⁰

23. On 7 June 1992, the IBK Command informed the VRS Main Staff that “[i]n the area of Zvornik we have around 500 prisoners”.¹²¹ On the same date the East Bosnian Corps ordered the Zvornik and Birač Brigades to carry out or continue the “*čišćenje*” (cleansing/mopping-up) of enemy areas in the Drina River valley.¹²²

24. Kozluk was one of the last non-Serb areas in Serb-controlled territory to be cleansed. About 11,000 inhabitants lived in the Muslim villages of Šepak, Skočić and Kozluk.¹²³ While Kozluk’s Muslims surrendered their weapons upon the local Serb authorities’ demand,¹²⁴ between April and June, they were subjected to shooting, throwing of grenades, incursions of Serb units into their village, intimidation,¹²⁵ restriction of movements,¹²⁶ and looting.¹²⁷

25. On 26 June 1992, military vehicles and tanks took positions in Kozluk. In a meeting with GRUJIĆ and MIJATOVIĆ,¹²⁸ Fadil BANJANOVIĆ, a representative of Kozluk’s Muslims, was told that the authorities could not guarantee the Muslim

¹¹⁶ P3390,pp.37,40,43. *See e.g.* P.PANIĆ:P3880,pp.32-34.

¹¹⁷ P314.

¹¹⁸ P3055; AF2772.

¹¹⁹ *See below.*

¹²⁰ AF2771.

¹²¹ P3237,p.2.

¹²² P5400,p.4.

¹²³ F.BANJANOVIĆ:P104,p.18.

¹²⁴ F.BANJANOVIĆ:P57,p.4.

¹²⁵ F.BANJANOVIĆ:P57,p.5.

¹²⁶ F.BANJANOVIĆ:P57,pp.6-7; F.BANJANOVIĆ:P104,p.18.

¹²⁷ F.BANJANOVIĆ:P104,p.23.

population's safety, that an all-out attack was being prepared on Kozluk, and that if the Muslims did not move out they would all be killed.¹²⁹ At that time there were several thousand soldiers, policemen and paramilitary troops in Kozluk. Soldiers were in front of each house, firing in the air, shouting at people, pushing and beating people, and burning property.¹³⁰ Defence claims—from witnesses with demonstrably low credibility¹³¹—that the Muslim community voluntarily left Kozluk¹³² are not credible. The situation was such that the Muslims of Kozluk feared for their lives and had no choice but to leave.¹³³

26. 525 Bosnian Muslim households, consisting of 1,822 people from Kozluk and the neighbouring village of Skočić were transported in passenger vehicles¹³⁴ then in cattle wagons¹³⁵ to Serbia, after which they left for Hungary and Austria.¹³⁶

27. The Zvornik authorities not only organised their transportation but also prepared documentation, forcing the villagers to sign statements that they were giving up their property.¹³⁷ The Muslims were provided with a letter signed by PAVLOVIĆ, requesting the FRY authorities to provide them safe passage to the Hungarian border.¹³⁸ The letter falsely stated that the people were leaving at their request, without any duress having expressed a wish to avoid mobilization into Muslim formations.¹³⁹

28. Further evidencing the coordinated and officially-condoned nature of the crimes, Muslims were brought to and transferred between detention centres on Interim Government or TO orders, escorted and guarded by police.¹⁴⁰ Zvornik police tasks

¹²⁸ F.BANJANOVIĆ:P104,pp.23-24; F.BANJANOVIĆ:P57,p.8.

¹²⁹ F.BANJANOVIĆ:P104, pp.23-24; F.BANJANOVIĆ:P57,pp.9,14-15; P2887,p.2; M.DAVIDOVIĆ:T.15538.

¹³⁰ F.BANJANOVIĆ:P104,p.24; F.BANJANOVIĆ:P57,pp.15-16.

¹³¹ DCC(B.GRUJIĆ; ██████████).

¹³² B.GRUJIĆ:D3724, para.67; ██████████.

¹³³ F.BANJANOVIĆ:P57,p.7; F.BANJANOVIĆ:P104,p.23; M.DAVIDOVIĆ:T.15535-15536; P2887,p.2.

¹³⁴ F.BANJANOVIĆ:P57,p.20.

¹³⁵ F.BANJANOVIĆ:P57,pp.20-24; P.PANIĆ:T.19137.

¹³⁶ F.BANJANOVIĆ:P57,pp.26-29; P.PANIĆ:T.19137.

¹³⁷ F.BANJANOVIĆ:P104,p.24; F.BANJANOVIĆ:P57,pp.16-18; P73P162.

¹³⁸ P72.

¹³⁹ F.BANJANOVIĆ:P57,pp.18-19; P72.

¹⁴⁰ M.VASILJIĆ:T.39944-39945; N.HADŽIEFENDIĆ:P62,pp.6-7,9; P3186; ██████████; J.AVDISPAHIĆ:P70,p.23; P3390,pp.24,35; P.PANIĆ:P3380,pp.31-32,125; D1625,p.5; D1436,p.4.

included guarding detention facilities.¹⁴¹ Multiple crimes were carried out at or in the direct vicinity of the Interim Government headquarters.¹⁴² The Interim Government ostensibly tasked the TO with the duty of cleaning up the “battlefield”—in reality this involved organizing the collection and burial of Bosnian Muslim civilians.¹⁴³ The collection, transport and mass burial of bodies was done in an organised and systematic manner.¹⁴⁴ Soldiers authorized by PAVLOVIĆ provided security at every burial site.¹⁴⁵ While at first records of the burials and indexes of the victims were maintained,¹⁴⁶ by June or July, no one bothered to identify the bodies anymore. There were no investigations into the deaths of any of the hundreds of victims whose bodies were collected and buried through this system.¹⁴⁷

29. The crimes committed against Muslims in Zvornik were a direct result of the ethnic cleansing policy being implemented in Zvornik, described by CS member and Defence witness Jovan IVANOVIĆ as follows:

Once the war started there were attacks on civilians in Muslim villages so that the Muslim civilians would move out and Serbs could move in. Before the war that was not the political concept but once the war began those that waged the war had that purpose. A good example of this is the attack on Đulići. There was an attack on the villages, the Muslim population wished to leave, the Serb forces went in and moved the people out and within days, Serbs moved into these villages [...] Drinjača, Divič, Liplje, Gornji Šepak and Kozluk are all examples of this.¹⁴⁸

30. The implementation of this policy was discussed at a 30 June 1992 meeting between KARADŽIĆ, MLADIĆ and Zvornik Municipality representatives, just four days after the expulsion of Kozluk’s Muslims. PAVLOVIĆ reported that: “[w]e were most active in evicting the Muslims, we had brought peace to Šepak, Divič and Kozluk. Some of them wanted to move out, while we demanded it.”¹⁴⁹ GRUJIĆ reported that “We have 32,000 Serbs. We have successfully implemented the

¹⁴¹ See SIC:C.27.1; C.27.4.

¹⁴² P3166. See SIC:B.20.3;C.27.2;C.27.3;C.27.7(Zvornik).

¹⁴³ [REDACTED]; P4839; P4840.

¹⁴⁴ [REDACTED]

¹⁴⁵ [REDACTED]

¹⁴⁶ [REDACTED]

¹⁴⁷ [REDACTED]

¹⁴⁸ J.IVANOVIĆ:P6404,p.2; J.IVANOVIĆ:T.39862. See also P.PANIĆ:T.19152. See also M.DAVIDOVIĆ:T.15536-15537.

¹⁴⁹ P1478,pp.246-247,251-253; P2886.

President's decision to settle Divič and Kozluk with our children."¹⁵⁰ And indeed, ethnic Serbs from places such as Zenica and Vogosča were resettled in Kozluk and Divič.¹⁵¹ Five days after this meeting, **KARADŽIĆ** lied to UN Special Envoy Jose MENDILUCE, stating that the Muslims who had left Kozluk had "demanded" to be allowed leave, had done so of their own free will, and that it was "quite clear that all of them may return any time they want to."¹⁵²

31. **KARADŽIĆ** was informed of the crimes being committed in the Zvornik takeover as soon as they happened. [REDACTED]

32. Journalist Martin BELL was present in Zvornik on 8 and 10 April, and witnessed ARKAN's men attacking Zvornik, encountered a column of around 20,000 Muslims who had fled the town, and heard first hand their stories of what had happened in the town and their pleas for help.¹⁵⁶ Upon his return to Sarajevo, he urged Lord Carrington's envoy, Colm DOYLE, to raise the matter with **KARADŽIĆ**, which he did. Footage of the takeover of Zvornik was shown around Europe.¹⁵⁷ As discussed elsewhere, **KARADŽIĆ** was fully aware of ARKAN's activities.¹⁵⁸

33. Although these direct reports to **KARADŽIĆ** of Zvornik crimes render defence witness claims that no communications were possible¹⁵⁹ between the

¹⁵⁰ P1478,p.249.

¹⁵¹ P.PANIĆ:T.19137; P988,p.68.

¹⁵² P2937.

¹⁵³

¹⁵⁴

¹⁵⁵

¹⁵⁶ M.BELL:P1996,para.24.

¹⁵⁷ M.BELL:P1996,para.25; M.BELL:T.9787.

¹⁵⁸ See Section III.C.8.(1): Paramilitaries/Volunteers/Serbian MUP.

¹⁵⁹ [REDACTED]; J.IVANOVIĆ:T.3987;P6403,p.6; [REDACTED].

municipal and republic authorities largely irrelevant, they were in any event repeatedly revealed to be false.¹⁶⁰ [REDACTED]

[REDACTED] CSB Bijeljina chief Predrag JESURIĆ reported to Mićo STANIŠIĆ on his visit to Zvornik on 27 April 1992.¹⁶³ Local SJBs had all means of communication necessary for their work and had daily communications with their superiors.¹⁶⁴ On 21 April, Zvornik SJB chief reported over the phone to the Bijeljina police that “the town is under Serbian militia and reserve TO control, and the town is being cleaned”, which in turn was reported to the MUP in Sarajevo.¹⁶⁵ Inspectors from the Sarajevo MUP came to Zvornik several times in May and June 1992 and gathered information, including that paramilitaries had “committed rapes and even killed Muslim nationals who were ready for exchange.”¹⁶⁶

34. Moreover, **KARADŽIĆ** personally oversaw the activities of the Zvornik authorities. On 17 June 1992, based on his review of a report submitted by the Zvornik Republican Commissioner, **KARADŽIĆ** appointed a Municipal War Commission.¹⁶⁷ As discussed above, on 30 June 1992, **KARADŽIĆ** visited Zvornik to meet with MLADIĆ and the municipality authorities.¹⁶⁸

35. **KARADŽIĆ** was aware of the paramilitaries operating in Zvornik and on occasion actively supported them¹⁶⁹ despite reports about their crimes being described in MUP documentation.¹⁷⁰ The paramilitaries issue was raised by the Zvornik authorities at the meeting with **KARADŽIĆ** and MLADIĆ on 30 June 1992. While complimenting PAVLOVIĆ on his accomplishments, GRUJIĆ noted the problems caused by certain paramilitaries, naming ŽUĆO, CRNI and Captain DRAGAN, and

¹⁶⁰ See e.g. DCC(J.IVANOVIĆ; KW317).

¹⁶¹ KW317:T.39374; [REDACTED]

¹⁶² [REDACTED]
¹⁶³ P2850.

¹⁶⁴ M.DAVIDOVIĆ:T.15460-15463; P2850; P5717; P1109,pp.6-7.

¹⁶⁵ P3392; P5489; D1694.

¹⁶⁶ M.VASILJIĆ:T.39948; D1436.

¹⁶⁷ P5479; D3657.

¹⁶⁸ P1478,p.246.

¹⁶⁹ P3384; M.VASILJIĆ:T.39951.

¹⁷⁰ D1436,p.5.

advocated that they be gotten rid of.¹⁷¹ However, **KARADŽIĆ** made his support for Captain DRAGAN clear: “It would be a shame to abolish the centre [...] The men at the centre are not like Žuća and Crni.”¹⁷²

36. Knowledge of the serious crimes being committed against non-Serbs in Zvornik was widespread.¹⁷³ The day after meeting with **KARADŽIĆ**, GRUJIĆ provided the Serbian DB with detailed information about the killings of Muslims by Yellow Wasps’ member Duško VUČKOVIĆ (a.k.a. REPIĆ)¹⁷⁴ at detention facilities in Zvornik and the Čelopek Dom Kulture.¹⁷⁵ REPIĆ’s involvement in the “genocide over citizens of the Serb Republic Bosnia Herzegovina of Muslim ethnicity” was noted in a MUP report of 4 August 1992.¹⁷⁶

37. Contrary to Defence claims,¹⁷⁷ municipal authorities took no genuine steps to punish the perpetrators of crimes against non-Serbs. SJB Police Chief VASILIĆ testified that he raised the Drinjača Dom Kulture executions with Marko PAVLOVIĆ, but no action was taken.¹⁷⁸ Nor was anything done to investigate the massacre of men at the KTS or Gero’s Slaughterhouse.¹⁷⁹ As noted above, local authorities paid and supplied paramilitaries; the Interim Government’s support for the paramilitaries was noted in contemporaneous documents.¹⁸⁰ Defence witness contentions that the authorities lacked control over the paramilitaries¹⁸¹ may be contrasted with [REDACTED]

[REDACTED] To the extent that the paramilitaries eventually sidelined the local authorities, this was only once “they had done the job they had been paid for”.¹⁸³

¹⁷¹ P1478,p.250.

¹⁷² P1478,p.270.

¹⁷³ M.VASILIĆ:T.39936; KDZ555:T.17299-17301; [REDACTED];

J.IVANOVIĆ:T.39875-39877,39878; P.PANIĆ:P3380,p.36; P.PANIĆ:T.19142;

KDZ610:P4837.para.41; [REDACTED].

¹⁷⁴ [REDACTED].

¹⁷⁵ [REDACTED].

¹⁷⁶ P2904.

¹⁷⁷ J.IVANOVIĆ:D3692,para.28; C.ŽELENOVIĆ:D3723,para.34; B.GRUJIĆ:D3724,para.43.

¹⁷⁸ M.VASILIĆ:T.39937-39938.

¹⁷⁹ M.VASILIĆ:T.39944.

¹⁸⁰ P6372,p.2; P3389,p.1; P3390,p.23.

¹⁸¹ See e.g. B.GRUJIĆ:D3724,paras.33-34,37-40; [REDACTED];

M.VASILIĆ:D3693,paras.28,34-38.

¹⁸² KDZ340:T.17539-17540.

¹⁸³ M.DAVIDOVIĆ:T.15778.

38. On 20 July, then Bijelina CSB Chief Dragan ANDAN reported to the Sarajevo MUP on problems caused by units commanded by ŽUĆO, PIVARSKI and NIŠKI, and suggested that a MUP Special Unit be sent to remove them.¹⁸⁴ He identified the problems of theft and looting, pressurizing the municipality authorities, and collaboration with the Green Berets for financial gain.¹⁸⁵ No mention was made of the killing or mistreatment of Muslims. ANDAN further noted that ŽUĆO was assisted by members of the Interim Government.¹⁸⁶

39. As discussed above,¹⁸⁷ after the paramilitaries had “participated in the liberation of Zvornik Municipality”¹⁸⁸ their general criminality and—specifically—the Yellow Wasps’ abuse of Minister of Information Velibor OSTOJIĆ at a checkpoint, triggered a republic-level move to arrest and remove them from the municipality. The contention that the arrests were part of an effort to bring discipline to paramilitaries because of the crimes they were known to have committed¹⁸⁹ against non-Serbs¹⁹⁰ is contradicted by: documents revealing that the basis of their detention was not crimes against Muslim civilians, but the theft of vehicles and other property at checkpoints;¹⁹¹ the confirmation by [REDACTED]

[REDACTED] the release of those paramilitaries shortly after their arrest,¹⁹³ with ŽUĆO and REPIĆ remaining at large in Zvornik;¹⁹⁴ after their release, many of the paramilitaries were “deployed in other units”,¹⁹⁵ in November 1993, when the Serbian MUP eventually filed charges against ŽUĆO and REPIĆ (and merely arms possession charges against the former) they were both still at large in Belgrade;¹⁹⁶ arguably the most notorious among them, REPIĆ, was only convicted by a court in Serbia in 1996 for killing Muslims in the Čelopek Dom

¹⁸⁴ P36.

¹⁸⁵ P36,p.3.

¹⁸⁶ P36,p.5; D.ANDAN:T.40893-40894.

¹⁸⁷ See III.C.8.(1): Paramilitaries/Volunteers/Serbian MUP.

¹⁸⁸ P2882,p.3. See also P2903.

¹⁸⁹ [REDACTED]; M.DAVIDOVIĆ:P2848,para.141; P2904.

¹⁹⁰ See e.g. KW317:T.39414.

¹⁹¹ P2882; [REDACTED]; [REDACTED]; [REDACTED]. See also

P2904; D1412,p.9; D1625,p.1-2; D1633.

¹⁹² [REDACTED] See also [REDACTED]

¹⁹³ P2905; M.DAVIDOVIĆ:P2848,paras.142,168; [REDACTED]

¹⁹⁴ P3387; D1637; D1638 ; D1416.

¹⁹⁵ [REDACTED]; KDZ555:T.17313. See also P3168.

¹⁹⁶ D1417.

Kulture;¹⁹⁷ and ŽUĆO and REPIĆ were only charged before an RS court in 1999— for the checkpoint thefts alone.¹⁹⁸

40. **KARADŽIĆ** and the BSL later celebrated what had occurred in Zvornik in 1992. **KARADŽIĆ**, together with KOLJEVIĆ, attended the first anniversary of the “liberation” of Zvornik in 1993.¹⁹⁹ **ARKAN** was feted for his role in the takeover, attending the second anniversary in 1994 in the capacity as “host”, alongside B.GRUJIĆ and Serbian Minister of the Interior Radmilo BOGDANOVIĆ.²⁰⁰ **KARADŽIĆ**, together with **ARKAN**, attended a MUP celebration in Zvornik in November 1995.²⁰¹

¹⁹⁷ D482; [REDACTED]

¹⁹⁸ [REDACTED].

¹⁹⁹ P5167,p.2.

²⁰⁰ P6371,pp.2-3; P6371(B/C/S).

²⁰¹ P6412; P6413.

CONFIDENTIAL
APPENDIX B

BANJA LUKA (MANJAČA CAMP)

Incident Number	Incident Details
B.1.1	On 6-Jun-92, approximately 150 mainly Muslim detainees were transferred in several vehicles from the Hasan Kikić elementary school in Sanski Most to the Manjača camp, escorted by police, soldiers and the military police. ¹ Upon arrival, when leaving the vehicles, the detainees were beaten by soldiers. At least six detainees were singled out; surrounded by about 20 persons, among them soldiers from the SOS/IKK 6 th Brigade; and so severely beaten that they died as a result. ² Six bodies were exhumed from the mass grave "Stričići-Manj" in Banja Luka and identified in relation to this incident. ³
B.1.2	On 7-Jul-92, ⁴ a group of around 64 mainly Muslim detainees were transferred from the Belorņika detention facility in Sanski Most to Manjača camp, ⁵ escorted by police, military police and soldiers. ⁶ The detainees were transported in trucks covered with tarpaulins and had to endure a day-long journey in extremely hot and cramped conditions, with insufficient water. ⁷ As a result of these conditions at least 24 detainees suffocated during transportation. ⁸ They were taken back in the direction of Sanski Most. ⁹ Eighteen bodies exhumed and identified from a mass grave (Ušće) in Sanski Most, ¹⁰ and seven exhumed from a mass grave (Dragoraj) in Mrkonjić Grad municipality. ¹¹
B.1.3	On 6-Aug-92, ¹² after a day-long transfer in unbearable conditions ¹³ of around 1,400 non-Serb detainees from Omarska detention facility to Manjača camp, the detainees had to spend whole night on the bus in front of Manjača camp gate. ¹⁴ During transfer and upon arrival at Manjača the detainees were beaten and killed by policemen from Prijedor that had escorted them. ¹⁵ These policemen picked up the dead bodies and drove off in toward Banja Luka. ¹⁶ Nine bodies were later exhumed from a mass grave "Novo Groblje" near Banja Luka and identified as related to this incident. ¹⁷

¹ AFS83; P3327; D470, pp. 8, 16; [REDACTED]; S. MUHIĆ: P7800, pp. 50-52; P639; S. MUHIĆ: P701, pp. 9.
² AFS83-AF584; S. MUHIĆ: P701, pp. 5, 9-10; S. MUHIĆ: P700, pp. 27-36, 39-41; P639; P6556, p. 1; [REDACTED] (duplicates). See also F. BIŠČEVIĆ: P135, pp. 87-88; F. BIŠČEVIĆ: P122, p. 54. Perpetrators were SOS/IKK 6th Brigade members. See P3329, pp. 20-21; [REDACTED]; P3520; P6542.
³ A. MAŠOVIĆ: P4853, p. 73 (B/C/S); S. MUHIĆ: P701, pp. 9-10; S. MUHIĆ: P700, p. 30.
⁴ AFS85.
⁵ AFS85-AF586.
⁶ [REDACTED]; S. MUHIĆ: P701, pp. 5, 9-10; S. MUHIĆ: P700, pp. 27-29.
⁷ AFS87; [REDACTED]; S. MUHIĆ: P701, pp. 5, 9-10; S. MUHIĆ: P700, pp. 27-29.
⁸ [REDACTED]; KIDZ163; P3717, pp. 36-37; AFS85-AF588; D470, p. 7; [REDACTED]; C. NIJELSEN: P2958, para. 291; R. RADINKOVIĆ: D4204, p. 5; R. RADINKOVIĆ: T. 45333-45334; A. ZULJIĆ: P718, paras. 86-105; P721, pp. 5-7; R. BEGIĆ: P692, pp. 7, 21; R. BEGIĆ: P691, pp. 39-41. See also F. BIŠČEVIĆ: P135, pp. 87-89; F. BIŠČEVIĆ: P122, pp. 54-55.
⁹ R. RADINKOVIĆ: D4204, p. 5; R. BEGIĆ: P692, p. 7; P721, p. 7; A. ZULJIĆ: P718, paras. 88, 91, 94, 99-101, 104-105.
¹⁰ A. MAŠOVIĆ: P4853, p. 48 (B/C/S); N. SEBIRE: P6690, pp. 71-73; P4408.
¹¹ A. MAŠOVIĆ: P4853, p. 73 (B/C/S); N. SEBIRE: P6689, p. 206.
¹² AFS89.

B.1.4	<p>Between Jun-92 and Dec-92,¹⁸ at least 10 non-Serb detainees were killed inside Manjača camp primarily as a result of severe beatings by soldiers and military policemen.¹⁹ Among those beaten to death there were Omer FILIPOVIĆ and Esad BENDER (on or around 28-Jul-92);²⁰ Emir MULALIĆ (around 10-Jul-92);²¹ and several detainees killed by VRS soldier Daniluško KAJTEZ.²²</p>
C.1.2 ²³	<p>Manjača camp²⁴ served as a VRS detention facility from at least May to Dec-92²⁵ with between several hundred and 4,403 detainees.²⁶ The detainees were almost exclusively non-Serb civilians,²⁷ among them significant numbers of religious officials, politicians, minors, sick and elderly.²⁸ Detainees kept in crowded stables, without beds, in unhygienic conditions,²⁹ with insufficient food and water resulting in weight loss and illnesses,³⁰ without sufficient medical care.³¹ Detainees subjected to forced labour³² and severe beatings and other mistreatment by soldiers, military policemen and police during and outside interrogations causing serious injuries and deaths.³³ At least 10-15 died as a result of abuse.³⁴ Camp commander and his superiors were aware that beatings were a regular occurrence.³⁵</p> <p>After interventions by ICRC and an NGO, about 100-120 minors, elderly or severely sick detainees were released.³⁶ A number of detainees were released or exchanged,³⁷ thousands were deported outside the RS or transferred to other detention facilities in November³⁸ and Dec-92.³⁹</p>

¹³ AF589; [REDACTED]; KDZ163:P3717.p.51; P3719.p.2; [REDACTED]; P2772;

¹⁴ AF590; KDZ048:P678, pp.60,62. C.NIEL SEN:P2958, para.292.

¹⁵ AF590-AF591; C.NIEL SEN:P2958, para.292; P3719. They did not have any person [sic] documents or lists of names.” R.RADINOVIC:D4204,pp.6,11

¹⁶ KDZ074:P711, pp.13-14; [REDACTED]; KDZ048:P678, pp.60-64; [REDACTED]; P2093; [REDACTED]; R.RADINKOVIC:D4204,pp.6-7; R.RADINKOVIC:T.4533-4.

¹⁷ A.MAŠOVIĆ:P4853, p.73(B/C/S); A.MAŠOVIĆ:P4850,pp.41-42, para.111; [REDACTED]; P4869; P4873; P4874; P4875.

¹⁸ AF562; AF592; [REDACTED]; R.RADINKOVIC:D4204, p.1; D1847; P3731; D1848; P5467.

¹⁹ AF592-AF593.

²⁰ A.BEGLIĆ:P6586, p.165; S.MUHIĆ:P700, pp.44-45,73-74; S.MUHIĆ:P701, pp.11-13; A.DŽAFIĆ:P3488, para.126; A.ZULIĆ:P718, para.123; A.ZULIĆ:T.1033-1035; [REDACTED]; P533, pp.3-12; P555; P556. See also KDZ163:T.20759-20760; R.RADINKOVIC:D4204, p.6; P4872; N.SEBIRE:P6690 pp.41-42;

²¹ R.BEGIĆ:P692, p.7; A.ZULIĆ:P718, paras.117-120. A.MAŠOVIĆ:P4853, p.73.

²² P6556. See SIC:B.1.1(Banja Luka).

²³ Evidence led shows Manjača camp operated as a detention facility from 15-May until Dec-92. P3499; P3729; AF565.

²⁴ AF562-AF564; AF582; [REDACTED]; R.RADINKOVIC:D4204, p.1; D1847; P3731; D1848; P5467; P5467. See also Banja Luka Summary.

²⁵ KDZ163:T.20768-20769; AF566; AF2229. See also Banja Luka Summary.

²⁶ AF563; AF565-AF566; [REDACTED]; P534, para.21; K.MEŠANOVIĆ:P3549, p.5; KDZ163:T.20794-20795; KDZ163:P3717, p.22; P3727, p.2. See also P534, pp.3,7; M.KARABEG:P3303, p.125; C.MCLEOD:P712, p.40; C.NIEL SEN:P2958, paras.291,293; P.RADIĆ:P2, p.28; [REDACTED];

- ²⁸ AF572; AF582; [REDACTED]; D1870,p.2; D1861,p.3; [REDACTED]; P3491; P534,p.4; K.MEŠANOVIĆ:P3549,p.5; KDZ163:P3717,pp.31-32; [REDACTED]; F.BIŠČEVIĆ:P135,pp.89-90,140-141; [REDACTED]; A.ZULJIĆ:P718,paras.116,138; A.ZULJIĆ:T.103-5-1036; P5472,p.2; P5466. *See also* AF567-AF571; P3758,pp.5-6; R.RADINKOVIĆ:D4204,p.2; R.RADINKOVIĆ:T.4531-4-45316; C.MCLEOD:P712,pp.36-37,39; A.EGRLIĆ:P6586,pp.162-164; A.DŽAFIĆ:P3488,paras.100-102,106; P721,pp.7-8; A.ZULJIĆ:P718,para.115; S.MUHIĆ:P701,pp.10-11; [REDACTED]; P2092; R.BEGIĆ:P692,p.7; D.KESEROVIĆ:T.4201-4-42015.
- ²⁹ AF569-AF571; [REDACTED]; R.BEGIĆ:P692,p.7; A.DŽAFIĆ:P3488,para.102; S.MUHIĆ:P701,pp.11-12; A.ZULJIĆ:P718,paras.114-115,124; P721,pp.7-8; A.ZULJIĆ:T.1032; [REDACTED]; R.RADINKOVIĆ:T.45315-45317; P3748; A.EGRLIĆ:P6586,p.164; D.KESEROVIĆ:T.4201-4-42015; F.BIŠČEVIĆ:P135,pp.78-80.
- ³⁰ AF572; [REDACTED]; F.BIŠČEVIĆ:P135,pp.78-80.
- ³¹ AF572; [REDACTED]; F.BIŠČEVIĆ:P135,pp.78-80.
- ³² P5458,p.2; A.DŽAFIĆ:P3488,para.111; A.ZULJIĆ:P718,para.127. *See also* F.BIŠČEVIĆ:P135,pp.78-80.
- ³³ AF573-AF577; AF579; AF584; AF588; AF591-AF593; R.RADINKOVIĆ:D.4204,pp.5-7,11; R.RADINKOVIĆ:T.45331-45333; A.DŽAFIĆ:P3488,paras.101,103-104,108-109; A.EGRLIĆ:P6586,pp.161-165,187-189; [REDACTED]; M.KARABEG:P3303,pp.120-122; KDZ163:P3717,pp.42-43; P3745; [REDACTED]; R.BEGIĆ:P692,p.7; [REDACTED]; A.ZULJIĆ:P718,para.117-119,121-125,134; A.ZULJIĆ:T.1033-1037; [REDACTED]; P534,p.3; C.KIRUDJA:P3804,para.74; F.BIŠČEVIĆ:P135,pp.81-83; [REDACTED]; P4872; N.SEBIRE:P694,p.197; P533,pp.3-12. *See* B.1.1-B.1.4 above.
- ³⁴ AF592; [REDACTED]; R.BEGIĆ:P692,p.7.
- ³⁵ AF578-580; S.MUHIĆ:P700,pp.49-50. *See* Banja Luka Summary.
- ³⁶ AF582; P3742; KDZ163:P3717,p.40; [REDACTED]; D1872. *See* Banja Luka Summary.
- ³⁷ D.KESEROVIĆ:T.40994. *See* D3843; [REDACTED]; D4738; M.KARABEG:P3303,p.179; F.BIŠČEVIĆ:P135,pp.90-91; F.BIŠČEVIĆ:P1122,pp.55-56.
- ³⁸ [REDACTED]; P3725; KDZ163:P3717,pp.59,101-102; C.MCLEOD:P712,pp.56-57; P5466; [REDACTED]; F.BIŠČEVIĆ:P135,p.84-85; S.MUHIĆ:P701,pp.13; [REDACTED]; P3725; D1876,p.1; F.BIŠČEVIĆ:P135,pp.84-85,140;
- ³⁹ AF582; P3931; P3727,pp.1-2; P4910; P5467; P5468; P3505; [REDACTED]; A.DŽAFIĆ:P3488,para.128; R.BEGIĆ:P692,p.8; A.ZULJIĆ:P718,para.138; S.MUHIĆ:P700,p.42; S.MUHIĆ:P701,p.13; R.BEGIĆ:P691,pp.41-42; [REDACTED]; F.BIŠČEVIĆ:P135,pp.84,140; [REDACTED]; [REDACTED].

BIJELJINA

Incident Number	Incident Details
A.1.1	At least 48 civilians killed during takeover of Bijeljina on 1 and 2-Apr-92, including 45 non-Serbs. ⁴¹ Victims included women and children. ⁴² None wore uniforms. ⁴³ Most were found shot in the chest, mouth, temple, or back of head, some at close range. ⁴⁴
B.2.1	Between Jun-92 and Jun-95, ⁴⁵ at least six men killed while detained at Batković; most were beaten to death; ⁴⁶ at least one shot. ⁴⁷
C.2.1 ⁴⁸	Between 1,800-3,000 non-Serb detainees ⁴⁹ held at Batković camp ⁵⁰ by the VRSS ⁵¹ between at least 25-Jun-92 and 24-Dec-95. ⁵² Detainees from many municipalities, ⁵³ many transferred from other camps in BiH, ⁵⁴ were mostly civilians, ⁵⁵ including elderly men, children, and women. ⁵⁶ Detainees not granted procedural rights. ⁵⁷ Oldest and youngest detainees and those most badly treated were hidden during ICRC visits, when Serbs stood in as these detainees. ⁵⁸ They were instructed on what to say to monitors; those who did not follow instructions were beaten. ⁵⁹ Some detainees remained at Batković over one year. ⁶⁰ Camp was overcrowded ⁶¹ and unsanitary. ⁶² Detainees given little food ⁶³ and no medical treatment, resulting in deaths. ⁶⁴ They were used for forced labor—including digging trenches, carrying munitions at the front line ⁶⁵ —and humiliated. ⁶⁶ Guards beat detainees. ⁶⁷ Some singled out for especially harsh treatment, ⁶⁸ beaten three times per day, ⁶⁹ and forced to beat and perform sexual acts on one another. ⁷⁰ Detainees suffered lasting psychological and physical harm. ⁷¹

⁴⁰ AF2240; AF2243; AF2245; AF2247; P6185,p.1; [REDACTED]; [REDACTED]. See A. VASILJEVIĆ:T.34700; A. VASILJEVIĆ:D3065, paras. 171, 173-176.

Defence witness Miliwoje KICANOVIĆ admitted that one victim “lost his life because they found weapons in his house” and that another was “just a passer-by in the street”. M.KICANOVIĆ:T.34891. See also D3142, pp.30-31, 48-52; A. VASILJEVIĆ:D3065, para. 176; P2901, p.6; P2629; P5474.

⁴¹ AF2245. See A. VASILJEVIĆ:D3065, para. 176; P4853, pp.1-2(B/C/S). See also A. VASILJEVIĆ:T.34700.

⁴² AF2245. See [REDACTED]. See also M.BELL:T.9781.

⁴³ AF2245. See [REDACTED]. See also M.BELL:T.9781.

⁴⁴ AF2246. See [REDACTED]. See also M.BELL:T.9781.

⁴⁵ See [REDACTED]. I.OSMANOVIĆ:P3212, paras. 166-168; AF2250; D.KIJAČ:T.44352-44353.

⁴⁷ [REDACTED]; I.OSMANOVIĆ:P3212, paras. 164-168; S.HUSREHOVIĆ:P58, p.12; E.PAŠIĆ:P59, pp.37-38. See also P4853, p.73(B/C/S).

⁴⁸ Evidence led shows Batković Camp operated as a detention facility from at least 25-Jun-92 until 24-Dec-95.

D.2

In summer 1992, Atmačići, Janjari and Strendia T'mnova mosques were destroyed.⁷²

- ⁴⁹ I.OSMANOVIĆ:P3212,para.153; [REDACTED]; P3213; M.KURALIĆ:P63,pp.20-21.
- ⁵⁰ See P6263; I.OSMANOVIĆ:P3212,para.151.
- ⁵¹ D3237; P2890; G.ČEKIĆ:D3236,paras.4,9,17; S.BOJANOVIĆ:T.34850,34852; D.ANDAN:T.40816,40834; E.PAŠIĆ:P59,pp.35-36; [REDACTED]; M.DAVIDOVIĆ:T.15782-15785; I.OSMANOVIĆ:P3212,para.149; M.KURALIĆ:P63,p.20.
- ⁵² See [REDACTED]; M.DAVIDOVIĆ:T.15546-15547,15782-15785; D3237,p.2; P2890; AF2250; [REDACTED]; D.KUJAC:T.44352-44353.
- ⁵³ AF2251; I.OSMANOVIĆ:P3212,para.153; I.OSMANOVIĆ:T.17947; M.KURALIĆ:P63,p.20.
- ⁵⁴ AF2251; E.PAŠIĆ:P59,p.35; I.OSMANOVIĆ:P3212,paras.146,154; M.KURALIĆ:P84,pp.6-7; S.EGRLIĆ:T.19980. See e.g. Banja Luka Summary.
- ⁵⁵ I.OSMANOVIĆ:P3212,para.156; E.PAŠIĆ:P59,p.42; D.ANDAN:T.40816,40870-40871; D.ANDAN:D3774,pp.137-138.
- ⁵⁶ AF2253; P3213,pp.12,17,22,25; P3213,pp.9,50,78(B/C/S); M.KURALIĆ:P63,p.21; I.OSMANOVIĆ:P3212,para.155. See also G.ČEKIĆ:D3236,para.19; G.ČEKIĆ:T.36503-36505,36508-36509; S.HUSREFOVIĆ:P58,p.11.
- ⁵⁷ S.HUSREFOVIĆ:P58,p.10; M.KURALIĆ:P84,p.9; M.KURALIĆ:P63,pp.26-27,28-29.
- ⁵⁸ M.KURALIĆ:P84,p.8; M.KURALIĆ:P63,pp.24-26; P74,p.3; E.PAŠIĆ:P59,p.41; I.OSMANOVIĆ:P3212,para.179; S.HUSREFOVIĆ:P58,p.12;
- ⁵⁹ E.PAŠIĆ:P59,pp.41-42.
- ⁶⁰ E.PAŠIĆ:P59,p.36; I.OSMANOVIĆ:P3212,paras.145,147,180; [REDACTED]
- ⁶¹ I.OSMANOVIĆ:P3212,para.159; S.HUSREFOVIĆ:P58,p.11.
- ⁶² AF2254; S.HUSREFOVIĆ:P58,p.11.
- ⁶³ AF2254; I.OSMANOVIĆ:P3212,para.159; S.HUSREFOVIĆ:P58,p.12; M.KURALIĆ:P84,p.8; P74,p.3.
- ⁶⁴ S.HUSREFOVIĆ:P58,p.11.
- ⁶⁵ AF2257; I.OSMANOVIĆ:P3212,paras.175-178; E.PAŠIĆ:P59,pp.39-40; P74,p.3; [REDACTED]
- ⁶⁶ E.PAŠIĆ:P59,p.40; S.HUSREFOVIĆ:P58,p.11.
- ⁶⁷ E.PAŠIĆ:P59,pp.37-39; I.OSMANOVIĆ:P3212,paras.160-171; M.KURALIĆ:P84,p.8; S.HUSREFOVIĆ:P58,p.11; [REDACTED]
- ⁶⁸ AF2256; M.KURALIĆ:P84,p.8; M.KURALIĆ:P63,pp.21-24; P74,p.3; I.OSMANOVIĆ:P3212,para.171.
- ⁶⁹ AF2256; I.OSMANOVIĆ:P3212,para.171. See also S.HUSREFOVIĆ:P58,p.12.
- ⁷⁰ AF2256; M.KURALIĆ:P84,p.8.
- ⁷¹ M.KURALIĆ:P84,p.10; M.KURALIĆ:P63,pp.30-32; [REDACTED]; S.HUSREFOVIĆ:P58,p.13.
- ⁷² A.RIEDLMAAYER:P4070,pp.11-17; A.RIEDLMAAYER:P4069,records39,41,42; [REDACTED]; See also [REDACTED]
- ⁷³ [REDACTED]
- ⁷⁴ [REDACTED]
- ⁷⁵ [REDACTED]

BOSANSKI NOVI

Incident Number	Incident Details
C.4.1	<p>On 2-Jun-92 Bosanski Novi TO and MP rounded up approximately 320 Muslim men, women and children, detaining them in Mlavke football stadium for four days.⁷⁶</p> <p>On 11-Jun-92, 700 men whom Serb soldiers had separated from a convoy of Muslims expelled to Zenica,⁷⁷ were detained at Mlavke stadium on the Bosanski Novi CS's orders, which tasked the Municipal TO with accommodating and guarding the detainees.⁷⁸ Guards included army reservists, including Radenko BALABAN, Josava's SDS President.⁷⁹ CS authorised TO to conduct interrogations.⁸⁰</p> <p>TO compiled a list of detainees: 12 were younger than 18; 27 were older than 60; SJB review of list determined none were of "security interest".⁸¹ No one had engaged in combat.⁸²</p> <p>Some detainees had been transferred from Omarska, Trnopolje and Keraterm.⁸³</p> <p>Men held in Mlavke stadium for approximately 46 days.⁸⁴ Detainees were beaten, blinding one detainee in one eye;⁸⁵ subjected to ethnic taunts and slurs and threatened with death and being used as human shields at front;⁸⁶ and subjected to humiliating treatment.⁸⁷ Conditions were appalling: shortage of space;⁸⁸ detainees slept under stands or on floor of locker room with no blankets;⁸⁹ insufficient water for drinking or washing and no facilities to wash clothes;⁹⁰ inadequate toilet facilities;⁹¹ insufficient quantity and quality of food, causing detainees to lose considerable weight;⁹² no access to medical treatment (one man died of asthma).⁹³</p> <p>Detainees released on orders of Bosanski Novi Municipal Executive Committee.⁹⁴</p>

⁷⁶ AF629; D1921, pp. 1-2; D470, p. 9; P2632, pp. 9-10; C:KIRUDJA:P3804, paras. 55-59; P3821, p. 2; P3822; P3823, para. 19; P3829, p. 2.

⁷⁷ H.A.L.I.C.:P687, pp. 14-15, 23-24; KDZ011:T.21209-21210.

⁷⁸ AF633-AF634; KDZ011:P3800, pp. 45-46; H.A.L.I.C.:P687, pp. 14-15, 24; KDZ011:T.21209-21210; P3827; D1921, pp. 2-4.

⁷⁹ AF630; KDZ011:P3800, pp. 51-53.

⁸⁰ P2632, pp. 9-10.

⁸¹ AF629; D1921, pp. 1-4.

⁸² KDZ011:P3800, p. 51.

⁸³ AF629.

⁸⁴ AF641; KDZ011:P3800, p. 47.

⁸⁵ AF636-AF638.

⁸⁶ AF639; KDZ011:P3800, p. 50.

D.4	Mosques destroyed by shelling or arson when Muslim population expelled by Serb Forces. ⁹⁵ Blagaj Japra, Urjje, and Gornji Agići mosques blown up with explosives. ⁹⁶ Prekonsanje mosque bulldozed by heavy equipment brought in by Serb Forces after explosives failed to destroy it; bundle of un-detonated explosives was found at the base of the minaret. ⁹⁷ Bosanski Novi town mosque razed after Bosnian Serb soldiers shelled it, set it on fire and removed cemetery tombs; site turned into parking lot. ⁹⁸
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⁸⁷ AF640.

⁸⁸ AF642; KDZ011:P3800,p.76.

⁸⁹ AF643; KDZ011:P3800,p.47.

⁹⁰ AF645; KDZ011:P3800,pp.48,50.

⁹¹ AF645.

⁹² AF644; KDZ011:P3800,pp.47-48; KDZ011:T.211192; H.ALIĆ:P687,pp.15,24; P3827.

⁹³ AF646; KDZ011:P3800,p.48.

⁹⁴ D1921,p.2.

⁹⁵ AF662; AF664-AF667; A.RIEDLMAYER:P4070,pp.44-56; H.ALIĆ:P687,p.20; KDZ011:T.211195-21196. *See also* A.RIEDLMAYER:P4069,records58-59,63-64,71,73-76.

⁹⁶ AF663; A.RIEDLMAYER:P4070,pp.31-36,40-41.

⁹⁷ AF665; A.RIEDLMAYER:P4070,pp.37-39; KDZ011:T.211195.

⁹⁸ AF666; A.RIEDLMAYER:P4070,pp.47-51; KDZ011:P3800,p.62; KDZ011:T.211196.

BRATUNAC

Incident Number	Incident Details
A.3.1	<p>On 3-May-92, Serb Forces, including paramilitaries, surrounded Hranča, torched 43 houses and killed villagers.⁹⁹ Over the following week, the Serb TO attacked and arrested remaining residents, killing four of them, including a six-year-old girl.¹⁰⁰ On 9 May, members of same TO shot eight Muslims.¹⁰¹</p> <p>Defence witnesses acknowledged this incident and identified JNA, Serb TO and paramilitaries as perpetrator groups but claimed that Hranča Muslims attacked a passing JNA column and people were killed in the ensuing fighting.¹⁰² These claims should be rejected as based on vague, formulaic, unsourced hearsay from witnesses of demonstrably low credibility.¹⁰³ Even if this evidence were to be given credence, it cannot justify the week-long attack on the village in which the TO killed civilians and arrested the remaining residents.¹⁰⁴</p>
A.3.2	<p>On or about 9-May-92,¹⁰⁵ Serb Forces, comprising JNA (Novi Sad Corps), Bratunac TO, SJB¹⁰⁶ and paramilitaries¹⁰⁷ executed an attack on Glogova planned by the CS.¹⁰⁸ CS President DERONJIĆ ordered and participated in the attack¹⁰⁹ together with other Bratunac officials.¹¹⁰</p> <p>At least 65 civilians¹¹¹ were killed, including two children during mass execution of 18 people.¹¹² There was no armed resistance because Glogova was previously disarmed.¹¹³</p>

⁹⁹ AF2316; M.TALOVIC:P3188,para.16; M.TALOVIC:T.17659; B.TEŠIĆ:D3115,paras.22-24; [REDACTED]; R.DUKANOVIC:D3194,paras.39-40; A.MAŠOVIĆ:P4853,pp.3,5(B/C/S).

¹⁰⁰ AF2317; P1477,pp.253-254.

¹⁰¹ AF2318.

¹⁰² L.SIMIC:D3398,para.56; [REDACTED]; N.NIKOLIĆ:D3690,para.8; V.STEVIĆ:D3174,para.13; J.NIKOLIĆ:D3126,para.43; B.TEŠIĆ:D3115,para.23; R.DUKANOVIC:D3194,para.39.

¹⁰³ See DCCQ.L.SIMIC; [REDACTED] V.STEVIĆ; J.NIKOLIĆ; B.TEŠIĆ; R.DUKANOVIC).

¹⁰⁴ AF2317-AF2318.
¹⁰⁵ AF2320.

¹⁰⁶ M.KATANIĆ:P4374,paras.33-35; A.TEŠIĆ:D3118,para.21; M.TALOVIC:P3188,paras.21-36; SIDAVIDOVIĆ:T.24384-24385.

¹⁰⁷ A.TEŠIĆ:D3118,para.21; R.DUKANOVIC:D3194,para.42.

¹⁰⁸ AF2319-AF2320.

¹⁰⁹ M.KATANIĆ:P4374,paras.7,28-36; M.KATANIĆ:T.24556-24557; R.DUKANOVIC:D3194,paras.41-42; A.TEŠIĆ:D3118,paras.20-21; L.SIMIC:D3398,paras.57-59.

¹¹⁰ M.TALOVIC:P3188,paras.21-22,24,27-34; P6233,p.2; V.STEVIĆ:T.36033-36034,36039-36041.

¹¹¹ AF2320; M.TALOVIC:P3188,paras.35-36,38; M.TALOVIC:T.17639-17642; A.MAŠOVIĆ:P4853,pp.3-4,6(B/C/S).

¹¹² M.TALOVIC:P3188,paras.19-38.

B.4.1	<p>Between 10 and 16-May-92,¹¹⁴ at least 50 civilians detained in Vuk Karadžić school were killed.¹¹⁵ Religious leaders,¹¹⁶ intellectuals,¹¹⁷ people who worked in schools,¹¹⁸ former policemen and military,¹¹⁹ were particularly targeted for maltreatment and killing.¹²⁰</p> <p>ARKAN's men forced detainees to watch¹²¹ as they tortured, beat to death, stabbed, or shot to death other detainees.¹²² Seven or eight men suffocated to death.¹²³ Detainees were humiliated and taunted with political comments as they were killed;¹²⁴ others were called out and never returned.¹²⁵</p> <p>Detainees were forced to pile dead bodies in a hangar behind the school.¹²⁶ Serb military ordered the bodies of between 100 and 150 men killed at school to be buried in mass grave.¹²⁷</p> <p>From at least 10 to 18-May-92,¹²⁹ Serb military forces detained approximately 4,000-5,000 Muslim civilians, including women and children, in Bratunac football stadium, which was under joint control of Serb military including Bratunac TO, JNA and JNA military police,¹³⁰ and paramilitaries.¹³¹</p> <p>Soldiers threatened, beat and forced detainees to surrender their valuables.¹³² Women and children were separated from men, forced onto buses and transported to Tuzla,¹³³ escorted by Bratunac police.¹³⁴</p> <p>On 17-May-92, another group of detainees were placed on buses and sent to Vlasenica municipality, escorted by local police.¹³⁵</p>
C.6.1 ¹²⁸	<p>Detainees were forced to pile dead bodies in a hangar behind the school.¹²⁶ Serb military ordered the bodies of between 100 and 150 men killed at school to be buried in mass grave.¹²⁷</p> <p>From at least 10 to 18-May-92,¹²⁹ Serb military forces detained approximately 4,000-5,000 Muslim civilians, including women and children, in Bratunac football stadium, which was under joint control of Serb military including Bratunac TO, JNA and JNA military police,¹³⁰ and paramilitaries.¹³¹</p> <p>Soldiers threatened, beat and forced detainees to surrender their valuables.¹³² Women and children were separated from men, forced onto buses and transported to Tuzla,¹³³ escorted by Bratunac police.¹³⁴</p> <p>On 17-May-92, another group of detainees were placed on buses and sent to Vlasenica municipality, escorted by local police.¹³⁵</p>

¹¹³ AF2320; M.TALOVIC:P3188, paras.13-15.

¹¹⁴ AF2321; AF2325; AF2327;

¹¹⁵ AF2328; [REDACTED]; A.MAŠOVIĆ:P4853, pp.2-5(B/C/S).

¹¹⁶ [REDACTED]

¹¹⁷ [REDACTED]

¹¹⁸ [REDACTED]

¹¹⁹ [REDACTED]

¹²⁰ [REDACTED]; KDZ605:T.17897-17898,17900,17920-17921.

¹²¹ [REDACTED]

¹²² [REDACTED]; KDZ605:T. [REDACTED], 17897-17898,17922-17923.

¹²³ [REDACTED]

¹²⁴ [REDACTED]

¹²⁵ AF2328;

¹²⁶ [REDACTED]

¹²⁷ KDZ107:P345, pp.31-34,162-163; A.MAŠOVIĆ:P4853, pp.2-5(B/C/S).

¹²⁸ The Bratunac football stadium functioned as a detention facility from at least 10-May to 18-May-92. See Indictment, Schedule C, fn.7, 73bis Submission, Appendix B, p.13.

¹²⁹ AF2321-AF2323;

¹³⁰ [REDACTED]; B.TEŠIĆ:T.35252.

C.6.2 ¹³⁶	<p>From around 3-May until 14-May-92, following attacks on their villages, hundreds of Muslim civilians were detained in Vuk Karadžić school.¹³⁷ Around 3-May, over 500 Muslim civilian men were detained at the school premises¹³⁸ by Serb military, including military police, and paramilitary forces, including ARKAN's men.¹³⁹ On 11-May-92, the Bratunac Serb TO brought approximately 250 Hranča inhabitants first to the Bratunac municipal hall, where 60 men were separated and subsequently detained in Vuk Karadžić school.¹⁴⁰</p> <p>Detainees received very little food.¹⁴¹ They were interrogated, severely beaten and tortured, and forced to watch violence against other detainees.¹⁴² Beatings and killings were accompanied by humiliation, taunts, threats and mutilations based on ethnicity.¹⁴³ Killings included killing of Hranča's villagers on 3-May-92; their bodies discovered by the Drina River.¹⁴⁴</p> <p>JNA and paramilitary guards allowed the public to access and maltreat detainees.¹⁴⁵</p> <p>On or about 14-May-92, detainees were transferred to Pale, where they were exchanged.¹⁴⁶ Detainees required medical treatment after the exchange.¹⁴⁷</p>
D.6	<p>Between April and May-92,¹⁴⁸ at least 10 mosques and other institutions dedicated to religion in Bratunac municipality, including</p>

¹³¹ [REDACTED]; MKATANIĆ:P4374,para.51.

¹³² [REDACTED]

¹³³ AFP2322; [REDACTED]

¹³⁴ [REDACTED]; B.TEŠIĆ:D3115,paras.27-28; B.TEŠIĆ:T.35253-35259.

¹³⁵ AFP2322;AFP2323; S.DŽAFIĆ:P3263,paras.15-25.

¹³⁶ Evidence led shows Vuk Karadžić School operated as a detention facility from 3-May until on or about 14-May-92.

¹³⁷ [REDACTED]; R.DUKANOVIĆ:D3194,para.40; B.TEŠIĆ:D3115,para.24.

¹³⁸ AFP2325; AFP2327; [REDACTED]; KDZ605:T.17897; D.MIČIĆ:D3196,paras.5,7.

¹³⁹ [REDACTED]; KDZ605:T.17897; D.MIČIĆ:D3196,paras.5,7.

¹⁴⁰ AFP2327. See B.TEŠIĆ:D3115,para.24.

¹⁴¹ [REDACTED]; L.SIMIĆ:D3398,para.61.

¹⁴² AFP2326; [REDACTED]; KDZ605:T.17898,17922-17923; P3206; R.DUKANOVIĆ:D3194,para.40.

¹⁴³ [REDACTED]; KDZ605:T.17897-17898,17900-17902; [REDACTED]; M.SMAJS:P43,pp.6,11; [REDACTED]; R.DUKANOVIĆ:D3194,para.40; B.TEŠIĆ:D3115,para.24.

¹⁴⁴ R.DUKANOVIĆ:D3194,para.40; B.TEŠIĆ:D3115,para.24.

¹⁴⁵ L.SIMIĆ:D3398,para.61.

¹⁴⁶ [REDACTED]; P3208.

¹⁴⁷ [REDACTED]; P3208.

¹⁴⁸ A.RIEDLMAYER:P4070,pp.65,69-70.

<p>town mosque and Islamic archives in Bratunac mosque and Qur'an school in Glogova; mosques in Konjević Polje, Hrnčići, Voljavica and Zanjevo¹⁴⁹ were either completely destroyed during attacks on villages, or heavily damaged by fire and explosives set by Serb Forces.¹⁵⁰</p>

¹⁴⁹ DŽ.GUŠIĆ:P3196,para.69.

¹⁵⁰ AF2320; AF2330-AF2331; A.RIEDLMAYER:P4070,pp.65-72; A.RIEDLMAYER:P4069,records82-85; DŽ.GUŠIĆ:P3196,para.69; M.KATANIĆ:P4374,para.55; R.DUKANOVIĆ:D3194,para.48.

BRČKO

Incident Number	Incident Details
B.5.1	<p>On numerous occasions between 4-May-92 and 7-Jun-92, groups of detainees at Luka camp were taken out and summarily executed,¹⁵¹ by guards including Goran JELIŠIĆ (who wore a police uniform¹⁵² and answered to the War Presidency)¹⁵³ and SJB officer Ranko ČEŠIĆ.¹⁵⁴ Police (including Kosta SIMONOVIĆ, a.k.a. KOLE,¹⁵⁵ and Branko PUJDIĆ)¹⁵⁶ oversaw the executions. Detainees were forced to help dispose of bodies, including carrying them to a truck¹⁵⁷ or dumping them into a canal or the Sava river.¹⁵⁸ Some were buried in pits and covered with rubble from demolished mosques.¹⁵⁹</p>
C.7.2	<p>From 4-May until at least Aug-92,¹⁶⁰ non-Serbs from Brčko municipality, including women and boys,¹⁶¹ were taken to Luka camp—many transferred from other detention facilities.¹⁶²—and detained in crowded, unsanitary conditions.¹⁶³ Between 27-May-92 and 7-Jun-92, there were approximately 200 detainees.¹⁶⁴ JELIŠIĆ was camp commander until late May or Jun-92,¹⁶⁵ after which SJB officer Kosta SIMONOVIĆ took charge.¹⁶⁶ Detainees were abused and frequently beaten by police and camp guards including JELIŠIĆ and ČEŠIĆ.¹⁶⁷ Female detainees were raped and subjected to forced labour.¹⁶⁸ Detainees were transferred to Batković in Jul-92.¹⁶⁹</p>

- ¹⁵¹ AF2362; AF2363; S.HUSREHOVIĆ:P58,pp.7-9; I.GAŠI:T:P3002,pp.73-74,95; KDZ057:P424,pp.20,31-33; [REDACTED]; KIDZ010:P416,pp.10,14-20,33-34,113-114; A.MAŠOVIĆ:P4853,p.74; P4856,pp.31-32(B/C/S).
- ¹⁵² AF2359; P3008; P419; P3028; I.GAŠI:T.16637-16639; D.RISTANIĆ:T.16726; M.DAVIDOVIĆ:P2848,para.111.
- ¹⁵³ For example, on around 3-May-92, VESELIĆ assigned JELIŠIĆ and another policeman to accompany Dorde RISTANIĆ during his visit to Serb villages. D.RISTANIĆ:T.16718-16719,16723. *See also* P3026.
- ¹⁵⁴ P6176; P3004.
- ¹⁵⁵ I.GAŠI:P3002,p.160; I.GAŠI:T.16609,16611,16694; P3005,p.5(no.252)(K.SIMONOVIĆ).
- ¹⁵⁶ I.GAŠI:P3002,p.74; I.GAŠI:T.16614-16616; P3005,p.4(no.217)(B.PUDIĆ).
- ¹⁵⁷ KIDZ010:P416,pp.16-20,29-31; P420; I.GAŠI:P3002,p.73.
- ¹⁵⁸ AF2364; I.GAŠI:P3002,pp.77-81; P3012.
- ¹⁵⁹ AF2367; P2889,p.1.
- ¹⁶⁰ AF2354; KIDZ057:P424,p.20; KIDZ010:P416,pp.5,36; S.HUSREHOVIĆ:P58,pp.7-9; I.GAŠI:P3002,p.95; D.RISTANIĆ:T.16749.
- ¹⁶¹ I.GAŠI:P3002,pp.66-67; KIDZ057:P424,p.46; [REDACTED].
- ¹⁶² AF2357; D.RISTANIĆ:T.16712-16713; S.HUSREHOVIĆ:P58,pp.7-8.
- ¹⁶³ AF2354; S.HUSREHOVIĆ:P58,pp.7-8; I.GAŠI:P3002,pp.63-67; KIDZ057:P424,p.46; [REDACTED].
- ¹⁶⁴ AF2358; I.GAŠI:P3002,pp.63-64.
- ¹⁶⁵ AF2355; KIDZ010:P416,pp.5,8; KIDZ057:P424,p.59.
- ¹⁶⁶ AF2355; I.GAŠI:P3002,pp.65,69-70,160-162; I.GAŠI:T.16615-16617,16693-16694; P3005,p.5(number.252)(K.SIMONOVIĆ); KIDZ010:P416,p.80.
- ¹⁶⁷ AF2365; I.GAŠI:P3002,pp.57-65,69-77,81-83,160-162; I.GAŠI:T.16609-16617,16694; P3005; KIDZ057:P424,pp.25-28,43-46,51; KIDZ010:P416,pp.5,9,14-18,28-29,36,96-99,106-108; S.HUSREHOVIĆ:P58,pp.8-9; D.RISTANIĆ:T.16724; P3019; P419; P3017.
- ¹⁶⁸ KIDZ057:P424,pp.49-54.
- ¹⁶⁹ D.RISTANIĆ:T.16726-16727; KIDZ010:P416,p.36. *See* SIC:C.2.1(Bijeljina).

IT-95-5/18-T

13

29 August 2014

FOČA

Incident Number	Incident Details
A.5.2	Serb Forces shelled, attacked, took over and burned Jeleč between 1 and 5-May-92. ¹⁷⁰ Muslims who stayed or tried to escape killed. ¹⁷¹
A.5.4	Muslim village of Mješajia/Trošanj's residents surrendered weapons to Serb TO in Apr-92. ¹⁷² Fearful of attacks, residents slept in woods at night. ¹⁷³ Serb Forces, including Gojko JANKOVIĆ and Radomir KOVAČ (under Brane ČOSOVIĆ) ¹⁷⁴ attacked in early Jul-92. ¹⁷⁵ Three villagers killed. ¹⁷⁶ Villagers fleeing or hiding beaten and abused. ¹⁷⁷ Some arrested and detained. ¹⁷⁸ Seven men shot and killed. ¹⁷⁹
B.8.1	Between Jun-92 and Dec-92, soldiers and KP Dom guards ¹⁸⁰ killed over 200 Muslim detainees at prison. ¹⁸¹ Guards under control of RAŠEVIĆ ¹⁸² called detainees from prepared lists, ¹⁸³ often in groups of nine. ¹⁸⁴ They were taken from cells to administration

¹⁷⁰ AF760-AF761. *See also* R.MLADENOVIĆ:D3314,para.41; M.VUJIĆ:T.32122-32123.

¹⁷¹ AF761. *See also* P4853,p.6.

¹⁷² D3316,p.1. While Defence witness MLADENOVIĆ contended that the Muslims of Trošanj did not surrender their arms, he admitted that he did not check whether the agreement to disarm was followed and "left open the possibility" that the military did not properly inform him. *See* R.MLADENOVIĆ:D3314,para.41; R.MLADENOVIĆ:T.36656. Moreover MLADENOVIĆ's evidence was not credible. *See* DCCR.MLADENOVIĆ).

¹⁷³ AF763-764.

¹⁷⁴ [REDACTED]

¹⁷⁵ AF763; AF2398. Defence witness VUJIĆ claimed that JANKOVIĆ was sent to the villages to see how the population "could be rescued". M.VUJIĆ:T.32128. This should be rejected as based on vague, un sourced hearsay from a witness of demonstrably low credibility. *See* DCC(M.VUJIĆ).

¹⁷⁶ AF765; AF2398. *See also* P4853,p.6.

¹⁷⁷ AF765; AF2398-AF2399.

¹⁷⁸ T.PLJEVALJIĆ:T.32346; AF2407.

¹⁷⁹ AF765; AF2401. *See also* P4853,p.6.

¹⁸⁰ AF884-885.

¹⁸¹ KDZ239:P3336,pp.33,41,56-64,72-82; KDZ017:P3568,pp.23-25,56,70-73,91,98-99,112,114,119,127; P3351; P4853,pp.78-84,107; P4850; P4876; KDZ239:T.18920-18921. *See also* KDZ017:P3568,p.121; KDZ239:P3336,pp.54,73-74; MKRNOMJELAC:D2716,p.131. Witnesses testified to a far greater number of victims, between 400 and 450. *See* KDZ239:P3336,pp.86-87; KDZ017:P3568,p.127.

¹⁸² AF862; M.RAŠEVIĆ:D4307,para.1; KDZ239:P3336,p.102; KDZ017:P3568,pp.51,148.

¹⁸³ AF867; KDZ017:P3568,p.63.

¹⁸⁴ KDZ017:T.19900; KDZ017:P3568,pp.61-62,95,99.

¹⁸⁵ KDZ017:P3568,pp.62,91; KDZ239:P3336,p.56.

¹⁸⁶ AF863; KDZ017:P3568,pp.70-73,98-99,112,114,119; KDZ239:P3336,pp.56-64; M.RAŠEVIĆ:T.46796.

¹⁸⁷ AF884-AF885; M.RAŠEVIĆ:D4307,paras.15,33; M.RAŠEVIĆ:T.46785,46805-46806.

	<p>building;¹⁸⁵ subjected to interrogations, including beatings and torture¹⁸⁶ by guards and/or individuals under control of TG Foča.¹⁸⁷ Some detainees died during beatings, some were shot and killed,¹⁸⁸ some disappeared.¹⁸⁹ Bodies taken from the prison¹⁹⁰ on trucks, sometimes discarded near or in the Drina.¹⁹¹ Other detainees called out—for “exchanges” or transfers—then disappeared.¹⁹²</p>
C.10.1	<p>From 18-Apr-92 until 4-Oct-94¹⁹³ approximately 500-700 Muslims imprisoned at KP Dom Foča.¹⁹⁴ Prison under joint Serb civilian/military control.¹⁹⁵ Milorad KRNOJELAC and Mitar RAŠEVIĆ were warden and commander of guards, respectively.¹⁹⁶ TG Foča, under command of Marko KOVAČ,¹⁹⁷ also exercised control.¹⁹⁸</p> <p>Non-Serb detainees nearly all civilians,¹⁹⁹ including persons under 18 and over 60,²⁰⁰ and infirm.²⁰¹ None were charged or granted procedural rights.²⁰² Some prisoners hidden from the ICRC.²⁰³ Individuals imprisoned between four months and two and a half years.²⁰⁴</p> <p>Detainees lived in terrible conditions: building in disrepair;²⁰⁵ severe and deliberate overcrowding;²⁰⁶ lack of access to water for washing;²⁰⁷ inability to wash clothing;²⁰⁸ lack of heat,²⁰⁹ hot water,²¹⁰ electricity;²¹¹ lack of linens;²¹² lice infestations.²¹³ Unlike Serb</p>

¹⁸⁸ AF881-AF882; AF886-AF887; KDZ017:P3568, pp. 70-71, 116, 119; KDZ239:P3336, p. 69.

¹⁸⁹ KDZ017:P3568, pp. 63-66, 69-91, 94-97, 101, 109-111, 116-122; KDZ239:P3336, pp. 39-41, 51-64, 70-79; KDZ239:T.18920-18921, 18979-18980; KDZ017:T.19900-19904. *See also* KDZ017:P3568, pp. 189-193, 200-201, 218-221.

¹⁹⁰ AF887. *See e.g.* P4853, pp. 78-84, 107.

¹⁹¹ KDZ017:T.19903-19904; KDZ239:P3336, pp. 69-70; [REDACTED]: KDZ239:T.19000-19001; KDZ017:P3568, pp. 71, 116.

¹⁹² AF889-AF898; AF900; KDZ239:P3336, pp. 33, 74, 76, 83-87; M.RAŠEVIĆ:T.46788; KDZ017:P3568, pp. 26-31, 56, 127-129.

¹⁹³ AF823; AF833; AF835; KDZ017:P3568, pp. 15-16, 149-150; KDZ239:P3336, p. 25; KDZ379:P3332, pp. 15, 33-35, 58-59.

¹⁹⁴ AF824; KDZ017:P3568, pp. 126-128; KDZ239:T.18935, 18946; [REDACTED]: KDZ239:P3336, pp. 86-97.

¹⁹⁵ AF836-AF840; M.KRNOJELAC:D2716, pp. 86-90, 93-97, 604-618; R.MLADENOVIC:D3314, para. 48; R.MLADENOVIC:T.36647-36648, 36657-36663; M.RAŠEVIĆ:D4307, paras. 11-16; KDZ239:P3336, pp. 82-83, 99. *See* Foča Summary.

¹⁹⁶ AF835; AF862. *See* Foča Summary.

¹⁹⁷ T.PLJEVALJIC:T.32327; KDZ239:P3336, p. 99; P3355; P3356. *See* Foča Summary.

¹⁹⁸ AF837; AF839-AF840. *See* Foča Summary.

¹⁹⁹ AF830-AF831; KDZ239:T.18917, 18921, 18935; M.RAŠEVIĆ:T.46777-46780; P6656, pp. 5-6; R.MLADENOVIC:T.36657-36658; V.MARIĆ:T.35597-35599.

²⁰⁰ KDZ017:P3568, p. 54; KDZ239:P3336, pp. 38, 45; M.RAŠEVIĆ:T.46780-46781.

²⁰¹ KDZ239:P3336, pp. 39-42; KDZ017:P3568, pp. 22-23, 26-28, 30-32; P6660, p. 2; M.RAŠEVIĆ:T.46783.

²⁰² AF827-AF829; KDZ017:P3568, p. 53.

²⁰³ KDZ017:P3568, pp. 129-130; KDZ239:P3336, pp. 88-89; M.RAŠEVIĆ:T.46802.

²⁰⁴ AF825; KDZ017:P3568, p. 16; KDZ239:P3336, p. 25.

²⁰⁵ M.KRNOJELAC:D2716, pp. 300-305; KDZ017:P3568, pp. 89-91.

²⁰⁶ AF842-AF843; KDZ017:P3568, p. 22; KDZ239:P3336, p. 38.

²⁰⁷ AF845; KDZ017:P3568, p. 212.

²⁰⁸ AF847.

²⁰⁹ AF848-AF850; KDZ239:P3336, p. 47; KDZ017:P3568, pp. 181-182.

	counterparts, they deliberately received insufficient food, ²¹⁴ resulting in weight loss and illness. ²¹⁵ They lacked access to medicines or adequate medical treatment, ²¹⁶ resulting in deaths. ²¹⁷ They were routinely beaten ²¹⁸ by guards, ²¹⁹ soldiers, ²²⁰ military police, ²²¹ and others. ²²² Guards called names from lists; those detainees taken for interrogations, ²²³ including beatings and torture. Detainees often disappeared. ²²⁴
C.10.2	Those imprisoned report lasting physical and psychological problems. ²²⁵
C.10.4 ²³¹	At least between Aug-92 and Oct-92, KUNARAC and others brought women and girls ²²⁶ to Karaman's house in Miljevinia. ²²⁷ Pero ELEZ, commander of soldiers at house, allocated women and girls to soldiers. ²²⁸ They were kept at location, where Serb soldiers, including ELEZ, Dragan KUNARAC (a.k.a. "ZAGA"), and members of their units (including Radovan STANKOVIĆ) constantly raped them. ²²⁹ Some women kept for many months. ²³⁰
	In Jul-92, civilians—girls, women, and elderly men, including from Mješajia/Trošanj—held in the Workers' Huts at Buk Bijela. ²³² Serb soldiers, including G.JANKOVIĆ and his men, repeatedly raped women. ²³³ Eventually detainees transported to Foča high school. ²³⁴

²¹⁰ AF845; KDZ017:P3568,p.212.

²¹¹ KDZ017:P3568,p.201.

²¹² AF846; KDZ017:P3568,pp.38,46; KDZ239:P3336,p.34.

²¹³ AF847; KDZ239:P3336,pp.48-49.

²¹⁴ AF851-AF852; KDZ239:P3336,pp.49-51,91-92,134; KDZ017:P3568,pp.32-35,178,185.

²¹⁵ AF853; KDZ017:P3568,pp.37-39; KDZ239:P3336,pp.47-48,132-135.

²¹⁶ AF854-AF856; KDZ017:P3568,pp.22-24,50,182-183; KDZ239:P3336,pp.41-42.

²¹⁷ KDZ017:P3568,pp.22-25; KDZ239:P3336,p.51-56.

²¹⁸ AF857; AF860-AF863; AF866-AF874; AF877; AF879; AF888; KDZ017:P3568,pp.17,39-43,48-49,57,59-60,72-73,87,91,122,124,146-148,189; KDZ239:P3336,pp.30,56-64,66-67,85,146.

²¹⁹ AF858; AF860-AF861; AF868-AF869; AF871; AF873; AF888; KDZ017:P3568,pp.18-21,40,49; KDZ239:P3336,pp.32,57,85.

²²⁰ AF859; AF860-861; AF872-AF873; AF888; KDZ017:P3568,p.17; KDZ239:P3336,pp.85-86.

²²¹ AF868; AF888; KDZ017:P3568,p.189; KDZ239:P3336,p.145.

²²² KDZ239:P3336,pp.30-31; KDZ239:T.18935.

²²³ AF858; AF863; AF867; AF878; KDZ239:P3336,p.57.

²²⁴ AF869; AF872; AF879-AF880; KDZ017:P3568,p.51. See SIC:B.8.1(Foča).

²²⁵ AF841; KDZ017:P3568,pp.39,151-152,164-165.

²²⁶ AF810; AF815; AF817-AF818; AF820. See *idso* AF818; AF820; Foča Summary.

²²⁷ See [REDACTED].

²²⁸ [REDACTED]; P1482,p.67.

²²⁹ AF803; AF810; AF819; AF821; AF2406; [REDACTED]; R.ML ADENOVIĆ:T.36652.

²³⁰ AF818; AF820.

²³¹ The Workers' Huts at Buk Bijela functioned as a detention facility in Jul-92. See Indictment, Schedule C,fn.8; PTB, Confidential Appendix A,p.19; 73bis Submission, Appendix B,p.27.

C.10.5	Women and children detained at Partizan Hall. ²³⁵ In 1992, soldiers, including those under ČOSOVIĆ, ²³⁶ and police, including commander Dragan GAGOVIĆ, ²³⁷ took detained women for rapes. ²³⁸ Police guards did not intervene. ²³⁹ This was common knowledge. ²⁴⁰
C.10.6	Forces controlled by CS arrested civilians in Foča. ²⁴¹ Approximately 80-100 non-Serb civilians, including women and children, ²⁴² taken to TO military warehouses at Livade between 14 and 17-Apr-92. ²⁴³ Conditions and hygiene were poor and food inadequate. Detainees threatened with death; some beaten. ²⁴⁴ All male detainees sent to KP Don. ²⁴⁵
C.10.7	During 1992, soldiers and police, including GAGOVIĆ, continually came to select women imprisoned at Foča high school (srednja škola) for rape. ²⁴⁶ Some women taken every day. ²⁴⁷ Women who resisted were publicly beaten. ²⁴⁸ Guards, controlled by CS Member Mitar ŠPČIĆ, ²⁴⁹ prevented escapes but did not intervene. ²⁵⁰ After 10-15 days, women typically sent to Partizan Hall. ²⁵¹
D.10	In Aug-92, ²⁵² UNESCO-protected Aladža mosque, built in 1550s, blown up by Serb Forces, possibly led by KUNARAC, ²⁵³ and Jeleč mosque burned and had minaret destroyed by Serb Forces. ²⁵⁴

²³² AF788; AF2407; KIDZ239:T.18946.

²³³ AF2407; AF787.

²³⁴ AF788; AF2407.

²³⁵ KIDZ239:T.18946-18947.

²³⁶ [REDACTED]; AF787; AF794.

²³⁷ AF814. See also AF795; AF2408.

²³⁸ AF796; R.MLADENOVIĆ:D3314,para.49; KIDZ239:T.18946-18947. See R.MLADENOVIĆ:T.36649-36650.

²³⁹ AF2408; AF796.

²⁴⁰ [REDACTED]; KIDZ239:T.18946; R.MLADENOVIĆ:D3314,para.49.

²⁴¹ [REDACTED]; D4002,p.23.

²⁴² KIDZ239:P3336,p.21; [REDACTED].

²⁴³ See AF782-AF783; AF785; KIDZ239:P3336,pp.21-25. See also R.MLADENOVIĆ:D3314,para.36; M.KRNOJEL.A.C:D2716,pp.340-341; KIDZ239:P3336,pp.20,22.

²⁴⁴ KIDZ239:P3336,pp.20-23.

²⁴⁵ AF823; KIDZ239:P3336,pp.25; R.MLADENOVIĆ:D3314,para.36; R.MLADENOVIĆ:T.36657; M.KRNOJEL.A.C:D2716,pp.340-341; AF782; AF785.

²⁴⁶ AF814; AF787; AF792. See also AF795; R.MLADENOVIĆ:T.36649-36650.

²⁴⁷ AF793.

²⁴⁸ AF792.

²⁴⁹ AF2409.

²⁵⁰ AF791; AF796.

²⁵¹ AF793.

²⁵² [REDACTED].

²⁵³ AFP911; A.RIEDLMAYER:P4070,pp.127-131; A.RIEDLMAYER:P4069,record133; M.VUJIĆ:T.32135-32136; [REDACTED].

A.RIEDLMAYER:T.22541. See also A.RIEDLMAYER:P4068,pp.15,18.

²⁵⁴ AFP912; A.RIEDLMAYER:P4070,pp.132-134; A.RIEDLMAYER:P4069,record156.

HADŽIĆI

Incident Number	Incident Details
C.11.1	<p>From 20-May-92 until at least Jun-92,²⁵⁵ non-Serb civilians detained in garage in Hadžići Municipal Assembly Building,²⁵⁶ including 14 Muslim men from Mušići,²⁵⁷ another 46 Muslim men and two women.²⁵⁸ Detainees kept in unhygienic and overcrowded conditions.²⁵⁹ Serb guards, including police, mistreated detainees, interrogated them in offices in the same building,²⁶⁰ and did not provide them sufficient food and water.²⁶¹ Detainees held up to 33 days.²⁶²</p> <p>On 25-May-92, Serb Forces transferred some detainees to Hadžići Sports Centre.²⁶³</p>
C.11.2	<p>From at least 25-May until Oct-92,²⁶⁴ non-Serb civilians, including women and children,²⁶⁵ detained in Hadžići Culture and Sports Centre.²⁶⁶ Between 25-May and 22-Jun-92 about 280 people came to be detained.²⁶⁷</p> <p>Conditions were inadequate.²⁶⁸ Detainees beaten, humiliated and sexually abused by members of the paramilitary units²⁶⁹ and subjected to forced labour.²⁷⁰ Detainees did not have their detention reviewed;²⁷¹ kept solely for the purpose of exchange with Serbs from ABiH-held territory.²⁷²</p> <p>On 22-Jun-92, on orders of CS President Ratko RADIĆ, 280 detainees transferred to Kula Prison for exchange.²⁷³</p> <p>After exchanges failed, detainees were returned to Hadžići Sports Centre in Sep-92²⁷⁴ where they joined another large group of Muslim civilians subject to failed exchange attempt. Detainees numbered about 500 in total.²⁷⁵ While women and children released on 18-Sep-92,²⁷⁶ 90 Muslim detainees still held until second half of October.²⁷⁷ On 23-Oct, around 70 transferred by Hadžići police, pursuant to MUP order, to Plano's House in Svrake Vogošća.²⁷⁸</p>

²⁵⁵ AF2611; M.MUSIĆ:P2403, paras 65-66.

²⁵⁶ P2300; P2301; T.GLAVVAŠ:T.11789-11792; V.BANDUKA:T.33518; M.MUSIĆ:P2403, para-46.

²⁵⁷ M.MUSIĆ:P2403, paras 41-51,66.

²⁵⁸ AF2611; M.MUSIĆ:P2403, para-48; AF2613; M.TOLJ:T.34634.

²⁵⁹ M.MUSIĆ:P2403, para-66.

²⁶⁰ AF2612; M.MUSIĆ:P2403, paras 41-51; M.TOLJ:T.34633.

²⁶¹ AF2612; M.MUSIĆ:P2403, para-48.

²⁶² M.MUSIĆ:P2403, para-66.

²⁶³ AF2614; M.MUSIĆ:P2403, para-51; T.GLAVVAŠ:P2296, para-45; T.GLAVVAŠ:T.11792-11793; V.BANDUKA:T.33538; M.TOLJ:T.34636-34637.

²⁶⁴ M.MUSIĆ:P2403, paras 53,55,64,123; P1607, pp.6-7,28-29.

²⁶⁵ Z.OKIĆ:P125, p.1; P124, p.5; M.MUSIĆ:P2403, paras 113-118; KDZ542:P161, p.2; AF2618; T.GLAVVAŠ:P2296, para-49.

²⁶⁶ P2404.

²⁶⁷ M.MUSIĆ:P2403, para-64.

- ²⁶⁸ M.MUSIĆ:P2403,paras.56,117-118.
²⁶⁹ AF2616; M.MUSIĆ:P2403,paras.57-63; A.BALIĆ:P161,pp.1-2; T.GLAVAŠ:P2296,para.54.
²⁷⁰ T.GLAVAŠ:P2296,paras.57-58.
²⁷¹ T.GLAVAŠ:P2296,para.63.
²⁷² T.GLAVAŠ:P2296,paras.46,49.
²⁷³ T.GLAVAŠ:P2296,para.50; T.GLAVAŠ:T.11785-11786; M.MUSIĆ:P2403,paras.65-69,89-92; A.BALIĆ:P161,pp.2-3; AF2617.
²⁷⁴ M.MUSIĆ:P2403,paras.89-117.
²⁷⁵ Z.OKIĆ:P125,p.1; P124,p.5; M.MUSIĆ:P2403,paras.113-118; AF2618.
²⁷⁶ M.MUSIĆ:P2403,para.119.
²⁷⁷ P1607,pp.6-7,28-29.
²⁷⁸ M.MUSIĆ:P2403,para.123; Z.OKIĆ:P125,pp.2-3; Z.OKIĆ:P124,pp.6-7; M.TOLJ.T.34645.

ИЛДЏА

Incident Number	Incident Details
B.13.1 ²⁷⁹	Guards beat two Kula (KP Dom Butimir) detainees to death between the night of 7 and 8-Apr-92. ²⁸⁰
B.13.3 ²⁸¹	Virtually every day, Kula (KP Dom Butimir) prisoners sent to work at front line military locations such as Grbavica, Slaviša Vajner Čiča barracks, Trebević, Zlatište, Dobrinja and Jewish Cemetery. ²⁸² Between 23-July and 24-Nov-92, ²⁸³ at least four detainees killed by snipers or shells; others injured. ²⁸⁴
C.18.2 ²⁸⁵	From outbreak of conflict until at least early 1995, ²⁸⁶ Kula detained roughly 10,000 Muslim civilians, ²⁸⁷ for periods ranging from a few days to several months. ²⁸⁸ Non-Serbs from all around the Sarajevo area, including from Hadžići, ²⁸⁹ Pale, ²⁹⁰ Sokolac, ²⁹¹ Rogatica, ²⁹² Manjača, ²⁹³ and Foča, ²⁹⁴ were detained at Kula. Detainees included women and children. ²⁹⁵ Under the RS MUP jurisdiction until beginning of Aug-92; taken over by the Justice Ministry. ²⁹⁶ Non-Serb detainees brought to Kula by VRS, ²⁹⁷ some by TO. ²⁹⁸ VRS provided food to detainees. ²⁹⁹
	Poor food and hygienic conditions, ³⁰⁰ overcrowded cells, ³⁰¹ and detainees regularly beaten, ³⁰² including to death. ³⁰³ Forced to perform manual labour including digging trenches and graves. ³⁰⁴

²⁷⁹ The KP Dom Butmir detention facility is in Ilidža municipality, not Novo Sarajevo municipality. See Indictment, Schedule C, fn. 10, 11. The statement in Indictment, Schedule B, fn. 3 that “Scheduled Incidents B.13.1 and B.13.3 geographically fall under events in Novo Sarajevo municipality” is a typographical error: these incidents fall within Ilidža municipality. See PTB, Confidential Appendix A, p. 10; 73bis Submission, Appendix B, p. 52. The statement in Indictment, Schedule B, fn. 4 is incorrect: the evidence led shows that Incident B.13.1 took place on or about 7-Apr-92.

²⁸⁰ AF2639; M.SMAJŠ; P43, pp. 4-5.

²⁸¹ See above fn. 276.

²⁸² AF2640; P6280; KIDZ542:P161.p.3; S.ŠKILJEVIĆ:T.36936-36939; Ž.BAMBAREZ:T.31323-31327; Ž.BAMBAREZ:P6042; KIDZ310:P1938, para. 46;

H.KARIC:T.15307; B.TOMIC:T.30202; D3352; P804.p.2; P5987.

²⁸³ KIDZ542:P161, pp. 3-4.

²⁸⁴ AF2640; KIDZ542:P161.p.3; KIDZ310:P1938, para. 46; [REDACTED]; P6282; P804, p. 2.

²⁸⁵ The KP Dom Butmir detention facility is in Ilidža municipality, not Novo Sarajevo municipality. See Indictment, Schedule C, fn. 10, 11; PTB Confidential Appendix A, p. 23; 73bis Submission, Appendix B, pp. 52-54. KP Dom Butmir served as a detention facility until at least 28-Oct-94. See Indictment, Schedule C, fn. 12; 73bis Submission, Appendix B, pp. 52-54.

²⁸⁶ AF2633; D3350, p. 10; P1127, p. 1. Although P1127 states that these civilians were being accommodated for reasons of “freedom of movement” and “family reunification”, these were euphemisms for cleansing and expulsion. A.MAŠOVIĆ:P4850, para. 31.

²⁸⁷ H.KARIC:T.15312-15213, 15367. See also S.ŠKILJEVIĆ:T.36931-36932; P2684, p. 1.

²⁸⁸ AF2633; AF2638; P1127, p. 1; M.MANDIĆ:T.4415; KIDZ542:P161, pp. 3-4.

²⁸⁹ KIDZ542:P161, pp. 3-4; P1102, p. 2; T.GLAVAŠ:P2296, para. 81; A.VANLJNDEN:P926, para. 63.

²⁹⁰ H.KARIC:P2839, paras. 44-46.

²⁹¹ B.SELIMOVIC:P47, paras. 35-37; A.KATICA:P6235, p. 4; D3189.

²⁹² B.SELIMOVIC:P47, paras. 35-37.

- 293 [REDACTED].
- 294 KIDZ017:P3568,p.149.
- 295 H.KARIĆ:P2839,para.47; B.SELIMOVIC:P46,para.41; P47,para.32; P6235,p.4; P6283,p.2.
- 296 AF2635.
- 297 S.ŠKILJEVIĆ:T.36821.
- 298 AF2634; P1126,p.1; P1151.
- 299 S.ŠKILJEVIĆ:T.36795-36797; D3356.
- 300 M.SMAJŠ:P43,pp.5,10; [REDACTED]; P1126,p.2; M.MUŠIĆ:P2403,para.100.
- 301 H.KARIĆ:P2839,paras.46-47; M.MUŠIĆ:P2403,para.94.
- 302 AF2636; M.SMAJŠ:P43,pp.5,10; M.MUŠIĆ:P2403,para.95.
- 303 *See* SIC:B.13.1(Novo Sarajevo).
- 304 *See* SIC:B.13.3(Novo Sarajevo).

KLJUČ

Incident Number	Incident Details
A.7.1	<p>On 28-May-92, Pudin Han, a Muslim village with approximately 900 inhabitants,³⁰⁵ was issued an ultimatum by Ključ CS to hand-over all illegally owned weapons.³⁰⁶ The vast majority of inhabitants were in favour of surrendering their weapons. Those who disagreed left for Bihać.³⁰⁷ Before ultimatum expired, Serb Forces started shelling Pudin Han.³⁰⁸ At least ten civilians died as a consequence.³⁰⁹ Twelve victims were exhumed from two mass grave sites and can be linked to the incident.³¹⁰</p>
A.7.2	<p>On 26-May-92, Serb Forces rounded up Muslim population in village of Pthovo and ordered them to surrender their weapons, which they did.³¹¹</p> <p>On 1-Jun-92, Pthovo was attacked³¹² by Serb soldiers wearing JNA uniforms and masked armed men³¹³ led by Marko ADAMOVIĆ, a Serb from Humić³¹⁴ who ordered soldiers to set the village on fire and kill women and children.³¹⁵ Survivors were ordered to gather in front of a house, where several Muslim men were called out by name, told to run away, and then shot dead.³¹⁶ At least seven Muslim civilians were killed during the attack.³¹⁷</p> <p>About 30 Muslim men from Pthovo were ordered to form a column and walk to the nearby village of Peći.³¹⁸ They were beaten with rifle butts, wires, sticks and poles, and 18 were killed before reaching Peći.³¹⁹ At the Dom in Peći, survivors had their hands tied with wire and were beaten again.³²⁰ One man died during the following night as a result.³²¹ A total of 53 victims were exhumed from mass graves and can be linked to the Pthovo-Peći incident.³²²</p> <p>Defence witnesses' claims that ADAMOVIĆ was not the unit commander and did not take part in these events,³²³ that civilians were not targeted³²⁴ and that the killings were not organised and deliberate³²⁵ were inconsistent,³²⁶ unsupported,³²⁷ and made by witnesses with demonstrably low credibility.³²⁸</p>

³⁰⁵ AFP918.

³⁰⁶ AFP919; P2917; P3444.

³⁰⁷ AFP920.

³⁰⁸ AFP921;

³⁰⁹ AFP921;

³¹⁰ [REDACTED];

³¹¹ [REDACTED];

³¹² KDZ056:P686,pp.6-7.

³¹³ AFP922. *See also* P6543, p.3.

³¹⁴ AFP922; KDZ056:P686, p.10.

A.7.3	<p>In village of Biljani, hamlets of Brkići, Džalferagići, Botonići and Jakubovac were exclusively inhabited by Muslims.³²⁹ Serb Forces, including the White Eagles, searched Biljani for weapons on several occasions in May and Jun-92 but found none.³³⁰ On 10-Jul-92, following VRS order for search and mopping up operation,³³¹ Serb Forces, comprising special police, MP and soldiers in JNA uniforms, rounded up Muslim inhabitants from Biljani's hamlets and instructed them to go to or brought them to the local school building.³³² At the school, members of the Klijuč SJB, Sanica police, special police, and hundreds of soldiers³³³ searched the villagers and ordered them to leave their belongings and documents in the corridor.³³⁴ Between 120 and 150 men were confined in two classrooms,³³⁵ and their names registered.³³⁶ Men were called out in groups of five or 10 and executed.³³⁷ Then around 70 men were</p>
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- ³¹⁴ AF922; KDZ056:P686,p.15. *See also* P2606,p.8(flisting Boško Lukić as reporting to the CS and not Adamović); R.KALABIĆ:P6550,pp.6-7.
- ³¹⁵ AF2438; KDZ056:P686,p.15.
- ³¹⁶ AF923; AF2437; KDZ056:P686,pp.10-12; P531; [REDACTED].
- ³¹⁷ AF924; P531; [REDACTED].
- ³¹⁸ AF925; KDZ056:P686,pp.12,20.
- ³¹⁹ AF925-AF926; KDZ056:P686,pp.13,20-21; [REDACTED].
- ³²⁰ KDZ056:P686,p.21.
- ³²¹ AF927; KDZ056:P686,pp.21-22.
- ³²² AF928; [REDACTED]; P531; P4878,pp.2-5; A.MAŠOVIĆ:P4853,pp.7-8(B/C/S). *See also* A.MAŠOVIĆ:P4850,p.45; P4882; P622; P623; KDZ056:P686,pp.9-13,20,30-32,34; A.EGRLIĆ:P6586,p.174; A.MAŠOVIĆ:P4853,pp.7-8(B/C/S).
- ³²³ M.ADAMOVIĆ:D4165,paras.9,23; R.KALABIĆ:D4169,para.18; R.KALABIĆ:T.44579-44583.
- ³²⁴ J.KEVAC:D4268,para.17.
- ³²⁵ M.ADAMOVIĆ:D4165,para.8(b); M.ADAMOVIĆ:T.44477-44478.
- ³²⁶ R.KALABIĆ gave entirely inconsistent accounts of how he heard of the Pthovo killings. *See* R.KALABIĆ:T.44579-44582; R.KALABIĆ:P6550,pp.6-7.
- ³²⁷ ADAMOVIĆ claimed to have attended a CS meeting on 1-Jun-92. M.ADAMOVIĆ:T.44472-44473. The CS meeting minutes from that day, however, have no record of his attendance. *See* P2606,p.8.
- ³²⁸ *See* DCC(M.ADAMOVIĆ; R.KALABIĆ; J.KEVAC).
- ³²⁹ AF929.
- ³³⁰ AF2435-AF2436; [REDACTED]; KDZ075:P3359,pp.34-36.
- ³³¹ P3367.
- ³³² AF930; AF2439; KDZ075:P3359,pp.15-17; KDZ075:T.19017; P3366.
- ³³³ KDZ075:P3359,pp.15-17; KDZ075:T.19017.
- ³³⁴ KDZ075:P3359,pp.15-17.
- ³³⁵ AF930. *See also* P3361; P3362.
- ³³⁶ KDZ075:P3359,p.18; KDZ075:T.19017-19018.
- ³³⁷ AF930; KDZ075:P3359,pp.21-22; KDZ075:T.19022-19023.
- ³³⁸ [REDACTED].
- ³³⁹ KDZ075:P3359,p.23.
- ³⁴⁰ KDZ075:P3359,pp.25-27; KDZ075:T.19023-19024,19058-19063; [REDACTED].

	<p>taken on a bus.³³⁸ On the way to bus, 20-30 soldiers beat them.³³⁹ While this was occurring, killings continued.³⁴⁰</p> <p>At least 144 men were killed in Biljani;³⁴¹ others were taken and killed elsewhere.³⁴²</p> <p>A total of 188 bodies were exhumed from the "Lanište I" site.³⁴³ Further victims were exhumed from individual and other mass grave sites.³⁴⁴ Autopsies were conducted,³⁴⁵ and 199 bodies were identified as victims of Biljani massacre.³⁴⁶</p>
B.10.1	<p>On 1-Jun-92, Serb police from checkpoint at Velagići first had lists drawn up of Muslim men living in the predominantly Muslim hamlets of Vojići, Nežići, Hašići, Častovići and Hadžići and requested the men come to Velagići to be issued permits for free movement.³⁴⁷ On the way to Velagići, the villagers from Hadžići were mistreated and beaten by Serb soldiers at Pudin Han.³⁴⁸ Arriving in Velagići, the approximately 100 men were detained in the old primary school, located in immediate vicinity of the Serb checkpoint.³⁴⁹ Serb policemen and soldiers were present in the school; one of them registered the men.³⁵⁰ Shortly before midnight, people were taken out and ordered to line up in front of the building. Then, two Serb soldiers with automatic rifles opened fire.³⁵¹ At least 77 civilians were killed in this incident.³⁵²</p> <p>Serb authorities had the bodies transferred to a mass grave outside Lanište,³⁵³ which was discovered in Oct-96;³⁵⁴ 77 bodies were exhumed from the Babina Dolina ("Lanište II") site,³⁵⁵ autopsies conducted³⁵⁶ and 79 victims identified as being those killed in the Velagići massacre on 1-Jun-92.³⁵⁷</p>

³⁴¹ AFP930; [REDACTED]; P4878, pp. 2-5; [REDACTED]; P3361; P3362.

³⁴² KDZ075:T.19033-19034.

³⁴³ A.EGRJLJĆ:P6586,p.172; P4877; P4878,pp.2-6; P3637,p.3. *See also* A.DŽAFIĆ:T.19740-19741,19746; A.ERGLIĆ:T.19919; P3363.

³⁴⁴ P4877; P3363,pp.90-92; P3637,pp.3,9-10; A.EGRJLJĆ:T.19919; P4879,p.21.

³⁴⁵ P3363.

³⁴⁶ P3363; P4877; P4878,pp.2-6; AFP930; [REDACTED]; A.MAŠOVIĆ:P4853,pp.8-13(B/C/S). *See also* A.MAŠOVIĆ:P4850,pp.43-45.

³⁴⁷ [REDACTED]; A.DŽAFIĆ:P3488,p.49.

³⁴⁸ [REDACTED]; A.DŽAFIĆ:P3488,p.49.

³⁴⁹ AFP946;

³⁵⁰ AFP946;

³⁵¹ AFP947; [REDACTED]; P1155,pp.7,9. *See also* D.KESEROVIĆ:T.41942(agreeing there was a mass killing); D.KALABIĆ:T.44586-44587(agreeing it was a crime).

³⁵² [REDACTED]; AFP947; [REDACTED]; A.EGRJLJĆ:P6586,p.174. *See also* D1751.

³⁵³ AFP2446-AF2447.

³⁵⁴ P3637,p.3.

³⁵⁵ AF2446; P3512; P4878,pp.11-13; P3637,pp.3,10-12. *See also* A.EGRJLJĆ:P6586,pp.172,174-175; A.EGRJLJĆ:T.19919; A.DŽAFIĆ:T.19745; [REDACTED]

³⁵⁶ [REDACTED];

³⁵⁷ P4880; P4881.

	Defence witness challenges to this incident should be rejected as inconsistent ³⁵⁸ and made by witnesses with demonstrably low credibility. ³⁵⁹
C.15.1 ³⁶⁰	Following attacks in May and Jun-92, ³⁶¹ a large number of non-Serbs were taken to and detained in the Ključ SJB building, from the end of May through Jun-92, ³⁶² before transfer to VRS detention camps at Stara Gradiška and Manjača. ³⁶³ Vinko KONDIC, SJB chief and CS member, ³⁶⁴ participated in the interrogations together with 'Todo' GAIĆ, a police investigator. ³⁶⁵ Detainees were beaten with implements and mistreated by police officers and soldiers, during and outside interrogations, and subjected to ethnic slurs. ³⁶⁶ Detainees included prominent or influential Muslims in the community, who were subjected to severe beatings. ³⁶⁷
C.15.2 ³⁶⁸	From 27-May, and during early Jun-92, Muslim civilians were arrested by the police and military and taken to the Nikola Mačkić Elementary School, ³⁶⁹ close to CS offices. ³⁷⁰ Approximately 300 Muslim men were detained there. ³⁷¹ On arrival at the school, which was staffed with regular and reserve policemen, ³⁷² detainees were beaten and hit with sticks, bats and rifles and verbally abused by soldiers, policemen and others. ³⁷³ Within the school, detainees were beaten and mistreated by policemen during and outside interrogations, ³⁷⁴ Former Muslim police officers were subjected to particularly severe abuse and humiliation. ³⁷⁵ There were blood stains on the walls. ³⁷⁶ The municipal authorities were aware that Muslim detainees were beaten in the detention facility. ³⁷⁷ On 5-Jun-92, Serb police escorted detainees from school to Manjača camp. ³⁷⁸

³⁵⁷ P3637,pp.3,10-12; [REDACTED]; A.MAŠOVIĆ:P4853,pp.84-86(B/C/S); P4850,pp.43,45; P4878,pp.11-13; [REDACTED]

[REDACTED]; AF947; AF2447; A.EGRLIĆ:T.19919.

³⁵⁸ Compare S.JURIŠIĆ:D4363,para.16; S.JURIŠIĆ:T.47080 (claiming that the killings were committed by a group of "rogue soldiers" under neither army nor police control) with M.ADAMOVIĆ:D4165,para.11; M.ADAMOVIĆ:T.44489-44490 (claiming that, although VRS units were involved, the incident occurred when prisoners attempted to escape).

³⁵⁹ See DCCCM/ADAMOVIĆ; S.JURIŠIĆ).

³⁶⁰ Evidence led shows non-Serbs were detained at the Ključ SJB Building from late May through 24-Jun-92.

³⁶¹ See Ključ Summary.

³⁶² AP931; AF2440-AF2441; AF2443; [REDACTED].

³⁶³ P3594; [REDACTED]; AF931-AF933; AF2442-AF2443; AF2445.

³⁶⁴ A.DŽAFIĆ:P3488,pp.4,7; AF934.

³⁶⁵ AF934.

³⁶⁶ AP935-AF937; AF2440-AF2441; AF2443; [REDACTED]; A.EGRLIĆ:P6586,pp.160,304.

³⁶⁷ AF936; AF2440-AF2441; AF2443; A.DŽAFIĆ:P3488,para.159.

³⁶⁸ Evidence led shows non-Serbs were detained at the Nikola Mačkić School from 27-May through 5-Jun-92.

³⁶⁹ AP931; AF2444-AF2445.

³⁷⁰ [REDACTED]

³⁷¹ AF2444.

³⁷² AP931; AP938; AF2444.

³⁷³ AP939; A.DŽAFIĆ:P3488,p.35; KDZ056:P686,pp.22-23.

³⁷⁴ AF940; AF942-AF943; A.DŽAFIĆ:P3488,pp.35-37.

C.15.3	On 1-Jun-92, about 100 Muslim men from the hamlets of Vojici, Nežici, Hašici, Častovići and Hadžići were detained in the old primary school in Velagići. ³⁷⁹ The detainees were robbed of their valuables and their documents were taken off them. They were kept in overcrowded conditions and beaten, maltreated and verbally abused by policemen and soldiers. ³⁸⁰
D.13	In the Ključ municipality, at least 17 mosques, one Catholic Church, and other institutions dedicated to religion (<i>i.e.</i> Islamic archive/library, and two Islamic shrines) were either completely destroyed or heavily damaged by fire and explosives set by Serb Forces between May-August 1992, including the Ključ, Biljani-Džatarađići, Pudin Han-Velagići, Dojži Budelj, Humići, Krasulje, Sanica and Tićevići mosques, and the Ključ Catholic church. ³⁸¹

³⁷⁵ AF941; A.DŽAFIĆ:P3488, pp.35-36.

³⁷⁶ KIDZ056:P686, p.23.

³⁷⁷ AF944;

; AF946;

³⁷⁸ AF2445.

³⁷⁹ AF946;

; A.DŽAFIĆ:P3488, p.49.

³⁸⁰ [REDACTED]

See also SIC:B.10.1(Ključ).

³⁸¹ AF951-AF952;

AF2450-AF2451;

A.EGRLIĆ:P6586, p.182;

A.RIEDLMAYER:P4068, pp.7-9;

A.RIEDLMAYER:P4069, records172,176,179-180,182-186;

A.RIEDLMAYER:P4070, pp.149-175; P04071, p.7; KIDZ075:T.19025;

[REDACTED];

R.KALABIĆ:D4169, para. 26; D1735; D1736.

NOVI GRAD

Incident Number	Incident Details
A.9.1	During the attack on Ahatovići, on or about 29-May-92, ³⁸⁷ approximately 30 fleeing Muslim men were captured. ³⁸⁵ 15 to 16 of those unarmed and mostly wounded Muslim men were shot and had their throats cut by Serb soldiers ³⁸⁴ led by Jovan TINTOR. ³⁸⁵ Stevo PETRIČEVIĆ, SDS member, was also present. ³⁸⁶
B.12.1	On 2-Jun-92, Hajro DELIĆ was captured, ³⁸⁷ brought to cisterns near the Rajlovac barracks ³⁸⁸ where he was so severely beaten and abused by a Serb soldier, ³⁸⁹ that he died of his wounds thereafter. ³⁹⁰ Within the next few days after this incident, ³⁹¹ STOJANOVIĆ, prison warden and a Serb military police captain, ³⁹² and five other Serbs took Enver ČELIK and beat him to death with metal bars. ³⁹³
B.12.2 ³⁹⁵	During this time period, numerous detainees were called out, taken away by Serb soldiers and never seen again. ³⁹⁴ On 14-Jun-92, ³⁹⁶ a Serb nicknamed ŽUTLI, KRAJIŠNIK's and TINTOR's personal driver, ³⁹⁷ and other Serb guards took 50-55 detainees from the detention facility by bus to Sokolina, near Srednje in Ilijaš municipality; ³⁹⁸ got off the bus; and, for the next 15 minutes, attacked detainees on the bus with machine guns and other weapons. ³⁹⁹ 47 detainees were killed. ⁴⁰⁰

³⁸² AF2610; R.MUJKIĆ:P2314,para. 26.

³⁸⁴ AF2610; [REDACTED]; KIDZ041:T.12065-12066.
[REDACTED]; KIDZ041:T.12067.

³⁸⁷ [REDACTED]; KIDZ041:T.12069.

³⁸⁸ P2311.

[REDACTED]; KIDZ041:T.12069,12108-12109.

³⁹¹ [REDACTED]; KIDZ041:T.12069-12070.

³⁹² AF2627; [REDACTED]; KIDZ041:T.12081; R.MUJKIĆ:T.12382; Č.ŠIPOVAC:T.45824.

³⁹³ KIDZ041:T.12070.

³⁹⁴ [REDACTED]

³⁹⁵ The Rajlovac camp refers to the cistern near Rajlovac barracks, as identified in Schedule C.17.1. See Indictment, ScheduleB, fn. 2; 73bis Submission, Appendix B,p. 49.

³⁹⁸ [REDACTED]; KIDZ041:T.12064.

³⁹⁹ AF2629; [REDACTED]; KIDZ041:T.12131.

⁴⁰⁰ AF2629; [REDACTED]; KIDZ041:T.12131.

Incident Number	Incident Details
C.17.1	On 2-Jun-92, Muslims from Ahatovići, including men, women and children, ⁴⁰¹ were taken to the Rajlovac army barracks where hundreds of non-Serbs from other villages were detained, ⁴⁰² including inhabitants from Dobroševići, Mihaljevići, Bojnik, Kobiljska and Bioča. ⁴⁰³ Serb soldiers at the facility received orders from Jovyan TINTOR. ⁴⁰⁴
D.15	The commander of detention centre was Mile STOJANNOVIĆ. ⁴⁰⁵ Detainees were held in inadequate facilities ⁴⁰⁶ received at times no food and little water ⁴⁰⁷ and were beaten, ⁴⁰⁸ causing serious injury, ⁴⁰⁹ even death. ⁴¹⁰ On 4-Jun-92, ⁴¹¹ after Serbs were in control of Ahatovići, ⁴¹² the Ahatovići mosque was burned and then destroyed with explosives. ⁴¹³

⁴⁰¹ P5425; P5484.

⁴⁰² AF2626; P5425; [REDACTED]

⁴⁰³ [REDACTED]; AF2626.

⁴⁰⁴ [REDACTED]

⁴⁰⁵ AF2627. See also SIC:B.12.1(Novi Grad).

⁴⁰⁶ [REDACTED]

⁴⁰⁷ AF2628; [REDACTED]

⁴⁰⁸ [REDACTED]

⁴⁰⁹ See SIC:B.12.1(Novi Grad).

⁴¹⁰ S.DŽINO:T.29866.

⁴¹¹ P2308,p.5; [REDACTED]; S.DŽINO:T.29857.

⁴¹² S.DŽINO:T.29866; A.RIEDLMAYER:P4070,pp.201-204; A.RIEDLMAYER:P4069,record324; R.MUJIĆ:P2314,para.45; T.12458-12459.

NOVO SARAJEVO

Incident Number	Incident Details
C.18.1	On 22-Jun-92, ⁴¹⁴ approximately 48 detained men at Slavija Vajner Ćića barracks at Lukavica, a SRK military facility ⁴¹⁵ which operated under army jurisdiction, ⁴¹⁶ were called out. ⁴¹⁷ Under police security, men led ⁴¹⁸ to a room with three Serb military officers. ⁴¹⁹ Men forced to run through a gauntlet where they were beaten including with bats, rifles, and wrapped bullets ⁴²⁰ and subject to ethnic slurs. ⁴²¹ ⁴²² 47 never seen again.

⁴¹⁴ AF2617; AF2638; M.MUSIC:P2403;para.65; KDZ542:P161,pp.2-3.

⁴¹⁵ [REDACTED]; H.ABDEL-RAZEK:T.501; R.PHILIPPS:P989,pp.11,17; JHAMILL:P1994,p.59; P1495.

⁴¹⁶ AF2630; M.MUSIC:P2403;para.70.

⁴¹⁷ M.MUSIC:P2403;paras.78-79; KDZ542:P161,p.2.

⁴¹⁸ M.MUSIC:P2403;para.83.

⁴¹⁹ M.MUSIC:P2403;para.84.

⁴²⁰ M.MUSIC:P2403;paras.80-81,84.

⁴²¹ M.MUSIC:P2403;paras.80,84-85.

⁴²² M.MUSIC:P2403;para.89.

PALE

Incident Number	Incident Details
B.14.1	<p>Number of non-Serb detainees at former Culture Centre (renovated into a gym) and next to police station⁴²³ beaten to death while detained in Jun-92 and Jul-92.⁴²⁴ Several taken out by members of Rajko KUŠIĆ's unit did not return.⁴²⁵ Malko KOROMAN, SJB Chief, saw a body of one victim at the facility, pretended not to know what had occurred, and took no action.⁴²⁶</p>
C.19.2	<p>Between at least May-92 and Aug-92, 400-600 detainees were held in former Culture Centre in Pale,⁴²⁷ guarded and controlled by police.⁴²⁸ Soldiers transferred some detainees to/from facility.⁴²⁹ Arriving and departing, some detainees were harassed and abused, including by area residents.⁴³⁰</p> <p>Detainees were predominantly Muslim civilians,⁴³¹ from Pale⁴³² and other municipalities.⁴³³ Detainees were transferred from/to other facilities in BiH, including Kula⁴³⁴ and Visoko.⁴³⁵ In mid May-92, approximately 400 civilian men from Bratunac were brought to the facility⁴³⁶ for approximately three days⁴³⁷ before transfer to Visoko.⁴³⁸</p> <p>There was insufficient food.⁴³⁹ Prisoners slept on floor without blankets.⁴⁴⁰ They were often beaten by guards.⁴⁴¹</p> <p>Serb soldiers, paramilitaries, and reserve police, including Srdan KNEŽEVIĆ and his men and KUŠIĆ's men, took prisoners out and beat them.⁴⁴² Some prisoners did not return from beatings.⁴⁴³ Radomir KOJIĆ was frequently present.⁴⁴⁴ Police at the facility, including KOROMAN, did not intervene.⁴⁴⁵</p> <p>Detainees suffered severe, lasting health problems.⁴⁴⁶</p>

⁴²³ P2842; N.RISTIĆ:T.15391. Witnesses referred to this facility by various names but all prisoners referred to it as a gym. See M.SMAJIŠ:P43,p.10; [REDACTED]; S.CRNČALO:P733,para.57; H.KARIĆ:P2839,para.24.

⁴²⁴ AF2647; H.KARIĆ:P2839,paras.37-40; H.KARIĆ:T.15303-15305,15372-15373; S.CRNČALO:P733,paras.59-60; P4416.
⁴²⁵ H.KARIĆ:P2839,paras.28-30,42-43; H.KARIĆ:T.15343.

⁴²⁶ H.KARIĆ:P2839,para.41; H.KARIĆ:T.15305-15306.
⁴²⁷ AF2641; AF2646; [REDACTED]; H.KARIĆ:P2839,paras.24-25; M.SMAJIŠ:P43,pp.6,10; AF2643; J.ŠARAC:D4368,paras.40-41.

⁴²⁸ [REDACTED]; H.KARIĆ:P2839,para.22; T.HRSUM:D2850,para.17; T.HRSUM:T.32940.
⁴²⁹ [REDACTED]; AF2643; S.CRNČALO:P733,paras.56-57.

⁴³⁰ [REDACTED]; M.SMAJIŠ:P43,pp.6,11.
⁴³¹ M.SMAJIŠ:P43,pp.9,11; H.KARIĆ:P2839,pp.3,5,21-23; H.KARIĆ:T.15312-15313,15366-15367,15376;

S.CRNČALO:P733,paras.56-57; J.ŠARAC:T.47148.

⁴³² AF2643; H.KARIĆ:P2839,paras.3,5; H.KARIĆ:T.15312-15313.
⁴³³ H.KARIĆ:P2839,para.24.

D.16 ⁴⁴⁷	Praća, Podvitez and Bogovići mosques destroyed between Jul-92 and Oct-92. ⁴⁴⁸ Destruction was common knowledge and occurred after many of Pale's Muslims were expelled. ⁴⁴⁹
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⁴³⁴ AF2646; M.SMAIŠ:P43,pp.5,10; H.KARIĆ:P2839,paras.44-46.

⁴³⁵ P1604; P4983.

⁴³⁶ AF2642; P3208; J.ŠARAC:D4368,para.41; [REDACTED]; P3206,p.2; S.GRNČALO:P733,paras.56-57. See SIC:C.6.2(Bratunac); Bratunac

Summary.

⁴³⁷ AF2642; P3206,p.2; J.ŠARAC:D4368,para.41; [REDACTED]; T.HRŠUM:T.32939.

⁴³⁸ P1604; P4983.

⁴³⁹ AF2644; [REDACTED]; H.KARIĆ:P2839,para.25; M.SMAIŠ:P43,p.10.

⁴⁴⁰ AF2644; M.SMAIŠ:P43,p.10.

⁴⁴¹ AF2645; P3206,p.3; M.SMAIŠ:P43,pp.6,10; [REDACTED]; KDZ605:T.17924.

⁴⁴² H.KARIĆ:P2839,paras.23,28-30,32-40; H.KARIĆ:T.15343,15372-15373; M.SMAIŠ:P43,p.10. See also J.ŠARAC:T.47156-47157.

⁴⁴³ H.KARIĆ:P2839,paras.30,42.

⁴⁴⁴ M.SMAIŠ:P43,p.10.

⁴⁴⁵ H.KARIĆ:P2839,paras.31,41; M.SMAIŠ:P43,p.6.

⁴⁴⁶ H.KARIĆ:P2839,paras.33,55.

⁴⁴⁷ Evidence led shows Prača mosque was destroyed in Oct-92.

⁴⁴⁸ A.RIEDLMA YER:P4070,pp.205-210 A.RIEDLMA YER:P4069,records209,211-212; S.GRNČALO:P733,para.79; Z.ČVORO:T.30958-30959.

⁴⁴⁹ Z.ČVORO:T.30959; S.GRNČALO:P733,para.79; A.RIEDLMA YER:P4070,pp.205,208,210.

PRIJEDOR

Incident Number	Incident Details
A.10.1	Between 24-May and Jun-92, VRS (1KK, in particular 43 rd mbr (formerly 343 rd mbr), 6 th Brigade), ⁴⁵⁰ Serb paramilitaries (including <i>Bijeli Orlovi</i> (White Eagles), <i>Arkanovci</i> , <i>Knindže</i> , <i>Martićevci</i>), ⁴⁵¹ TO, ⁴⁵² and Prijedor SJB ⁴⁵³ attacked predominantly Muslim village of Kozarac and surrounding areas. ⁴⁵⁴ After heavy shelling, ⁴⁵⁵ causing deaths, ⁴⁵⁶ Serb Forces moved into the Kozarac area and killed as many as 800 non-Serb civilians ⁴⁵⁷ and police. ⁴⁵⁸ Non-Serbs who survived the attack were rounded up ⁴⁵⁹ and some were executed. ⁴⁶⁰
A.10.2	On 23-May-92, VRS (including 43 rd mbr) indiscriminately shelled Hambarine with tanks and heavy artillery, causing civilian casualties. ⁴⁶¹ During subsequent infantry attacks, VRS, paramilitaries, and police (including police intervention platoon), ⁴⁶² supported by tanks and APCs, killed non-Serb civilians. ⁴⁶³
A.10.3	Following 24-26-May-92 VRS/police/paramilitary attack on predominantly Muslim village of Kamičani, ⁴⁶⁴ on 26-May-92 Bosnian

- ⁴⁵⁰ AF1034; AF1050; AF1056-AF1059; M.SEJMENOVIC:T.20481-20482; DI743; P5405; P3317; P5407; E.BROWN:P3914, paras. 2.45, 2.74, fn. 391; P3660, p.3.
- ⁴⁵¹ AF1034; E.BROWN:P3914, paras. 2.71-2.72; NusretSIVAC:P3478, pp.214-215; M.SEJMENOVIC:T.20480-20482.
- ⁴⁵² E.BROWN:P3914, para. 2.5, fn. 240.
- ⁴⁵³ AF1034; D470, pp.6,32; P2968, p.4; P5471; P5555; E.BROWN:P3914, paras. 2.42-2.45; M.SEJMENOVIC:T.20482. *See also* P5528, pp.2,5.
- ⁴⁵⁴ J.ARFAGIC:P689, pp.6-7; P621.
- ⁴⁵⁵ AF1036; AF1044-AF1045; M.SEJMENOVIC:T.20478-20479; I.MERDŽANIC:T.21439; I.MERDŽANIC:D1922, p.3; I.MERDŽANIC:P3881, pp.11,16-19; S.ELKASOVIC:P690, pp.5-6; KDZ048:P678, pp.3-4,18-20; J.ARFAGIC:P689, pp.24,30; N.KARAGIC:P651, p.81; KDZ054:P684, p.6; M.KVOČKA:D4219, para.19; I.ATLIJA:P3672, pp.16-17; I.ATLIJA:T.20340-20343; DI743; KDZ611:P4101, pp.6-7; P3483, 00:08:38-00:09:02, 00:13:34-00:14:10.
- ⁴⁵⁶ AF1036; AF1047; J.ARFAGIC:P689, p.24; I.MERDŽANIC:P3881, p.21.
- ⁴⁵⁷ AF1037; AF1039-AF1040; AF1045-AF1046; AF1048; AF1051; AF1057; AF1271; AF1279; M.SEJMENOVIC:T.20478-20484; NusretSIVAC:T.19567,19629-19630; P3671, p.2; D4869, p.3; I.MERDŽANIC:P3881, pp.30-33; KDZ611:P4101, p.9; [REDACTED]; A.MAŠOVIĆ:P4853, pp.15-16,20,23(B/C/S); P4888, p.3; A.MAŠOVIĆ:P4850, p.48. *See* [REDACTED]
- ⁴⁵⁸ AF1049; NusretSIVAC:P3478, p.214.
- ⁴⁵⁹ AF1103; J.ARFAGIC:P689, pp.25-26.
- ⁴⁶⁰ AF1053-AF1055; M.SEJMENOVIC:T.20480,20483.
- ⁴⁶¹ AF1034; AF1036; AF1060-AF1062; AF1281; AF1294; P5405; P3656, pp.1-2; E.NASIC:P696, pp.10-12; E.NASIC:P697, pp.2,16; M.MUJADŽIĆ:P3703, p.149; M.SEJMENOVIC:T.20478; I.ATLIJA:P3672, pp.14-15; KDZ092:P703, pp.7-10,17; KDZ074:P711, p.10; KDZ074:P709, pp.9,12-13,81-82; E.BROWN:P3914, para.2.5; P6611, p.2. *See also* P551; P552; P3483, 00:01:24-00:01:48, 00:11:05-00:12:38.
- ⁴⁶² AF1034; AF1038; E.BROWN:P3914, paras. 2.71-2.72; P3660, p.3; P5555; D4222; M.KVOČKA:D4219, para.18; P2968, p.4; D.RADETIĆ:D4226, para.17.
- ⁴⁶³ AF1037; AF1039; AF1062; I.ATLIJA:P3672, pp.15-16; E.NASIC:P697, pp.3,9,16; E.NASIC:P696, pp.44-45; [REDACTED]; KDZ092:P703, pp.28-29; [REDACTED]; M.MUJADŽIĆ:P3703, pp.149-151; [REDACTED]; P4892, p.4. *See also* A.MAŠOVIĆ:P4850, p.49; A.MAŠOVIĆ:P4853, p.32(B/C/S).

	Serb soldiers shot dead eight elderly Bosnian Muslims hiding in a basement. ⁴⁶⁵
A.10.4	On 14-Jun-92, Bosnian Serb soldiers entered a home in Muslim village of Jaskići, took men away and shot and killed at least 8 Muslim men. ⁴⁶⁶
A.10.5	From 1-Jul to 23-Jul-92, Serb military and police forces ⁴⁶⁷ (including IKK, ⁴⁶⁸ 6 th Partisan Brigade, ⁴⁶⁹ Reconnaissance and Sabotage Company ⁴⁷⁰) attacked Brdo area in order to kill and remove all non-Serb residents. ⁴⁷²
	Killings of non-Serb civilians occurred throughout the Brdo area, ⁴⁷³ including in Bišćani, ⁴⁷⁴ Rakovčani, ⁴⁷⁵ Rizvanovići, ⁴⁷⁶ Hambarine, ⁴⁷⁷ Zecovi ⁴⁷⁸ and Carakovo. ⁴⁷⁹
A.10.6	On 20-Jul-92, Bosnian Serb military and police forces, [REDACTED], attacked and killed hundreds of non-

- ⁴⁶⁴ AFI1034; AFI1063; KDZ054:P684,p.6; KDZ611:P4101,pp.6-7.
⁴⁶⁵ AFI1063; [REDACTED]; [REDACTED].
A.MAŠOVIĆ:P4853,p.32(B/C/S).
⁴⁶⁶ AFI1064; SELKASOVIĆ:P690,pp.6-20,27,30,32; [REDACTED]; P561; P559; P558; P5395,pp.1-3; [REDACTED].
A.MAŠOVIĆ:P4853,pp.15-16,18,21,23,32(B/C/S).
⁴⁶⁷ AFI1067-AFI1070; AFI1073; N.KARAGIĆ:P651,pp.83-84; E.BROWN:P3914,para.2,107; KDZ038:P676,p.12.
⁴⁶⁸ P5437; E.BROWN:P3914,para.2,80.
⁴⁶⁹ D1817.
⁴⁷⁰ P5437.
⁴⁷¹ [REDACTED].
⁴⁷² AFI1068; [REDACTED]; KDZ038:P676,pp.9-11.
⁴⁷³ AFI1065-AFI1068; AFI1073; N.KARAGIĆ:P651,pp.8-9,60; P562; P576; P577; P578; P579; P580; P581; P583; P584; P585; P588; P589; P590; P591; P592; P593; P594; P595; P596; P597; KDZ038:P676,pp.5-6,9; [REDACTED].
A.MAŠOVIĆ:P4853,pp.33-34,36(B/C/S); KDZ014:P674,pp.16,19-24,28,35; KDZ074:P711,p.12; A.MAŠOVIĆ:P4850,para.111; P4868.
⁴⁷⁴ See SIC:A.10.6(Prijedor).
⁴⁷⁵ N.KARAGIĆ:P651,pp.62-65; E.NASIC:P696,p.13.
⁴⁷⁶ N.KARAGIĆ:P651,pp.6,8-9,60-65,82-85; E.NASIC:P696,p.13.
⁴⁷⁷ See SIC:A.10.2(Prijedor); AFI1295; [REDACTED].
⁴⁷⁸ KDZ014:P674,pp.22-25,55-56; [REDACTED].
⁴⁷⁹ AFI1066-AFI1067; AFI1069-AFI1070; AFI1296; KDZ074:P709,pp.20-22; KDZ014:P674,pp.7,11,14-21,33-35,74; E.NASIC:P696,pp.13,48-49; P5437; E.BROWN:P3914,para.2,80; [REDACTED]; P553; P554.
A.RIEDLMAYER:P4070,p.216; [REDACTED]; P553; P554.
⁴⁸⁰ AFI1072-AFI1077; AFI1277; KDZ038:P676,pp.9-15,19-21; [REDACTED]; E.NASIC:P697,p.2; E.NASIC:P696,pp.13,39,49; [REDACTED]; [REDACTED].
See also KDZ014:P674,p.23; KDZ038:P676,pp.12-14,20-21; A.MAŠOVIĆ:P4853,pp.19,22,34,36-37(B/C/S); A.MAŠOVIĆ:P4850,p.49; P587; P4892,p.2.
⁴⁸¹ AFI1072; P562; [REDACTED].

	Serbs in Bišćani, ⁴⁸⁰ including in the hamlets ⁴⁸¹ of Duratovići (dozens of victims), ⁴⁸² Hegići (12 persons lined up and shot), ⁴⁸³ Alagići (20 killed at nearby bus stop), ⁴⁸⁴ Mirkalji (30-40 civilians lined up and shot, including children), ⁴⁸⁵ Ravine (at least 10 victims), ⁴⁸⁶ Kadrići (two victims), ⁴⁸⁷ Kratalji (12 executed), ⁴⁸⁸ and Černernica. ⁴⁸⁹ The attacks met no resistance. ⁴⁹⁰
A.10.7	On 25-Jul-92, around 90 Ljubija football stadium detainees were bussed to "Kipe" mine near Ljubija. ⁴⁹¹ At "Kipe", Bosnian Serb soldiers systematically called detainees out of the bus in groups of three, shot them and executed survivors while cursing their Muslim mothers. ⁴⁹² Almost all were killed. ⁴⁹³ The bodies were thrown into a hole and covered by an earth mover. ⁴⁹⁴
A.10.8	On 25-Jul-92, Miška Glava Dom detainees were transported to Ljubija football stadium ⁴⁹⁵ where military, reserve police and police intervention platoon ⁴⁹⁶ killed at least 15 detainees. ⁴⁹⁷
A.10.9	Intervention platoon ordered detainees to load 15-20 bodies onto Autotransport double-bus, ⁴⁹⁸ destined for Ljubija mine "Kipe." ⁴⁹⁹ On 24-Jul-92, after villagers turned in all weapons, ⁵⁰⁰ Serb Forces launched a 2-day mortar attack on predominantly Bosnian Croat

⁴⁸² N.KARAGIĆ:P651,p.85.

⁴⁸³ AF1076; [REDACTED] : P592.

⁴⁸⁴ AF1077; [REDACTED] : P592.

⁴⁸⁵ AF1075; [REDACTED] : P592.

⁴⁸⁶ [REDACTED] : P1167; P1168; P593.

⁴⁸⁷ [REDACTED] : P1167; P1168; P593.

⁴⁸⁸ KDDZ038:P676,pp.22-24.

⁴⁸⁹ [REDACTED] : P3483,pp.2-4; NustrićSIVAC:P3478,p.107.

⁴⁹⁰ KDDZ038:P676,p.9; [REDACTED] : P3483,pp.2-4; NustrićSIVAC:P3478,p.107.

⁴⁹¹ AF1082; E.NASIC:P697,pp.3-4; E.NASIC:P696,p.26; N.KARAGIĆ:P651,pp.40-41,43-44; P563; P3689.

⁴⁹² AF1083; E.NASIC:P696,pp.26-30; E.NASIC:P697,pp.4-5; N.KARAGIĆ:P651,pp.43-46; P3684.

⁴⁹³ E.NASIC:P696,pp.27,30-31; E.NASIC:P697,pp.4-5; N.KARAGIĆ:P651,pp.25,37-38,45-46. *See also* IATLJIA:P3672,pp.71-72; A.MAŠOVIĆ:P4853,pp.34-36(B/C/S); N.SEBIRE:P694,pp.26-28; P4415.

⁴⁹⁴ AF1085; E.NASIC:P696,pp.27,34; IATLJIA:P3672,pp.69-72; P3684; N.KARAGIĆ:P651,p.41.

⁴⁹⁵ AF1261; E.NASIC:P697,pp.3-4; E.NASIC:P696,p.19; N.KARAGIĆ:P651,pp.24-26.

⁴⁹⁶ AF1078; E.NASIC:P696,pp.22-25; E.NASIC:P697,p.4.

⁴⁹⁷ AF1079; AF1081; N.KARAGIĆ:P651,pp.32-33,35-37; E.NASIC:P696,pp.19,22-25; E.NASIC:P697,pp.4,9; KDDZ092:P703,pp.19-20; [REDACTED] : A.MAŠOVIĆ:P4853,pp.34-35,37(B/C/S).

⁴⁹⁸ AF1080; N.KARAGIĆ:P651,pp.35-37,40; E.NASIC:P697,pp.4,9-10; E.NASIC:P696,pp.25-26.

⁴⁹⁹ *See* SIC:A.10.7(Prijedor); N.KARAGIĆ:P651,p.43; E.NASIC:P697,p.4.

⁵⁰⁰ AF1087; IATLJIA:T.20345-20346.

⁵⁰¹ AF1086; AF1088; AF1275; P569; P3676; P3677; P3678; P3679; P3680; P3681; P3682; P3683; P3687; P3688; P3689; D1817,p.2; IATLJIA:P3672,pp.5,29-32,61; IATLJIA:T.20356.

	village of Briševo. ⁵⁰¹ On 25-Jul-92, Serb Forces (1KK, including 5 th Kozara Brigade, 6 th Brigade, and paramilitaries) entered the village, ⁵⁰² facing no resistance, ⁵⁰³ and killed at least 68 civilians, including women, children, elderly and invalids; some victims forced to dig own graves. ⁵⁰⁴ One victim beaten with Bible before shot. ⁵⁰⁵
B.15.1	On 20 or 21-Jul-92, Room 3 filled with over 200 men from the Brdo area who had surrendered. ⁵⁰⁶ Around 24-Jul-92, Bosnian Serb army personnel entered the camp and placed a heavy machine gun on a table outside Room 3. ⁵⁰⁷ Toward evening, soldiers set up a chair behind the table and spotlights to illuminate the area. ⁵⁰⁸ Canisters of tear gas were thrown into Room 3. ⁵⁰⁹ Bosnian Serb Forces opened fire on detainees ⁵¹⁰ and thereafter executed any survivors. ⁵¹¹ Next morning, guards forced detainees to load dead and wounded onto a truck driven by a soldier; truck drove away dripping with blood. ⁵¹² Fire engine cleaned Room 3 and the surrounding area. ⁵¹³ Next night, some of the survivors of the first Room 3 massacre were also shot; ⁵¹⁴ bodies were removed the next morning by truck. ⁵¹⁵ A minimum of 190 were killed. ⁵¹⁶
B.15.2	Between 27-May to around 18-Aug-92, widespread killings of non-Serb detainees were committed at Omarska camp. ⁵¹⁷ Detainees died from beatings during interrogation by public, military and state security interrogators. ⁵¹⁸

⁵⁰² AF1089; LATLIJA:P3672,pp.32-33,35-36,40,42-44; LATLIJA:T.20358; D1817,p.3; P3675; E.BROWN:P3914,paras.1,100,2,5,2,28,2,71-2,72,3,58; P3660,p.3; P2855,p.4.

⁵⁰³ V.KUPREŠANIN:T.43531-43535,43575; LATLIJA:T.20351.

⁵⁰⁴ AF1090-AF1091; AF1275-AF1276; LATLIJA:P3672,pp.36-38,47-69; LATLIJA:T.20311-20317,20355,20359,20363; LATLIJA:D1818,p.2; P3685; P3686; P3674;

⁵⁰⁵ LATLIJA:P3672,pp.37-38. A.MAŠOVIĆ:P4853,pp.39-40,44(B/C/S); P3673.

⁵⁰⁶ AF1215; J.ARFAGIĆ:P689,pp.46-48,58-61; S.TACI:P693,pp.13,58; P572; KDZ050:P680,pp.5,8-13. See [REDACTED].

⁵⁰⁷ AF1217; J.ARFAGIĆ:P689,pp.51-52,59-60; S.TACI:P693,pp.11-12; P572.

⁵⁰⁸ S.TACI:P693,pp.12-13; J.ARFAGIĆ:P689,pp.52,59-60.

⁵⁰⁹ S.TACI:P693,p.27; KDZ050:P680,pp.16-17,37.

⁵¹⁰ S.TACI:P693,p.14; J.ARFAGIĆ:P689,pp.48-49; KDZ050:P680,pp.17-23; [REDACTED].

⁵¹¹ S.TACI:P693,p.14.

⁵¹² AF1218; S.TACI:P693,pp.14,17,28; J.ARFAGIĆ:P689,pp.49-50; KDZ050:P680,pp.22-23; [REDACTED].

⁵¹³ AF1219; J.ARFAGIĆ:P689,p.50; S.TACI:P693,p.17.

⁵¹⁴ J.ARFAGIĆ:P689,pp.51-54.

⁵¹⁵ J.ARFAGIĆ:P689,p.51.

⁵¹⁶ AF1219. See P4409,pp.1-2,5-8,13-14,17-26,29-32,35-38,41-46,60-63; [REDACTED].

[REDACTED] A.MAŠOVIĆ:P4853,pp.16-20,23-31,34,41(B/C/S); P4892,p.1; P4893; P5909,pp.3-4,8-10,16,19-20,22-23,31,35-

36,43,49-51,57-58; A.MAŠOVIĆ:P4850,pp.48-49.

	<p>Detainees were beaten to death or shot in or near their rooms,⁵¹⁹ or called out, beaten and killed or shot by police guards, military and/or groups from outside the camp (including Prijedor intervention platoon, Zoran ŽIGIĆ and Duško KNEŽEVIĆ).⁵²⁰ Many detainees who were called out failed to return.⁵²¹ Detainees died from suffocation.⁵²²</p> <p>Detainees frequently taken from Omarska and killed outside the camp.⁵²³</p> <p>Dead detainees, lying in heaps near the white house, were a frequent sight.⁵²⁴ Almost every morning guards forced detainees to load bodies onto trucks for removal.⁵²⁵</p>
B.15.3 526	<p>On 5-Aug-92, over 120 detainees from Keraterm and Omarska, including 30-40 from Room 3 in Keraterm and Dr. Esad SADIKOVIĆ from Omarska, were called out by name, put onto buses, shot⁵²⁷ and buried in a mass grave at Hrasova Glavica.⁵²⁸</p>

⁵¹⁷ AF1124; AF1172-AF1190; P6585;

KDZ074:P709, p.86;

59,176-177; NustetSIVAC:P3478, pp.82-84,89,130,135-136,138-140,179-184,232-233;

NustetSIVAC:T.19529-19530,19641-19648,20382; K.MEŠANOVIĆ:P3528, paras.25,29,31,34,43,48,51,56,65; K.MEŠANOVIĆ:T.19841,19849,19853-19854;

I.MERDŽANIĆ:T.21404; [REDACTED]; M.MUJADŽIĆ:P3703, pp.168,321; M.MUJADŽIĆ:T.20691,20725-20726;

Ž.MEJAKIĆ:T.44239,44245,44257-44258; P4410, pp.1-42;

A.MAŠOVIĆ:P4853, pp.14-15,18-20,22-32,37-41(B/C/S); A.MAŠOVIĆ:P4850, pp.48-49; P4890; P4891; P4892, pp.1,3; P4893; P5909, pp.5,7,15-16,22-23,34-35,41-42,49-50,54-55,60-66;

⁵¹⁸ Ž.MEJAKIĆ:T.44225;

⁵¹⁹ AF1175-AF1177; AF1179-AF1181;

⁵²⁰ AF1173; AF1183-AF1184;

[REDACTED]; NustetSIVAC:P3478, pp.80-83,89. *See also* KDZ048:P678, p.47.

[REDACTED]; Ž.MEJAKIĆ:D4138, para.15; Ž.MEJAKIĆ:T.44233-44235; NustetSIVAC:P3478, p.75;

⁵²¹ AF1174; [REDACTED]; [REDACTED]; NustetSIVAC:P3478, pp.134-135; KDZ048:P678, pp.54-55.

⁵²² AF1172.

⁵²³ AF1186-AF1189; Ž.MEJAKIĆ:T.44247-44249,44251-44259;

K.MEŠANOVIĆ:P3528, paras.25-26; KDZ048:P678, pp.55-56.

⁵²⁴ AF1178; AF1190; NustetSIVAC:P3478, p.87; K.MEŠANOVIĆ:P3528, para.43; [REDACTED]; KDZ048:P678, pp.55-56;

[REDACTED]; Ž.MEJAKIĆ:T.44242-44243; KDZ093:P705, p.17.

⁵²⁵ AF1178; AF1181; [REDACTED]; KDZ048:P678, pp.48-50,59-60; [REDACTED]; Ž.MEJAKIĆ:T.44243-44245.

⁵²⁶ K.MEŠANOVIĆ:P3528, paras.43,50; MKVOČKA:D4219, para.58; [REDACTED]; Ž.MEJAKIĆ:T.44243-44245.

The evidence shows that men and women killed at Hrasova Glavica were taken from both Omarska camp and Keraterm camp. *See* Indictment, Schedule B, fn.5; PTB

⁵²⁷ AF1188-AF1189; AF1220; AF1222; KDZ050:P680, pp.28-29,33,38; KDZ050:P1949; [REDACTED]; Ž.MEJAKIĆ:T.44258-44259; [REDACTED];

⁵²⁸ AF1188-AF1189; AF1220; AF1222; KDZ050:P680, pp.28-29,33,38; KDZ050:P1949; [REDACTED]; P4887, pp.2,8; P4414; [REDACTED]; NustetSIVAC:P3478, pp.136-137.

B.15.4	<p>Around 200 people from Brdo area detained in the white house. Early in the morning, sometime around 17-Jul-92, gunshots were heard that continued until dawn. Dead and wounded detainees were then observed in front of the white house, with guards shooting the wounded in the head. Approximately 180 bodies loaded by excavator onto a truck for removal.⁵²⁹</p>
B.15.5 530	<p>Between 28-May and around 8-Sep-92, numerous detainees were killed in Trnopolje.⁵³¹ Detainees died as a result of the beatings inflicted by camp interrogators⁵³² or police,⁵³³ or were shot by camp guards⁵³⁴ or reserve soldiers.⁵³⁵ Bosnian Serb soldiers and police also killed at least 20 detainees who were taken out of the camp.⁵³⁶ Detainees died from lack of medical care.⁵³⁷</p>
B.15.6	<p>Detainees forced to bury victims' bodies.⁵³⁸</p> <p>On 21-Aug-92, in presence of camp commander KURUZOVIĆ, primarily male detainees from Trnopolje were loaded onto AutoTransport buses headed to Travnik.⁵³⁹ The convoy was escorted by the Prijedor police intervention platoon;⁵⁴⁰ at one point, soldiers boarded the buses and were present for the rest of the journey.⁵⁴¹</p> <p>Shortly after passing Skender Vakuf, on orders of intervention platoon commander Miroslav PARAŠ, approximately 100 young men⁵⁴² were pulled off the convoys and ordered to re-board two buses.⁵⁴³</p> <p>The two buses drove to Korićanske Stijene on Vlašić Mountain where the Prijedor police intervention platoon took the men from the buses to the edge of a cliff and executed them.⁵⁴⁴ The bodies of victims who had not fallen off the cliff were thrown over and grenades were thrown on top of them.⁵⁴⁵ Two men came down to the abyss and shot all but eight survivors in the head.⁵⁴⁶ Approximately 200 men killed.⁵⁴⁷</p>

⁵²⁸ AF1188; AF1189; AF1221; P4887, p.2; KDZ050:P680, pp.33,44; A.MAŠOVIĆ:P4850, pp.47-48; [REDACTED]; A.MAŠOVIĆ:P4853, pp.42-44(B/C/S).

⁵²⁹ AF1185; AF1191; KDZ048:P678, pp.48-51; K.MEŠANOVIĆ:P3528, paras.50-51; NusretSIVAC:T.19529-19530.

⁵³⁰ Evidence led shows killings of Trnopolje detainees took place between May and Sep-92.

⁵³¹ AF1242; KDZ611:P4101, p.9; KDZ054:P682, pp.29-30; I.MERDŽANIC:P3881, pp.72-73,91; M.SJIMENOVIĆ:T.20576-20577; [REDACTED]; NusretSIVAC:P3478, p.140; KDZ050:P680, pp.30-31,38.

⁵³² I.MERDŽANIC:P3881, pp.60-61,72; P3908, p.2.

⁵³³ KDZ611:P4101, p.9.

⁵³⁴ AF1242; KDZ038:P676, pp.30-31; I.MERDŽANIC:P3881, p.73.

⁵³⁵ KDZ054:P684, p.9.

⁵³⁶ AF1242; I.MERDŽANIC:P3881, p.73; M.SJIMENOVIĆ:T.20488-20489; KDZ050:P680, pp.30-31,38; [REDACTED]; P3908, p.2.

⁵³⁷ I.MERDŽANIC:P3881, pp.72-73; I.MERDŽANIC:T.21473-21474; KDZ054:P684, p.8; P3908, p.2.

⁵³⁸ KDZ611:P4101, p.9; [REDACTED]; I.MERDŽANIC:P3881, pp.73-74; KDZ054:P684, p.9; M.SJIMENOVIĆ:T.20489.

⁵³⁹ AF1243; P599; KDZ038:P676, pp.34-35,37-38; KDZ611:P4101, pp.13-14,30,49; [REDACTED];

⁵⁴⁰ AF1244; AF1256; AF2491-AF2492; P3929, p.4; D2039; P2637; KDZ611:P4101, p.14; [REDACTED]; KDZ038:P676, pp.38-41;

⁵⁴¹ [REDACTED]; P4259; E.NASIC:P696, pp.35-38; E.NASIC:P697, pp.6,10.

⁵⁴² [REDACTED]; KDZ038:P676, pp.43-44.

C.20.1 548	Beginning around 24-May until around 24-Jun-92, Prijedor police and military police arrested non-Serbs and detained them at Prijedor SJP, ⁵⁴⁹ including a woman, underage boy, former police employees and numerous eminent people from Prijedor. ⁵⁵⁰ Police (including police intervention platoon) interrogated and savagely beat detainees with metal objects, fracturing bones and forced detainees to run a gauntlet of police as they were beaten. ⁵⁵¹
C.20.2 552	Between approximately 27-May until around 21-Aug-92, ⁵⁵³ Omarska ⁵⁵⁴ held thousands of mostly non-Serb detainees, as many as 3,000 at one time, ⁵⁵⁵ including at least 37 women, 28 detainees younger than 18, 68 detainees older than 60, ⁵⁵⁶ mentally and physically disabled men, ⁵⁵⁷ and numerous prominent political and religious leaders, both Muslim and Catholic. ⁵⁵⁸
	Armed active and reserve police guards ⁵⁵⁹ frequently beat detainees: upon arrival at the camp, ⁵⁶⁰ on the pista, ⁵⁶¹ on the way to and

542 AFI1248-AFI1249;

543 AFI1246-AFI1248;

KDZ038:P676,pp.44-47.

544 AFI1245; AFI1250-AFI1254; AFI1256; P564; P565; P566; P567; P568;

545 AFI1255;

546 KDZ038:P676,pp.51-53;

547

548 Evidence led shows Prijedor SJB building operated as a detention facility from approximately 26-May until around the end of Jun-92.

549 AFI1109; KW609:D4246,pp.5-8; NustretSIVAC:P3478,pp.58,69; K.MEŠANOVIĆ:P3528,paras.10,21-22; P2090; M.SEMENOVIC:T.20491-20492;

550 AFI1109; P5528,p.6; NustretSIVAC:P3478,pp.58,69-74; K.MEŠANOVIĆ:P3528,paras.5,22; M.SEMENOVIC:T.20454-20455,20491-20492;

551 AFI110-AFI113; NustretSIVAC:P3478,pp.70-71; M.SEMENOVIC:T.20491-20492; K.MEŠANOVIĆ:P3528,para.22;

552 Evidence led shows Omarska camp operated as a detention facility between approximately 27-May until around 21-Aug-92.

553 AFI124; D470,p.30; P6585.

554 AFI159-AFI160; AFI163; AFI166; AFI179; P6593; D4413; P2091,00:00:15-00:01:27;

555 According to Prijedor SJB reports, only 3,334 detainees underwent "criminal investigation processing" at Omarska camp. This figure does not fully represent the total number of detainees held at Omarska, as it only accounts for 1,773 detainees transferred to Trnopolje, 1,331 transferred to Manjača, 179 held at Omarska, two detainees who died of "natural causes" and only 49 detainees who disappeared from the camp. D470,pp.30-31; AF2489. The figure fails to account for the hundreds of detainees killed in the camp or taken from the camp and killed elsewhere or otherwise detained in the camp. See SIC:B.15.2-B.15.4(Prijedor); AFI117-AFI118; P5528,p.5;

556 AFI102; AFI119-AFI122; AFI167; D470,pp.5,30;

557 AFI122; AFI182; NustretSIVAC:P3478,pp.80-84,130;

558 AFI120-AFI121; AFI187-AFI189;

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from interrogations, and at night.⁵⁶² Detainees forced to beat each other.⁵⁶³ Detainees also beaten during interrogations in the presence, and by, military, state security and police interrogators.⁵⁶⁴ No one prevented everyday beatings and torture.⁵⁶⁵

- 559 [REDACTED]; Ž. MEJAKIĆ:T.44232-44233,44282-44284; D470,p.4; P2968,p.5; P5555,p.4; P3785.
- 560 AF1138; AF1156; M.SEJMEMENOVIC:T.20495; K.MEŠANOVIĆ:P3528,para.41; [REDACTED]; M.KVOČKA:D4219,para.64;
- 561 M.KVOČKA:T.45584-45585; NustretSIVAC:P3478,pp.62-64.
- 562 AF1150-AF1151; AF1154-AF1156; NustretSIVAC:P3478,pp.130-132; M.SEJMEMENOVIC:T.20495; K.MEŠANOVIĆ:P3528,paras.23-24; [REDACTED];
- 563 M.KVOČKA:D4219,paras.45-46,53,62-63.
- 564 [REDACTED]; AF1151-AF1152; AF1162; [REDACTED]; Ž. MEJAKIĆ:T.44224-44228,44240-44241; KIDZ048:P678,pp.44-46;
- K.MEŠANOVIĆ:P3528,paras.31-32; NustretSIVAC:P3478,pp.86-87; [REDACTED]; Ž. MEJAKIĆ:T.44224-44228,44240-44241; [REDACTED];
- 565 AF1156; [REDACTED]; NustretSIVAC:P3478,pp.130-132; [REDACTED];
- 566 AF1153; AF1158; AF1173; AF2487; [REDACTED]; NustretSIVAC:T.20413-20416; M.STAKIĆ:T.45249-45250;
- Ž. MEJAKIĆ:D4138,para.15; Ž. MEJAKIĆ:T.44233; M.KVOČKA:D4219,para.57; M.GRUBAN:T.47493-47494.
- 567 AF1153; AF1157; Ž. MEJAKIĆ:T.44233-44235;
- 568 D4139; Ž. MEJAKIĆ:D4138,para.19; Ž. MEJAKIĆ:T.44218-44220,44231; M.KVOČKA:T.45591.
- 569 P5465.
- 570 P2978,p.9.
- 571 AF1161; AF1164-AF1165; AF1172; AF2488; N.KECMANOVIĆ:D3645,para.54; P3695; M.SEJMEMENOVIC:T.20496-20497; B.SUBOTIĆ:D3695,para.226;
- P.RADIĆ:P1,pp.75-77; [REDACTED]; KIDZ093:P705,p.29; NustretSIVAC:T.20429; Ž. MEJAKIĆ:T.44223-44224; M.KVOČKA:T.45613-45614. See M.GRUBAN:T.47491.
- 572 AF1143-AF1145; [REDACTED]; KIDZ048:P678,p.59; NustretSIVAC:P3478,p.319;
- K.MEŠANOVIĆ:P3528,para.54; [REDACTED]; KIDZ093:P705,p.29; NustretSIVAC:T.20429; Ž. MEJAKIĆ:T.44223-44224; M.KVOČKA:T.45613-45614. See M.GRUBAN:T.47491.
- 573 AF1146-AF1147; NustretSIVAC:P3478,p.92; [REDACTED]; See also M.KVOČKA:T.45586,45610-45611.
- 574 AF1148; K.MEŠANOVIĆ:P3528,paras.23,64; [REDACTED]; Ž. MEJAKIĆ:T.44223,44230; M.KVOČKA:T.45586,45612.
- 575 AF1149; [REDACTED]; NustretSIVAC:P3478,p.92; Ž. MEJAKIĆ:D4138,paras.14,38.
- 576 K.MEŠANOVIĆ:P3528,para.60.
- 577 AF1141-AF1142; [REDACTED]; NustretSIVAC:P3478,pp.130-131;
- M.SEJMEMENOVIC:T.20495; K.MEŠANOVIĆ:P3528,paras.23,39-40,64; [REDACTED]; P3779; P3785; P3543.
- 578 AF1139-AF1140; AF1172; K.MEŠANOVIĆ:P3528,paras.23,28; [REDACTED]; M.KVOČKA:T.45586.
- 579 AF1164; [REDACTED]; Ž. MEJAKIĆ:T.44224-44225.
- 580 AF1169-AF1171; [REDACTED]; NustretSIVAC:P3478,pp.90-91,94; M.SAJIĆ:D4114,para.57; M.SAJIĆ:T.44162-44163.
- 581 AF1135; [REDACTED]; NustretSIVAC:P3478,pp.132-133.
- 582 KIDZ048:P678,pp.46-47; NustretSIVAC:P3478,pp.132-133.
- 583 AF1168; AF1183; KIDZ093:P705,pp.29,33-35; [REDACTED];

	<p>Groups from outside the camp, including members of Serb military, beat detainees in their rooms or called out detainees at night, who then were threatened, robbed, beaten with instruments or slashed with knives.⁵⁶⁶ Notorious outsiders included Zoran ŽIGIĆ and Duško KNEŽEVIĆ.⁵⁶⁷ A special CSB Banja Luka police detachment also abused detainees at Omarska;⁵⁶⁸ after removal from Omarska, detachment was absorbed into the HKK⁵⁶⁹ and rewarded.⁵⁷⁰</p> <p>Detainees subjected to suffocating and otherwise inhumane conditions:⁵⁷¹ food inadequate;⁵⁷² water not potable;⁵⁷³ few toilets available (detainees risked beatings if they used them);⁵⁷⁴ hygiene facilities inadequate, causing skin diseases, lice, diarrhoea and dysentery.⁵⁷⁵ Medical care not provided.⁵⁷⁶ Detainees beaten as forced to run to meals and during few minutes granted to eat.⁵⁷⁷ Rooms overcrowded, stifling hot; often guards refused to open windows.⁵⁷⁸ Detainees exposed all day to sun lying on hot concrete.⁵⁷⁹ Detainees regularly threatened with death, humiliated, subjected to ethnic slurs,⁵⁸⁰ forced to sing Serb songs and give three-finger Serb salutes.⁵⁸¹ Guards celebrated Serb holiday by creating a bonfire of tyres, onto which at least ten detainees were thrown.⁵⁸²</p> <p>Camp personnel raped or sexually assaulted women detainees, or forced male detainee to attempt to rape a female detainee.⁵⁸³</p>
C.20.3 584	<p>Keraterm camp operated as a detention facility between approximately 24-May and mid-Aug-92.⁵⁸⁵ Approximately 4,000 detainees held in Keraterm.⁵⁸⁶ Numerous people died in the camp.⁵⁸⁷ Detainees beaten on arrival by police⁵⁸⁸ and during interrogations conducted by civilian public, state and military security.⁵⁸⁹ Detainees called out, particularly at night, were severely beaten; some never returned.⁵⁹⁰ Detainees were humiliated, robbed, shot at, ordered to beat each other and were beaten with various instruments by guards, camp commander and persons from the outside (including Zoran ŽIGIĆ and Duško KNEŽEVIĆ) allowed in by the guards; some died as a result.⁵⁹¹</p> <p>Atrocious conditions were well-known:⁵⁹² detainees crammed into four former storage rooms,⁵⁹³ as many as 1,500 detainees at one time,⁵⁹⁴ in front of which were 2 machine guns;⁵⁹⁵ detainees locked for days in blood-stained rooms with insufficient space to lie</p>

⁵⁸⁴ Evidence led shows Keraterm camp operated as a detention facility between approximately 24-May and mid-Aug-92.

⁵⁸⁵ AFI1102-AFI1103; P3549,p.4. See *also* P2968,p.5; P5555,p.4.

⁵⁸⁶ P3549,p.4; P541; P542; P572; J.ARFAGIĆ:P689,pp.32-37,58-61; P6594; D4254.

⁵⁸⁷ See P4409,pp.3-4;9-12;15-16;27-28,33-34,39-40,47-59.

⁵⁸⁸ AFI1205; J.ARFAGIĆ:P689,pp.35,45.

⁵⁸⁹ AFI1204; AFI1206-AFI1207; D.RADETIĆ:D4226,para.30.

⁵⁹⁰ AFI1208-AFI1209; J.ARFAGIĆ:P689,pp.41-45; KDZ050:P680,pp.12-13; S.TACI:P693,pp.4-5.

⁵⁹¹ AFI1195; AFI1205-AFI1206; AFI1208-AFI1212; AFI1214; D4140; P6597,p.1; S.TACI:P693,pp.4-10; D.RADETIĆ:T.45681-45682; KDZ093:P705,pp.4-7,9-10;

KDZ050:P680,pp.7-8,12-13,14,26-27,39-40; J.ARFAGIĆ:P689,pp.35,38-40,45-46; M.STAKIĆ:D4195,para.24; D.RADETIĆ:T.45681.

⁵⁹² P3661,p.2; D447,p.7; N.KECMANOVIĆ:D3645,para.54.

⁵⁹³ P572; P541; J.ARFAGIĆ:P689,pp.36-38,58-59; KDZ050:P680,pp.8-9.

⁵⁹⁴ AFI1196.

	down on concrete floors; ⁵⁹⁶ rooms were unlit, with little ventilation in intense summer heat; ⁵⁹⁷ lack of access to toilets; forced to use barrels; ⁵⁹⁸ inadequate hygiene facilities; ⁵⁹⁹ insufficient food and water; ⁶⁰⁰ detainees suffered from dysentery, lice and injuries due to beatings, with insufficient medical care. ⁶⁰¹
	Women were gang-raped and left bleeding and unconscious on a table. ⁶⁰²
C.20.4 603	Trnopolje operated between approximately 24-May until the end of 1992. ⁶⁰⁴ Trnopolje ⁶⁰⁵ initially held primarily Muslim women, children and elderly, ⁶⁰⁶ later included men transferred from Keraterm and Omarska. ⁶⁰⁷ No one could leave the camp unless they left their documents behind, were escorted by guards, or were authorised for release by DRJJAČA. ⁶⁰⁸
	Security assigned to Regional Command, ⁶⁰⁹ Slobodan KURUZOVIĆ, local TO commander and Prijedor CS member was in charge. ⁶¹⁰ Camp guards wore military uniforms. ⁶¹¹ Teams of military and civilian interrogators questioned detainees, ⁶¹² and beat and cut them during interrogations. ⁶¹³ Detainees were threatened, ⁶¹⁴ insulted with ethnic slurs, ⁶¹⁵ robbed, ⁶¹⁶ beaten by guards and

⁵⁹⁵ P572; J.ARIFAGIĆ:P689,p.59.

⁵⁹⁶ AF1198; KDZ050:P680,pp.8-9,11; J.ARIFAGIĆ:P689,p.38; S.TACI:P693,p.4.

⁵⁹⁷ AF1199; KDZ050:P680,p.9.

⁵⁹⁸ AF1199-AF1200; KDZ050:P680,pp.11-12.

⁵⁹⁹ AF1200.

⁶⁰⁰ AF1200; AF1202-AF1203; KDZ050:P680,pp.9,11.

⁶⁰¹ AF1200-AF1201.

⁶⁰² AF1213; KDZ093:P705,pp.10-12.

⁶⁰³ Evidence led shows Trnopolje camp operated as a detention facility between approximately 24-May-92 until the end of 1992.

⁶⁰⁴ AF1224; D470,pp.2,28; NustretSIVAC:P3478,p.140; I.MERDŽANIĆ:P3881,p.42; KDZ038:P676,p.25; P2968,p.5.

⁶⁰⁵ AF1226; P3894; P3898; P3899; P3900; P535; P537; P538; P539; P540; D1924.

⁶⁰⁶ AF1102; AF1225; D470,pp.2,28; I.MERDŽANIĆ:P3881,p.43.

⁶⁰⁷ P5555,p.4; P2968,p.5; [REDACTED]; KDZ038:P676,p.28.

⁶⁰⁸ AF1230; AF1296; KDZ038:P676,p.26; P2637; P2741; P2915,p.3; S.SRDIĆ:D2265,p.22; [REDACTED] KW609:T.46145; [REDACTED]

⁶⁰⁹ [REDACTED]; M.GRUBAN:T.47508.

⁶¹⁰ D4468,p.6; M.STAKIĆ:T.45240.

⁶¹¹ AF1227; S.PUHAIJIĆ:D4008,para.3; [REDACTED]; KDZ611:P4101,p.8; [REDACTED]; I.MERDŽANIĆ:P3881,p.46;

⁶¹² KDZ048:P678,p.41; KDZ038:P676,pp.25-26; M.STAKIĆ:T.45239.

⁶¹³ AF1228; [REDACTED];

⁶¹⁴ M.SEJMEŃOVIĆ:T.20491.

⁶¹⁵ AF1237; I.MERDŽANIĆ:P3881,pp.53-55,70-71; P3905; P3906; P3907; P3896; P3897; P3903; P3904; KDZ611:P4101,p.30; KDZ054:P682,p.26.

⁶¹⁶ KDZ054:P684,p.9; I.MERDŽANIĆ:P3881,p.47.

⁶¹⁷ [REDACTED];

⁶¹⁸ KDZ611:P4101,p.9.

	<p>outsiders, sometimes with implements;⁶¹⁷ and forced to fight each other.⁶¹⁸ Detainees forced to bury bodies in nearby villages.⁶¹⁹ Detainees taken out for forced labour.⁶²⁰</p> <p>Detainees held in deplorable conditions in an elementary school, community centre (“dom”) and in home-made shelters of sticks, plastic bags and blankets.⁶²¹ Insufficient space for sleeping;⁶²² no running water;⁶²³ limited toilets;⁶²⁴ and inadequate hygiene facilities, causing detainees to suffer from dysentery and lice.⁶²⁵ Insufficient food,⁶²⁶ medicine and medical care.⁶²⁷</p> <p>Guards and men from outside the camp regularly took women (and on one occasion a 12-year old girl) away to be raped. KURUZOVIĆ arranged for a woman to be detained in a nearby house where he raped her nearly every night for approximately a month, twice stabbing her when she resisted.⁶²⁸</p> <p>Before leaving, detainees required to sign documents relinquishing their property to Serbian authorities in Prijedor.⁶²⁹</p>
C.20.5	<p>Miška Glava Community Centre or “Dom”⁶³⁰ was a command post⁶³¹ staffed and guarded by the TO.⁶³²</p> <p>Around 21-Jul-92, around 114 Muslim men surrendered to Serb reserve police and soldiers⁶³³ and were brought to Miška Glava Dom.⁶³⁴ Detainees were squeezed into a small space,⁶³⁵ did not receive food,⁶³⁶ and had to “earn” water by singing Serb songs.⁶³⁷</p>

⁶¹⁷ AF1237; [REDACTED]; I.MERDŽANIĆ:P3881,p.55; KDZ611:P4101,p.9; S.TACI:P693,pp.17-20; P3797.

⁶¹⁸ KDZ054:P684,p.9.

⁶¹⁹ I.MERDŽANIĆ:P3881,pp.73-74.

⁶²⁰ I.MERDŽANIĆ:P3881,p.117.

⁶²¹ AF1226;AF1231; NustetSIVAC:P3478,pp.233-234; K.MEŠANOVIĆ:P3528,para.60; P3797, P3543; I.MERDŽANIĆ:P3881,pp.43-44; S.PUHALIĆ:D4008,para.11; S.PUHALIĆ:T.43418; C.MCLEOD:P712,p.49.

⁶²² AF1236; KDZ054:P684,p.8;

⁶²³ AF1232; KDZ054:P684,p.8; I.MERDŽANIĆ:P3881,p.46; KDZ038:P676,pp.26-28; P3885.

⁶²⁴ AF1232; KDZ054:P684,p.8; I.MERDŽANIĆ:P3881,p.46; KDZ038:P676,p.27.

⁶²⁵ AF1235; KDZ054:P684,p.8; [REDACTED]; I.MERDŽANIĆ:P3881,pp.46,65; KDZ038:P676,p.27; P3797.

⁶²⁶ AF1234;AF1235; KDZ054:P684,p.8; KDZ611:P4101,p.30; I.MERDŽANIĆ:P3881,pp.44-45; KDZ038:P676,pp.26-27; [REDACTED];

⁶²⁷ S.PUHALIĆ:T.43404; M.SELJENOVIC:T.20488-20489.

⁶²⁸ M.SELJENOVIC:T.20489; I.MERDŽANIĆ:P3881,pp.52,72-73; P3797; I.MERDŽANIĆ:T.21473-21474; KDZ054:P684,p.8.

⁶²⁹ S.PUHALIĆ:T.43408;43422-43423; NustetSIVAC:P3478,p.140; [REDACTED]; P570; P571; KDZ054:P684,p.8; M.SELJENOVIC:T.20490; I.MERDŽANIĆ:P3881,pp.46-52;

⁶³⁰ AF1297; I.MERDŽANIĆ:P3881,pp.87,113-114; J.ARIFAGIĆ:P689,p.57.

⁶³¹ N.KARAGIĆ:P651,pp.14-16; P598.

⁶³² AF1258.

⁶³³ AF1257;AF1258; N.KARAGIĆ:P651,pp.14,18.

⁶³⁴ N.KARAGIĆ:P651,pp.12-14; E.NASTIĆ:P696,pp.15-17.

⁶³⁵ AF1102; AF1259; E.NASTIĆ:P697,p.3; N.KARAGIĆ:P651,pp.13,17.

⁶³⁶ AF1102; AF1259; E.NASTIĆ:P697,p.3; N.KARAGIĆ:P651,pp.13,17.

	Detainees were interrogated and beaten, ⁶³⁸ suffering concussions, bleeding and heavy bruising. ⁶³⁹ Military police and soldiers from Banja Luka took at least 13 detainees away who have not been seen since. ⁶⁴⁰
C.20.6 642	Around 25-Jul-92, detainees transferred by bus to the Ljubija football stadium. ⁶⁴¹ Around 25-Jul-92, Serb Forces brought detainees from Miška Glava to Ljubija football stadium. ⁶⁴³ On the way, a policeman named “Simo” authorised the Special Forces intervention platoon to board the bus, where they beat and kicked the detainees. ⁶⁴⁴ As they exited the bus at the stadium, assembled civilians, ⁶⁴⁵ and Bosnian Serb military and police beat the detainees. ⁶⁴⁶ Inside the stadium, detainees were further beaten and abused while forced to sing Serb songs. ⁶⁴⁷ Detainees then taken to Ljubija mine “Kipe” for execution. ⁶⁴⁸
C.20.7	Beginning 25-May-92, Serb police and military detained non-Serb civilians at Prijedor barracks, also known as Žarko Zgonjani barracks, including at a prison within the barracks. ⁶⁴⁹ Teams of civilian police, military police and state security interrogated, insulted and physically beat and abused detainees. Medical treatment for injuries not provided. ⁶⁵⁰
D.17	Beginning in May-92, Serb Forces targeted mosques and Catholic churches across Prijedor as part of their campaign of intimidation

⁶³⁵ E.NASIC:P697.p.3; E.NASIC:P696.p.18; N.KARAGIC:P651.p.24.

⁶³⁶ E.NASIC:P696.p.33-34; N.KARAGIC:P651.p.18.

⁶³⁷ N.KARAGIC:P651.p.19.

⁶³⁸ AFI258-AFI260; E.NASIC:P697.p.3; E.NASIC:P696.p.18.

⁶³⁹ AFI260; N.KARAGIC:P651.p.19-20,22.

⁶⁴⁰ E.NASIC:P697.p.3; E.NASIC:P696.p.19,47-48; [REDACTED]

⁶⁴¹ AFI261; E.NASIC:P697.p.3; E.NASIC:P696.p.19; N.KARAGIC:P651.p.24-26.

⁶⁴² This incident took place on or about 25-Jul-92. There is a typographical error in the Indictment, Schedule C.20.6, which records the date of this incident as “[o]n or about 25 July”.

⁶⁴³ AFI102; AFI261; E.NASIC:P697.p.3; E.NASIC:P696.p.19; N.KARAGIC:P651.p.24-26; P3688; LATLIJA:P3672.p.79.

⁶⁴⁴ AFI261; P598; E.NASIC:P697.p.3-4,9; E.NASIC:P696.p.19-21.

⁶⁴⁵ E.NASIC:P696.p.22-23; E.NASIC:P697.p.4.

⁶⁴⁶ AFI263; E.NASIC:P697.p.4; E.NASIC:P696.p.23; N.KARAGIC:P651.p.27,40-41.

⁶⁴⁷ N.KARAGIC:P651.p.34-35,40-41; E.NASIC:P696.p.23-25; E.NASIC:P697.p.4.

⁶⁴⁸ See SIC:A.10.7(Prijedor); N.KARAGIC:P651.p.43; E.NASIC:P697.p.4.

⁶⁴⁹ AFI102; AFI264; [REDACTED]; P608; D4469; P606; K.MESANNOVIC:P3528,para.4; P3532; P3533; P3534; [REDACTED]

⁶⁵⁰ [REDACTED]; P3533; [REDACTED].

⁶⁵¹ AFI024; AFI266; AFI282-AFI293; P586; A.RIEDLMAYER:P4070.p.229-230; A.RIEDLMAYER:P4069,records214-215,217-220,224,228,232,236-237,239,241,245,247-249,251,256-257; [REDACTED]; I.MERDZANIC:P3881.p.87-88,136-138;

⁶⁵² KDZ048:P678.p.71-72; [REDACTED]; D4010.p.3.

⁶⁵² A.RIEDLMAYER:P4070.p.243.

against non-Serbs.⁶⁵¹ Mosques in Gornjenica,⁶⁵² Rajkovac⁶⁵³ and near Trnopolje camp⁶⁵⁴ were shelled and/or set alight. In addition to shelling and burning, Kozaruša,⁶⁵⁵ Čarakovo,⁶⁵⁶ old Hambarine,⁶⁵⁷ Gornja Puharska,⁶⁵⁸ Donja Puharska,⁶⁵⁹ Alisići,⁶⁶⁰ Zecovi,⁶⁶¹ Čejreci,⁶⁶² Kevljani,⁶⁶³ Rizvanovići,⁶⁶⁴ Brežićani,⁶⁶⁵ Kanićani⁶⁶⁶ and at least three Kozarac⁶⁶⁷ mosques were also blown up in order to destroy their roofs and minarets.

Serb police and paramilitary members burned Čaršijska mosque.⁶⁶⁸ Afterwards, pursuant to CS orders, Serb engineers and architects demolished the mosque and removed rubble.⁶⁶⁹ Stari Grad,⁶⁷⁰ Zagrad⁶⁷¹ and Bišćani⁶⁷² mosques were similarly burned, blasted and razed, including their cemeteries. Military tore down the Stari Grad mosque with tanks; Ottoman-era tombstones in mosque's cemetery were bulldozed.⁶⁷³

Brisevo Catholic church was completely burned and interior walls defaced with Serbian graffiti reading "ŠEŠELJ";⁶⁷⁴ Serb Forces

- ⁶⁵³ N.KARAGIĆ:P651,p.6.
⁶⁵⁴ I.MERDŽANIĆ:P3881,pp.94-96.
⁶⁵⁵ AF1279; AF1291; A.RIEDLMAAYER:P4070,pp.211-212.
⁶⁵⁶ AF1278; KDZ014:P674,p.74; A.RIEDLMAAYER:P4070,pp.216-218.
⁶⁵⁷ AF1286; E.NASIĆ:P696,p.11; N.KARAGIĆ:P651,p.6; KDZ074:P709,pp.13-14; A.RIEDLMAAYER:P4070,pp.219-221.
⁶⁵⁸ AF1292; A.RIEDLMAAYER:P4070,pp.229-230; D4382.
⁶⁵⁹ AF1284; A.RIEDLMAAYER:P4070,pp.231-232; NustretSIVAC:P3478,pp.56-58,142-143; K.MEŠANOVIĆ:P3528,paras.68-69; D.VUJIĆ:T.46079-46080; P3564; P3565; P6613(B/C/S).
⁶⁶⁰ A.RIEDLMAAYER:P4070,p.237.
⁶⁶¹ A.RIEDLMAAYER:P4070,pp.238-239.
⁶⁶² A.RIEDLMAAYER:P4070,pp.240-242.
⁶⁶³ AF1293; A.RIEDLMAAYER:P4070,pp.244-245.
⁶⁶⁴ A.RIEDLMAAYER:P4070,pp.233-235.
⁶⁶⁵ A.RIEDLMAAYER:P4070,p.236; P574; P575.
⁶⁶⁶ AF1288; KDZ054:P684,p.8; KDZ054:P682,pp.24-25; [REDACTED]; A.RIEDLMAAYER:P4070,pp.246-247.
⁶⁶⁷ AF1272; AF1287; P548; P549; P621; KDZ048:P678,pp.22,71-72,82-84; A.RIEDLMAAYER:P4070,pp.248-250; I.MERDŽANIĆ:P3881,pp.115,136-138; NustretSIVAC:P3478,p.54; [REDACTED].
⁶⁶⁸ AF1282; NustretSIVAC:P3478,pp.25-26,56.
⁶⁶⁹ P3484,p.3; A.RIEDLMAAYER:P4070,pp.222-224; I.MERDŽANIĆ:P3881,pp.87-88,136-138. *See also* NustretSIVAC:P3478,pp.142-144.
⁶⁷⁰ AF1268; NustretSIVAC:P3478,pp.54,142-143; K.MEŠANOVIĆ:P3528,para.67; A.RIEDLMAAYER:P4070,pp.213-215.
⁶⁷¹ AF1283; NustretSIVAC:P3478,pp.25-26; A.RIEDLMAAYER:P4070,pp.225-226.
⁶⁷² AF1289; [REDACTED]; P574; P575; P590; A.RIEDLMAAYER:P4070,pp.227-228.
⁶⁷³ K.MEŠANOVIĆ:P3528,para.67; A.RIEDLMAAYER:P4070,pp.213-215.
⁶⁷⁴ AF1290; A.RIEDLMAAYER:P4070,pp.255-258; I.ATILJA:P3672,pp.33,39,47-48,55,75; P3674; P3687; P3676; P3689,00:04:03-00:07:10.
⁶⁷⁵ A.RIEDLMAAYER:P4070,pp.255-258.
⁶⁷⁶ AF1285; NustretSIVAC:P3478,pp.56-57,142-143,206-207; A.RIEDLMAAYER:P4070,pp.251-254; K.MEŠANOVIĆ:P3528,paras.68-69; P3563; D.VUJIĆ:T.46082; D4381.

	stole the church bell. ⁶⁷⁵ In late August 1992, Prijedor town Catholic church was destroyed. Serb authorities later toppled the bell tower and used heavy machinery to remove rubble. ⁶⁷⁶
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ROGATICA

Incident Number	Incident Details
B.16.1	On several occasions between Jun-92 and Sep-92, camp guards (including Rogatica Brigade member Radisav LJUBINAC (a.k.a. "PJANO") and paramilitary nicknamed "MACCOLA") took male detainees from Veljko Vlahović Secondary School, shooting was heard, and the men would not return. ⁶⁷⁷
B.16.2 ⁶⁷⁸	On 15-Aug-92, Rogatica Brigade member PJANO took 27 civilian detainees (some minors, others elderly) ⁶⁷⁹ from Rasadnik to the frontline, ⁶⁸⁰ on Rajko KUŠIĆ's orders. ⁶⁸¹ KUŠIĆ and Serb soldiers (including active policeman Vojin NEŠKOVIĆ and Rogatica Brigade unit commander Dragoje PAUNOVIĆ (a.k.a. "ŠPIRO")) met detainees there, ⁶⁸² used them as human shields, then shot them on ŠPIRO's orders. ⁶⁸³ [REDACTED] ⁶⁸⁴
C.21.1 ⁶⁸⁵	Serb Forces under KUŠIĆ's direct control ⁶⁸⁶ detained up to 1,100 civilians (mostly women and children) at Veljko Vlahović Secondary School from at least 22-May until Sept-92. ⁶⁸⁷ Water and food rations were insufficient, washing and sleeping facilities inadequate. ⁶⁸⁸ Rogatica Brigade members (including KUŠIĆ and PJANO) and policemen (including Zlatko NEŠKOVIĆ, Vlado MARKKOVIĆ, Mladen KOJIĆ) interrogated, beat, tortured, raped and stole property from detainees. ⁶⁸⁹ Some detainees were forced to dig trenches, carry ammunition, make sniper nests and bury corpses. ⁶⁹⁰

⁶⁷⁷ KIDZ051:P3405,paras.46,87-89,93; [REDACTED]; KIDZ051:T.19413-19414; AF2511:P3283,pp.4,10; P3412.

⁶⁷⁸ A.BAŽDAR:T.18387; [REDACTED]; P3276,pp.7-12.

⁶⁸⁰ A.BAŽDAR:P3286,p.5; A.BAŽDAR:T.18414; [REDACTED]; Š.HURKO:P3267,paras.15-20,24; Š.HURKO:T.18232-18235;

A.ISAKOVIĆ:P128,p.4; P6106,p.2; P3287,pp.1,3.

⁶⁸¹ A.BAŽDAR:P3286,p.5; A.BAŽDAR:T.18414; Š.HURKO:P3267,paras.15-20,24; Š.HURKO:T.18232-18235.

⁶⁸² A.BAŽDAR:P3286,pp.5-6; A.BAŽDAR:T.18383,18390-18391,18396-18397,18411;

[REDACTED]; P3291,p.1; M.UJIĆ:T.33471; D1666,p.7.

⁶⁸³ A.BAŽDAR:P3286,pp.5-6; A.BAŽDAR:T.18388-18391,18410-18411;

Š.HURKO:P3267,paras.15-17,24; Š.HURKO:T.18231-18235; P6106,p.2; D1666,p.7; A.ISAKOVIĆ:P128,p.4. See also M.UJIĆ:T.33470.

⁶⁸⁴ P3276; P4895; P4853,pp.93-94; A.MAŠOVIĆ:P4853,pp.93-94; A.MAŠOVIĆ:P4850,p.50;

A.BAŽDAR:P3286,pp.6-7; [REDACTED]; KIDZ607:T.18480; P6107,p.2; P3283,p.7.

⁶⁸⁵ Veljko Vlahović Secondary School functioned as a detention facility at least between 1-May and Sep-92. See Indictment, Schedule C, fn.13; 73bis Submission, Appendix B,p.65.

⁶⁸⁶ AF2506:P5485; D2914,p.1; KIDZ051:P3405,paras.56,68,89; KIDZ051:T.19358,19402,19415. See also M.LEJEK:T.34386.

⁶⁸⁷ AF2506; AF2508; AF2510; KIDZ051:P3405,paras.49,65; [REDACTED]; KIDZ051:T.19406-19407. See also E.PAŠIĆ:P59,p.28;

J.BOWEN:P2068,para.53; P5485; A.BAŽDAR:P3286,p.4; M.LEJEK:T.34386. See generally [REDACTED]; E.PAŠIĆ:P59,pp.28-33;

A.ISAKOVIĆ:P127,p.4; A.ISAKOVIĆ:P128,p.4; A.BAŽDAR:P3286,p.4; Š.HURKO:P3267,paras.14-21.

⁶⁸⁸ [REDACTED]; KIDZ051:T.19410-19411.

⁶⁸⁹ AF2508-AF2510; [REDACTED]; KIDZ051:T.19364-19365,19411-19412,19414-10415; E.PAŠIĆ:P59,pp.29-30; A.BAŽDAR:P3286,p.4;

P3287,pp.1,3; P3291,p.1.

C.21.2	On or about 14-Aug-92, VRS members, including KUŠIĆ and Rogatica Brigade unit commander Stojan PERKOVIĆ, briefly detained Šefik HURKO and three family members (Lzeta, Fejo and Abdulah HURKO) at Mico ANDRIĆ's garage. ⁶⁹¹ They interrogated and severely beat Šefik and his father (stabbing Šefik in the hand and forcing him to swallow three bullets). Abdulah was being beaten when Šefik was taken away and has not been seen since. ⁶⁹²
C.21.3	At least between Aug-92 and Oct-94, many Muslim civilians were transferred from Veljko Vlahović Secondary School to Rasadnik—a farm outside Rogatica ⁶⁹³ used as a detention facility ⁶⁹⁴ by the Rogatica Brigade over which KUŠIĆ exercised control. ⁶⁹⁵ Detainees were used for forced labour (cleaning up after shelling, recovering Serb soldiers' bodies from mined areas, and preparing Muslim homes for Serbs to move in), ⁶⁹⁶ tortured (grosses carved into their bodies, teeth pulled, burned with cigarettes, forced to swallow bullets, beaten with rifle butts and batons), ⁶⁹⁷ and sexually assaulted and humiliated. ⁶⁹⁸ Several detainees died as a result of beatings or harsh conditions. ⁶⁹⁹
D.18	At least between Jun-92 and Dec-92, Serb Forces completely destroyed two mosques in Rogatica town (Čaršijska and Arnaudija). ⁷⁰⁰ They forced prisoners to clear away rubble. ⁷⁰¹ A number of other mosques in Rogatica were heavily damaged by fire, their minarets blown up or damaged. ⁷⁰²

⁶⁹⁰ [REDACTED] KDDZ051:T.19417-19418.

⁶⁹¹ The garage belonged to Novica ANDRIĆ's father, Mico ANDRIĆ. Š.HURKO:P3267, paras.8, 17; N.ANDRIĆ:T.34453-34454.

⁶⁹² Š.HURKO:P3267, paras.6-12,17; Š.HURKO:T.18226-18230,18363-18367; D1665, pp.1-3; P2832, p.4.

⁶⁹³ P3290.

⁶⁹⁴ See generally E.PAŠIĆ:P59, pp.33-35; A.ISAKOVIĆ:P128, pp.4,8; A.ISAKOVIĆ:P127, pp.4-5; A.BAŽDAR:P3286, p.4; [REDACTED]; Š.HURKO:P3267, paras.22,49; Š.HURKO:T.18233-18234,18245; P4867, p.3; D2133; N.ANDRIĆ:T.34468-34469.

⁶⁹⁵ M.LEJEK:D3031, para.19; M.LEJEK:T.34412-34421,34426-34427; N.ANDRIĆ:T.34457-34464,34469,34479-34480; M.UJIĆ:D2909, para.29; M.UJIĆ:T.33473; P6153, pp.1-2; P6155, pp.1-2; P4867, p.4; P6152, pp.9-14; [REDACTED]; Š.HURKO:18238-18242; Š.HURKO:P3267, paras.34,38,44;

A.ISAKOVIĆ:P128, pp.5-6; A.ISAKOVIĆ:P127, p.5.

⁶⁹⁶ A.BAŽDAR:P3286, p.5; A.BAŽDAR:T.18395-18396;

⁶⁹⁷ A.ISAKOVIĆ:P128, pp.4-6; A.ISAKOVIĆ:P127, p.5; Š.HURKO:P3267, paras.25-31,41,45-46; Š.HURKO:T.18243-18244; [REDACTED];

⁶⁹⁸ Š.HURKO:P3267, paras.35-37;

⁶⁹⁹ Š.HURKO:P3267, paras.36,38-43,47; [REDACTED]; Š.HURKO:T.18245,18371,18373-18375. See also A.ISAKOVIĆ:P128, pp.4-5; A.ISAKOVIĆ:P127, p.5;

700 AF2513; A.RIEDLMAYER:P4070, pp.259-263; A.RIEDLMAYER:P4069, records263-264; P6152, pp.9-14; P4867, p.4; P3283, p.8.

701 Š.HURKO:P3267, para.61; KDDZ051:P3405, paras.83-85; [REDACTED]; A.RIEDLMAYER:T.22534; P3277; P3278; D2963. See also A.BAŽDAR:P3286, p.4; M.LEJEK:T.34391-34395; S.VESSELINOVIĆ:T.33886-33887.

702 AF2513; A.RIEDLMAYER:P4070, pp.264-268; A.RIEDLMAYER:P4069, record267; A.RIEDLMAYER:T.22527; [REDACTED]; D.HARLAND:T.2118.

SANSKI MOST

Incident Number	Incident Details
A.12.1	On 31-May-92, 6 th Brigade members separated Begić's men from women and children, ⁷⁰³ taking them to Vrhpolje bridge. ⁷⁰⁴ Four Muslims killed en route by 6 th Brigade member PALJIA. ⁷⁰⁵ 50 Serb soldiers were at bridge, ⁷⁰⁶ where Muslim men ordered to disrobe and jump into the Sana river as they were shot. ⁷⁰⁷ At least 28 killed. ⁷⁰⁸ No disciplinary actions taken against perpetrators. ⁷⁰⁹
A.12.2	On 31-May-92, uniformed "Serbian Army" soldiers ⁷¹⁰ shot and killed one unarmed Muslim man and at least 14 women and children who had gathered from surrounding villages in garage in Hrustovo. ⁷¹¹
A.12.3	On or about 27-Jun-92, ⁷¹² soldiers with VRS insignia ordered military-age males of Kenjari for interrogation. ⁷¹³ 20 taken to house where VRKEŠ said they would likely be exchanged. ⁷¹⁴ Instead, taken to house in Blaževići, ⁷¹⁵ where killed by bomb and gunshots, and house torched. ⁷¹⁶
A.12.4	On 1-Aug-92, Bosnian Serb soldiers attacked Budim, Lukavice, and executed 14 members of the ALIBEGOVIĆ family, all of whom were unarmed civilians. ⁷¹⁷
A.12.5	On 2-Nov-92, SOS and 6 th Brigade member ⁷¹⁸ Daniluško KAJTEZ and Zoran VUKOJEVIĆ rounded up seven Croats from

- ⁷⁰³ AF1303; R.BEGIĆ:P691,pp.14-20; [REDACTED]; See also A.ZULIĆ:P718,para.41; R.BEGIĆ:P691,pp.10-14; R.BEGIĆ:P692,pp.6-15; [REDACTED]; P3317,p.1; KDZ052:P3370,pp.9-25.
- ⁷⁰⁴ AF1304; R.BEGIĆ:P691,pp.20-21; P1159.
- ⁷⁰⁵ R.BEGIĆ:P691,pp.21,23-26; AF1306; P1158; P1159; [REDACTED]; AF1305.
- ⁷⁰⁶ R.BEGIĆ:P691,pp.26-27;AF1306;
- ⁷⁰⁷ AF1306; R.BEGIĆ:P691,pp.27-33; P1158.
- ⁷⁰⁸ AF1306; R.BEGIĆ:P691,pp.21-25,27-33; R.BEGIĆ:P692,pp.6,16-19; P1158; A.MAŠOVIĆ:P4853,pp.44-45(B/C/S); P4901; [REDACTED]; P557,pp.2-4; P4870; P4871; A.MAŠOVIĆ:P4850,p.52;
- ⁷⁰⁹ [REDACTED]; [REDACTED]; See also P3663,p.5; [REDACTED]; P3601; P3317,p.1; KDZ052:P3370,pp.9-25.
- ⁷¹⁰ AF1307; [REDACTED]; See also P3663,p.5; [REDACTED]; P3601; P3317,p.1; KDZ052:P3370,pp.9-25.
- ⁷¹¹ [REDACTED]; AF1308-AF1309; AF1311-AF1312; [REDACTED]; AF1313; A.MAŠOVIĆ:P4853,pp.45-47(B/C/S); P3637,pp.6-9; [REDACTED]; P4898; A.MAŠOVIĆ:P4850,pp.50-51; P4894,p.10; P3637,pp.6,8.
- ⁷¹² AF2531.
- ⁷¹³ KDZ052:P3370,pp.12-15; AF2531.
- ⁷¹⁴ KDZ052:P3370,pp.15-17; AF2532.
- ⁷¹⁵ AF2532; KDZ052:P3370,p.19.
- ⁷¹⁶ AF2532; KDZ052:P3370,pp.19-24; AF2532; A.MAŠOVIĆ:P4853,pp.46-47(B/C/S); [REDACTED]; P3637p.7; P4898; [REDACTED]; A.MAŠOVIĆ:P4853,pp.40,46-47(B/C/S); [REDACTED]; P3637,p.7; A.MAŠOVIĆ:P4850,p.51.
- ⁷¹⁷ AF1314-AF1315; A.MAŠOVIĆ:P4853,pp.47-48(B/C/S); [REDACTED]; P4900; P4899. See also A.MAŠOVIĆ:P4850,p.52.

	Škrljevia at the Glamotnica forest, ⁷¹⁹ interrogated, mistreated and then executed them; one survived. ⁷²⁰ Survivor heard more gunfire while hiding and later learned four more had been killed. ⁷²¹ Perpetrators not tried until after war. ⁷²²
B.17.1	On about 22-Jun-92, 20-25 Betonika prisoners taken by guards and interrogators to dig their own graves nearby the Partisan Cemetery, ⁷²³ where local Serb authorities, including RAŠULA and VRKEŠ, watched. Also nearby were uniformed Serbs, one of whom (SIMETIĆ) began cutting prisoners' throats while the others shot prisoners. Only three men survived. ⁷²⁴ Contrary to Defence claim that SIMETIĆ not in Sanski Most, ⁷²⁵ he was registered at VP (military post) 7421 Sanski Most from 17-Sep-91 to 10-Dec-95. ⁷²⁶
C.22.1	At end of May-92, pursuant to CS orders, prominent non-Serbs taken to SJB building where interrogated and detained, ⁷²⁷ guarded by policemen. ⁷²⁸ Among others, ⁷²⁹ BASARA and RAŠULA visited the SJB. ⁷³⁰ Detainees regularly beaten with a variety of weapons ⁷³¹ during ⁷³² and outside interrogations ⁷³³ by regular police officers, soldiers, ⁷³⁴ guards, and ordinary citizens. ⁷³⁵ They received no medical treatment. ⁷³⁶ Two were killed. ⁷³⁷ There was little food, insufficient space, air or light, no toilet or shower. At one point 20 people were detained in 8-9 square meter cell. ⁷³⁸ After arrival of ICRC, beatings reduced and family visits allowed. ⁷³⁹ From SJB, detainees transferred to other municipal detention facilities ⁷⁴⁰ and Manjača. ⁷⁴¹ Some remained confined at SJB for up to three months. ⁷⁴²

⁷¹⁸ P3329, p.20; [REDACTED]; D.MUDRINIĆ:T.47365-47366; P6557; P3519, p.1; AF1317.

⁷¹⁹ AF1316-AF1317; G.STOJIC:P3515, pp.4,13-16.

⁷²⁰ AF1319; G.STOJIC:P3515, pp.16-18,32-33; G.STOJIC:T.19768; [REDACTED]; P3518, pp.1-2; A.MAŠOVIĆ:P4853, p.48(B/C/S).

⁷²¹ AF1319; G.STOJIC:P3515, pp.18-19,31-33; G.STOJIC:T.19768; P4853, p.48(B/C/S); [REDACTED]; P3518, pp.1-2.

⁷²² [REDACTED]; See also M.DOBRIJEVIĆ:T.44629,44652-44657; [REDACTED]; G.STOJIC:P3515, pp.33-35. See also Sanski Most Summary.

⁷²³ B.TADIC:D4163, para.39; B.TADIC:T.44415; [REDACTED]; G.STOJIC:P3515, pp.33-35. See also Sanski Most Summary.

⁷²⁴ A.ZULJIC:P718, paras.65-66,75-77; AF1346; P726.

⁷²⁵ A.ZULJIC:P718, paras.78-85; A.ZULJIC:T1029-1030; AF2542; P730; AF1348-AF1349; A.MAŠOVIĆ:P4853, p.94(B/C/S); P5442; [REDACTED]; P4897, pp.16-17,41-44; P4896; A.MAŠOVIĆ:P4850, pp.50-51.

⁷²⁶ A.ZULJIC:T.1129-1133.

⁷²⁷ D4866. See also AF1348.

⁷²⁸ AF1321; M.KARABEG:P3303, pp.73-74,96; P3329, pp.32-33; [REDACTED]; F.BIŠČEVIĆ:P135, pp.46-47; F.BIŠČEVIĆ:P122, pp.45-46; [REDACTED].

⁷²⁹ AF1323.

⁷³⁰ M.KARABEG:P3303, pp.74-75,77.

⁷³¹ AF1325; F.BIŠČEVIĆ:P135, pp.67-68; F.BIŠČEVIĆ:P122, p.52.

⁷³² AF1326; A.ZULJIC:P718, paras.60-62; M.KARABEG:P3303, pp.100-102; F.BIŠČEVIĆ:P135, pp.61-62; [REDACTED].

⁷³³ AF1324; A.ZULJIC:P718, paras.60-62; AF1326; M.KARABEG:P3303, pp.100-102; F.BIŠČEVIĆ:P135, pp.61-62; [REDACTED].

⁷³⁴ AF1329; M.KARABEG:P3303, pp.100-102,111,114-116; AF1328; F.BIŠČEVIĆ:P135, pp.55,63-64; [REDACTED].

⁷³⁵ AF1327.

⁷³⁶ AF1329; M.KARABEG:P3303, pp.100-102,111,114-116; AF1328; F.BIŠČEVIĆ:P135, pp.55,63-64; [REDACTED].

⁷³⁷ F.BIŠČEVIĆ:P135, pp.55,63-64; [REDACTED].

C.22.2	<p>At the end of May-92, the CS set up collection and investigation centre at Betonirka factory garages,⁷⁴³ guarded by Serb police and soldiers.⁷⁴⁴ Around 120 Croat and Muslim civilians detained there.⁷⁴⁵</p> <p>Conditions were deplorable—insufferably hot with no ventilation, inadequate food, water, and sanitary conditions,⁷⁴⁶ overcrowded so detainees slept standing.⁷⁴⁷ Regular beatings with various weapons by guards or outsiders with guards' acquiescence with various weapons caused serious injuries. No medical facilities for injuries.⁷⁴⁸ From Betonirka, most of detainees were transferred to Manjača.⁷⁴⁹</p>
C.22.3 ⁷⁵⁰	<p>At end of May-92, CS established collection and investigation centre at the Sports hall, guarded by military and police.⁷⁵¹ 1,500 non-Serb civilians detained with insufficient space, sanitary conditions and no food, bedding or medical care from authorities.⁷⁵² Women and children deported shortly after; 900-1000 men remained.⁷⁵³ Pursuant to CS orders, selection of detainees carried out to screen people from mixed marriages or who fought with JNA; some released and large number sent to Manjača.⁷⁵⁴</p>

⁷³⁷ AFI1330; F.BIŠČEVIĆ:P135,pp.66-67; F.BIŠČEVIĆ:P122,pp.50-52; P146.

⁷³⁸ F.BIŠČEVIĆ:P135,pp.52-53,55-60; D4343; D4342; D4340; D4341; D4339; P669(Photo of the SJB.); [REDACTED]; P143; P144; P145.

⁷³⁹ AFI1332; M.KARABEG:P3303,pp.110-111; F.BIŠČEVIĆ:P135,pp.65-66.

⁷⁴⁰ M.KARABEG:P3303,p.101.

⁷⁴¹ M.KARABEG:P3303,p.116; F.BIŠČEVIĆ:P135,pp.65-66;

⁷⁴² AFI1322; AFI1331; M.KARABEG:P3303,p.116; F.BIŠČEVIĆ:P135,pp.65-66;

⁷⁴³ D470,p.7. *See also* [REDACTED].

⁷⁴⁴ AFI1344; AFI1345; A.ZULJIĆ:P718,paras.51,65,67. *See also* [REDACTED].

⁷⁴⁵ AFI1333; A.ZULJIĆ:P718,paras.46-52,54-55; M.KARABEG:P3303,p.103.

⁷⁴⁶ AFI1336; A.ZULJIĆ:P718,paras.56-58,68; M.KARABEG:P3303,pp.103-104; D4336; D4338; P719; D4337; P732. *See also* [REDACTED].

⁷⁴⁷ AFI1335; A.ZULJIĆ:P718,paras.56-58,68; M.KARABEG:P3303,pp.103,105; D4336; D4338; P719; D4337; P732. *See also* [REDACTED].

⁷⁴⁸ AFI1339; AFI1343; A.ZULJIĆ:P718,paras.63,69,72,74; [REDACTED]; A.ZULJIĆ:T.1027-1029; M.KARABEG:P3303,pp.104,107-109.

⁷⁴⁹ *See e.g.* A.ZULJIĆ:P718,paras.86-87.

⁷⁵⁰ Hasan Kikić School and the Sports Hall are two separate detention facilities. *See* P3667. While civilians were detained in both facilities, the Prosecution proceeds on the

basis that Scheduled Incident C.22.3 relates only to the Sports Hall.

⁷⁵¹ D470,p.7; P3315; D1813; S.MUHIĆ:P701,p.8; S.MUHIĆ:P700,p.19.

⁷⁵² S.MUHIĆ:P701,p.8; S.MUHIĆ:P700,pp.18-20,24; [REDACTED].

⁷⁵³ S.MUHIĆ:P701,p.8; S.MUHIĆ:P700,pp.21,27.

⁷⁵⁴ [REDACTED]; P5444; D4329; D4108; D470,p.14.

C.22.4	End of May-92, CS established collection and investigation centre at Krings factory. ⁷⁵⁵ In early Jul-92, Muslims from various places then in Tomina transferred by police to Krings. 600 men, women and children already there. Women immediately transferred outside RS. ⁷⁵⁶ Conditions very poor, e.g., no toilets or beds; authorities didn't provide food. ⁷⁵⁷ After seven days, police took over from reservist soldiers and beatings/torture began with various weapons. One detainee killed. ⁷⁵⁸ Detainees interrogated but not charged with any crimes. ⁷⁵⁹
C.22.5 ⁷⁶¹	Krings closed in Aug-92; some detainees released while some transferred to Manjača. ⁷⁶⁰ Witness BIŠČEVIĆ arrested 27-May-92 and detained in Magarice for two days, ⁷⁶² where detained in hut for 30 hours with no toilet, food or water; not allowed to lie down. Two other Muslims brought in, beaten and valuables taken. ⁷⁶³ The three given some food and taken to Sanski Most prison. ⁷⁶⁴
D.19	There was extensive destruction/damage of religious sites by Bosnian Serb Forces, ⁷⁶⁵ Some mosques were destroyed, including: in May-92, Town Mosque or Hamza Beg's Mosque; ⁷⁶⁶ in Aug-92, Pobriježje Mosque; ⁷⁶⁷ ; Hrustovo-Kukavice mosque, the New mosque, in Donja Mahala - Kukavice, ⁷⁶⁸ ; in Sep-92, Stari Majdan (Palanka) and Stari Majdan (Utrška) mosques were blown up and their ruins leveled by Bosnian Serb Forces. ⁷⁶⁹ The Donji Kamengrad and Tomina mosques were almost destroyed. ⁷⁷⁰ In Aug-92, Bosnian Serb Forces burned out the Čapljje mosque and blew up the minaret. ⁷⁷¹ Dževar, ⁷⁷² Husimovci, ⁷⁷³ Skucani Vakuf, ⁷⁷⁴ Lukavice, ⁷⁷⁵ Trnova, ⁷⁷⁶ Hrustovo – Kukavice old mosque, ⁷⁷⁷ Kerani, ⁷⁷⁸ and Šehovci ⁷⁷⁹ were heavily damaged. Vrhopolje mosque's minaret was blown up, and it sustained light damage. ⁷⁸⁰ In Jul-92, the Roman Catholic Church was vandalized and damaged by machinegun fire, but in Aug-95, completely razed by Bosina Serb Forces. ⁷⁸¹

⁷⁵⁵ D470.p.7; AF2537;

⁷⁵⁶ AF2543; KDZ052:P3370,pp.25-26; [REDACTED]; R.BEGIĆ:P691,pp.38-39; R.BEGIĆ:P692,pp.6-7,12,21;

⁷⁵⁷ AF2544; KDZ052:P.3370,pp.26,46; KDZ052:T.19117; P3371; P3372.

⁷⁵⁸ AF2545; KDZ052:P3370,pp.27-28; KDZ052:T.19117; P3375.

⁷⁵⁹ R.BEGIĆ:P691,pp.39-41.

⁷⁶⁰ KDZ052:P3370,p.28; R.BEGIĆ:P691,pp.39-41; R.BEGIĆ:P692,pp.7,21.

⁷⁶¹ Evidence led shows Magarice military facility operated as detention facility in May-92.

⁷⁶² AF2546; F.BIŠČEVIĆ:P135,pp.25-28.

⁷⁶³ F.BIŠČEVIĆ:P135,p.39; F.BIŠČEVIĆ:P122,p.45.

⁷⁶⁴ F.BIŠČEVIĆ:P135,p.41.

⁷⁶⁵ A.RIEDLMAYER:P4070,pp.269-311; AF1358. *See also* Sanski Most Summary.

⁷⁶⁶ A.RIEDLMAYER:P4070,pp.269-272; A.RIEDLMAYER:P4069,record290; [REDACTED]; AF1358; P3670,p.3.

⁷⁶⁷ A.RIEDLMAYER:P4070,pp.273-275; A.RIEDLMAYER:P4069,record289; AF1358;

⁷⁶⁸ A.RIEDLMAYER:P4070,p.276; A.RIEDLMAYER:P4069,records281,248; AF1358; A.ZULIĆ:P718,para.33;

769 A.RIIEDLMAYYER:P4070,pp.291-293; A.RIIEDLMAYYER:P4069,records294,298; AF1358.
770 A.RIIEDLMAYYER:P4070,pp.299-300; A.RIIEDLMAYYER:P4069,record273,275,299; AF1358; AF2548; M.KARABEG:P3303,pp.23-25,135-136;
771 A.RIIEDLMAYYER:P4070,pp.308-309; A.RIIEDLMAYYER:P4069,record270; AF1358; [REDACTED]; A.RIIEDLMAYYER:P4070,pp.305-307;
772 A.RIIEDLMAYYER:P4070,pp.295-296; A.RIIEDLMAYYER:P4069,record287; AF1358.
773 A.RIIEDLMAYYER:P4070,pp.297-298; A.RIIEDLMAYYER:P4069,record280; AF1358.
774 A.RIIEDLMAYYER:P4070,pp.301-302; A.RIIEDLMAYYER:P4069,record295; AF1358.
775 A.RIIEDLMAYYER:P4070,pp.303-304; A.RIIEDLMAYYER:P4069,record284; AF1358;
776 A.RIIEDLMAYYER:P4070,pp.289-290; A.RIIEDLMAYYER:P4069,record300; AF1358.
777 A.RIIEDLMAYYER:P4070,pp.277-280; A.RIIEDLMAYYER:P4069,record279; AF1358; [REDACTED]; [REDACTED];
A.ZULJC:P718,para.33; P716,p.15; [REDACTED];
778 A.RIIEDLMAYYER:P4070,pp.281-282; A.RIIEDLMAYYER:P4069,record281; AF1358; [REDACTED];
779 A.RIIEDLMAYYER:P4070,pp.286-288; A.RIIEDLMAYYER:P4069,record294; AF1358; [REDACTED];
780 A.RIIEDLMAYYER:P4070,pp.283-285,294; A.RIIEDLMAYYER:P4069,record301; AF1358.
781 A.RIIEDLMAYYER:P4070,pp.310-311; A.RIIEDLMAYYER:P4069,record292; [REDACTED];

SOKOLIAC & VIŠEGRAD⁷⁸²

Incident Number	Incident Details
A.13.1	On 22-Sep-92, 2 nd Romanija Motorised Brigade soldiers under Radislav KRSTIĆ's command, including MP unit members, ⁷⁸³ surrounded Novoseoci village; ordered villagers to gather at a meadow; looted houses, beat up an old man and killed one woman; ordered the approximately 100 women, children and disabled to board buses bound for Sarajevo; and executed remaining 44 boys and men. ⁷⁸⁴ 42 victims' remains were recovered from Ivan Polje municipal garbage dump. ⁷⁸⁵ Two victims' bodies not recovered. ⁷⁸⁶
A.14.2 ⁷⁸⁷	On 14-Jun-92, Serb soldiers and policemen accompanying a convoy of civilians being transferred from Višegrad towards Olovo ⁷⁸⁸ separated 49 Muslim boys and men in Sokolac where they spent the night in a bus near Sokolac police building. ⁷⁸⁹ The following day, Serb soldiers and policemen from Rogatica and Višegrad ⁷⁹⁰ transported the men to a hill (taking their documents, tying their hands and beating them on the way), forced them off the bus, and shot them two-by-two at the entrance to Paklenik cave. ⁷⁹¹ One escaped. ⁷⁹²
C.23.1	Between at least Oct-92 and Mar-93, Muslim civilians were detained in the abandoned school building in Čavarine village, a detention facility run by the 2 nd Romanija Motorised Brigade. ⁷⁹³ Conditions were harsh, food and hygiene facilities insufficient, and detainees were beaten by Serb paramilitaries from Ilijaš. ⁷⁹⁴ Detainees subsequently transferred to VRS-run Batković camp in Bičelina.
C.23.2	Between Jul-92 and Oct-92, Muslim civilians were detained in a cellar at Slaviša Vajner Čiča elementary school under poor hygienic

⁷⁸² See Indictment, Schedule A, fn.1.

⁷⁸³ P5438,p.1; D3192,p.2; M.SELMANOVIĆ:P3295, paras. 11-13; M.SELMANOVIĆ:T.18557-18558; D.OBRADOVIĆ:D3175,para.20; M.TUPAJIĆ:P5238,pp.106-107,110; M.BJELIĆA:D3206,para.57; M.BJELIĆA:T.36455,36475; R.KRSTIĆ:D4136,pp.19,22; D4002,p.64; A.HAMZIĆ:P131,p.8; P6234,p.10(B/C/S).

⁷⁸⁴ AF2676-AF2677; M.SELMANOVIĆ:P3295,paras.7-23; M.SELMANOVIĆ:T.18538,18540,18542-18543,18556-18563; A.HAMZIĆ:P131,pp.7-8; P5438,p.1; D3192,p.2; A.MAŠOVIĆ:P4853,pp.48-49(B/C/S); M.TUPAJIĆ:P5238,pp.106-107; M.BJELIĆA:D3206,para.57; D.OBRADOVIĆ:D3175,para.20; D.OBRADOVIĆ:T.36093-36094; P5480.

⁷⁸⁵ P4106; P3297; A.MAŠOVIĆ:P4853,pp.48-49(B/C/S); A.MAŠOVIĆ:P4850,pp.53-54; M.SELMANOVIĆ:P3295,para.21; M.SELMANOVIĆ:T.18544-18545,18547-18549; M.TUPAJIĆ:P5238,pp.107-108.

⁷⁸⁶ M.SELMANOVIĆ:P3295,p.7; A.MAŠOVIĆ:P4853,pp.48-49(B/C/S).

⁷⁸⁷ Incident A.14.2 occurred in Sokolac but involved victims from Višegrad. See Indictment, Schedule A, fn.1.

⁷⁸⁸ F.SPAHIĆ:P60,pp.7-9; P5508,pp.2,4.

⁷⁸⁹ F.SPAHIĆ:P60,pp.7-8; F.SPAHIĆ:P61,pp.26-27.

⁷⁹⁰ F.SPAHIĆ:P60,pp.9-12; F.SPAHIĆ:P61,pp.35-40,44-45,51,53-54,98; P79; P3291,p.1.

⁷⁹¹ F.SPAHIĆ:P60,pp.8-11; F.SPAHIĆ:P61,pp.28-30,34-54; P78; P79; A.MAŠOVIĆ:P4853,pp.49-51(B/C/S); A.MAŠOVIĆ:P4850,pp.53; P4902; P4106; P4107; I.GLARK:T.22701-22704. See also D.OBRADOVIĆ:D3175,para.21.

⁷⁹² F.SPAHIĆ:P60,p.12; F.SPAHIĆ:P61,pp.45-52.

⁷⁹³ AF2680; AF2683; M.TUPAJIĆ:P5238,pp.87-88; M.BJELIĆA:D3206,paras.54,65; D.OBRADOVIĆ:D3175,para.25.

⁷⁹⁴ AF2681-AF2682; M.TUPAJIĆ:P5238,pp.88-90; M.BJELIĆA:D3206,paras.54,65; M.BJELIĆA:T.36448-36452.

	conditions and were interrogated and beaten by Serb soldiers. ⁷⁹⁵
D.20	Bosnian Serb Forces completely destroyed the Knežina, Kaljina, Košutica and Kruševci mosques during the attacks on Sokolac's Muslim villages between Aug-92 and Sep-92. ⁷⁹⁶ 2 nd Romanija Motorised Brigade engineers destroyed Novošeci mosque on 22-Sep-92—the same date Brigade members executed 40 Muslim civilians from Novošeci ⁷⁹⁷ —and deposited the rubble on top of the burial site at the Ivan Polje garbage dump 6km away. ⁷⁹⁸

⁷⁹⁵ AF2678-AF2679; M.TUPAJIĆ:P5238,pp.87-90.

⁷⁹⁶ AF2684; A.RIEDLMAYER:P4070,pp.312-315,321-322; A.RIEDLMAYER:P4069,records332-335; M.TUPAJIĆ:P5238,p.109; A.HAMZIC:P131,p.8.

⁷⁹⁷ See SIC:A.13.1(Sokolac).

⁷⁹⁸ A.RIEDLMAYER:P4068,para.41; A.RIEDLMAYER:P4070,pp.316-320; A.RIEDLMAYER:T.22548,22558-22559,22585-22586; P4071,pp.24-25; P3297; M.TUPAJIĆ:P5238,p.109.

VLASENICA

Incident Number	Incident Details
A.15.1	On or about 2-Jun-92, Serb Forces, including VRS, TO and police, attacked Drum, ⁷⁹⁹ dragging inhabitants from houses and killing over 20 civilian men. ⁸⁰⁰ All but one had a single close-range gunshot wound between the eyes. ⁸⁰¹
A.15.2	On 16-May-92, Serb Forces, including SJB Milici, attacked Zasklopača killing around 80 people. ⁸⁰²
B.18.1 ⁸⁰³	In Jun-92 and Jul-92, nine detainees in the Sušica camp killed by camp guards or died from mistreatment; deaths were reported to warden BAŠIĆ with no consequences. ⁸⁰⁴
B.18.2	Around 30-Sep-92, Bosnian Serb Forces, including SJB police-officers, killed remaining 140-150 Sušica detainees. ⁸⁰⁵
B.18.3	Around 22-May-92, policeman killed male Muslim civilian detained at the police station in Vlasenica. ⁸⁰⁶
B.18.4 ⁸⁰⁷	On 18-May-92, three busloads of Muslim civilians who had been expelled by Serb Forces from their villages in Bratunac were taken to the Vlasenica SJB building. ⁸⁰⁸ On 21-May-92, SJB policemen placed 32 Muslims detained in the SJB building in a convoy and told them to hand over their personal belongings. ⁸⁰⁹ The convoy stopped at the beginning of Nova Kasaba and MAKEDONAC, member of a unit called Vukovar Detachment, ordered the Muslims to get off bus, where soldiers shot them on the spot, killing at least 29 men. ⁸¹⁰
C.25.1 ⁸¹¹	In May and Jun-92, Serb Forces, including RS, MUP members, detained Muslim civilians at Vlasenica SJB building in poor conditions, beating and mistreating them. ⁸¹²

⁷⁹⁹ AF2695; [REDACTED]; [REDACTED]. See also D3890, pp.2-3; P6458, p.3; P2636; I.OSMANOVIĆ:P3212, para.61; P6193, items 47, 72; P6132.

⁸⁰⁰ [REDACTED]; KDDZ603:T.18132; I.OSMANOVIĆ:P3212, paras.93-96; M.DURIĆ(KW117):D3093, para.44; M.DURIĆ(KW117):T.35006; M.DURIĆ(KW117): [REDACTED]; P4856, p.8; A.MAŠOVIĆ:P4853, pp.51-54.

⁸⁰¹ I.OSMANOVIĆ:P3212, para.93.

⁸⁰² AF2698; [REDACTED]; M.SAIM-HODŽIĆ:P418, pp.3-8; I.OSMANOVIĆ:P3212, para.55; I.REĐIĆ:P3189, pp.52, 90; I.REĐIĆ:T.17681; P6127; P6128; P6126; S.IBIŠEVIĆ:P401, p.2. See also D3890, p.3; P4856, pp.8-9; A.MAŠOVIĆ:P4853, pp.55-57(B/C/S).

⁸⁰³ Evidence led shows killings at the Sušica camp occurred in Jun-92 and Jul-92.

⁸⁰⁴ AF2717; [REDACTED]; I.OSMANOVIĆ:P3212, paras.125-143; [REDACTED]; P6130; P4856, p.29; A.MAŠOVIĆ:P4853, pp.94-95(B/C/S); P6518, pp.53-54; P4856, p.29; A.MAŠOVIĆ:P4853, pp.52-55(B/C/S).

⁸⁰⁵ AF2719; [REDACTED]; P6130; P4856, p.29; A.MAŠOVIĆ:P4853, pp.94-95(B/C/S).

⁸⁰⁶ AF2700; I.OSMANOVIĆ:P3212, para.72-74; [REDACTED]; P4856, p.29; A.MAŠOVIĆ:P4853, pp.94-95(B/C/S).

⁸⁰⁷ The men were taken from the Vlasenica SJB building (rather than the building next to it). This incident occurred on 21-May-92.

⁸⁰⁸ S.DŽAFIĆ:P3263, paras.15-29.

⁸⁰⁹ AF2701; S.DŽAFIĆ:P3263, paras.32-35; S.DŽAFIĆ:T.18173-18177, 18202-18207.

⁸¹⁰ AF2702; S.DŽAFIĆ:P3263, paras.43-65; S.DŽAFIĆ:T.18174-18175, 18202-18207; P3264; P3172, para.6; P5404; P4856, pp.29-30; A.MAŠOVIĆ:P4853, pp.95-96(B/C/S).

⁸¹¹ Evidence led shows Vlasenica SJB building operated as detention facility in May and Jun-92.

C.25.28 ¹³	From May-92 non-Serbs brought to the Vlasenica prison by the special police platoon. ⁸¹⁴ In Jun-92, about 150 detainees held in very poor conditions in Vlasenica municipal prison, under the control of police. ⁸¹⁵ Prisoners beaten and forced to perform labour (including burying bodies, removing property from abandoned Muslim houses and digging trenches at front lines). ⁸¹⁶
C.25.3	From Jun-92 until about 30-Sep-92, policemen Dragan NIKOLIĆ was commander ⁸¹⁷ and Veljko BAŠIĆ warden of Sušica camp. ⁸¹⁸ Sušica detainees (including women, children and elderly) ⁸¹⁹ subjected to inhumane and degrading treatment ⁸²⁰ including frequent and brutal beatings, ⁸²¹ forced labour, ⁸²² sexual abuse ⁸²³ and murders. ⁸²⁴

812 AFP2699; S.DŽAFIĆ:P3263,paras.24-32; S.DŽAFIĆ:T.18195-18197; I.OSMANOVIĆ:P3212,paras.60-79; [REDACTED];

813 Evidence led shows the Prison building in Vlasenica operated as a detention facility in May and Jun-92. [REDACTED]; P3224; P3225; P3219; P3258; P3255.

814 [REDACTED].

815 AFP2703; AFP2705; I.OSMANOVIĆ:P3212,paras.80-84.

816 AFP2704; I.OSMANOVIĆ:P3212,paras.84-99; [REDACTED]; P3219.

817 [REDACTED]; I.OSMANOVIĆ:P3212,para.106.

818 [REDACTED]. See also P6130.

819 I.OSMANOVIĆ:P3212,paras.114-115; [REDACTED].

820 AFP2714; I.OSMANOVIĆ:P3212,paras.118-122; [REDACTED].

821 AFP2715; I.OSMANOVIĆ:P3212,paras.125,130-132,144; M.KURAJIĆ:P84,pp.6-7; [REDACTED]; P6130; P3223.

822 AFP2713; I.OSMANOVIĆ:P3212,para.124; [REDACTED].

823 I.OSMANOVIĆ: P3212,para.114; [REDACTED]; P6132,p.5.

824 See above B.18.1.

VOGOŠĆA

Incident Number	Incident Details
B.19.1	<p>Between Aug-92 and at least Sept-92, and following VRS requests (including Vogošća, Ilijaš and Rajlovac brigades and Seminovac battalions) for detainees for use in the field and on front lines, ⁸²⁵ detainees from Planjo's House in Svrake⁸²⁶ used for forced labour.</p> <p>Around 17-Aug-92, prison commander Branko VLAČO⁸²⁷ placed 40-60 detainees in work squads to be sent to the front lines. ⁸²⁸ In the following months, detainees forced to dig or cover trenches, carry ammunition and remove the dead bodies of Serb soldiers. ⁸²⁹ Some killed by shrapnel and gunfire. ⁸³⁰</p> <p>VLAČO singled out detainees⁸³¹ to be used as human shields. ⁸³² Led by Serb soldiers, detainees taken in groups of two to ten to combat areas where they were used as cover for the Serb soldiers. ⁸³³ Many killed. ⁸³⁴ Detainees who returned to collect the bodies of non-Serbs killed made to carry different bodies and beaten by VRS officer. ⁸³⁵</p> <p>Those present when detainees used as human shields included VLAČO's subordinates⁸³⁶ and members of the Serb special forces from Vogošća, Ilijaš and Hridža, many of whom wore the sign of the Serb police on their uniforms. ⁸³⁷</p> <p>From May-92 until at least Feb-93, ⁸³⁸ hundreds⁸³⁹ of non-Serbs, predominantly civilians, from multiple municipalities including</p>
C.26.1	

⁸²⁵ P2383; P2385; P2389; P2392; P2395; P2380; P2388.

⁸²⁶ See C.26.1(Vogošća).

⁸²⁷ P2374; Z.OKIĆ:P124,p.6.

⁸²⁸ B.SELIMović:P46,para.26; M.FAZLIĆ:P42,p.7.

⁸²⁹ B.SELIMović:P46,para.26; E.MURACĀVIĆ:P2361,paras.71-72,78; M.FAZLIĆ:P42,p.7; Z.OKIĆ:P124,p.7; R.MUJIKIĆ:P2314,para.76; AF2655.

⁸³⁰ B.SELIMović:P46,para.33; M.FAZLIĆ:P42,p.7; P45.

⁸³¹ E.MURACĀVIĆ:P2361,para.75.

⁸³² B.SELIMović:P46,para.27; E.MURACĀVIĆ:P2361,paras.70,74,79-80; M.FAZLIĆ:P42,pp.7-9; R.MUJIKIĆ:P2314,paras.76,79; Z.OKIĆ:P125,pp.2-3; AF2655.

⁸³³ B.SELIMović:P46,paras.28-38.

⁸³⁴ B.SELIMović:P46,para.28; E.MURACĀVIĆ:P2361,para.76; AF2656; P2388.

⁸³⁵ B.SELIMović:P46,para.28.

⁸³⁶ B.SELIMović:P46,para.34.

⁸³⁷ B.SELIMović:P46,para.38.

⁸³⁸ AF2648; B.SELIMović:P47,para.32.

⁸³⁹ R.MUJIKIĆ:P2314,para.72; Z.OKIĆ:P124,p.6; AF2652; AF2653.

⁸⁴⁰ E.MURACĀVIĆ:P2361,paras.64,81; M.MUŠIĆ:P2403,para.127; AF2648.

⁸⁴¹ Z.OKIĆ:P124,p.6; AF2649; AF2651.

Incident Number	Incident Details
C.26.3	<p>Vogošća,⁸⁴⁰ Ilijaš,⁸⁴¹ Hadžići⁸⁴² and Novi Grad⁸⁴³ detained at Planjo's House,⁸⁴⁴ a facility used by the Ministry of Justice as a prison.⁸⁴⁵ Detainees at Planjo's house were civilians—mostly Muslims, but also some Croats and one Serb⁸⁴⁶—and included women and children.⁸⁴⁷</p> <p>Facility run by RS,MUP reserve police unit, commanded by Branko VLAČO.⁸⁴⁸ Detainees guarded by Serb soldiers and police officers in camouflage uniform, and subjected to severe beatings and abuse⁸⁴⁹ including sexual assaults.⁸⁵⁰ Detainees kept in unsanitary⁸⁵¹ and crowded⁸⁵² conditions with inadequate food⁸⁵³ and insufficient beds.⁸⁵⁴</p> <p>Many detainees forced to work and used as human shields.⁸⁵⁵</p> <p>At least between May-92 and Jul-92,⁸⁵⁶ and in accordance with army and CS decisions,⁸⁵⁷ the “WWII Bunker”,⁸⁵⁸ around 200 meters from the CS headquarters, was used as detention facility.⁸⁵⁹ Facility run by RS,MUP reserve police unit, commanded by Branko VLAČO.⁸⁶⁰ On average between 30 and 80 civilian detainees (including women)⁸⁶¹ many from Muslim majority village of Svrake, were detained there.⁸⁶² Most arrested by RADIC's men and brought to the bunker.⁸⁶³</p>

⁸⁴² R.MUJIKIĆ:P2314,para.72; M.MUSIĆ:P2403,para.123; Z.OKIĆ:P125,pp.2-3; Z.OKIĆ:P124,pp.6-7.

⁸⁴³ R.MUJIKIĆ:P2314,para.70.

⁸⁴⁴ P2352; R.MUJIKIĆ:P2314,para.70.

⁸⁴⁵ AF2650.

⁸⁴⁶ R.MUJIKIĆ:P2314,para.73; AF2652; E.MURACĀEVIC:P2361,paras.63-64.

⁸⁴⁷ B.SELIMOVIC:P44,pp.27,29-30; B.SELIMOVIC:P46,para.23; E.MURACĀEVIC:P2361,para.81; AF2652.

⁸⁴⁸ P2374; Z.OKIĆ:P124,p.6; R.MUJIKIĆ:P2314,para.74; [REDACTED]; MURACĀEVIC:P2361,paras.19,47.

⁸⁴⁹ R.MUJIKIĆ:P2314,paras.75,80-81; R.MUJIKIĆ:T.12384-12386; B.SELIMOVIC:P44,p.6; B.SELIMOVIC:P47,paras.29-31,34; Z.OKIĆ:P124,pp.7-8; AF2652;

E.MURACĀEVIC:P2361,paras.66-68; AF2654.

⁸⁵⁰ R.MUJIKIĆ:P2314,para.80; AF2654.

⁸⁵¹ B.SELIMOVIC:P46,para.25.

⁸⁵² Z.OKIĆ:P124,p.6.

⁸⁵³ Z.OKIĆ:P124,pp.8-9; B.SELIMOVIC:P46,para.25.

⁸⁵⁴ Z.OKIĆ:P124,p.6; M.FAZLIC:P42,p.7; B.SELIMOVIC:P46,para.25.

⁸⁵⁵ P2383; P2384; P2385; P2386; P2389; P2392; P2395; P2380; P2388; P5999; P6000; B.SELIMOVIC:P46,para.27; B.SELIMOVIC:P44,p.33;

E.MURACĀEVIC:P2361,paras.70,74,79-80; M.FAZLIC:P42,pp.7-9; R.MUJIKIĆ:P2314,paras.76,79; AF2655.

⁸⁵⁶ E.MURACĀEVIC:P2361,paras.31-63; AF2658.

⁸⁵⁷ S.AVLJIAŠ:T.35162.

⁸⁵⁸ P2354; P2361,para.21.

⁸⁵⁹ S.STANIC:T.31686-31687; [REDACTED]; E.MURACĀEVIC:P2361,para.21.

⁸⁶⁰ E.MURACĀEVIC:P2361,paras.15,17,23,29-30.

Incident Number	Incident Details
D.21 ⁸⁷⁴	<p>Conditions in bunker were inhumane.⁸⁶⁴ Bunker was dark, cold, dirty and wet;⁸⁶⁵ detainees forced sleep on the concrete floor,⁸⁶⁶ had insufficient food⁸⁶⁷ and water.⁸⁶⁸</p> <p>Detainees interrogated and beaten almost every day.⁸⁶⁹ Female detainees sexually abused.⁸⁷⁰ VLAČO permitted ŠEŠELJ's volunteers to participate in the beatings and abuses.⁸⁷¹ On one occasion in VLAČO's presence, ŠEŠELJ's men beat two detainees and forced them to perform sexual acts on each other.⁸⁷²</p> <p>Boro RADIĆ took detainees to perform forced labour and act as human shields at the frontlines at Žuč, as well as to other areas.⁸⁷³</p> <p>Serb Forces destroyed Semizovac church after taking control of the town at beginning of May-92.⁸⁷⁵</p> <p>As a result of shelling, Ugorsko mosque heavily damaged by Serb Forces on 1-Sep-92.⁸⁷⁶</p>

⁸⁶² E.MURACĀVIĆ:P2361,paras.15-17; AF2658.

⁸⁶³ E.MURACĀVIĆ:P2361,para.47.

⁸⁶⁴ S.AVLJAŠ:T.35161.

⁸⁶⁵ E.MURACĀVIĆ:P2361,para.38.

⁸⁶⁶ E.MURACĀVIĆ:P2361,para.38.

⁸⁶⁷ E.MURACĀVIĆ:P2361,para.39.

⁸⁶⁸ E.MURACĀVIĆ:P2361,para.41.

⁸⁶⁹ E.MURACĀVIĆ:P2361,paras.25-26,36,42-46.

⁸⁷⁰ E.MURACĀVIĆ:P2361,para.30.

⁸⁷¹ E.MURACĀVIĆ:P2361,paras.45-46.

⁸⁷² E.MURACĀVIĆ:P2361,para.45.

⁸⁷³ E.MURACĀVIĆ:P2361,paras.53-56,83; AF2658; P5999; P6000.

⁸⁷⁴ As Karauka-Donja Vogošća (Karaula mekteb) mosque is in Iljaš Municipality (see Indictment, Schedule D, fn.21), the Prosecution has excluded it from Scheduled

Incident D.21. Evidence led shows remaining charged sites destroyed between May and Sept-92.

⁸⁷⁵ A.RIEDLMAYER:P4070,pp.326-327; A.RIEDLMAYER:P4069,record328.

⁸⁷⁶ A.RIEDLMAYER:P4071,p.2; P4070, pp.323-325; A.RIEDLMAYER:P4069,record329.

ZVORNIK

Incident Number	Incident Details
A.16.1	On 8-Apr-92, Serb Forces—police, TO, JNA and ARKAN's men—attacked Zvornik town, ⁸⁷⁷ killing many civilians. ⁸⁷⁸ On 10-Apr-92, ARKAN's men piled dozens of dead bodies—including children, women, and elderly persons—onto trucks. More bodies lay in streets. ⁸⁷⁹
A.16.3	On 5-Jun-92, Bosnian Muslim men escorted by police brought to Gero's Slaughterhouse near Karakaj. ⁸⁸⁰ Serb Forces (including guards in JNA uniforms) forced men to face wall and shot them dead, totalling over 190 victims. ⁸⁸¹ Detainee who begged guards to kill him told because he was a <i>balija</i> , they would let him suffer. ⁸⁸² Next day, bodies loaded onto truck with large machine. ⁸⁸³
B.20.1	On 30-May-92, ⁸⁸⁴ Serb Forces (including soldiers in JNA uniforms) brought Muslim villagers to Drinjača Dom Culture. ⁸⁸⁵ Serb Forces (including White Eagles unit which was part of TO) ⁸⁸⁶ took male detainees in groups of ten outside building to school playground and shot them in back of head, totalling 88 victims. ⁸⁸⁷
B.20.2	On 11-Jun-92, the Yellow Wasps, headed by VUČKOVIĆ brothers REPIĆ and ŽUČO (ŽUČA), killed at least five detainees at

⁸⁷⁷ AF2741; M.VASILJIĆ:T.39929; KIDZ555:T.17275-17276; I.AVIDISPAHIĆ:P70,pp.4-5; N.HADŽIHEFENDIĆ:P62,pp.4-5; KDZ446,P29,pp.16-17; [REDACTED]

⁸⁷⁸ AF2742; [REDACTED]; M.BOŠKOVIĆ:P133,paras.12,21-22; [REDACTED]; KDZ023:P2919,pp.6-8; KDZ023:P65,pp.6,15-17,26-27; [REDACTED]; P.PANIĆ:P3380,pp.14-15; KDZ059:P67,p.19; I.AVIDISPAHIĆ:P70,p.6;

A.MAŠOVIĆ:P4853,pp.57-58(B/C/S); [REDACTED]; P4849.

⁸⁷⁹ AF2743; [REDACTED]; P3193; P4842.
⁸⁸⁰ AF2744; [REDACTED]; A.MAŠOVIĆ:P4850,pp.54-55. *See also*

⁸⁸¹ AF2744; [REDACTED]; *See generally* P4903; [REDACTED]; A.MAŠOVIĆ:P4853,pp.66,72(B/C/S); A.MAŠOVIĆ:P4850,pp.54-55. *See also*

⁸⁸² [REDACTED]; *See generally* P4903; [REDACTED];

⁸⁸³ [REDACTED]; [REDACTED];

⁸⁸⁴ KIDZ072:P425,pp.10-14; P99. *See* SIC:C.27.5(Zvornik);
⁸⁸⁵ M.VASILJIĆ:T.39930-39933.
⁸⁸⁶ AF2762; KIDZ072:P425,pp.22-30,34-35,49-51; [REDACTED]; A.MAŠOVIĆ:P4853,pp.98-105(B/C/S); P4844.

⁸⁸⁷ [REDACTED]; [REDACTED]; A.MAŠOVIĆ:P4853,pp.98-105(B/C/S); P4844.

⁸⁸⁸ [REDACTED]; [REDACTED];
⁸⁸⁹ AF2749; M.DAVIDOVIĆ:P2848,paras.126,133; M.DAVIDOVIĆ:T.15493.
⁸⁹⁰ AF2749; M.DAVIDOVIĆ:T.15535.

Incident Number	Incident Details
	<p>Čelopek Dom Kulture.⁸⁸⁹ One detainee had his ear cut off, others their fingers, and at least two detainees sexually mutilated.⁸⁹⁰ Detainees forced to eat severed body parts and two detainees killed who could not bring themselves to do so.⁸⁹¹ On 27-Jun-92, REPIĆ returned to Dom Kulture and shot 20 detainees dead.⁸⁹²</p>
B.20.3	<p>Detainees held at Karakaj Technical School (“KTS”) between 1 and 5-Jun-92, during which approximately 160 men selected by Serb guards, taken outside detention room, interrogated, beaten and shot. Another 25 told they were being taken for prisoner exchange disappeared.⁸⁹³</p>
B.20.4	<p>During May-92, Serb Forces (including PUFTA and NIŠKI’s group)⁸⁹⁴ executed number of men detained at Ekonomija Farm.⁸⁹⁵ One old man died as result of injuries caused by beatings.⁸⁹⁶</p>
C.27.1	<p>Between May and Jul-92,⁸⁹⁷ Muslims detained in Čelopek Dom Kulture and subjected to severe physical and psychological abuse.⁸⁹⁸ Some forced to beat each other.⁸⁹⁹ Reserve police members guarded building.⁹⁰⁰</p> <p>In mid-Jul-92, remaining detainees transferred, with Serb municipal authorities’ assistance, to Batković camp.⁹⁰¹</p>
C.27.2 ⁹⁰²	<p>On 1-Jun-92, Muslim population of multiple Zvornik villages rounded up by Serb paramilitaries and soldiers and marched to Dulići,⁹⁰³ where men separated from women and children.⁹⁰⁴ Zvornik TO organised trucks which transported 750 men to Karakaj Technical School⁹⁰⁵ assisted by VRS soldiers and police.⁹⁰⁶</p> <p>Men detained at KTS on PAVLOVIĆ’s order.⁹⁰⁷ KTS guarded by Zvornik Brigade’s Karakaj Company and paramilitaries led by PIVARSKI.⁹⁰⁸ Detainees abused.⁹⁰⁹ Within hours of their arrival, approximately 20 died from heatstroke and dehydration.⁹¹⁰</p>

⁸⁹¹ AF2749.

⁸⁹² AF2750; P.PANIĆ:P3380, pp.37-40; [REDACTED]

[REDACTED]; P4841, pp.8,13,20-21,23-24,40,49,50,58,70; P4417; M.DAVIDOVIĆ:P2848, paras.126,133; M.DAVIDOVIĆ:T.15493;

A.MAŠOVIĆ:P4853, pp.61,63,65,67-68,70-71,73,105(B/C/S); A.MAŠOVIĆ:P4850, pp.54-55; P4841, pp.8,13,20-21,23-24,40,49-50,58,70. *See generally* P4903.

⁸⁹³ AF2756; [REDACTED]; A.MAŠOVIĆ:P4853, pp.60,63-65,67,71,105,106(B/C/S); A.MAŠOVIĆ:P4850, pp.54-55. *See generally* P4903.

⁸⁹⁴ J.AVDISPAAHIĆ:P70, pp.11-17; N.HADŽIJEFIĆ:P62, pp.9-12.

⁸⁹⁵ J.AVDISPAAHIĆ:P70, pp.12-13,15,16,17; M.BOŠKOVIĆ:P133, para.23. *See also* [REDACTED]

⁸⁹⁶ AF2765; N.HADŽIJEFIĆ:P62, p.11; J.AVDISPAAHIĆ:P70, p.12.

⁸⁹⁷ AF2745; AF2748.

⁸⁹⁸ AF2745; M.DAVIDOVIĆ:P2848, para.133; M.DAVIDOVIĆ:T.15518; [REDACTED]; KDZ555:T.17299-17301; P4845.

⁸⁹⁹ AF2747.

⁹⁰⁰ M.VASILJIĆ:T.39944; [REDACTED]

⁹⁰¹ AF2748; D.HANSON:P2589, fn.157 *referencing* P2916, pp.3-4.

⁹⁰² Evidence led shows KTS detention facility operational from 1-Jun-92.

⁹⁰³ [REDACTED]

⁹⁰⁴ [REDACTED]

Incident Number	Incident Details
C.27.3	While Interim Government based in Alhos Factory, Muslim detainees held there and severely mistreated by ARKAN's men, White Eagles and Serb police. ⁹¹¹ On 9-Apr-92, GRUJIC interrogated and beat detainee. ⁹¹² Approximately 18 other detainees killed by ARKAN's men that day or soon thereafter. ⁹¹³
C.27.4 ⁹¹⁴	On 27-May-92, Novi Izvor factory (a.k.a. Ciglana) factory received 186 Muslim detainees from Divici. ⁹¹⁵ NIŠKI (whose group displayed Kobra insignia on their uniforms) ⁹¹⁶ also transferred detainees from Ekonomija Farm to factory. ⁹¹⁷ Factory guarded by reserve police. ⁹¹⁸ Detainees forced to work at factory and assist in looting; sometimes alongside detainees from other detention facilities such as Čelopek. ⁹¹⁹ Detainees severely mistreated by paramilitary groups including White Eagles, NIŠKI's Kobras and ŽUČO's group. ⁹²⁰ On 15-Jul-92, detainees from Zvornik's detention facilities, including Ciglana, transferred to Batković Camp ⁹²¹ in buses paid for by Interim Government. ⁹²²
C.27.5	On 30-May-92, Serb Forces (including soldiers in JNA uniforms) collected and brought Muslim inhabitants of Drinjača, Kostijerevo, Sopotnik and Devanje to Drinjača Dom Culture, totaling over 300 people (including children). ⁹²³ JNA officer STUDEN said Muslims would be transferred to villages near Zenica and Serbs who live there would move into their homes. ⁹²⁴ Women, children and elderly separated and held at Čelopek before transfer to ABiH-controlled areas. ⁹²⁵ Serb Forces brutally beat,

⁹⁰⁵ AF2752; [REDACTED]; D.VIDOVIC:P3192,pp.8-9; P.PANIC:P3380,p.30; P3185; P3187.

⁹⁰⁶ P.PANIC:P3380,pp.34-35; [REDACTED];

⁹⁰⁷ KW317:T.39367.

⁹⁰⁸ AF2753; D.VIDOVIC:P3192,pp.5-6; P.PANIC:P3380,p.31.

⁹⁰⁹ AF2755; [REDACTED]; D.VIDOVIC:P3192,pp.10-13.

⁹¹⁰ AF2754;

⁹¹¹ AF2757;

⁹¹² AF2758;

⁹¹³ AF2758;

⁹¹⁴ Evidence led shows Novi Izvor company operated as a detention facility from 27 May to 15 July.

⁹¹⁵ AF2760.

⁹¹⁶ J.AVDISPAAHIC:P70,p.9.

⁹¹⁷ J.AVDISPAAHIC:P70,pp.17-18; N.HADŽIEFENDIC:P62,pp.11-12; P75.

⁹¹⁸ AF2759.

⁹¹⁹ J.AVDISPAAHIC:P70,pp.18,20,22; N.HADŽIEFENDIC:P62,pp.13-15.

⁹²⁰ AF2761; J.AVDISPAAHIC:P70,pp.19-23; N.HADŽIEFENDIC:P62,pp.12-15.

⁹²¹ J.AVDISPAAHIC:P70,p.23.

⁹²² J.AVDISPAAHIC:P70,p.23; P2916.

⁹²³ KDDZ072:P425,pp.10-17; [REDACTED]; P99.

⁹²⁴ KDDZ072:P425,pp.14-15.

⁹²⁵ KDDZ072:P425,pp.38-39.

Incident Number	Incident Details
C.27.6 ⁹²⁷	stabbed and abused detainees, forcing them to sing Chetnik songs and calling them <i>balija</i> and <i>Ustraša</i> . ⁹²⁶ Around 10-May-92, ⁹²⁸ Serb Forces transferred detainees to Ekonomija farm. ⁹²⁹ During detention, Serb Forces ⁹³⁰ (including NIŠKI's group, Kobras, ⁹³¹ White Eagles ⁹³² and Zvornik Brigade commander Zoran JOVANOVIĆ ⁽⁹³³⁾) severely beat and tortured detainees, including sexual violence by pushing pointed stakes in their anuses ⁹³⁴ and forcing detainees to bite each others' penises. ⁹³⁵
C.27.7 ⁹³⁶	Between at least Apr-92 and May-92, ⁹³⁷ Standard Factory ⁹³⁸ used as detention centre, guarded by local Serbs. ⁹³⁹ Same facility occupied by military command (TO and subsequently VRS), MUP and, for some days in April, Interim Government. ⁹⁴⁰ Serb Forces (including NIŠKI, PIVARSKI and other groups from Serbia) had access to factory and severely mistreated detainees, including through beatings. ⁹⁴¹ Arbitrary executions also carried out. ⁹⁴² Police interrogations and killings at location well known at time. ⁹⁴³
D.22	Mosques in Zvornik municipality virtually all destroyed from Apr-92. ⁹⁴⁴ These included 46 religious sites, ⁹⁴⁵ including mosques in Dulići, Kula Grad, Kozluk, Divić, Snagovo, Novo Selo, Skočić, Svake, Drinjača, Glumina, Dođa Kamnica, Gorija Kamnica, Klisa, Kovačević, Rijeka and Selimovići. ⁹⁴⁶ Many were destroyed after Serb takeover. ⁹⁴⁷

⁹²⁶ KDZ072:P425,pp.16-22.

⁹²⁷ Evidence led shows Ekonomija Farm operated as a detention facility during May-92.

⁹²⁸ AF2763.

⁹²⁹ J.AVDISPAAHIĆ:P70,pp.10-11; N.HADŽIJEHENDIĆ:P62,pp.9-10; P75; P4843.

⁹³⁰ J.AVDISPAAHIĆ:P70,pp.9-10,13,15-16; N.HADŽIJEHENDIĆ:P62,pp.7-9.

⁹³¹ J.AVDISPAAHIĆ:P70,pp.9.

⁹³² J.AVDISPAAHIĆ:P70,pp.11-12; N.HADŽIJEHENDIĆ:P62,pp.9-11.

⁹³³ J.AVDISPAAHIĆ:P70,pp.15; [REDACTED]

⁹³⁴ J.AVDISPAAHIĆ:P70,pp.15.

⁹³⁵ J.AVDISPAAHIĆ:P70,pp.16.

⁹³⁶ Evidence led shows Standard Factory operated as a detention facility in Apr-92 and May-92.

⁹³⁷ AF2766; [REDACTED] N.HADŽIJEHENDIĆ:P62,pp.6-9; P75.

⁹³⁸ P.PANIC:P3380,pp.17; N.HADŽIJEHENDIĆ:P62,pp.6-7; P75,pp.3.

⁹³⁹ AF2766; N.HADŽIJEHENDIĆ:P62,pp.6-7; P.PANIC:P3380,pp.74.

⁹⁴⁰ [REDACTED] KDZ610:T.27175; [REDACTED] KDZ340:T.17477,17514

⁹⁴¹ 17516(discussing TO in factory in April 1992).

⁹⁴² AF2767; N.HADŽIJEHENDIĆ:P62,pp.7-9.

⁹⁴³ [REDACTED] P.PANIC:P3380,pp.74; P.PANIC:T.19178-19179.

⁹⁴⁴ AF2768; A.RIEDLMAAYER:P4070,pp.362.

⁹⁴⁵ See A.RIEDLMAAYER:P4069,records336,338,341-344,347,358,361,364-365,368,371,373,375-377,379,381.

⁹⁴⁶ A.RIEDLMAAYER:P4068,pp.8-9,15-19,21; A.RIEDLMAAYER:P4070,pp.328-400; A.RIEDLMAAYER:P4071,pp.1,10,13-15,18,20-23; A.RIEDLMAAYER:T.22536-22537,22541-22548.

⁹⁴⁷ See A.RIEDLMAYNER:P4068,pp.15-17; A.RIEDLMAYNER:P4069,records337,339-340,345,359-360,362-363,366-367,369-370,372,374,378,380; KIDZ555:T.17319-17320. See e.g. A.RIEDLMAYNER:P4070,pp.342,353,357,363,374,378,384,386-387.

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CONFIDENTIAL
APPENDIX C

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1. The scheduled Sniping and Shelling Incidents, and the responsibility of SRK forces for the Incidents, are proved by unrebutted adjudicated facts, reliable contemporaneous on-site investigations by skilled local and international investigators based on personal observations, analysis of physical evidence, witness statements and sound forensic and ballistic methodologies, and in some cases, the evidence of the victims themselves. Credible and reliable Prosecution Expert reports supplement and confirm the contemporaneous on-site investigations and the responsibility of SRK forces for the Incidents.

A. Scheduled Sniping Incidents (F)

2. The sniping fire in all Incidents, with the exception of Incident F5, originated from well-known SRK sniping positions: Grbavica;¹ Špicasta Stijena;² the area of the Orthodox Church in Dobrinja IV;³ the upper parts of Hrasno Brdo and the area of Ozrenska Street;⁴ the School for the Blind,⁵ Faculty of Theology⁶ and other areas in Nedžarići;⁷ and Baba Stijena.⁸ The Incidents are consistent with patterns of SRK sniping at the targeted areas.

3. The victims, bus and trams were not legitimate military objectives and were deliberately targeted.⁹ Victims were identifiable as civilians.¹⁰ The bus and trams

¹ S.GALIĆ:T.37466,37844; B.KOVAČEVIĆ:T.29041-29042; [REDACTED]; [REDACTED]; KDZ354:T.13196,13232; KDZ310:P1938,para.43; F.THOMAS:P1558,para.65; P4498(September 1992 SRK report confirming firing positions in Metalka); AF69; AF124; M.SABLJICA:P1938,pp.61-63; P1736; P1738; AF2920.

² T.ŽUNIĆ:P494,pp.26-27,52; T.ŽUNIĆ:P496,pp.4,13; N.ĐOZO:T.9605; S.GALIĆ:T.37478; T.KNUSTAD:P152,p.4; M.KUČANIN:P23,p.8; P1991,e.g.pp.7,10,16-17; N.ĐOZO:P1978,para.23; P1619,pp.1,3; F.THOMAS:P1558,para.66; AF2920; AF2920.

³ See Brief,AppendixC,A.3: Sniping Incidents F3, F6 – Dobrinja.

⁴ [REDACTED]; P1944; P1942,p.5; M.KUČANIN:P23,p.9; D.ZUROVAC:T.30247-30248,30253,30258; S.TUŠEVLJAK:T.29957; D2427; D2419; B.TOMIĆ:D2418,para.6; B.TOMIĆ:T.30165-30166,30179; AF77; AF79-AF80; AF179.

⁵ AF227; P1600,p.5; M.POPARIĆ:T.39271-39272; P6368.

⁶ R.THOMAS:P1558,para.65.

⁷ Y.HAJIR:T.8844; J.WILSON:T.4004-4005; M.KUČANIN:P23,p.9; KDZ477:T.11047; P6014; S.GUZINA:T.31156-31157.

⁸ AF125; AF2920.

⁹ **Incident F1:** AF155; P.VANDERWEIJDEN:P1621,p.14. **Incident F2:** AF164. **Incident F3:** AF165; AF170-AF171; P.VANDERWEIJDEN:P1621,pp.42,44. **Incident F4:** AF182. **Incident F5:** AF187-AF188. **Incident F6:** AF197. **Incident F7:** AF203; AF199; P.VANDERWEIJDEN: P1621,p.55. **Incident F8:** AF221; AF111; AF2910; P.VANDERWEIJDEN:P1621,p.63. **Incident F9:** AF233; AF230. **Incident F10:** AF241-AF242; AF244; P18. **Incident F11:** P.VANDERWEIJDEN:P1621,p.91. **Incident F12:** AF2944; P.VANDERWEIJDEN:P1621,pp.94,117. **Incident F14:** AF2956-AF2957; S.ŠABANIĆ:P491,pp.14-15; H.PALO:P119,p.2. **Incident F15:** KDZ289:P2413,p.13; M.KUČANIN:P17,pp.23-24. **Incident F16:** AF2986; KDZ289:P2413,p.6; A.GIČEVIĆ:D727,p.2;

were visibly civilian objects,¹¹ and the trams were inherently unfit for military use.¹² At the time of the Incidents, there was no combat activity, there were no military installations and no military soldiers or vehicles in the vicinity of the incidents.¹³ A number of incidents, including the tram snipings, occurred on days when cease-fires were in place.¹⁴ During Incident F15, a single soldier was riding on the tram, which did not make the tram a legitimate military target.¹⁵

4. Confirming that the civilian victims were deliberately targeted, many Incidents were preceded and followed by additional sniping attacks. After Incident F2, the car carrying the child victim to the hospital was fired upon and hit.¹⁶ Before Incident F3, civilians collecting water sheltered themselves from bullets that had been fired,¹⁷ and

P1727,pp.16,23-24; AF2991. **Incident F17:** N.DOZO:T.9599-9600,9605,9545; N.DOZO:P1978,para.19; P.VANDERWEIJDEN:P1621,p.33.

¹⁰ P.VANDERWEIJDEN:P1621,pp.116-117; [REDACTED]. **Incident F1:** AF155; P.VANDERWEIJDEN:P1621,p.17; P.VANDERWEIJDEN:T.7001. **Incident F2:** AF157; P.VANDERWEIJDEN:P1621,p.24. **Incident F3:** AF170; P.VANDERWEIJDEN:P1621,p.44. **Incident F4:** AF178; N.TARIĆ:D664,p.2; P.VANDERWEIJDEN:P1621,p.78. **Incident F5:** P.VANDERWEIJDEN:P1621,p.38; AF188. **Incident F6:** AF191; S.DŽEVLAN:T.11747; S.DŽEVLAN:P2291,p.7; P.VANDERWEIJDEN:P1621,p.50. **Incident F9:** P.VANDERWEIJDEN:P1621,p.71; AF222. **Incident F10:** P.VANDERWEIJDEN:P1621,p.84; AF241; P18. **Incident F12:** AF2944; P.VANDERWEIJDEN:P1621,pp.94,117. **Incident F17:** T.ŽUNIĆ:P494,pp.23-24; P.VANDERWEIJDEN:P1621,p.33; AF2998; AF3005.

¹¹ **Incident F7:** AF203; AF199; P.VANDERWEIJDEN:P1621,p.55.

¹² P.VANDERWEIJDEN:P1621,pp.97,100.

¹³ **Incident F1:** F.TARČIN:P498,paras.2,11; S.GALIĆ:T.37475-37476; AF147. **Incident F2:** N.DOZO:T.9613; AF162. The incident took place far from the confrontation line. *Compare* P2193 with D3382; P1052; P1058; P1593; P5990. **Incident F3:** P.VANDERWEIJDEN:T.7163-7164; S.ŠAHINOVIĆ:D673,p.2. **Incident F4:** AF75; N.TARIĆ:D664,pp.2-3. **Incident F5:** AF184. **Incident F6:** AF194; S.DŽEVLAN:P2291,pp.7-9,25,31; S.DŽEVLAN:T.11764-11765; S.DŽEVLAN:D669,p.2. **Incident F7:** AF198; AF203. **Incident F8:** AF216-AF217; B.VIDOVIĆ:P1742,pp.11,17-18. **Incident F9:** AF229. S.GUZINA at T.31175-31176 acknowledged that his claim of ongoing fighting in the area only pertained to the period from the night before the incident until the day of the 26th, without knowing that the incident took place in the evening of the 26th; D2554,pp.1-2. **Incident F10:** AF240; M.KUČANIN:P23,p.3; P.VANDERWEIJDEN:P1621,p.84; P.VANDERWEIJDEN:T.7089; B.KOVAČEVIĆ:T.29074. **Incident F11:** AF2922-AF2923; [REDACTED] KDZ090:P2923,pp.5,11; P2421,p.6. **Incident F12:** AF2939; P459,pp.2,12. **Incident F14:** AF2957; S.ŠABANIĆ:P491,pp.14-15; H.PALO:P119,p.2; S.ŠABANIĆ:P492,p.10. **Incident F15:** A.MULAOSMANOVIĆ:T.6778-6779; A.MULAOSMANOVIĆ:P1551,p.8; A.MULAOSMANOVIĆ:D626; KDZ289:P485,pp.15-16,40; KDZ289:P2413,pp.6,13; M.KUČANIN:P17,p.24. **Incident F16:** AF2991; A.GIČEVIĆ:D727,p.2; P1727,pp.16,23-24; S.LIVNJAK:P495,p.4. **Incident F17:** T.ŽUNIĆ:P496,pp.4,13-14,46.

¹⁴ KDZ289:P2413,p.14. **Incident F6:** S.DŽEVLAN:T.11764-11765; S.DŽEVLAN:D669,p.2. **Incident F7:** AF198; AF203. **Incident F8:** B.VIDOVIĆ:P1742,pp.10-11; P1759,pp.3-5. **Incident F11:** AF2923; KDZ090:P2923,p.11; [REDACTED]. **Incident F12:** AF2938. **Incident F16:** AF2986; KDZ289:P2413,p.6; A.GIČEVIĆ:D727,p.2; P1727,pp.23-24; S.LIVNJAK:P495,p.10.

¹⁵ KDZ289:P2413,p.13; KDZ289:P485,pp.15,55; P.VANDERWEIJDEN:P1621,p.63.

¹⁶ AF159; AF163.

¹⁷ S.ŠAHINOVIĆ:D673,p.2.

immediately afterwards, the shooting continued,¹⁸ preventing the victim's rescue.¹⁹ After Incident F4, the victim could not be assisted due to ongoing fire,²⁰ and five other people were hit by sniper fire over the next hour in the same area.²¹ The day after Incident F6, another civilian was shot and wounded at the same location.²² Before Incident F11,²³ another tram was sprayed with bullets just in front of the tram in the scheduled incident;²⁴ shortly after, pedestrians were fired upon and wounded by a further burst of machine-gun fire from the south.²⁵ Fifteen minutes after Incident F14, another westbound tram was hit by a burst of automatic gunfire from the south in approximately the same area, killing one civilian and wounding another.²⁶ After Incident F16, trams following right behind the tram of the incident also came under fire from the same SRK sniper positions,²⁷ and UNPROFOR FreBat returned fire.²⁸ After Incident F17, the shooting continued,²⁹ wounding another civilian and preventing rescue;³⁰ a UN APC came under fire while assisting the victims.³¹

5. Cross-examination by the Defence and the Defence evidence failed to undermine the Prosecution's evidence and the proof of the material facts for each Incident. The Defence case relied in large measure on the expert report of POPARIĆ. POPARIĆ's evidence is not credible and not reliable, and should be disregarded in whole.

6. The Prosecution reiterates its prior submissions,³² further confirmed through its cross-examination, that POPARIĆ does not have the requisite forensic expertise in small arms, ballistics and weapons science to soundly analyze the Incidents.

7. POPARIĆ was not a credible witness. When confronted on cross-examination with contrary evidence undermining his assertions, he changed his theories freely in

¹⁸ AF165; AF171; P.VANDERWEIJDEN:P1621,p.42.

¹⁹ AF165; AF171; D672.

²⁰ N.TARIĆ:D664,p.2; AF179.

²¹ N.TARIĆ:D664,p.2.

²² S.DŽEVLAN:P2291,p.18.

²³ AF2929.

²⁴ P2421,pp.2,6; P1907,p.2.

²⁵ P2421,p.7; P1907,p.2; D655; P.VANDERWEIJDEN:T.7060.

²⁶ P1714,p.2; P1833,p.2.

²⁷ P1727,pp.4,8; KDZ289:P2413,p.6; S.LIVNJAK:P495,pp.4,11.

²⁸ P1727,pp.8,17; KDZ289:P2413,pp.4,6,17.

²⁹ T.ŽUNIĆ:P496,pp.4,13;T.ŽUNIĆ:P494,p.26; P6361,p.1.

³⁰ T.ŽUNIĆ:P496,pp.4,13; T.ŽUNIĆ:P494,p.26.

³¹ P1619,p.1; T.ŽUNIĆ:P496,p.13.

³² POPARIĆ Reports Response,para.20.

an attempt to maintain that the origin of fire was not Serb-held positions³³ or that victims were caught in cross-fire.³⁴ He produced graphic images that were inaccurately manipulated and distorted,³⁵ and intentionally omitted contrary evidence of which he was aware with the explanation that it was “totally irrelevant”.³⁶

8. POPARIĆ’s unreliable evidence largely consisted of his own methodologically-flawed analyses. In contrast to contemporaneous investigation teams and the Prosecution expert, he conducted limited on-site personal observations, did not examine the relevant forensic and medical evidence *in situ*, did not conduct scientific studies, did not obtain and rely on exact scientific data and did not apply recognized forensic methodologies. His speculative conclusions are the product of guesswork and unreliable inferences not supported by sound science,³⁷ propped up by insufficient and distorted factual foundations,³⁸ bare assertions and unfounded assumptions,³⁹ facts not in evidence,⁴⁰ and the disregard and misinterpretation of

³³ **Incident F11:** M.POPARIĆ:T.39254-39257,39263-39264. **Incident F1:** M.POPARIĆ:T.39268-39270; P6367; P.VANDERWEIJDEN:P1621,p.16,img.2; M.POPARIĆ:D4884,p.53,img.31; D637.

³⁴ **Incident F17:** M.POPARIĆ:T.38925-38927,39213-39218; M.POPARIĆ:D4884,para.200; P6361,p.1; P1619.

³⁵ **Incident F5:** M.POPARIĆ:T.38955-38956,39234-39235; P6364; M.POPARIĆ:D4884,para.72,imgs.52-53.

³⁶ **Incident F5:** M.POPARIĆ:T.38959-38960,39168-39172; M.POPARIĆ:D4884,para.71. **Incident F3:** M.POPARIĆ:T.39200-39201; D672.

³⁷ **Incident F4:** M.POPARIĆ:D4884,paras.54,60; M.POPARIĆ:T.38872-38874. **Incident F6:** M.POPARIĆ:D4884,para.79,imgs.56-58,para.88,fn.172. **Incident F8:** M.POPARIĆ:D4884,paras.123-124; M.POPARIĆ:T.38975-38976,38979. **Incident F11:** M.POPARIĆ:T.39252-39253. **Incident F14:** M.POPARIĆ:T.39278.

³⁸ **Incident F2:** M.POPARIĆ:T.39223-39224. **Incident F5:** M.POPARIĆ:T.39235; P6364; M.POPARIĆ:D4884,para.72,imgs.52-53. **Incident F6:** M.POPARIĆ:D4884,para.79, imgs.56-58,para.88,fn.172. **Incident F8:** M.POPARIĆ:D4884,para.123 (Analysis of the minute dimensions of a grainy, enlarged photo of a bullet-hole). **Incident F11:** M.POPARIĆ:D4884,paras.152-158; M.POPARIĆ:T.39264-39265. **Incident F15:** Alleged the tampering of an investigation photograph with a felt-tip pen. M.POPARIĆ:D4884,para.188. **Incident F17:** Claimed the victim incorrectly marked the incident site. M.POPARIĆ:D4884,para.204; T.ŽUNIĆ:P494,pp.49-51; P451; P452.

³⁹ **Incident F10:** Unexplained assertion that the bullet-hole in the awning was made with a screwdriver. M.POPARIĆ:D4884,para.142; P19,pp.2,5(B/C/S); M.KUČANIN:P23,p.2; M.KUČANIN:P16,p.14; P18. **Incident F1:** Assumed it was foggy. M.POPARIĆ:T.38940; M.POPARIĆ:D4884,para.24; AF150. **Incident F3:** M.POPARIĆ:D4884,paras.45-52. **Incident F8:** M.POPARIĆ:D4884,para.122; D3637; M.POPARIĆ:T.38977-38978; P1757. **Incident F9:** M.POPARIĆ:T.38982. **Incident F10:** M.POPARIĆ:T.39236. **Incident F14:** M.POPARIĆ:D4884,p.149. **Incident F15:** M.POPARIĆ:T.39000. **Incident F16:** M.POPARIĆ:T.39163. **Incident F17:** M.POPARIĆ:D4884,para.205. **Incident F17:** M.POPARIĆ:T.39214.

⁴⁰ **Incident F3:** M.POPARIĆ:D4884,paras.45-52. **Incident F5:** M.POPARIĆ:D4884,paras.65-72,75. **Incident F6:** M.POPARIĆ:D4884,para.88,fn.172. **Incident F9:** M.POPARIĆ:D4884,para.130; M.POPARIĆ:T.38981-38982.

available evidence.⁴¹ The following examples illustrate the systemic flaws in POPARIĆ's evidence.

9. With respect to Incident F2, unlike the Prosecution expert,⁴² POPARIĆ chose not to visit the incident location because he thought it "probably would not have been useful".⁴³ As a result, POPARIĆ's analysis of the origin of fire was undermined by the failure to analyze the bullet's actual point of impact, as was done by the Prosecution expert.⁴⁴

10. With respect to Incident F10, a contemporaneous on-site investigation and the Prosecution expert determined the origin of fire by tracing the bullet trajectory through its multiple entry points and confirming the line-of-sight from the SRK sniping position.⁴⁵ In contrast, POPARIĆ's conclusions are based solely on observations made from enlargements of poor quality photographs taken from a distance,⁴⁶ which he then reinterpreted by claiming that the bullet-hole was made with a screwdriver or other sharp object and that a tiny black spot must be the actual bullet hole.⁴⁷ He also contended that the pool of blood, photographed in front of the shoe store, is water,⁴⁸ despite contrary evidence.⁴⁹

11. With respect to Incident F11, a contemporaneous on-site UNPROFOR investigation concluded the gunfire came from notorious SRK sniping locations by analyzing the alignment of the actual bullet traces in the tram from the location where

⁴¹ **Incident F6:** M.POPARIĆ:D4884,para.81; S.DŽEVLAN:T.11745-11746,11749; S.DŽEVLAN:P2291,pp.6-7,44-45. **Incident F1:** M.POPARIĆ:T.38937-38938,39266-39270; P6367; P.VANDERWEIJDEN:P1621,p.16,photo2; M.POPARIĆ:D4884,para.27,img.31; D637. **Incident F3:** M.POPARIĆ:T.39200-39201; D672. **Incident F5:** M.POPARIĆ:T.39169-39170,39172. **Incident F2:** M.POPARIĆ:T.39226-39227; P6362; D4884,para.35,img.37. **Incident F4:** M.POPARIĆ:D4884,paras.54,60; M.POPARIĆ:T.38872-38874; N.TARIĆ:D664,p.2; KDZ310:P1938,para.49. **Incident F10:** M.POPARIĆ:T.39240; P19,p.3(B/C/S); M.KUČANIN:P16,p.19. **Incident F11:** M.POPARIĆ:T.39254. **Incident F12:** M.POPARIĆ:D4884,para.169; P459,p.5; Š.BEŠLIĆ:P472,p.4; Š.BEŠLIĆ:P471,pp.4-5,7-8,10,13-14,20-21; P459,pp.5-9. **Incident F15:** M.POPARIĆ:D4884,para.189. **Incident F17:** M.POPARIĆ:T.39217-39218; M.POPARIĆ:D4884,para.200; P6361; P1619.

⁴² P.VANDERWEIJDEN:P1621,pp.23-24.

⁴³ M.POPARIĆ:T.39223-39224.

⁴⁴ P.VANDERWEIJDEN:P1621,p.23; P2195; B.HOGAN:T.11208.

⁴⁵ M.KUČANIN:P23,pp.2-3; M.KUČANIN:P16,pp.14-16,20,145; P.VANDERWEIJDEN:P1621,p.82; P.VANDERWEIJDEN:T.7073-7074,7081,7085; D663; AF244. P19,p.7(B/C/S), P18; P2205; B.HOGAN:T.11215.

⁴⁶ P19,pp.2,5(B/C/S).

⁴⁷ M.POPARIĆ:D4884,para.142; M.POPARIĆ:T.38897.

⁴⁸ M.POPARIĆ:T.39240.

⁴⁹ P19,p.3(B/C/S); M.KUČANIN:P16,p.19.

the tram was hit.⁵⁰ This finding was confirmed by local investigators,⁵¹ witnesses,⁵² the Prosecution expert,⁵³ and the alignment of the entry and exit wounds on the victim's body.⁵⁴ POPARIĆ's contrary finding is based on the alleged shape of dust clouds from bullets hitting the ground around the victims,⁵⁵ footage of glass on the ground near a tram,⁵⁶ footage of a gesturing UNPROFOR soldier⁵⁷ and selected extracts of victim interviews.⁵⁸ His analysis of the dust plumes has no scientific foundation, and he claimed a study would be "irrelevant".⁵⁹ He admitted that he was unaware of the directly contrary UNPROFOR forensic evidence.⁶⁰ He admitted that he did not listen to the audio of the footage in question and simply interpreted the gesture of the UNPROFOR soldier.⁶¹ He contradicted another of his conclusions⁶² when attempting to explain away contrary evidence.⁶³ His speculative analysis of the footage of glass ignored the reasonable explanation that the glass resulted from the evacuation after the incident, as evidenced by witnesses on which he otherwise relied.⁶⁴

12. The Defence's conspiratorial suggestions that ABiH forces fired on their own civilians are implausible and not supported by reliable evidence.⁶⁵ The evidence also excludes possibilities that the fire could have originated from ABiH-held positions.⁶⁶

⁵⁰ P2421,pp.2-3,7-8(Eng),p.5(Fre); P1675; P1907,p.2; M.ROSE:P1638,para.156; P1674.

⁵¹ P1907,p.1; P1924; KDZ485:P1905,para.14.

⁵² P1907,p.2; KDZ090:P2923,para.9; [REDACTED]; P436.

⁵³ P.VANDERWEIJDEN:P1621,pp.89-90; P.VANDERWEIJDEN:T.7006-7007.

⁵⁴ KDZ090:P2923,pp.5,11-12; [REDACTED]; [REDACTED].

⁵⁵ M.POPARIĆ:D4884,paras.155-157.

⁵⁶ M.POPARIĆ:D4884,para.153.

⁵⁷ M.POPARIĆ:D4884,para.158.

⁵⁸ M.POPARIĆ:D4884,paras.152,154.

⁵⁹ M.POPARIĆ:T.39252-39253. *See also* M.POPARIĆ:D4884,paras.155-157.

⁶⁰ M.POPARIĆ:T.39254,39263.

⁶¹ M.POPARIĆ:T.39264-39265.

⁶² M.POPARIĆ:D4884,para.156; M.POPARIĆ:T.39256-39257.

⁶³ Referring to the footage, POPARIĆ confirmed that without the sound-track he not only heard no mention of the Executive Council building, and that the officer with General Rose "(...) was pointing in the direction of Grbavica or, rather, that red building they mentioned which was divided between the VRS and the BiH army". M.POPARIĆ:T.39264.

⁶⁴ M.POPARIĆ:D4884,para.152,fn.265,268.

⁶⁵ M.MANDILOVIĆ:T.5386; [REDACTED] **Incident F11:**

P.VANDERWEIJDEN:T.7175. *See also* P.VANDERWEIJDEN:T.7189;

[REDACTED]; P867,p.2; M.ROSE:T.7269. **Incident F14:**

M.POPARIĆ:D4884,paras.181-182. **Incident F15:** M.POPARIĆ:D4884,para.189;

P1738,p.109(B/C/S). **Incident F16:** M.POPARIĆ:D4884,para.196; M.POPARIĆ:T.38931.

⁶⁶ **Incident F6:** P.VANDERWEIJDEN:P1621,p.50; D668; P.VANDERWEIJDEN:T.7133-7134.

Incident F7: P.VANDERWEIJDEN:T.7068; P.VANDERWEIJDEN:P1621,p.53;

P.VANDERWEIJDEN:T.7066-7070; P2202; B.HOGAN:T.11213; P2207. **Incident F11:**

P.VANDERWEIJDEN:T.7013,7015,7018-7019; P867,p.2; M.ROSE:T.7269. **Incident F12:**

P.VANDERWEIJDEN:T.7095. **Incident F15:** P1738,p.109(B/C/S).

Defence suggestions that victims were caught in exchanges of fire between SRK and ABiH forces are speculative and not supported by evidence.⁶⁷

1. Sniping Incidents F8, F11, F12, F14, F15 and F16 – Marin Dvor

13. Throughout the war, most of Grbavica fell under SRK control,⁶⁸ with the Miljacka River forming the confrontation line between the factions.⁶⁹ Civilians in Bosnian-held Sarajevo were repeatedly targeted by SRK snipers from notorious sniping locations in Serb-held territory in and around Grbavica.⁷⁰ Among them were four high-rise apartment buildings at numbers 6 to 8-A Grbavička Street (formerly Lenjinova Street),⁷¹ the Metalka building,⁷² and the area of the Jewish Cemetery.⁷³ These locations offered unobstructed views to Zmaja od Bosne, Sarajevo's main thoroughfare, and areas around it where civilians and civilian objects were regularly targeted.⁷⁴ Sniping from these areas was so common that the roadway became known as "Sniper Alley".⁷⁵ UNPROFOR's anti-sniping units were specifically deployed at intersections along the city's main thoroughfare to respond to fire from these locations.⁷⁶

⁶⁷ **Incident F3:** M.POPARIĆ:D4884,para.47,fn.95; P.VANDERWEIJDEN:T.7163-7164; M.POPARIĆ:D4884,para.43. **Incident F12:** M.POPARIĆ:D4884,para.173; P6366,p.8; D3628. **Incident F15:** R.KARADŽIĆ:T.6784-6785,8129-8130,8164-8167; P435,p.9; P1719; P1729,p.11; A.MULAOSMANOVIĆ:T.6754-6756,6784-6786; P1552; P1553; P1554; D623; D624; A.MULAOSMANOVIĆ:P1551,pp.4-6; KDZ289:P485,pp.12-15,18,39-40,52; P445; P446; P468; D.FRASER:P1762,p.50; D.FRASER:T.8164-8168. **Incident F17:** M.POPARIĆ:T.39213-39218; P6361,p.1.

⁶⁸ M.SABLJICA:P1695,pp.62-63; AF21; AF66; AF68; AF2824; AF2826.

⁶⁹ D765; [REDACTED]; P1942,p.3; AF67; AF2826.

⁷⁰ [REDACTED]; KDZ354:T.13196,13232; KDZ310:P1938,para.43; F.THOMAS:P1558,para.65; AF69; AF124.

⁷¹ M.SABLJICA:T.7675-7676,7939-7941; P1724; S.ŠABANIĆ:P492,para.6,p.15; [REDACTED]; AF121; AF2583; AF2917.

⁷² M.SABLJICA:P1695,p.62; M.SABLJICA:T.7676-7677; AF121; AF2917; AF2946; M.KATIĆ:T.31409.

⁷³ D.FRASER:P1762,p.26; F.THOMAS:P1558,paras.64-65; M.KUČANIN:P23,p.8; B.KOVAČEVIĆ:T.29054-29056; M.MANDILOVIĆ:P1217,para.52; P935; D498; D497; M.MANDILOVIĆ:T.5381-5383,5425-5427; A.GIČEVIĆ:T.7612; P1692; D162,p.82; AF125 AF2920. The SRK controlled the western part of the cemetery. A.GIČEVIĆ:P1690,p.4; A.GIČEVIĆ:T.7634-7635; AF2828-AF2829; AF72-AF74; AF2914. The Jewish Cemetery was also a known mortar position. AF3016; D497.

⁷⁴ M.SABLJICA:P1695,pp.60-62; M.SABLJICA:T.7676-7679,7945-7947; P1724; P1738; P1736; P1737; P.VANDERWEIJDEN:P1621,pp.93-97,99-100,102-103; B.HOGAN:T.11218-11219; P2208; AF2914-AF2918.

⁷⁵ J.BOWEN:P2068,paras.15-16; AF122; AF2917.

⁷⁶ KDZ185:P5908,para.8; P1075; P1073; D655; D.FRASER:T.8016.

14. Sniping was so common and established that “everybody” knew who the snipers were,⁷⁷ and where they worked.⁷⁸ Their positions in Grbavica and the surrounding Serb-held neighbourhoods were visited by UNPROFOR officials⁷⁹ and journalist VANLYNDEN.⁸⁰ These elaborately constructed positions were fortified and had firing slots and radio equipment.⁸¹ Using walkie-talkies to communicate with observers about target acquisition and with men on the front line acting as spotters, it was clear to VANLYNDEN that these men were part of an organised army and “under clear military orders”.⁸² GALIĆ confirmed SRK snipers operated from the skyscrapers in Grbavica,⁸³ and from the Metalka 1 and 2 buildings”.⁸⁴ Battalion Commander KOVAČEVIĆ also confirmed they had firing positions in these skyscrapers.⁸⁵ [REDACTED]

15. Sniping Incidents F8, F11, F12, F14, F15 and F16 comprise a series of sniping attacks on trams and pedestrians from June 1994 to March 1995 along “Sniper Alley”. These sniping attacks all targeted victims in the Marin Dvor neighbourhood, at or near the S-curve⁸⁷ in the tram tracks on Zmaja od Bosne. Incident F8 targeted a tram in the area immediately east of S-curve. Incidents F14, F15 and F16 targeted trams along the tram tracks west of the S-curve, towards the Marshal Tito Barracks. Incident F11 targeted a tram at the intersection on either side of the S-curve.⁸⁸ Trams travelling east and westbound were required to slow down on approach to and through the S-curve, providing an opportunity for sniping attacks on the trams and their passengers.⁸⁹ Incident F12 targeted two pedestrians, a mother and child, crossing Franje Račkog Street.

⁷⁷ KDZ354:T.13196-13197,13200.

⁷⁸ [REDACTED]; KDZ354:T.13232; [REDACTED].

⁷⁹ D.HARLAND:P820,para.301; D.FRASER:P1762,pp.13-14,24,27-30; D.FRASER:P1762,pp.27-28; D.FRASER:T.8017; [REDACTED]. See also [REDACTED]; KDZ185:P6060,p.13.

⁸⁰ A.VANLYNDEN:P926,paras.76,91.

⁸¹ A.VANLYNDEN:P926,paras.94-95,97,101-103; P806,00:01:58-00:02:57; P935; D.FRASER:P1762,pp.28-30; [REDACTED].

⁸² A.VANLYNDEN:P926,paras.87,92,94,96,99-100,106,151.

⁸³ S.GALIĆ:T.37466,37843.

⁸⁴ S.GALIĆ:T.37844. See also P4498,p.4.

⁸⁵ B.KOVAČEVIĆ:D2331,para.19.

⁸⁶ [REDACTED].

⁸⁷ P1630; B.HOGAN:T.11203-11204; P2189; M.POPARIĆ:D4884,pp.147-148,imgs.103-104.

16. Investigations of the sniping incidents established a consistent origin of fire to the south of Zmaja od Bosne from notorious SRK sniping locations in SRK-held parts of Grbavica: the high-rise buildings on Lenjinova Street, the Metalka building and the Jewish Cemetery. There were several good firing positions⁹⁰ in the area of the Jewish cemetery under SRK control during the war,⁹¹ with an unobstructed line-of-sight to the tram tracks to the east of the S-curve.⁹² The Defence's claim that there was no line-of-sight from the Jewish Cemetery to the tram line and the location of F8⁹³ has an insufficient factual basis and is contradicted by reliable evidence.⁹⁴ The Metalka building had clear and direct line-of-sight to the tram tracks across the intersection in front of the Holiday Inn, between the Faculty of Philosophy and the National Museum, to the immediate west of the S-curve.⁹⁵ From the high-rise buildings on Lenjinova Street there were unobstructed sightlines from the sniper positions in all directions, including "the complete stretch from the Holiday Inn to the school of science and mathematics".⁹⁶ All targeted trams and pedestrian victims were impacted from the south.⁹⁷ Examinations of entry and exit points, to determine angles of entry and direction of fire, provided further confirmation that the fire originated from SRK

⁸⁸ P.VANDERWEIJDEN:T.7007; Z.MEĐEDOVIĆ:P129,p.3.

⁸⁹ [REDACTED]; [REDACTED]; P437; P.VANDERWEIJDEN:T.7036.

⁹⁰ P.VANDERWEIJDEN:P1621,p.62.

⁹¹ The SRK was positioned on the south-western side of the cemetery. AF73; AF2828; M.MANDILOVIĆ:P1217,para.52; A.GIČEVIĆ:P1690,p.4; A.GIČEVIĆ:T.7634-7636.

⁹² Generally, the Jewish Cemetery offered an excellent view of Marin Dvor. AF2914; KDZ304:T.10496; D162,p.82. **Incident F8:** P.VANDERWEIJDEN:P1621,pp.61-63; P2203; B.HOGAN:T.11214; M.MANDILOVIĆ:T.5410; AF219. **Incident F11:** P2421,pp.5-6,7(Fre); P.VANDERWEIJDEN:T.7007.

⁹³ M.POPARIĆ:D4884,para.121. *See also* D788; B.VIDOVIĆ:T.8177-8179. This photo was taken from a location further to the west of incident site F8 as indicated by the witness, HOGAN, and VANDERWEIJDEN. The marking by VIDOVIĆ of the incident location was done without seeing the rest of the intersection and tram track. B.VIDOVIĆ:T.8186.

⁹⁴ *See above.*

⁹⁵ P.VANDERWEIJDEN:T.7017-7019,7022-7025,7026-7027,7033-7034; D648; D649; D650; D651; P2213; P2208; B.HOGAN:T.11219; D2526; P6018; P1924. **Incident F11:** AF2931; P.VANDERWEIJDEN:P1621,pp.89-91; P436; [REDACTED]; KDZ485:P1905,para.14. **Incident F12:** P.VANDERWEIJDEN:P1621,pp.93-94; P.VANDERWEIJDEN:P1621(NEW),p.2; P.VANDERWEIJDEN:T.7097. **Incident F14:** P.VANDERWEIJDEN:P1621,p.96; P.VANDERWEIJDEN:P1621(NEW),p.3. **Incident F16:** P.VANDERWEIJDEN:P1621,pp.102-103; P.VANDERWEIJDEN:P1621(NEW),p.4; A.GIČEVIĆ:P1690,p.6.

⁹⁶ M.SABLJICA:P1695,pp.60-61. **Incident F14:** P1738,pp.9-10,14,21,23,27,31,38,41,46,50,54,56,64,72,75,77,84,109(B/C/S); H.PALO:P119,p.2. **Incident F15:** P1738,pp.9,14,21,27,31,54,56,109(B/C/S). The Prosecution does not rely on P2209, in which B.HOGAN incorrectly marked the location of the white skyscrapers. B.HOGAN.T.11219-11220.

⁹⁷ **Incident F8:** *See* Brief,AppendixC,fn.107. **Incident F11:** P2923,pp.5,11-12. **Incident F14:** *See* Brief,AppendixC,fn.127. **Incident F15:** *See* Brief,AppendixC,fn.135. **Incident F16:** *See* Brief,AppendixC,fn.145.

sniping locations in SRK-held parts of Grbavica. Contrary to Defence suggestions, there was no line-of-sight to the area of the S-curve from ABiH positions in the red building south-east of the Metalka building due to blocking buildings in-between.⁹⁸ VANDERWEIJDEN ruled out the possibility that fire originated from anywhere near the incident sites, or from the strip of ABiH-held territory down to the Miljacka River,⁹⁹ because of the extreme unlikelihood that an ABiH soldier would have shot at Muslim civilians at such close range, given the risk of discovery by the many UNPROFOR soldiers, journalists and civilians in that area.¹⁰⁰

(a) Sniping Incident F8 – 19 June 1994

17. On 19 June 1994 at approximately 5 p.m., a westbound tram on Vojvode Putnika Street was hit by sniper fire, as it approached the Trscanska Street intersection in front of the “Sveti Josip” Church in Marin Dvor,¹⁰¹ injuring three passengers:¹⁰² Mensur JUSIĆ,¹⁰³ Belma LIKIĆ¹⁰⁴ and four-year-old Damir KUČINAR.¹⁰⁵ The shot originated from the slopes of SRK-held territory to the south,¹⁰⁶ hitting the tram on the left, south-facing side.¹⁰⁷ The likely origin of fire was a location 600 metres from the incident site in the area of the Jewish Cemetery.¹⁰⁸

(b) Sniping Incident F11 – 8 October 1994

18. On 8 October 1994, at around 12-12:10 p.m., a day with good visibility,¹⁰⁹ Alma ĆUTUNA was hit by sniper-fire while travelling with her husband on an eastbound tram along Zmaja od Bosne.¹¹⁰ The tram was shot with a burst of machine-gun fire near the intersection at the Holiday Inn,¹¹¹ as it slowed down to manoeuvre

⁹⁸ P.VANDERWEIJDEN:T.7022-7027; D649; D650.

⁹⁹ P.VANDERWEIJDEN:T.7013,7015,7018-7019.

¹⁰⁰ P.VANDERWEIJDEN:T.7175. **Incident F11:** P.VANDERWEIJDEN:T.7189; [REDACTED] P867,para.5; M.ROSE:T.7269.

¹⁰¹ AF209; AF211; AF215; P1758,pp.3-5,7; P1757; B.VIDOVIĆ:T.8172. *See* P1759; B.VIDOVIĆ:P1742,pp.4-9,pp.26-28; P2207; P2191; D617; P2190,p.1; P1761.

¹⁰² The evidence shows that three people were injured, rather than four.

¹⁰³ AF212; P1758,pp.3-5,16-17; P1757.

¹⁰⁴ AF213; P1758,pp.3-5,17; P1757.

¹⁰⁵ AF210-AF211; P1758,pp.3-5,16-17; P1757.

¹⁰⁶ AF220-AF221; P1758,pp.1,3-6,10; P1757; P2203; B.VIDOVIĆ:P1742,p.10.

¹⁰⁷ AF218; P1758,pp.4-5,7; B.VIDOVIĆ:P1742,pp.5-6.

¹⁰⁸ P.VANDERWEIJDEN:P1621,pp.60-62.

¹⁰⁹ AF2931; [REDACTED]; P2189; P2208.

¹¹⁰ AF2921; AF2924; KDZ090:P2923,pp.5,11; [REDACTED]; P1907,pp.2-4.

¹¹¹ AF2924; [REDACTED]; [REDACTED]; P1907,p.2. *See* P2191; D617; P2190,p.2; P2213.

around the S-curve in the tracks there.¹¹² ČUTUNA was wounded on the left side of her head and in the groin area of her right leg.¹¹³ Just before and after Incident F11,¹¹⁴ additional bursts of machine-gun fire were opened from the south on, respectively, another tram and pedestrians as they ran for cover behind an UNPROFOR APC parked in the line of fire between the tram tracks and SRK positions.¹¹⁵ This resulted in one dead and eleven wounded civilians.¹¹⁶ The shots were fired from sniper positions in Serb-held territory to the south of the Miljacka River.¹¹⁷

(c) Sniping Incident F12 – 18 November 1994

19. On 18 November 1994, at around 1:00 p.m., Dženana SOKOLOVIĆ was walking east along Zmaja od Bosne with her daughter and seven-year-old¹¹⁸ son, Nermin DIVOVIĆ.¹¹⁹ At intersection of Franje Račkog Street, a single shot struck both SOKOLOVIĆ and Nermin.¹²⁰ The bullet tore through SOKOLOVIĆ's abdomen from the right, exited her body on the left¹²¹ and struck her son in the head,¹²² killing him.¹²³ The shot came from the Metalka building.¹²⁴

¹¹² [REDACTED]; [REDACTED]; P437; [REDACTED]; P.VANDERWEIJDEN:T.7036. As the tram was moving when it was shot, the precise location of the incident could only be approximated. [REDACTED];

P.VANDERWEIJDEN:P1621,p.90; Z.MEĐEDOVIĆ:P129,p.3; P.VANDERWEIJDEN:T.7007.

¹¹³ AF2925; KDZ090:P2923,pp.5,11-12; [REDACTED]; [REDACTED]; [REDACTED].

¹¹⁴ AF2929.

¹¹⁵ P2421,pp.2,6-7; P1907,p.2; D655; P.VANDERWEIJDEN:T.7060.

¹¹⁶ P1907; P1674; P867,para.5. See P1254; P1255; P1256; [REDACTED];

M.MANDILOVIĆ:P1217,para.118,item20.

¹¹⁷ AF2932; P2421,pp.2-3,7-8(Eng),5(Fre); P1675; P1907,pp.1-2; M.ROSE:P1638,para.156; P1674;

P1924; KDZ485:P1905,para.14; P.VANDERWEIJDEN:P1621,pp.89-90;

P.VANDERWEIJDEN:T.7006-7007; KDZ090:P2923,paras.5,9,pp.11-12; [REDACTED]

[REDACTED]; P436; [REDACTED] P867,para.5.

¹¹⁸ P459,pp.5,10; [REDACTED].

¹¹⁹ P459,p.4; P.VANDERWEIJDEN:T.7099; D992.

¹²⁰ AF2940; P459,pp.1,4,11-12; P2191; D617; P2216; B.HOGAN:T.11289; D3628. See also P2190,p.2; P2213; B.HOGAN:T.11250-11252,11288. NB: S.BEŠIĆ incorrectly identified the site of the incident when marking D901. This is clearly a mistake, considering that, just prior to that, BEŠIĆ had identified the intersection of Franjo Rački Street and Zmaja od Bosne as the incident site. S.BEŠIĆ:T.9490-9491.

¹²¹ AF2945; S.BEŠLIĆ:P472,p.4; S.BEŠLIĆ:P471,pp.4-5,7-8,10,13-14,20-21; P459,p.5. See P1023;

B.NAKAŠ:P1534,items9,10; [REDACTED].

¹²² AF2945; P459,p.10; P2216; B.HOGAN:T.11289; D3628. See P1544; B.NAKAŠ:P1534,items9,10; [REDACTED]; D3628.

¹²³ P1544; P459. See P6366,p.8.

¹²⁴ AF2943; AF2946; P459,pp.1,11-12; P.VANDERWEIJDEN:P1621,p.93;

P.VANDERWEIJDEN:T.7095; P6366,p.8.

(d) Sniping Incident F14 – 23 November 1994

20. On the afternoon of 23 November 1994, a crowded westbound tram on Zmaja od Bosne was fired upon from SRK positions in Grbavica.¹²⁵ The tram was struck in the area immediately west of the S-curve.¹²⁶ A bullet entered the tram through the left, south-facing side¹²⁷ and fragmented,¹²⁸ striking both Afeza KARAIĆIĆ and Sabina ŠABANIĆ in their right shoulders.¹²⁹ KARAIĆIĆ suffered debilitating injuries.¹³⁰ The fire came from either the high-rise buildings on Lenjinova Street¹³¹ or the Metalka Building.¹³²

(e) Sniping Incident F15 – 27 February 1995

21. On 27 February 1995, at approximately 12:15 p.m., a crowded¹³³ westbound tram on Zmaja od Bosne was fired upon in the immediate vicinity of the Marshal Tito Barracks tram-stop.¹³⁴ Bullets sprayed the left, south facing-side side of the tram, leaving 30 bullet holes and other marks.¹³⁵ Five persons were wounded, including 18-year-old¹³⁶ Alma MULAOSMANOVIĆ-ČEHAJIĆ and Alija HOLJAN.¹³⁷ The attack was from SRK-positions¹³⁸ in the high-rise buildings on Lenjinova Street.¹³⁹

¹²⁵ AF2955; AF2958; AF2969; P1714,p.1; P1833,p.2; P1835,p.1; S.ŠABANIĆ:P492,pp.4,6; P441; S.ŠABANIĆ:P491,p.6; H.PALO:P119,pp.2,4; H.PALO:P120,pp.9-10; D.MIOKOVIĆ:P1830,pp.38,53; P1714,p.1.

¹²⁶ AF2967; H.PALO:P120,pp.9-10; P441; P442; P1714,p.1; D.MIOKOVIĆ:P1830,pp.39,43; D849; D.MIOKOVIĆ:T.8640-8642.

¹²⁷ P1714,p.1; P1833,p.2; P1834,p.1; P1835,p.1; D.MIOKOVIĆ:P1830,pp.41,52-54.

¹²⁸ AF2965-AF2966; P1714,p.1; P1833,p.2; P1835,p.1; D.MIOKOVIĆ:P1830,pp.5,42-43.

¹²⁹ AF2955-AF2959; AF2961; P1714,p.2; S.ŠABANIĆ:P492,p.4; S.ŠABANIĆ:P491,pp.7,54.

¹³⁰ AF2960-AF2964; P1714,p.2; P1833,p.2; S.ŠABANIĆ:P492,pp.4,6. *See* [REDACTED]; P1545; [REDACTED]; [REDACTED]; H.PALO:P120,pp.10,13.

¹³¹ AF2968; P1833,p.2; S.ŠABANIĆ:P492,p.10; S.ŠABANIĆ:P491,pp.9-12,48-50; P469; P441; P442; P443; P444; H.PALO:P119,pp.2,4; H.PALO:P120,pp.13,21.

¹³² AF2968; P1714,p.1.

¹³³ A.MULAOSMANOVIĆ:P1551,p.9; A.MULAOSMANOVIĆ:D626; KDZ289:P2413,p.13KDZ289:P485,p.16.

¹³⁴ AF2976; P1729,pp.1-2,4,7,9,13,22; A.MULAOSMANOVIĆ:D626; KDZ289:P2413,pp.6,10; KDZ289:P485,pp.8,12,27-28. *See* P448; D651; P.VANDERWEIJDEN:T.7034; P1719. *See also* D1008; P2190,p.2; P2191. *Note:* Because the tram was moving during the shooting, only an approximation of the actual position could be established. Z.MEĐEDOVIĆ:P129,p.3; P.VANDERWEIJDEN:T.7007.

¹³⁵ AF2983; P1729,pp.3-5,9-11,13-14,22-24(Eng),13-17(B/C/S); KDZ289:P2413,pp.3,6,13; KDZ289:P485,pp.12,18.

¹³⁶ A.MULAOSMANOVIĆ:P1551,p.10.

¹³⁷ AF2979; P1729,pp.1-3,5,7-8,11,35; A.MULAOSMANOVIĆ:P1551,p.8; KDZ289:P2413,p.3. *See* P1247; P1549; P1249; P1248; P1546;

[REDACTED]; M.MANDILOVIĆ:P1217,para.118,items9,11; P1729,pp.25-34.

¹³⁸ AF2984.

KUČANIN noted that with all of the forensic evidence, “this was quite an easy case”.¹⁴⁰

(f) Sniping Incident F16 – 3 March 1995

22. On 3 March 1995, around noon, a crowded,¹⁴¹ eastbound tram was fired upon¹⁴² just before the S-curve in the tram tracks.¹⁴³ Multiple bullets¹⁴⁴ struck the tram on the right, south facing-side, hitting it at an angle nearly parallel to the ground.¹⁴⁵ Two civilians – Alen GIČEVIĆ and Azem AGOVIĆ¹⁴⁶ – were wounded in the attack.¹⁴⁷ The bullets were fired from Serb-controlled Grbavica.¹⁴⁸

2. Sniping Incidents F2, F17 – Špicasta Stijena

23. Špicasta Stijena, or “Sharpstone”, is a rock-faced ridge¹⁴⁹ overlooking the Sedrenik neighbourhood.¹⁵⁰ Controlled by the SRK throughout the war,¹⁵¹ it was a well-known sniping position¹⁵² with a commanding view over Sedrenik and other

¹³⁹ AF2984; P1729,pp.2,5,7,11,24; P.VANDERWEIJDEN:P1621,p.98-99; M.KUČANIN:P21,p.2; KDZ289:P485,pp.13-15; P446; KDZ289:P2413,p.10.

¹⁴⁰ M.KUČANIN:P21,p.2.

¹⁴¹ AF2988; A.GIČEVIĆ:P1690,p.4; A.GIČEVIĆ:D727,p.2; S.LIVNJAK:P495,pp.4,11; KDZ289:P2413,p.6.

¹⁴² AF2987; P157,pp.2,4.

¹⁴³ AF2990; P157,p.4; P1727,p.2; A.GIČEVIĆ:P1690,pp.4,7; Z.MEĐEDOVIĆ:P129,p.3; P.VANDERWEIJDEN:T.7019. *See* P2191; D617; P2190,p.2; P2213.

¹⁴⁴ AF2996; A.GIČEVIĆ:D727,p.2; A.GIČEVIĆ:P1690,p.5.

¹⁴⁵ P1727,pp.7,13,22-23; P1727,pp.12-18(B/C/S); P157,p.2.

¹⁴⁶ AF2992; AF2996.

¹⁴⁷ AF2992-AF2994; AF2996; A.GIČEVIĆ:D727,p.2. *See* P1727,pp.20-21; P1532; P1547; [REDACTED]. *See also* P157,pp.2,4.

¹⁴⁸ AF2995; P1727,pp.2,4-5,7,9,12,14-15,18,22-23; A.GIČEVIĆ:D727,p.2; A.GIČEVIĆ:P1690,pp.4-5; P1693; S.LIVNJAK:P495,p.11; A.GIČEVIĆ:P1690,p.5; P.VANDERWEIJDEN:P1621,pp.102-103; P.VANDERWEIJDEN:P1621(NEW),p.4. *See also* P2213; P2208; B.HOGAN:T.11219; D2526; D649; P.VANDERWEIJDEN:T.7022-7023,7026; D650; A.GIČEVIĆ:P1690,pp.5-6.

¹⁴⁹ N.ĐOZO:T.9545; P1980.

¹⁵⁰ P449; P450; P453; [REDACTED] P6362.

¹⁵¹ N.ĐOZO:T.9588,9593; N.ĐOZO:P1978,paras.16-17; H.KONINGS:P1953,paras.40,99; T.ŽUNIĆ:P496,p.13; S.MAKSIMOVIĆ:D2354,paras.4,9-10; S.MAKSIMOVIĆ:T.29303; D2355; S.GENGO:T.29786; T.KNUSTAD:P123,p.51; B.RAŠEVIĆ:D2527,paras.20,29; F.THOMAS:P1558,para.66; P1619; AF101-AF102; AF160; AF2824; AF2848; D.MILOŠEVIĆ:T.33197.

¹⁵² D.MILOŠEVIĆ:T.33188-33190,33196-33197; N.ĐOZO:P1978,para.16; N.ĐOZO:T.9609; P.VANDERWEIJDEN:P1621,pp.32-33; [REDACTED]; D.FRASER:P1762,p.36; T.ŽUNIĆ:P496,pp.4,13; T.ŽUNIĆ:P494,pp.26-27,38; M.KUČANIN:P23,p.8; T.KNUSTAD:P152,p.4; P123,p.51; KDZ450:P5906,pp.17-18,32; AF125; P1991,pp.3,6,7,9-10,13-14,16-17,19-21,26,29-30,34,37,41,43,47,110,141,146,150-151,153,155.

areas of Sarajevo.¹⁵³ Sedrenik was constantly shot at from Špicasta Stijena.¹⁵⁴ The constant dangers from shelling and sniping made normal life in Sedrenik impossible.¹⁵⁵ People would enter and exit their houses in darkness or through windows, and were forced to use bed sheets to cover exposed areas.¹⁵⁶ Contemporaneously with Incident F17, the Vogošća Brigade's Radava battalion commander admitted that Sedrenik was a "target practice area".¹⁵⁷

(a) Sniping Incident F2 - 17 April 1993

24. On 17 April 1993,¹⁵⁸ a nine-year-old girl was shot while playing in the front yard of her house in Sedrenik.¹⁵⁹ The bullet struck near her shoulder blade, exited her body and lodged in the wall behind her.¹⁶⁰ The fire originated from Špicasta Stijena,¹⁶¹ which had an unobstructed view to the location where the victim was hit.¹⁶² Given his admission that at the date of this incident neither he nor his company held positions at the location from which the fire originated,¹⁶³ the evidence of Siniša MAKSIMOVIĆ concerning this incident is irrelevant.

(b) Sniping Incident F17 – 6 March 1995

25. On 6 March 1995, 14-year-old Tarik ŽUNIĆ was walking home from school along Sedrenik Street.¹⁶⁴ As he emerged from behind a canvas anti-sniper screen he came into sight of Špicasta Stijena, and was shot¹⁶⁵ in the hand¹⁶⁶ from that

¹⁵³ N.ĐOZO:P1978,para.16; D909; N.ĐOZO:T.9545-9546,9590-9591,9611-9612; D913; P1980; S.GENGO:T.29786; T.KNUSTAD:P152,p.4; F.THOMAS:P1558,para.65; S.GALIĆ:T.37478; AF160.

¹⁵⁴ AF2920; T.ŽUNIĆ:P494,pp.26,52; T.ŽUNIĆ:P496,pp.4,13; N.ĐOZO:T.9605; S.GALIĆ:T.37478; T.KNUSTAD:P152,p.4; M.KUČANIN:P23,p.8; P1991,pp.3,6,7,9-10,13-14,16-17,19-21,26,29-30,34,37,41,43,47,110,141,146,150-151,153,155; N.ĐOZO:P1978,para.23; P1619,pp.1,3; F.THOMAS:P1558,para.66; T.ŽUNIĆ:P496,p.4; H.KONINGS:P1953,para.40.

¹⁵⁵ N.ĐOZO:P1978,para.22.

¹⁵⁶ N.ĐOZO:P1978,para.22.

¹⁵⁷ P1619,p.1; P.VANDERWEIJDEN:T.6957.

¹⁵⁸ [REDACTED]; *See also* [REDACTED].

¹⁵⁹ AF157; AF2844; P2191; P2193; P2190,p.1; P2207.

¹⁶⁰ AF158.

¹⁶¹ AF161; P.VANDERWEIJDEN:P1621,pp.23-24; P2195; B.HOGAN:T.11208.

¹⁶² P.VANDERWEIJDEN:P1621,p.23; P1621,p.23,img.2. *See* F.THOMAS:P1558,para.66; P2207; T.KNUSTAD:P152,p.4.

¹⁶³ S.MAKSIMOVIĆ:D2354,para.8.

¹⁶⁴ T.ŽUNIĆ:P496,pp.2,13; T.ŽUNIĆ:P494,pp.6-10,13-14; P457; P449; P450; AF2998.

¹⁶⁵ AF3004; T.ŽUNIĆ:P496,p.13; P2191; P2193; P2190,p.3; T.ŽUNIĆ:P494,pp.49-53; P451; P452; P2213.

¹⁶⁶ T.ŽUNIĆ:P496,p.13; T.ŽUNIĆ:P494,pp.24,40; P1548; [REDACTED]; P1534.p.3(20); P6361,pp.1,3; AF3000.

direction.¹⁶⁷ The most-likely weapon used was an M84 machine-gun,¹⁶⁸ and the incident site was within the effective range from Špicasta Stijena.¹⁶⁹ Špicasta Stijena had a clear view to where ZUNIC was hit,¹⁷⁰ and there were no obstacles¹⁷¹ or leaves on the trees at the time.¹⁷²

3. Sniping Incidents F3, F6 – Dobrinja

26. The area of the Orthodox Church in SRK-held part of Dobrinja¹⁷³ was a notorious sniping location and a frequent source of sniper fire against civilians in Dobrinja.¹⁷⁴ Its church tower was used by the SRK as a sniper nest.¹⁷⁵ The church's external scaffolding, in place from between September 1992 and August 1994,¹⁷⁶ facilitated a hidden sniper or machine gun emplacement.¹⁷⁷

(a) Sniping Incident F3 – 11 July 1993

27. On 11 July 1993, Munira ZAMETICA was deliberately shot and killed¹⁷⁸ by fire from SRK-held territory as she was collecting water from the Dobrinja River¹⁷⁹ with her neighbour Sadija ŠAHINOVIĆ.¹⁸⁰ She was shot twice, and fell facedown in the river.¹⁸¹ The fire originated from SRK-controlled territory¹⁸² in the area of the

¹⁶⁷ P.VANDERWEIJDEN:P1621,p.33; P1619,p.3; T.ŽUNIC:P496,p.13; T.ŽUNIC:P494,pp.13-14,52-53; P450; P453; P6361,p.1; AF3004.

¹⁶⁸ T.ŽUNIC:P496,pp.4,13; T.ŽUNIC:P494,p.39; P.VANDERWEIJDEN:P1621,p.32.

¹⁶⁹ P.VANDERWEIJDEN:P1621,pp.33,108-109; T.ŽUNIC:P496,p.13 T.ŽUNIC:P494,p.8.

¹⁷⁰ P.VANDERWEIJDEN:P1621,p.33; [REDACTED] M.POPARIĆ:T.38927,39221.

¹⁷¹ T.ŽUNIC:P494,pp.10-11. *See* AF2999.

¹⁷² T.ŽUNIC:P494,pp.47-48; T.ŽUNIC:P496,p.4.

¹⁷³ AF169; AF192; AF125; AF91; B.KOVAČEVIĆ:T.29041; KDZ477:T.11006; D976; S.DŽEVLAN:T.11763; S.DŽEVLAN:P2291,p.16; N.PRSTOJEVIĆ:T.13562; B.HOGAN:T.11212-11213; P2201.

¹⁷⁴ S.DŽEVLAN:T.11763; S.ŠAHINOVIĆ:D673,p.2; P6360,p.2; AF92; AF125; R.THOMAS:P1558,paras.64-65; M.KUČANIN:P23,p.9; P6360,p.2.

¹⁷⁵ S.DŽEVLAN:T.11763; P6360,p.2; AF92; AF125; R.THOMAS:P1558,paras.64-65; M.KUČANIN:P23,p.9; P6360,p.2.

¹⁷⁶ AF92.

¹⁷⁷ P.VANDERWEIJDEN:P1621,p.44; P6360.

¹⁷⁸ AF167.

¹⁷⁹ AF172; AF165. *See* P2191; P2193; P2207.

¹⁸⁰ S.ŠAHINOVIĆ:D673,p.2.

¹⁸¹ S.ŠAHINOVIĆ:D673,p.2; S.ŠAHINOVIĆ:P1622; D672.

¹⁸² AF169; AF192; AF125; AF91; B.KOVAČEVIĆ:T.29041; S.ŠAHINOVIĆ:D673,p.2; KDZ477:T.11006; D976; S.DŽEVLAN:T.11763; S.DŽEVLAN:P2291,p.16; N.PRSTOJEVIĆ:T.13562.

Orthodox Church,¹⁸³ which had a clear and unobstructed line-of-sight between the church tower and ZAMETICA's location.¹⁸⁴

(b) Sniping Incident F6 – 6 January 1994

28. On 6 January 1994, Sanija DŽEVLAN was cycling home from the hospital in Dobrinja, where she had picked-up medicine for her sick mother.¹⁸⁵ After she crossed one of the bridges over Dobrinja River and cleared an anti-sniping barrier that ran its length,¹⁸⁶ she was shot through the buttocks¹⁸⁷ from fire to her right.¹⁸⁸ An additional three or four bullets struck the pavement around her.¹⁸⁹ The fire originated from SRK positions in the direction of the Orthodox Church,¹⁹⁰ at an approximate distance of 800 metres,¹⁹¹ which had a clear and unobstructed view of the incident site.¹⁹²

29. DŽEVLAN was hit on the north-west side of the bridge, opposite the end of the anti-sniping barriers.¹⁹³ Although VANDERWEIJDEN's report incorrectly identifies the north-east side of the bridge as the location where DŽEVLAN was when hit,¹⁹⁴ his evidence as to the potential sources of fire is unaffected, because both spots lie in the same line-of-sight.

¹⁸³ AF169; D672; S.ŠAHINOVIĆ:D673,p.2; P2201; B.HOGAN:T.11212-11213; P.VANDERWEIJDEN:P1621,p.44; P.VANDERWEIJDEN:T.7165.

¹⁸⁴ AF168; P2207; P2196; B.HOGAN:T.11209; P.VANDERWEIJDEN:P1621,pp.43-44; S.ŠAHINOVIĆ:D673,p.2; M.POPARIĆ:D4884,para.49; M.POPARIĆ:T.38947. *See* AF93. Scrub brush lining the canal in some places at the time of VANDERWEIJDEN's visit would not have been there at the time of the incident. P.VANDERWEIJDEN:P1621,p.44.

¹⁸⁵ AF189; S.DŽEVLAN:P2291,pp.6-7,45; S.DŽEVLAN:T.11746.

¹⁸⁶ AF189; D1048 S.DŽEVLAN:T.11742-11743,11745,11750-11753; S.DŽEVLAN:P2291,pp.14,16; S.DŽEVLAN:D669,p.2; P2292; P2295; D1049; P.VANDERWEIJDEN:T.7138; P.VANDERWEIJDEN:P1621,p.50.

¹⁸⁷ S.DŽEVLAN:P2291,p.8; S.DŽEVLAN:D670. *See* P1893; Y.HAJIR:P1866,paras.69-70.

¹⁸⁸ AF195; S.DŽEVLAN:P2291,p.12; P2295.

¹⁸⁹ S.DŽEVLAN:P2291,p.8; S.DŽEVLAN:T.11754.

¹⁹⁰ AF195; S.DŽEVLAN:P2291,pp.12,16; P.VANDERWEIJDEN:T.7133,7135; P2201; B.HOGAN:T.11212.

¹⁹¹ AF195; P.VANDERWEIJDEN:T.7135.

¹⁹² P2292; D1049; P2207; S.DŽEVLAN:P2291,pp.12-13,16; P2200. Similarly, such a line-of-sight existed from the opposite side of the road. P.VANDERWEIJDEN:P1621,p.50.

¹⁹³ P2295.

¹⁹⁴ P.VANDERWEIJDEN:P1621,p.49.

4. Sniping Incidents F4, F10 – Ozrenska

30. Serb snipers in the upper parts of Hrasno Brdo in the area of Ozrenska Street regularly targeted civilians and soldiers,¹⁹⁵ firing down the broad transversal roads which ran the width of the city in that area.¹⁹⁶ Some used special equipment, including long-barrelled rifles with telescopic sights.¹⁹⁷ Anti-sniping barriers erected to protect civilians from Serb targeting¹⁹⁸ only provided partial protection, and Serb snipers continued shooting civilians attempting to rely on those barriers.¹⁹⁹

(a) Sniping Incident F4 – 3 September 1993

31. On 3 September 1993,²⁰⁰ Nafa TARIĆ and her eight-year-old daughter Elma were shot as they emerged from behind an anti-sniping barrier on Ivan Krndelja Street (currently Azize Šaćirbegović Street).²⁰¹ A single bullet hit TARIĆ's left thigh, then grazed her daughter's right hand and penetrated her stomach.²⁰² The shot was fired from positions on Ozrenska Street,²⁰³ at an approximate distance of 825 metres,²⁰⁴ in SRK-held territory.²⁰⁵ Serb positions on Ozrenska Street had a clear, unobstructed view of the incident site.²⁰⁶

¹⁹⁵ [REDACTED]; P1944; P1942; M.KUČANIN:P23,p.9; D.ZUROVAC:T.30247-30248,30253,3058; S.TUŠEVLJAK:T.29957; D2427; D2419;

B.TOMIĆ:D2418,para.6; B.TOMIĆ:T.30165-30166,30179; AF77; AF79-AF80; AF179.

¹⁹⁶ [REDACTED]; P1942; P1944; AF75-AF76; AF78; AF81.

¹⁹⁷ KDZ310:P1938,para.48.

¹⁹⁸ P.VANDERWEIJDEN:T.7114,7117; N.TARIĆ:D664,p.2; KDZ310:P1938,para.49; AF174.

¹⁹⁹ KDZ310:P1938,para.49.

²⁰⁰ AF173; N.TARIĆ:D664,p.2.

²⁰¹ AF175; B.HOGAN:T.11260; N.TARIĆ:D664,p.2; D994; P.VANDERWEIJDEN:T.7117; D665. See P2191; P2192; P2190,p.1; P2207.

²⁰² AF176; N.TARIĆ:D664,p.2; P.VANDERWEIJDEN:T.7117-7118. See P1245; P1235;

M.MANDILOVIĆ:P1217,para.118,items1,23. See also P1245; P1235; P1241.

²⁰³ AF179; P.VANDERWEIJDEN:T.7121-7122,7125-7126; P.VANDERWEIJDEN:P1621,pp.76-77.

²⁰⁴ P.VANDERWEIJDEN:T.7130-7131; D667; P.VANDERWEIJDEN:P1621,p.77. See also D.ZUROVAC:T.30254("about 900 metres"). POPARIĆ's distance estimate between the incident location and origin of fire was based on a pencil-mark of unknown origin made on a cut-out of an ABiH map dated six months after the incident. M.POPARIĆ:T.38872,39196-39197,39229; M.POPARIĆ:D4884,para.59,img.49.

²⁰⁵ AF79-AF80; D.ZUROVAC:T.30248-30247,30253,30258; D2427; D2419;

B.TOMIĆ:D2418,para.6; B.TOMIĆ:T.30165-30166,30179; [REDACTED]; P1944; P1942,p.5; KDZ310:P1938,para.51. The SRK had sniper rifles at their position at Ozrenska Street. P5991,pp.2,6-7; D.ZUROVAC:T.30309-30314.

²⁰⁶ AF180; P.VANDERWEIJDEN:P1621,p.77; P.VANDERWEIJDEN:T.7117,7127; D665; D666; B.HOGAN:T.11210; P2207; P2197; D2430; D2431; D3617. Serb positions near Ozrenska Street generally offered clear vantage points over the intersections below.

[REDACTED]; P3636; S.TUŠEVLJAK:T.29956.

(b) Sniping Incident F10 – 22 July 1994

32. On 22 July 1994, 13 year-old Seid SOLAK went out by bicycle with his sister and mother to visit a relative.²⁰⁷ They stopped on Džemala Bijedića Street in Čengić Vila, where it runs parallel to Miljenka Cvitković Street (now Ferde Hauptmana Street),²⁰⁸ to window-shop at a shoe-store, adjacent to the Adrijana Café. As the boy got off his bicycle, two shots were fired.²⁰⁹ One bullet hit the boy in the lower part of his stomach,²¹⁰ tore through his body, and shattered the shop window.²¹¹ A second bullet tore through the canvas awnings and a window-pane of Adrijana Café, and struck a back wall.²¹² The shots originated from SRK-positions on Hrasno Brdo,²¹³ in the area of the Pržulj house on Zagorska Street²¹⁴ a notorious sniping nest.²¹⁵ There was a clear line-of-sight from SRK-held positions to the incident site.²¹⁶

5. Sniping Incidents F7, F9 – Nedžarići

33. It was “common knowledge”²¹⁷ that there were sniper nests in Nedžarići that were “constantly firing” at civilians.²¹⁸ The School for the Blind was a prominent

²⁰⁷ AF234.

²⁰⁸ Note the site of the incident was erroneously alleged to be on Miljenka Cvitkovića Street, but is instead at Džemala Bijedića No.20, which lies just after a small passage from no.4 Miljenka Cvitkovića Street (now Ferde Hauptmana Street). B.HOGAN explained to the Accused in court that although the shop in front of which the incident took place lies on Džemala Bijedića, the larger building is locally known as being on what is now Ferde Hauptmana, which is the square behind it. B.HOGAN:T.11271-11273. No defects result from this minor discrepancy since the Prosecution relied on, and the Defence had notice of, the location identified by the victim, GPS coordinates and photographic evidence of the area, rather than on street names. [REDACTED]; P2190,p.2; P2207; P19. See e.g. P.VANDERWEIJDEN:T.7079,7090.

²⁰⁹ AF236-AF237; M.KUČANIN:P23,p.2; P18; M.KUČANIN:P16,pp.14,18-19; P19,pp.2-3(B/C/S). See P2207; P2191; P2192; P2190,p.2; [REDACTED].

²¹⁰ AF237; P19,pp.1-2(Eng),2-4(B/C/S); M.KUČANIN:P16,pp.12-13,19; [REDACTED]; [REDACTED]; P18; P.VANDERWEIJDEN:P1621,p.81.

²¹¹ AF237.

²¹² M.KUČANIN:P16,pp.14,16,19-20; P18; P19,pp.5-7(B/C/S). B.HOGAN testified that the café and shoe-shop lay on the same street, separated only by a passage-way to Miljenka Cvitkovića (now Ferde Hauptmana). B.HOGAN:T.11272-11273.

²¹³ AF244; AF79-AF80; D.ZUROVAC:T.30247-30248,30253,30258; M.KUČANIN:P23,p.3; P19,p.9(B/C/S),p.2(Eng); D2427; P1944; [REDACTED]; P1942,p.5; KDZ310:P1938,para.51; P.VANDERWEIJDEN:P1621,p.82; P.VANDERWEIJDEN:T.7073-7074,7081,7085; D663; AF244. See also P2205; B.HOGAN:T.11215.

²¹⁴ P18; M.KUČANIN:P23,p.3; P2206; B.HOGAN:T.11215; P1021,p.2.

²¹⁵ M.KUČANIN:P23,p.3.

²¹⁶ AF243; P19,p.9(B/C/S); M.KUČANIN:P16,pp.20-21(confidential). Although a new building blocks the original line-of-sight to Pržulj house, the incident site is still visible from other parts of Hrasno Brdo. P.VANDERWEIJDEN:P1621,pp.81-83; P.VANDERWEIJDEN:T.7093.

²¹⁷ KDZ477:T.11047.

²¹⁸ Y.HAJIR:T.8844. See also J.WILSON:T.4004-4005; M.KUČANIN:P23,p.9; S.GUŽINA:T.31161,31165-31166; P6014; AF84-AF85.

source of sniper fire.²¹⁹ The Ilidža Brigade's 1st Battalion commander²²⁰ admitted to the UN that the Serbs held sniper positions in this location around the time of the incident.²²¹ There was also a sniper in the Faculty of Theology in Nedžarići who covered the street for one-and-a-half kilometres with a .50 calibre machine gun and shot anyone who tried to cross.²²²

(a) Sniping Incident F7 – 25 May 1994

34. On 25 May 1994, at approximately 11:40 a.m. on a sunny day, bus driver GRABOVICA stopped his red and white bus at the intersection of Nikole Demonje Street and Omladinskih Brigada Streets in the centre of Dobrinja.²²³ As he waited for passengers to board, GRABOVICA heard a single shot coming from SRK-held territory in the direction of Nedžarići.²²⁴ Two women, Šehadeta PLIVAC and Hajra HAFIZOVIĆ, were wounded in their legs.²²⁵ The fire originated from Nedžarići,²²⁶ an SRK-held area²²⁷ notorious for its sniper fire,²²⁸ from which there was a direct line-of-sight to the incident location.²²⁹ The weapon used was likely an M76 or M91 rifle,²³⁰ and GUZINA acknowledged his battalion in Nedžarići had M76 rifles with optic sights.²³¹

35. Responding to a query from the Chamber, VANDERWEIJDEN conceded that fire could have originated from the roof of a rectangular building towards Nedžarići, visible on a map in his report.²³² A photo taken from the incident site by HOGAN in

²¹⁹ AF227; P1600,p.5; M.POPARIĆ:T.39271-39272; P6368.

²²⁰ Who at the time was S.GUŽINA. *See* T.31179-31180.

²²¹ P1601,p.4.

²²² F.THOMAS:P1558,para.65; P1946,p.2; S.GALIĆ:T.37411. *See also* M.SLADOJE:T.30577; S.GUŽINA:T.31164-31165,31192.

²²³ AF198-AF199. *See* D1004; P2191; P1739; P2190,p.1; P2207.

²²⁴ AF200; D1004; B.HOGAN:T.11276.

²²⁵ AF200-AF202; AF208; P1892; Y.HAJIR:P1866,para.70.

²²⁶ AF204; P.VANDERWEIJDEN:P1621,pp.54-55; D1004; B.HOGAN:T.11275-11276; P.VANDERWEIJDEN:T.7062,7066. The Accused acknowledged this point. T.7064.

²²⁷ AF207-AF208. GUZINA acknowledged that "possibly the source of fire was from the area of the Sarajevo-Romanija Corps". S.GUŽINA:T.31164.

²²⁸ Y.HAJIR:T.8844; KDZ477:T.11047; J.WILSON:T.4004-4005; M.KUČANIN:P23,p.9; S.GUŽINA:T.31156-31157; F.THOMAS:P1558,para.65.

²²⁹ AF206; P2202; B.HOGAN:T.11213.

²³⁰ P.VANDERWEIJDEN:P1621,p.53; P.VANDERWEIJDEN:T.7070-7071.

²³¹ S.GUŽINA:T.31161,31165-31166. *See also* P6014.

²³² P.VANDERWEIJDEN:T.7069-7070.

2006 makes clear, however, that no such building existed at the time of the incident,²³³ leaving only SRK-held Nedžarići as a possible source of fire.

(b) Sniping Incident F9 – 26 June 1994

36. On 26 June 1994, between 7 and 7.30 p.m., 16-year-old Sanela MURATOVIĆ was walking with a girlfriend on Đure Jakšića Street (now Adija Mulabegovića Street).²³⁴ As they passed the corner of a building and moved into the open,²³⁵ MURATOVIĆ was shot in her right shoulder²³⁶ from SRK positions²³⁷ in the area of the School for the Blind,²³⁸ approximately 200 metres away.²³⁹ There was a line of sight from the incident location to the School for the Blind.²⁴⁰

6. Sniping Incident F1 – 13 December 1992

37. Baba Stijena was a ridge that fell within SRK-controlled territory,²⁴¹ immediately below Serb positions on the Lukavica – Pale road.²⁴² The location of those Serb positions offers a dominating view of the valley below.²⁴³ These positions were a prominent source of fire against civilians.²⁴⁴

38. On 13 December 1992, three-year-old Anisa PITA was taking off her shoes on the threshold of her house²⁴⁵ in the Širokača neighbourhood of Sarajevo²⁴⁶ when she was shot above her right knee.²⁴⁷ The shot was fired from the area of Baba Stijena.²⁴⁸

²³³ P2202; B.HOGAN:T.11213; P2207.

²³⁴ AF222.

²³⁵ P.VANDERWEIJDEN:T.7146,7151. *See* P2191; P2199; P1803; P2190,p.2; P2207; M.POPARIĆ:D4884,para.131,img.81.

²³⁶ AF224; AF228; P1880; Y.HAJIR:P1866,para.69.

²³⁷ AF233.

²³⁸ AF226; P.VANDERWEIJDEN:P1621,pp.68-70; P.VANDERWEIJDEN:T.7147,7149-7152; D671; P2204.

²³⁹ AF232; P.VANDERWEIJDEN:P1621,p.71; P.VANDERWEIJDEN:T.7145. *See also* M.POPARIĆ:D4884,para.131; M.POPARIĆ:T.38979-38980.

²⁴⁰ P.VANDERWEIJDEN:P1621,pp.69-70; P.VANDERWEIJDEN:T.7144; M.POPARIĆ:T.38980; P2207; P2204; B.HOGAN:T.11214; M.POPARIĆ:D4884,para.131.

²⁴¹ M.ŠKRBA:T.29189-29190; D2348; D2349; M.POPARIĆ:D4884,p.47; AF125; AF152; AF155; P5938. GALIĆ acknowledged that the SRK may have had access to this position. S.GALIĆ:T.37473-37474. *See* P815; P842; P1021; D311.

²⁴² M.BELL:T.9796-9798; P2006; M.ŠKRBA:T.29189-29191; D2348; D2349.

²⁴³ P.VANDERWEIJDEN:P1621,p.14; P.VANDERWEIJDEN:T.6973-6978; D637; D638; D639; D640; D642; D644; D645; M.ŠKRBA:T.29189.

²⁴⁴ AF125.

²⁴⁵ P.VANDERWEIJDEN:P1621,p.14; P1991,pp.3-4. She had just returned from a nearby water source. AF148-AF149.

²⁴⁶ *See* P2190; P2191; D617; P2207; B.HOGAN:T.11204-11205,11207.

²⁴⁷ AF151; AF155; P.VANDERWEIJDEN:P1621,p.14.

Contrary to the Defence suggestions, the nearby Muslim cemetery did not have a view of the incident site.²⁴⁹

7. Sniping Incident F5 – 2 November 1993

39. On 2 November 1993, at around 4:00 p.m., Ramiza KUNDO was shot and wounded in her left calf while carrying water back from a well.²⁵⁰ The fire originated from SRK-held territory in the direction of “Polje”, a field in the Baići and Briješće area,²⁵¹ which had an unobstructed line-of-sight on the incident site.²⁵² KUNDO was not hit by a stray bullet or a ricochet as a consequence of combat activity.²⁵³

B. Scheduled Shelling Incidents (G)

40. All shelling in the Incidents constituted acts of violence directed against the civilian population or individual civilians not taking direct part in hostilities including indiscriminate attacks and attacks which were disproportionate in relation to the concrete and direct military advantage anticipated. Similarly, they formed part of the shelling and sniping campaign, the primary purpose of which was to spread terror among the civilian population of Sarajevo. Civilians, including women and children, engaged in peaceful activities became victims.²⁵⁴ The impact locations were within civilian residential or commercial areas.²⁵⁵ All attacks struck groups of civilians,

²⁴⁸ AF154; P.VANDERWEIJDEN:T.6974,6987,6995; P.VANDERWEIJDEN:P1621,p.16,imgs.1-2; P.VANDERWEIJDEN:T.6987,6991,6995,7002,7004; P2207; P2194; B.HOGAN:T.11207-11208; D637. See D2348; D642; P.VANDERWEIJDEN:T.6983-6984.

²⁴⁹ P.VANDERWEIJDEN:T.6979,6986-6987,6995-6996.

²⁵⁰ AF183; D995; B.HOGAN:T.11262. See P2191; P1803; P2190,p.1; P2207; P1026.

²⁵¹ AF185-AF186; AF188; P2198; P2199; B.HOGAN:T.11210-11211; D3636; M.POPARIĆ:T.38956-38957; M.POPARIĆ:D4884,p.76,img.50; M.POPARIĆ:T.39233; [REDACTED] pp.37-38.

²⁵² P.VANDERWEIJDEN:P1621,pp.37-38. See also P2198; B.HOGAN:T.11210-11211; P2207; D3636; M.POPARIĆ:T.38956-38957.

²⁵³ AF187.

²⁵⁴ **Incident G4:** AF248; AF254-AF257; AF278. See Brief,AppendixC,fn.313-314. **Incident G5:** AF273; AF278; AF281; AF282. See Brief,AppendixC,fn.320. **Incident G6:** AF296-AF297. See Brief,AppendixC,fn.327. **Incident G7:** AF320; AF322. See Brief,AppendixC,fn.335. **Incident G8:** AF324; D892,pp.2,7; P826,pp.1-2. See Brief,AppendixC,fn.354. **Incident G9:** AF3030. See Brief,AppendixC,fn.405. **Incident G19:** AF3081. See Brief,AppendixC,fn.416-417.

²⁵⁵ **Dobrinja (Incidents G4, G5, G7):** AF320; D.ŠRKBA:T.29153; P1438,p.2; R.HIGGS:P1437,p.8; KDZ166:T.8280; [REDACTED] D.ŠRKBA:T.29153. **Alipašino Polje (Incident G6):** M.SABLJICA:P1695,p.25; M.SABLJICA:P1735,p.3; P.BRENNKAG:P1851,para.37; KDZ477:P2164,paras.58,73-74; J.BOWEN:P2068,para.32; KDZ477:T.10918-10919. **Stari Grad (Incidents G8, G9, G19):** AF342; D892,p.2; D.LEKA:P117,p.2; E.TURKUŠIĆ:T.9006-9007; P1449,p.2/[REDACTED] (partial duplicates); S.VELJOVIĆ:D2351,para.26; KDZ485:P1905,paras.18,24; D.HARLAND:T.2025,2040;

including groups lined up to obtain water²⁵⁶ and humanitarian aid,²⁵⁷ spectators gathered to watch a sporting event,²⁵⁸ groups of children playing outside²⁵⁹ and crowded commercial markets.²⁶⁰ No military formations or installations were present at the time of the Incidents.²⁶¹ The presence of unarmed and off-duty soldiers²⁶² intermingled with a large civilian crowd did not justify the attacks in Incident G4 or G8. Although there is no indication that the SRK had information regarding the presence of soldiers in either location at the time, or that the SRK intended to target those soldiers, even if this were the case, the attacks would nevertheless be clearly disproportionate. Firing mortar rounds at these largely-civilian gatherings would clearly be expected to cause excessive civilian death and injury in relation to any direct and concrete military advantage anticipated. No combat activities were ongoing at the time and in the area of the incidents.²⁶³ All Incidents are consistent with the pattern of SRK artillery units deliberately targeting civilians or randomly shelling civilian areas.²⁶⁴

D.HARLAND:P820,para.71; S.BEŠIĆ:P1966,pp.8,27; S.BEŠIĆ:T.9411,9423,9429,9443; M.SABLJICA:T.7908; R.HIGGS:T.5939.

²⁵⁶ AF281; D.HARLAND:P820,para.198. *See* Brief,AppendixC,B.1.(b): Shelling Incident G5 – 12 July 1993.

²⁵⁷ R.HIGGS:P1437,pp.10-11. *See* Brief,AppendixC,B.1.(d): Shelling Incident G7 – 4 February 1994.

²⁵⁸ *See* Brief,AppendixC,B.1.(a): Shelling Incident G4 – 1 June 1993.

²⁵⁹ *See* Brief,AppendixC,B.1.(c): Shelling Incident G6 – 22 January 1994.

²⁶⁰ **Incident G8:** AF324; AF342; P1441,pp.11,39-40; D892,p.2; S.BEŠIĆ:T.9442-9443. **Incident G9:** AF3029; D554,pp.1-2/P1317,pp.1-2,16-28(partial duplicates). **Incident G19:** AF342; H.KONINGS:P1953,para.74; P1445,p.17.

²⁶¹ **Incident G4:** The nuclear shelter was 100m away, behind a block of flats. AF265; S.GALIĆ:T.37854-37855. The heating plant was too far away. R.HIGGS:P1437,p.8. The ABiH 5th Motorised Dobrinja Brigade HQ were in the Dobrinja II settlement, not in the area of the parking lot. AF264. ABiH mortar sites were 500m away. P1053,para.14; D1397; D1398; D1399. **Incident G5:** AF280; Y.HAJIR:P1866,para.14; J.BOWEN:T.10213; AF280; P1438,p.2; R.HIGGS:P1437,p.9. **Incident G6:** AF299; P1700,p.1; KDZ477:P2164,paras.73,58; P1443,p.2. **Incident G7:** P1710,p.2; AF318-AF319. **Incident G8:** D892,p.2; AF336; S.BEŠIĆ:T.9430. **Incident G9:** D554,p.31; E.SULJEVIĆ:P1276,para.43; KDZ485:T.8887. **Incident G19:** S.BEŠIĆ:T.9430,9506-9508; N.DOZO:P1978,p.10.

²⁶² **Incident G4:** AF267; A.DŽAMBAŠOVIĆ:T.15288. **Incident G8:** S.BEŠIĆ:T.9426.

²⁶³ KDZ485:T.8887**Incident G4:** D1397; D1398. **Incident G5:** P1438,p.2”. **Incident G6:** KDZ477:T.10923; AF298-AF299; J.BOWEN:T.10213. **Incident G7:** P1710,p.2; KDZ450:T.10618; P1562,p.1. **Incident G8:** D892,p.2; Đ.LEKA:P117,p.2. **Incident G9:** D554,p.31. KDZ485:P1905,para.18. **Incident G19:** H.KONINGS:D2272,para.15; H.KONINGS:T.9309; I.SVRAKA:P1992,p.2; KDZ485:P1905,para.24.

²⁶⁴ *See e.g.* **Incident G4:** R.HIGGS:P1437,pp.7-8. **Incident G9:** D554,p.30. **Incident G19:** H.KONINGS:D2272,para.15.

41. The manner of fire confirms that all shelling in the Incidents had no military purpose. All Incidents, except G19, involved the firing of only 1-3 rounds²⁶⁵ with no adjusted fire, a firing pattern that serves no military purpose, especially in built-up areas.²⁶⁶ Where more than one round was fired, these shells all landed in the same civilian area, further confirming that the shells were not targeted at other locations.²⁶⁷ In G19, the relevant shell was the last in a series of five rounds fired from SRK positions within a 25-minute period into a 300-metre area in central Sarajevo²⁶⁸ and consistent with the SRK's general shelling campaign leading up to 28 August 1995,²⁶⁹ confirming that this civilian area was deliberately targeted.²⁷⁰

42. Defence evidence and Defence cross-examinations failed to undermine the Prosecution's evidence. The Defence case rested largely on two conspiracy theories. For Incidents in Novo Sarajevo (G4, G5, G6, G7), the Defence claimed that the ABiH fired on its own civilians. For Incidents in Stari Grad (G8, G9, G19), the Defence claimed that the attacks were staged with static or dropped explosions and corpses imported from elsewhere.

43. The Defence case relied largely on the SUBOTIĆ expert reports. SUBOTIĆ was not a credible witness and her evidence should be disregarded in whole. She revealed an extraordinary bias at every turn through her willingness to select improbable and, at times, bizarre interpretations of otherwise clear, consistent and reliable evidence in order to arrive at results favourable to the Defence for every incident she analyzed.

44. Generating the conclusion that every scheduled incident she examined was a conspiracy required SUBOTIĆ to continually insist on implausible claims in the face

²⁶⁵ **Incident G4:** AF249; AF251. **Incident G5:** AF274; P1438,p.3; R.HIGGS:P1437,p.8. **Incident G6:** P1698; P1443,p.3. **Incident G7:** R.HIGGS:P1437,pp.10-11; D.ŠRKBA:T.29155. **Incident G8:** AF338; P1973,pp.2,5,8,22; D892,pp.2,7; P1441,pp.2,5,11,17; J.HAMILL:P1994,p.46; P2066,p.3. **Incident G9:** AF3029; D554,pp.1-2,4,30/P1317,pp.1-2(partial duplicates); N.ĐOZO:P1978,para.45; P1318; KDZ485:P1905,para.18; E.SULJEVIĆ:P1276,paras.43-44. After some time following the first two shells, many civilians left their shelter and were killed or wounded by the last shell. P1710,pp.53,66,68-69. *See also* Brief,para.769.

²⁶⁶ R.HIGGS:P1437,pp.2,4,7-9,11,20; H.KONINGS:P1953,para.35; D.ALLSOP:T.29464; AF2814.

²⁶⁷ **Incident G4:** AF266. **Incident G6:** AF304; R.HIGGS:P1437,pp.9-10. **Incident G7:** R.HIGGS:P1437,pp.10-11; R.MOLE:T.29155. **Incident G9:** D554,p.17(B/C/S); P1320(B/C/S).

²⁶⁸ P1960,p.1; P1445,pp.13-14; H.KONINGS:T.9308-9309,9313; N.ĐOZO:P1978,para.33.

²⁶⁹ *See* Brief,AppendixC,fn.348.

²⁷⁰ H.KONINGS:D2272,para.15; M.MANDILOVIĆ:P1217,para.90; R.SMITH:T.11548,11907.

of reliable contrary evidence.²⁷¹ Her facts were wrong,²⁷² she made bare assertions and unfounded assumptions,²⁷³ and either disregarded or misinterpreted available evidence.²⁷⁴

45. SUBOTIĆ's analysis of Incident G8 is a case-in-point. Appearing to acknowledge that the blast pattern on the pavement "indicate[d] that the mortar shell came from Army of Republika Srpska positions,"²⁷⁵ she instead offered the unlikely and unsupported explanation that it was caused by a professional sabotage team having accurately placed a mortar shell on a stand (apparently unnoticed in a busy marketplace) in order to replicate this pattern.²⁷⁶ Confronted with the absence of any physical traces of the timer or remote control device that would have been present at the scene for this theory to be true, she speculated: "if they didn't find things, I can't tell you that those things never existed."²⁷⁷ Asked how she could explain the presence

²⁷¹ **Incident G7:** Z.SUBOTIĆ:T.38458-3860; P1707,p.5(B/C/S); Z.SUBOTIĆ:D3542,para.89,fig.87; P6324. **Incident G19:** Suggested that the stabilizer had been tampered with following the incident. Z.SUBOTIĆ:T.38575-38576,38613. *Contra* H.KONINGS:T.9379,9381; S.BEŠIĆ:T.9512,9516-9517,9523; S.BEŠIĆ:P1966,p.29; H.KONINGS:P1953,p.17; R.HIGGS:T.5952; E.TURKUŠIĆ:T.9086,9154-9155.

²⁷² *See e.g.* **Incident G4:** Asserted HOUDET incorrectly identified the surface as macadam. Z.SUBOTIĆ:T.384101-38412. *Contra* R.HIGGS:T.6013. **Incident G7:** Claimed the incorrect orientation of the diagram compromises the accuracy of the bearing as determined by local investigators. Z.SUBOTIĆ:D3542,para.83; Z.SUBOTIĆ:T.38270-38271. *Contra* P1710,p.7/ [REDACTED] (partial duplicates); M.SABLJICA:P1695,pp.51-52; P1707,pp.6,12(B/C/S); D896:03:44-04:05,5:30-5:36, 08:41-10:26.

²⁷³ *See e.g.* **Incident G4:** Asserted that a crater had been dug by hand because MUP investigators were unable to find it. Z.SUBOTIĆ:D5342,para.38. **Incident G6:** Asserted that UNPROFOR accidentally accorded the two measured trajectories to the wrong craters because the shells must have been fired from the same location (and that therefore the two trajectories must intersect). Z.SUBOTIĆ:D3542,paras.68,70-71; Z.SUBOTIĆ:T.38436. *See also* Z.SUBOTIĆ:T.38422-38423. **Incident G7:** Contended that the stabilizer changed its direction because it ricocheted off the ground, and subsequently lodged itself firmly into the asphalt at a different angle. Z.SUBOTIĆ:D3542,paras.81; Z.SUBOTIĆ:T.38276. **Incident G19:** Gave an unsubstantiated figure as to the height of the radar beam. Z.SUBOTIĆ:D3551,paras.109-110; Z.SUBOTIĆ:T.38342-38344,38568-38570. *See also* Z.SUBOTIĆ:D3551,para.81.

²⁷⁴ **Incident G4:** Z.SUBOTIĆ:D5342,para.46,fig.37(B/C/S). *Contra* P1699,p.7(B/C/S),img.5; Z.SUBOTIĆ:T.38418-38420. **Incident G5:** Z.SUBOTIĆ:T.38380-38382; P6319. **Incident G7:** Z.SUBOTIĆ:D3542,para.80. *Contra* P1710,pp.1,3,5,7-10; [REDACTED]; S.BEŠIĆ:P1966,pp.3,7; M.SABLJICA:P1695,pp.49-51. Z.SUBOTIĆ:D3542,fns.317-318. **Incident G19:** In an effort to question the authenticity of the stabiliser found at the scene, SUBOTIĆ juxtaposed two photographs of the same stabiliser, arguing they were two different objects. Z.SUBOTIĆ:D3551,paras.103,112(c); Z.SUBOTIĆ:T.38330,38349-38353,38573; D3350. *Cf.* Z.SUBOTIĆ:T.38615,38619-38621; D3553; D3554; D3555; Z.SUBOTIĆ:D3551,para.103,figs.107-109. *See also* P1454. P1926,pp.27,29(B/C/S); Z.SUBOTIĆ:T.38575. **Incident G8:** The same tactic was applied on a prosthetic leg found at the incident site. Z.SUBOTIĆ:D3551,para.32; Z.SUBOTIĆ:T.38550-38553; D894; T.838. *Contra* A.BEGIĆ:T.9963-9966; P2046; P2048; P2049; P1986; P2050,para.10.

²⁷⁵ Z.SUBOTIĆ:D3551,para.75.

²⁷⁶ Z.SUBOTIĆ:D3551,para.75(c); Z.SUBOTIĆ:T.38535-38538.

²⁷⁷ Z.SUBOTIĆ:T.38540.

of a stabilizer deeply embedded in pavement, at an angle and depth consistent with SRK positions, she offered the absurd possibility, again unsupported, that someone managed to dig through tarmac with a spade and plant it there.²⁷⁸ Travelling well beyond the realm of her purported expertise, she asserted that images of the dead and wounded at the scene, with injuries consistent with shrapnel wounds, instead depicted corpses that had been brought to the scene as part of the supposed conspiracy.²⁷⁹ These scenarios were dismissed by the Defence's own expert ALLSOP,²⁸⁰ and described by United Nations military and civil personnel who were in Sarajevo at the time as "total and utter nonsense"²⁸¹ and "exceptionally weird."²⁸²

46. Methodological failures pervade SUBOTIĆ's analysis, which is the product of scientifically unsound analyses of unsuitable photographs and videos or of degraded physical evidence,²⁸³ analysis performed in what even SUBOTIĆ conceded were less than reliable circumstances.²⁸⁴ Her conclusions are also contradictory²⁸⁵ and implausible in light of the totality of the evidence.²⁸⁶ SUBOTIĆ had no prior experience with crater analysis,²⁸⁷ had never examined the effects of a crater detonation with casualties²⁸⁸ and demonstrated limited knowledge regarding certain

²⁷⁸ Z.SUBOTIĆ:T.38558-38559.

²⁷⁹ Z.SUBOTIĆ:T.38545-38549.

²⁸⁰ D.ALLSOP:T.29466-29467.

²⁸¹ J.HAMILL:P1994,p.149.

²⁸² D.HARLAND:T.2324-2325,2331.

²⁸³ Z.SUBOTIĆ:T.38363,38379; R.HIGGS:T.5995-5997; M.SABLJICA:T.7849,7790;

R.HIGGS:P1437,pp.9,10. **Incident G5:** See images and video used to establish detonation height and bearing: Z.SUBOTIĆ:D3542,para.60,fig.46; R.HIGGS:T.5998; Z.SUBOTIĆ:D3542,para.60,fig.50.

Incident G6: The crater on Cetinjska Street was no longer visible during SUBOTIĆ's visit in 2010. See video-still used instead to determine origin of fire:

Z.SUBOTIĆ:D3542,para.67,figs.55,61,paras.69-70; Z.SUBOTIĆ:T.38262-38263,38420. **Incident G7:**

Claimed the existence of an additional shell and its origin of fire based an image of an alleged soil patch: Z.SUBOTIĆ:D3542,paras.80-81,86-89; Z.SUBOTIĆ:T.38269,38274-38275. **Incident G9:**

Analyzed crater dimensions through comparison of the photographs of different artillery shells:

Z.SUBOTIĆ:D3542,paras.102,104,106; Z.SUBOTIĆ:T.38278,38280. **Incident G19:** See video-still used to assess origin of fire: Z.SUBOTIĆ:D3551,para.92.

²⁸⁴ Z.SUBOTIĆ:T.38361-38363.

²⁸⁵ **Incident G7:** Z.SUBOTIĆ:T.38437-38445.

²⁸⁶ **Incident G4:** Claimed a mortar was fired undetected at a short distance, from a built-up area.

Z.SUBOTIĆ:T.38407. *Contra* J.WILSON:T.4111; T.OVERGARD:T.10031; S.GALIĆ:T.37860; S.SIMIĆ:T.30065; R.HIGGS:P1437,p.24; J.HAMILL:P1994,p.112; S.GALIĆ:T.37855-37856;

J.HAMILL:T.9703; P1994,p.134; H.KONINGS:T.9393.

²⁸⁷ Z.SUBOTIĆ:T.38363-38365.

²⁸⁸ Z.SUBOTIĆ:T.38384.

mortar characteristics.²⁸⁹ SUBOTIĆ also falsely claimed that other witnesses supported her analysis.²⁹⁰

47. For the Stari Grad incidents, defence theories of a staged impact scene²⁹¹ following a static explosion²⁹² or, for G8, of a dropped explosive,²⁹³ are highly implausible, unsupported by evidence and contradicted by reliable evidence.²⁹⁴ With a static explosion, a trigger, time fuse or detonator would have left evidence, none of which was found,²⁹⁵ and such an explosion would have left an entirely different crater.²⁹⁶ Other evidence, including an embedded stabiliser for G8, further excludes this alternative possibility.²⁹⁷ The theory of a dropped or thrown shell is impossible and excluded by the evidence.²⁹⁸ Finally, incidents like these are “just not stageable.”²⁹⁹ The Markale incident sites were promptly secured and not tampered

²⁸⁹ *E.g.* SUBOTIĆ claimed that a primary charge is fixed and cannot be moved afterwards. Z.SUBOTIĆ:T.38352,38574,38579,38613. The primary charge is simply secured by pushing it into the stabiliser, until the rim of the base lodges into the edges of the socket. P5946.

²⁹⁰ **Incident G6:** Z.SUBOTIĆ:T.38262. *Contra* M.SABLJICA:T.7829-7830,7847,7849. **Incident G7:** Claimed that the incorrect orientation of the diagram compromises the accuracy of the investigation. Z.SUBOTIĆ:T.38271,38446-38449. *Contra* KDZ166:T.8297-8298. *See also* M.SABLJICA:T.7800-7801.

²⁹¹ **Incident G8:** Z.SUBOTIĆ:D3551,paras.1-44,75; Z.SUBOTIĆ:T.38325-38326,38540-38544,38546-38549. **Incident G9:** Z.SUBOTIĆ:D3542,paras.102,104. **Incident G19:** Z.SUBOTIĆ:D3551,para.81.

²⁹² **Incident G8:** Z.SUBOTIĆ:D3551,paras.70,71,75; Z.SUBOTIĆ:T.38316-38319,38120-38121,38388,38538-38539,38564-38566; D3548; M.BULATOVIĆ:D3051,paras.33,35. **Incident G9:** Z.SUBOTIĆ:D3542,paras.102,107; D3541; Z.SUBOTIĆ:T.38277-38278,38279,38281. **Incident G19:** Z.SUBOTIĆ:D3551,para.110.

²⁹³ S.JOUDRY:D2363,paras.24(C)-25,27-28; S.JOUDRY:T.29353-29354; KW554:D2762,paras.11-12. *But see* KW554:T.32036-32037.

²⁹⁴ J.HAMILL:P1994,p.149; D.HARLAND:T.2324-2325; D.ALLSOP:T.29467-29468; B.ZEČEVIĆ:T.12163-12164,12330.

²⁹⁵ **Incident G8:** E.DUBANT:T.32018. *See also* Z.SUBOTIĆ:T.38389,38539-38540. **Incident G9:** D554,pp.7,10,11. *See also* P1317,p.2; P1318,p.2. N.ĐOZO:P1978,para.47. **Incident G19:** H.KONINGS:D2272,para.20.

²⁹⁶ P1441,p.29; D.ALLSOP:T.29467-29468; ██████████ 32018; P2065,pp.2-3. *See also* M.ROSE:D162,p.60.

²⁹⁷ **Incident G8:** D.ALLSOP:T.29467. *Contra* Z.SUBOTIĆ:D3551,para.75; Z.SUBOTIĆ:T.38311,38321-38322,38553-38555,38558-38559. **Incident G9:** D554,pp.5,6,21. SUBOTIĆ argued that the noise heard by one of the witnesses must have been the detonation of explosives at the market, rather than the launching of artillery shells from Trebević, despite both locations being in nearly opposite directions. Z.SUBOTIĆ:D3542,paras.108-109. Her description of the witness's account is also contradicted plainly by the evidentiary record. *Compare* Z.SUBOTIĆ:D3542,para.95 with ██████████

²⁹⁸ D.ALLSOP:T.29465-29466; B.ZEČEVIĆ:T.12163-12164,12169-12170,12330; A.DEMURENKO:D2270,para.66. B.ZEČEVIĆ:P1973,pp.2,13/P1440,pp.2,5(partial duplicates). *See also* P1441,p.25.

²⁹⁹ M.BELL:P1996,para.117. *See also* H.KONINGS:D2272,para.20; S.BEŠIĆ:T.9427-9428,9484; H.KONINGS:P1953,paras.16-17,24,93-94; E.TURKUŠIĆ:T.9096; KDZ485:T.8883; E.TURKUŠIĆ:P1925,pp.14,18-19; KDZ304:P2407,p.28.

with,³⁰⁰ and the evidence excludes that bodies were planted.³⁰¹ Everything was consistent with the impact explosion of a mortar shell fired in a normal manner.³⁰²

1. Shelling Incidents G4, G5, G6, G7 – Dobrinja and Alipašino Polje

48. These Shelling Incidents are consistent with the pattern of artillery attacks on the civilian populations of Dobrinja and Alipašino Polje. As ROSE stated, in 1994 Dobrinja “had been utterly destroyed over the past two years. The Serbs had it completely surrounded and were firing directly down into the suburb such that residents were forced to live in their basements.”³⁰³ Throughout the siege, civilians living in Alipašino Polje were regular victims of shelling.³⁰⁴

49. These Incidents are further consistent with additional patterns of civilian-targeted shellings demonstrating that the shelling deliberately targeted civilians. Incident G5 is consistent with a pattern of targeting civilians fetching water at well-known emergency water points in different areas of Sarajevo,³⁰⁵ and the area around the relevant well was repeatedly shelled after this incident.³⁰⁶ Similarly, Incident G7 targeted civilians gathering to collect humanitarian aid; it was “no secret” that a crowd was gathering for that purpose.³⁰⁷ Before and after Incident G6, SRK mortar and artillery fire was frequently observed originating from Nedzarići and further west.³⁰⁸

³⁰⁰ **Incident G8:** P1441,pp.17,39-40,42; J.HAMILL:P1994,p.143; J.HAMILL:T.9729,9732-9733; S.JOUDRY:T.29335; S.BEŠIĆ:P1966,pp.8,9,19-20; S.BEŠIĆ:T.9411,9414,9458,9484; P1973,p.5; M.SABLJICA:P1695,pp.31-32,34; M.SABLJICA:T.7911. **Incident G19:** KDZ304:P2407,pp.16,28; H.KONINGS:P1953,paras.46,53,60; H.KONINGS:T.9302, 9306,9372-9373; KDZ485:P1905,para.6; S.BEŠIĆ:P1966,pp.23-24; E.TURKUŠIĆ:P1925,p.19.

³⁰¹ S.BEŠIĆ:T.9427-9428; R.HIGGS:T.5948,6032; E.TURKUŠIĆ:T.9005-9006,9010-9012,9081,9093-9096,9101. *See also* D.HARLAND:T.2324-2325,2332.

³⁰² **Incident G8:** J.HAMILL:P1994,pp.35-36; P1441,pp.11,25; M.GAUTHIER:T.29416; J.HAMILL:P1994,p.18; B.ZEČEVIĆ:T.12162; P1441,p.28/P2065,p.1 (partial duplicates); M.SABLJICA:P1695,p.33. **Incident G9:** D554,pp.2,30/P1317,p.2 (partial duplicates); D554,p.13(B/C/S)/P1319 (partial duplicates). **Incident G19:** H.KONINGS:P1953,paras.67,92-93; R.HIGGS:T.5939,5983-5984; E.TURKUŠIĆ:P1925,pp.16-18,22,25,31-33; E.TURKUŠIĆ:T.9018-9019; H.KONINGS:P1953,para.58; P1926,pp.3-8; P1971,pp.29-33; P1974; S.BEŠIĆ:P1966,pp.25,28.

³⁰³ M.ROSE:P1638,para.36.

³⁰⁴ KDZ477:P2164,para.10. *See e.g.* KDZ477:P2164,paras.44-72; M.KUČANIN:P16,p.44; KDZ079:P479,pp.8-9; D850,pp.11-12; D.HARLAND:P820,para.210.

³⁰⁵ AF114; AF271.

³⁰⁶ AF281.

³⁰⁷ R.HIGGS:P1437,p.11; P1710,pp.1,5; M.SABLJICA:P1695,p.54.

³⁰⁸ *See e.g.* P.BRENNKAG:P1851,paras.30,52-55; D631,p.2; D850,p.12; D882,p.16.

(a) Shelling Incident G4 – 1 June 1993

50. On 1 June 1993, around 200 spectators gathered in Dobrinja IIIB to watch a football tournament set up in the corner of a parking lot,³⁰⁹ surrounded by six-storey apartment blocks and by Mojmiro Hill.³¹⁰ Some minutes after 10:00, two 81 or 82mm calibre³¹¹ shells exploded among the players on the pitch,³¹² killing over 10 persons and wounding approximately 100 others,³¹³ including women and children.³¹⁴ Three on-site investigations, based on the splinter pattern of the shells,³¹⁵ all established that fire originated from SRK-held territory in a general east-south-easterly direction.³¹⁶

(b) Shelling Incident G5 – 12 July 1993

51. At approximately 15:00 hours on 12 July 1993, an 82mm mortar shell³¹⁷ exploded³¹⁸ on a group of approximately 50 to 60 civilians queuing to gather water from a well,³¹⁹ killing more than ten and wounding more than ten more.³²⁰ The shell was fired from SRK-held territory to the west-northwest.³²¹

(c) Shelling Incident G6 – 22 January 1994

52. At around 1:15 p.m. on 22 January 1994,³²² three mortar shells – two 82mm and one 120mm³²³ – landed among two groups of children³²⁴ who were sledding and

³⁰⁹ AF245-AF248.

³¹⁰ AF247; P1053,p.6. *See* P2191; P1739; P2190,p.4; Z.SUBOTIĆ:D.3542,para.28,fig.24.

³¹¹ AF262; P1053,p.9; P1699,p.5; J.HAMILL:P1994,p.58; J.HAMILL:T.9693.

³¹² AF249; AF251.

³¹³ AF259-AF261; AF253; P1053,pp.42-51; Y.HAJIR:P1866,para.42; D1272,para.2(f). *See also* P1898; P1869; P1873; Y.HAJIR:P1866,paras.69-70; P1243; B.NAKAŠ:P1525,para.83,item5; P1896. Some of the victims were later transferred to the Koševo hospital. Y.HAJIR:P1866,para.43; P461,pp.60-64; P462,pp.1-4; P1868. P463,pp.9-10; F.GAVRANKAPETANOVIĆ:P473,pp.20-21; P1872; P1888; P1889; Y.HAJIR:P1866,paras.69-70.

³¹⁴ P5059,para.3; P6060,p.20; KDZ185:T.4213; P818,p.12; F.ZAIMOVIĆ:T.1878; AF254-AF257; P1243,p.1; B.NAKAŠ:P1525,para.83,item5.

³¹⁵ P1053,pp.9-11; M.SABLJICA:T.7724-7731; P1730; P1731; P1732; P1733; Z.SUBOTIĆ:D3542,para.46.

³¹⁶ AF262; AF270. **UNPROFOR:** P1053,pp.9-11. The conclusions regarding the angle of descent should not be relied upon, as the analysis does not consider the maximum angle of descent. **BiH investigation:** P1699,p.5; M.SABLJICA:T.7726-7727,7836-7837; P1730. **ICTY investigation:** J.HAMILL:P1994,pp.54-55,57-58,115-116; P1599; J.HAMILL:T.9693 ,9715-9716; P1995. *See also:* R.HIGGS:P1437,pp.7-8; R.HIGGS:T.6007; [REDACTED] 4215,4268-4269; [REDACTED].

³¹⁷ AF278; AF282; P1442,p.3; P1438,pp.2,6; R.HIGGS:P1437,p.8.

³¹⁸ AF274; P2191; P1739; P2190,p.4.

³¹⁹ AF272-AF273.

³²⁰ AF277; P1438,pp.2-4,46; P1442,pp.2,5. *See* P1881; P1882; P1883; P1884; P1885; P1886; P1887; P1890; Y.HAJIR:P1866,paras.69-70; P461,pp.53-55; P462,pp.7-9; P463,pp.5-6.

³²¹ AF282; AF279; P1438,p.6; P1442,pp.3,4; R.HIGGS:P1437,pp.8-9; R.HIGGS:T.5995.

playing in the snow³²⁵ in Alipašino Polje,³²⁶ killing six children and injuring other civilians.³²⁷ The shells originated from SRK positions, approximately west of the place of impact,³²⁸ either from Nedžarići and the Institute for the Blind,³²⁹ or from the Stup area in the Serbian part of Ilidža.³³⁰ The SRK possessed mortars in Nedžarići, in the vicinity of the School for the Blind.³³¹ There is no indication that ABiH units ever fired on Alipašino Polje or any other residential neighbourhood from Stup, or even that they had 120mm mortar placements in that area.³³²

(d) Shelling Incident G7 – 4 February 1994

53. On 4 February 1994 around 11.00 a.m., three 120mm mortar shells³³³ struck a group of civilians queuing for humanitarian aid in Dobrinja,³³⁴ killing at least 8 people, including 1 child, and wounding at least 18, including 2 children.³³⁵ Investigators and ballistics experts determined, based on the size and shapes of

³²² AF290; AF283; P1443,pp.1-3,5,6,8/P2169/P1696(partial duplicates); P1698,p.1.

³²³ P1698,p.1; P1443,p.3(. *NB:* The lack of full agreement between reports as to the calibre of the three shells is likely a result of the discovery of the stabiliser of a separate 120mm mortar that had exploded previously near the site of the 82mm crater impact on Klara Cetkin Street. P1698,p.1; P1443,p.4. Considering that ballistics experts of the CSB conducted an extensive analysis on the day of the incident, it is their official and ballistic reports that should be relied upon. *See also* R.HIGGS:T.5924; R.HIGGS:P1437,p.9; KDZ477:T.10921-10922.

³²⁴ AF283; AF286-AF287.

³²⁵ AF284-AF285; AF299; KDZ477:P2164,para.56; P1697,p.8(B/C/S); P1696,p.1; P1443,p.4.

³²⁶ P2191; P2199; P1803; P2190,p.4.

³²⁷ AF287; AF289-AF290; AF292-AF297; P1442,pp.2,5; P1700,p.1; P1439,p.7; P1443,pp.2-8,15,16/P2169/P1696(partial duplicates); KDZ477:P2164,para.59; F.ZAIMOVIĆ:T.1879; P818,p.21,entry291; D162,p.33. *See* P1236; P1238; M.MANDILOVIĆ:P1217,para.118,item2.

³²⁸ AF300-AF303; P1698; M.SABLJICA:P1735,p.4. *See also* M.SABLJICA:T.7803; R.HIGGS:T.5923.

³²⁹ P1698. *See also* M.SABLJICA:T.7803; D2481; D2482; D2479,para.27; P6009; P1443,p.8/P1696(partial duplicates); R.HIGGS:P1437,pp.9-10.

³³⁰ P1439,pp.6,8. The Prosecution chooses not to rely on this report. The UNPROFOR investigation was conducted a day after the incident and was done by Capt. VERDY, whose general methodology is questioned and another of his reports has been rejected by UNPROFOR. J.HAMILL:P1994,pp.39-40; S.JOUDRY:T.29358; R.HIGGS:T.5928; P1441,p.16. *See also* D3432,p.2.

³³¹ V.RADOJČIĆ:T.31236; M.SLADOJE:D2479,para.6; D2481; P6009.

³³² *See e.g.* P1764; P1058.

³³³ P1710,pp.1,3,7-9; P156,p.2; Z.MEĐEDOVIĆ:P129,p.3; R.HIGGS:P1437,p.10; M.SABLJICA:P1695,p.51; [REDACTED]; S.BEŠIĆ:P1966,pp.3,7; D162,p.57.

³³⁴ AF320; AF316; AF322; P1710,pp.1,3,5,7-10,18; M.SABLJICA:P1695,pp.49-51,54. *See* P2191; P1739; P2190,p.5; R.HIGGS:P1437,p.11.

³³⁵ AF320; AF317; P1710,pp.1-2,5-6,10,19-51; P1707,pp.7-9,13-20(B/C/S); S.BEŠIĆ:P1966,pp.3-5. *See also* P1874; P1875; P1876; P1877; P1878; P1879; P1891; P1895; P1887; Y.HAJIR:P1866,paras.69-70; P1024; M.MANDILOVIĆ:P1217,para.118,item7; P1241; P461,pp.2-3; P462,pp.1-2; P463,pp.13-14; F.GAVRANKAPETANOVIĆ:P473; F.ZAIMOVIĆ:P818,p.22,entries296-297; F.ZAIMOVIĆ:T.1879-1880; D896,00:00:58-00:01:16,00:02:10-00:02:40,00:06:10-00:08:40.

shrapnel traces and the position of the embedded stabilizers, that all three shells came from SRK-held Lukavica in the east,³³⁶ possibly the Energoinvest Complex³³⁷ where the SRK had access to 120mm mortars.³³⁸ Given the fact that the stabilisers were embedded into the ground,³³⁹ the shells must have been fired with at least three charges.³⁴⁰ The absolute minimum firing distance was thus 600 metres,³⁴¹ which falls well beyond the confrontation line 350 to 400 metres away in the (easterly) direction of fire.³⁴²

2. Shelling Incidents G8, G9, G19 – Commercial Markets in Stari Grad

54. These Shelling Incidents are consistent with the pattern of artillery attacks on the civilian population of Stari Grad. The Main Staff and SRK repeatedly ordered SRK units to shell Stari Grad, the civilian centre of Sarajevo and the location of major commercial markets such as Markale.³⁴³ In other words, SRK artillery was to aim at places with significant civilian populations or large gatherings.³⁴⁴ On 9 May 1995, the SRK ordered artillery units to “place a major part of Stari Grad under fire control”,³⁴⁵ which meant keeping the area under constant fire.³⁴⁶ In the months leading up to Incident G8, the Markale area had been shelled up to a dozen times.³⁴⁷ Similarly, Incident G19 was consistent with the SRK’s general shelling campaign leading up to

³³⁶ AF321-AF322. **Local investigation:** P1710,pp.1,3,5,7,9,10; P156,p.2; Z.MEĐEDOVIĆ:P129,p.3; [REDACTED] M.SABLJICA:P1695,pp.51-53; S.BEŠIĆ:P1966,pp.4-5; P1707,pp.6,12(B/C/S); D744; D745; M.SABLJICA:T.7768,7795-7798; KDZ166:T.8298.

UNPROFOR investigation: KDZ450:T.10618,10620-10621,10695; M.ROSE:P1638,para.35; M.ROSE:T.7343-7344,7352-7353; D162,p.61; P826,p.2; [REDACTED] It was concluded that all three shells were fired from the same barrel because of the small distance between their impact points. AF322; R.HIGGS:P1437,p.10; S.BEŠIĆ:P1966,p.7; P1739; M.SABLJICA:T.7947-7948; KDZ166:T.8279-8280.

³³⁷ P1710,pp.5,9; P156,p.2; M.SABLJICA:T.7768; M.SABLJICA:P1695,p.53.

³³⁸ D1012,p.3; P1021. UNMO also recorded 5 Serb-held 120mm mortars in Lukavica at the Lima 5 OP on 16 January 1994; P1599.

³³⁹ P1710,p.3; P1707,pp.5,10-11(B/C/S); S.BEŠIĆ:P1966,p.5; M.SABLJICA:P1695,p.50.

³⁴⁰ Z.SUBOTIĆ:D3551,para.92; Z.SUBOTIĆ:T.38275,38456; B.ZEČEVIĆ:T.12174.

³⁴¹ The minimum firing distance depends on the mortar and shell type used. For M74 120mm light mortar and M49P1 shell: 600m. P5921,p.12(B/C/S). For M74 120mm light mortar and M62, M56P3, R Shells: 1,600m. P5921,p.16(B/C/S). For MM75 120mm light mortar: 700m. P5922,p.10(B/C/S). For UB M52 120mm mortar and M49 shell: 1,300m. P5923,p.7. For UB M52 120mm mortar and M62P1 shell: 1,500m. P5923,p.13.

³⁴² M.SABLJICA:P1695,p.52; M.SABLJICA:T.7771-7772; D2342; D.ŠKRBA:D2341,para.8. *See also* Z.MEĐEDOVIĆ:P129,p.3; M.SABLJICA:P1735,p.4.

³⁴³ P1521; P2656; P5940,paras.2,4. M.ŠKRBA:T.29201.

³⁴⁴ **Incidents G8 and G19:** N.ĐOZO:P1978,para.36; N.ĐOZO:T.9565.

³⁴⁵ P5940,paras.2,4.

³⁴⁶ S.SIMIĆ:T.30060-30061.

³⁴⁷ P1441,p.24.

28 August 1995³⁴⁸ and the last in a series of five rounds, four of which came from SRK positions on Lukavica,³⁴⁹ within a 25-minute period and a 300-metre area in central Sarajevo.³⁵⁰ In the two months prior to G19, the Markale Market area had been targeted by Serb shelling attacks, including one which appeared to adjust fire towards the marketplace itself.³⁵¹

(a) Shelling Incident G8 – 5 February 1994

55. On Saturday 5 February 1994 between 12:00 and 12:30, a mortar shell struck Markale market,³⁵² one of Sarajevo's principal market-places,³⁵³ killing over 60 persons and injuring 140 others.³⁵⁴ The 120mm high-explosive mortar shell³⁵⁵ was fired from SRK-held territory³⁵⁶ in a conventional manner³⁵⁷ and detonated when it hit the ground.³⁵⁸

56. Four separate investigations were undertaken. There were two local investigations: one on 5 February by the Sarajevo CSB, including SABLJICA and BEŠIĆ,³⁵⁹ and the other on 6 February by a commission of ballistics experts, including ZEČEVIĆ.³⁶⁰ In addition, two sets of UN investigations were conducted: a preliminary investigation on 5 February involving three independent analyses by Sector Sarajevo's FreBat 4 Team, VERDY and RUSSELL; and a complementary

³⁴⁸ H.KONINGS:D2272,para.20; N.DOZO:P1978,paras.24-35; N.DOZO:T.9557-9560,9580-9583; P1988; P1989; P1990.

³⁴⁹ P1445,p.17/P1447,p.11(partial duplicates). *See also* H.KONINGS:P820,para.232; D.HARLAND:T.9308.

³⁵⁰ *See* Brief,AppendixC,fn.268.

³⁵¹ N.DOZO:P1978,pp.7-8; N.DOZO:T.9549-9585; P1981; P1989; P1990.

³⁵² AF338; P1973,pp.2,5,8,22; D892,pp.2,7; P1441,pp.2,5,11,17; J.HAMILL:P1994,p.46 P2066,p.3; P1709(B/C/S)/P1970(partial duplicates). *See also* P2191; P2193; P2190,p.5.

³⁵³ D.HARLAND:T.2040; S.BEŠIĆ:P1966,p.8; S.BEŠIĆ:T.9411,9443; M.SABLJICA:T.7908.

³⁵⁴ AF338; P2047; P1973,pp.2,9-10; D892,pp.2,7; P1709,pp.2(Eng),17-55(B/C/S); P1441,pp.11,39; J.HAMILL:P1994,p.47. *See* P1237; P1244; M.MANDILOVIĆ:P1217,para.118,items3,22; B.NAKAŠ:P1525,para.83,item7; P2053; P2055; P1238,pp.1,2,4-6,8.

³⁵⁵ AF330; AF338-AF339; P1973,pp.3,5,8,24,30; P2317,pp.4,8; D892,p.2; P1441,pp.2,5,11,18,21-22,25; P2066,p.3; P2065,p.2; R.HIGGS:P1437,p.11; R.HIGGS:T.5925; M.SABLJICA:P1695,pp.12,40; J.HAMILL:P1994,p.29; S.BEŠIĆ:P1966,p.11; P1709,pp.12-14(B/C/S).

³⁵⁶ AF340-AF341. *See* Brief,AppendixC,paras.58-59.

³⁵⁷ J.HAMILL:P1994,pp.35-36; P1441,pp.11,25; M.GAUTHIER:T.29416.

³⁵⁸ AF338; P1441,pp.11,18,20,25-26; J.HAMILL:P1994,p.29; R.HIGGS:T.5653-5954; P2065,p.1; M.GAUTHIER:T.29416; P1973,pp.2-3,22/P1440,pp.2-3/P1708(partial duplicates); P2317,p.3; D892,p.6; M.SABLJICA:P1695,p.41; M.SABLJICA:T.7914; B.ZEČEVIĆ:T.12163,12316,12334; S.BEŠIĆ:T.9417,9479,9526; P1452; R.HIGGS:T.6029-6030. The shell could plausibly have passed through the gaps between the stalls in the market. R.HIGGS:T.6030; M.SABLJICA:P1695,p.43; D767; M.SABLJICA:T.7927; P1453; P1441,p.28.

³⁵⁹ P1440/P1708(partial duplicates).

³⁶⁰ P2317.

UNPROFOR investigation under GAUTHIER's command, involving seven different analyses done by UN officials KHAN, HAMILL, GRANDE and DUBANT, on the days following 11 February. The conclusions from both UNPROFOR teams were published in a report on 15 February 1994 (UN Report).³⁶¹ HIGGS also prepared a report a number of years after the incident.³⁶²

57. The shell left a crater with an embedded stabiliser that allowed a reliable crater analysis.³⁶³ Both local and UN investigators determined that the scene had not been tampered with.³⁶⁴ BEŠIĆ and SABLJICA confirmed that the police secured the scene and sealed off the impact site until investigators arrived.³⁶⁵ There was an almost continuous UN presence at the scene;³⁶⁶ at least three UNMOs arrived there 5-15 minutes after the explosion.³⁶⁷

58. Ballistics expert SABLJICA concluded, based on an analysis using the recognised³⁶⁸ central axis method,³⁶⁹ that the shell was fired from a north-north-easterly direction on a bearing of approximately 18 +/- 5 degrees.³⁷⁰ ZEČEVIĆ reached the same conclusion.³⁷¹ The UNPROFOR report determined a direction of fire of between 330 and 420 mils,³⁷² which was consistent with the local investigators' findings.³⁷³ UNPROFOR's conclusion was based on eight independent examinations by members of both UNPROFOR investigation teams, applying "three different conventional methods of crater analysis",³⁷⁴ including an analysis of the splash pattern³⁷⁵ and the "fuse funnel" method.³⁷⁶ The bearings individually determined by the FreBat 4 Team, VERDY and RUSSELL are methodologically flawed and should

³⁶¹ P1441.

³⁶² P1437,pp.11-12.

³⁶³ J.HAMILL:P1994,p.18; B.ZEČEVIĆ:T.12162-12163; P1441,p.28/P2065,p.1(partial duplicates); M.SABLJICA:P1695,p.33.

³⁶⁴ See Brief,AppendixC,fn.300.

³⁶⁵ P1973,p.5; S.BEŠIĆ:P1966,p.9 S.BEŠIĆ:T.9458,9484; M.SABLJICA:P1695,p.31; M.SABLJICA:T.7911.

³⁶⁶ P1441,pp.17,42; J.HAMILL:T.9733.

³⁶⁷ P1441,pp.39-40.

³⁶⁸ J.HAMILL:P1994,p.41; E.TURKUŠIĆ:P1925,p.25; R.HIGGS:P1437,p.19.

³⁶⁹ P2317,pp.4-5; M.SABLJICA:P1695,pp.13,38-39; M.SABLJICA:T.7698; S.BEŠIĆ:T.9412; P1709,pp.9-11(B/C/S); P1970,pp.5-7; P1711,00:06:40-00:07:25,00:08:50-00:09:23.

³⁷⁰ AF339; P1973,pp.2-3,5; M.SABLJICA:P1695,pp.37,40; M.SABLJICA:T.7913; D892,p.5.

³⁷¹ P1973,pp.25,30; P2317,pp.5,8; B.ZEČEVIĆ:T.12162,12167-12168.

³⁷² P1441,pp.11,19-20; P2066,p.3; M.GAUTHIER:D2368,para.18.

³⁷³ J.HAMILL:P1994,p.42; R.HIGGS:T.5927,5929.

³⁷⁴ P1441,p.17.

³⁷⁵ J.HAMILL:P1994,p.35; P1441,pp.25-27.

³⁷⁶ P1441,pp.25,29; J.HAMILL:P1994,pp.30-31,137; P2065,p.2.

be disregarded.³⁷⁷ The shell's angle of descent was 60 +/- 5 degrees.³⁷⁸ Applying an angle of descent of 60° +/- 5° to a 120mm mortar firing table,³⁷⁹ ZEČEVIĆ, an experienced weapons design engineer,³⁸⁰ determined the total possible range of fire of the shell to lie between 1,640m and 6,546m.³⁸¹ ZEČEVIĆ then excluded the use of zero to three charges³⁸² after analyzing the depth of the embedded stabiliser and establishing the approximate impact and launch speed of the shell.³⁸³ ZEČEVIĆ concluded that the firing range must have been 4,500-6,500m.³⁸⁴ The shell was thus fired from SRK-held territory,³⁸⁵ well beyond the confrontation line 2,600m away.³⁸⁶

59. These reliable ballistic findings are confirmed by other evidence. On the day of the shelling, a man standing in his mother's garden at 12:00-12:30 heard the sound of a heavy mortar-like weapon being fired from Mrkovići, behind Špicasta Stijena.³⁸⁷ Fifteen other witnesses made similar observations.³⁸⁸ While denying responsibility for G8, CVETKOVIĆ, the commanding officer of a VRS artillery regiment in Mrkovići, told the UN that his unit held mortar positions there, and that his regiment had fired 30 to 40,000 rounds into the city the year before and wondered why the UN was "so concerned about one round when they had fired so many."³⁸⁹ The Defence's claim

³⁷⁷ The FreBat Team estimated the azimuth by eye. P1441, pp.16,19; J.HAMILL:P1994,p.39; M.GAUTHIER:D2368,para.9. VERDY made a mathematical error that led to flawed results. P1441, pp.16,19; J.HAMILL:P1994,pp.39-40; M.GAUTHIER:D2368,para.11. RUSSELL incorrectly concluded that the mortar exploded before hitting the ground because 1) a 120mm mortar would have created a bigger crater upon ground impact; and 2) the number of casualties suggests an above ground explosion. P1441, pp.62-63. Cf. J.RUSSELL:T.29379-29380,29386-29387; D2367; J.RUSSELL:D2364,para.19. RUSSELL had little training and experience with crater analysis. J.RUSSELL:D2364,para.7; J.RUSSELL:T.29382.

³⁷⁸ ZEČEVIĆ's analysis: P1973,p.25; P2317,p.5; B.ZEČEVIĆ:T.12168,12339,12341; M.SABLJICA:P1695,pp.14-16. KHAN and HAMILL's analysis: P1441, pp.17,19,23,25. Note: These measurements were taken a number of days after the incident and thus only provide a guideline. The fragments were dispersed in a way typical of a 60 degree angle. P2317,p.5.

³⁷⁹ P1973,p.27; P2317,p.6. The difference in elevation between the firing spot and the site of the explosion is factored into ZEČEVIĆ's report. See M74 120mm light mortar firing tables without elevation adjustments. P5921. When firing from an elevated location, the velocity and corresponding range will be greater than when firing from the same elevation. D.ALLSOP:T.29477-29480.

³⁸⁰ B.ZEČEVIĆ has experienced "thousands of fired rocket and artillery projectiles and hundreds of fired warheads in testing ranges". B.ZEČEVIĆ:T.12282-12284,12377.

³⁸¹ P1973,p.27; P2317,p.6. See also E.TURKUŠIĆ:P1925,pp.5-6; M.SABLJICA:P1695,p.18.

³⁸² B.ZEČEVIĆ:T.12173-12174.

³⁸³ B.ZEČEVIĆ:T.12164-12170; P2316.

³⁸⁴ P2317,p.6; B.ZEČEVIĆ:T.12173-12174.

³⁸⁵ AF340-AF341.

³⁸⁶ AF335; B.HOGAN:T.11222-11223.

³⁸⁷ AF332; AF334; R.HIGGS:T.6027-6028 R.HIGGS:P1437,pp.5,11-12;

E.SULJEVIĆ:P1276,paras.17-18.

³⁸⁸ D892,p.7.

³⁸⁹ J.HAMILL:P1994,p.52; P1441,p.44; D1012,p.2,no.36; M.GAUTHIER:T.29417;

M.DZIDA:D2375,paras.15,28; M.DZIDA:T.29577-29579,29598; P5952; KW586:T.47224-47225;

See also R.HIGGS:P1437,p.12; D892,p.3; S.GENGO:D2383,para.13.

that the SRK had no mortar positions along the line of fire determined by UNPROFOR is thus untenable.³⁹⁰ The evidence further contradicts Defence suggestions that relevant VRS artillery weapons were under the control of UNPROFOR observers.³⁹¹ The Incident was similar to Incident G7, the day before, and consistent with the general pattern of SRK artillery units deliberately targeting civilians and civilian areas.³⁹² Finally, the inscription, colour and type of stabiliser established the mortar shell was produced in Serb-held territory.³⁹³

60. ZEČEVIĆ's conclusion incorporated a wide margin of error: even if the depth of the stabiliser had been considerably less, the very fact that the stabiliser was embedded in the surface at all, no matter what depth, indicates that the shell was fired with at least three charges³⁹⁴ from a minimum of 3,622m.³⁹⁵ The principles ZEČEVIĆ applied were endorsed by Defence expert ALLSOP,³⁹⁶ who ultimately acknowledged that his theoretical objections³⁹⁷ may not apply in this case,³⁹⁸ and that ZEČEVIĆ

³⁹⁰ D2378,p.2; Z.KOVAČEVIĆ:D2484,para.22; D.MILOSEVIĆ:T.32571.

³⁹¹ P1441,pp.10,44; J.HAMILL:P1994,p.50; J.HAMILL:T.9739-9740; D.HARLAND:P820,para.62; M.GAUTHIER:T.29417-29418; M.DŽIDA:D2375,paras.17-18,29; M.DŽIDA:T.29588-29589.

³⁹² See e.g. P826,p.2. See Brief,AppendixC,B.1.(d): Shelling Incident G7 – 4 February 1994.

³⁹³ B.ZEČEVIĆ:T.12190-12191; S.BEŠIĆ:P1966,pp.22-23; P1973,p.24; P2317,p.4. 120mm mortars were being produced in Pretis. P2319. ABiH stabilizers were of a different metal and bore no markings. P1441,p.41.

³⁹⁴ B.ZEČEVIĆ:T.12174. See also R.HIGGS:T.5980-5981,5983 Note: that a 120mm mortar would never be fired with only the primary charge. P5946; Z.SUBOTIĆ:D3551,para.92; Z.SUBOTIĆ:T.38275,38399-38400,38456.

³⁹⁵ P1973,p.27; P2317,p.6; B.ZEČEVIĆ:T.12174. D.ALLSOP explained the unlikelihood and danger of launching a mortar with higher charges from a shorter distance. D.ALLSOP:T.29434,29468-29469.

³⁹⁶ ALLSOP confirmed all the principles that ZEČEVIĆ applied, including: 1) The more charges used, the higher a shell's impact velocity will be. D.ALLSOP:T.29472. 2) The higher the impact velocity, the more likely a stabiliser is to become embedded. D.ALLSOP:T.29442,29471. 3) Therefore, an embedded stabiliser is likely to have been fired with a high number of charges. D.ALLSOP:T.29476-29477,29480.

³⁹⁷ E.g. 1) The influence of expanding gases on the stabiliser. D.ALLSOP:D2372,paras.5.5-5.6; D.ALLSOP:T.29452 2) The influence of moisture in the soil. D.ALLSOP:D2372,paras.8.2-8.5; D.ALLSOP:T.29460 3) The possibility that a fuse furrow into which the stabilizer became embedded could have affected the accuracy of measurements of the shell's angle of impact. D.ALLSOP:D2372,para.9.3; D.ALLSOP:T.29461 4) The possibility that, after the stabilizer was removed, soil would be dislodged into the hole, thereby affecting the measurements based on the re-inserted stabilizer. D.ALLSOP:D2372,paras.7.4-7.5; D.ALLSOP:T.29461.

³⁹⁸ 1) Regarding his expanding gas theory, ALLSOP acknowledged that it expands uniformly and that the tail boom's fins have the purpose of maintaining its stability throughout its trajectory. D.ALLSOP:T.29502-29503. 2) Regarding the soil content, ALLSOP recognised he was not actually aware of any moisture in the soil that could have affected the stabiliser's penetration. D.ALLSOP:T.29504-29505,29519,29530-29531. 3) Regarding the fuse furrow, ALLSOP acknowledged that the fuse actually fragmented upon contact with the ground and no intact fuse furrow was thus created. D.ALLSOP:T.29488-29489,29492-29493,29496-29498,29523; P5948; P5950. 4) Regarding the re-entry of the stabiliser, ALLSOP made clear that when it was re-entered, the stabiliser can actually be seen to have a similar angle and depth to what it did initially. D.ALLSOP:D2372,paras.7.2-7.3,11.4. He further acknowledges that the entry of the stabiliser would

used a “generous” margin of error to account for these objections.³⁹⁹ Critiques from SUBOTIĆ and JOUDRY are unreliable as they failed to account for contradictory evidence at the scene of the incident,⁴⁰⁰ and KW586’s evidence⁴⁰¹ is contradictory and implausible.⁴⁰²

(b) Shelling Incident G9 – 22 December 1994

61. On the morning of 22 December 1994 at around 09:10 a.m., two shells hit a crowded⁴⁰³ flea market between P. Kočića and D. Illica Streets in Baščaršija,⁴⁰⁴ killing two civilians and injuring seven or eight.⁴⁰⁵ Based on the shell’s angle of descent, the damage inflicted, and an established azimuth of 159,⁴⁰⁶ a team of Bosnian KDZ officials determined that the shells were fired from positions on Mount

have led to a radial compression of the soil. D.ALLSOP:T.29498-29499. *See also*

³⁹⁹ D.ALLSOP:T.29506-29509. ALLSOP also agreed that the level of precision required to determine whether the shell was fired from an approximate direction over a distance of more or less than 2,600 or 2,800 metres was far lower than the precision required to identify the exact location of fire. D.ALLSOP:T.29514-29516.

⁴⁰⁰ SUBOTIĆ critiqued the method of measuring the angle of descent of a repositioned stabiliser due to alleged disturbances to the tunnel’s shape as a result of its extraction and re-entry.

Z.SUBOTIĆ:D3551,para.59; Z.SUBOTIĆ:T.38309-38310. This critique ignored that: 1) The stabiliser’s extraction did not lead to any major deviations of the crater. B.ZEČEVIĆ:T.12168; J.HAMILL:T.9729,9732-9733; J.HAMILL:P1994,p.137; P1711,00:28:24-00:29:42. 2) The shrapnel marks were typical for an angle of descent of around 60 degrees. P2317,p.5. 3) After the stabiliser was excavated, several independent investigators measured a similar angle of descent. P1973,p.25; P2317,p.5; B.ZEČEVIĆ:T.12168,12339; P1441,pp.17,19,23,25. *See also* J.HAMILL:P1994,p.137. 4) ZEČEVIĆ took any possible disturbance into consideration and applied a large margin of error to account for any uncertainties. B.ZEČEVIĆ:T.12168,12339; P1973,p.27; P2317,pp.5-6. JOUDRY, who, like SUBOTIĆ, was not present at the scene of the incident, conducted an analysis that consisted of a selective review of secondary sources. S.JOUDRY:T.29331,29353,29356-29360; S.JOUDRY:D2363,paras.12-14. JOUDRY only considered the possibility, falsified by the embedding of the tail fin, that up to two charges had been used based on his speculative presumption that a low mortar charge was used to prevent the explosion from being driven into the ground. S.JOUDRY:D2363,para.24(b); S.JOUDRY:T.29349. JOUDRY’s concerns regarding the reliability of UNPROFOR’s findings are contradicted by the evidence. S.JOUDRY:D2363,para.16. *See* Brief,AppendixC,fn.300.

⁴⁰¹ KW586:D4374,p.8; KW586:T.47221-47225.

⁴⁰² *See* Brief,DCC(KW-586). *See also* R.HIGGS:T.6027; B.ZEČEVIĆ:T.12352.

⁴⁰³ D554,pp.2,16-28/P1317,p.2(partial duplicates).

⁴⁰⁴ AF3029; D554,pp.1-2,4,30,p.18(B/C/S)/P1317,pp.1-2(partial duplicates); P1318,p.1; KDZ485:P1905,para.17; E.SULJEVIĆ:P1276,paras.43,44; N.ĐOZO:P1978,para.45; P1320(B/C/S); P2191; P2193; D617; P2190,p.5; D915.

⁴⁰⁵ AF3030; D554,pp.2-4,12-15,29-31/P1317,pp.2-3(partial duplicates); P1318,p.1; E.SULJEVIĆ:P1276,para.45; P1320,pp.26-33(B/C/S); P1535; P1246; P1550; P1556; [REDACTED]; B.NAKAŠ:T.6680-6681; P1253; M.MANDILOVIĆ:P1217,para.118,items8,15.

⁴⁰⁶ AF3032; P1318,p.2; D554,p.4; E.SULJEVIĆ:P1276,paras.44-47; E.SULJEVIĆ:T.5683-5684; KDZ485:P1905,para.18; P1320,p.19(B/C/S). *See* D554,p.13(B/C/S)/P1319(partial duplicates).

Trebević⁴⁰⁷ in SRK-held territory,⁴⁰⁸ where the VRS held firing positions in Vidikovac throughout the war.⁴⁰⁹ Three witnesses testified to having heard the shells being fired from Trebević and two indicated Vidikovac as the origin of the fire.⁴¹⁰ The shells were 76mm M70 rounds fitted with UTI M68 fuses, fired from an M48 76mm B-1 artillery cannon.⁴¹¹ While the SRK was in possession of M48 76mm B-1 cannons within the 20km zone around Sarajevo, including one at Vidikovac and Hreša,⁴¹² the evidence shows the ABiH did not have any of these artillery weapons in the direction of fire in Sarajevo.⁴¹³

(c) Shelling Incident G19 – 28 August 1995

62. On 28 August 1995 at around 11 a.m., the SRK fired a 120mm mortar shell⁴¹⁴ that fell and exploded on Mula-Mustafe Bašeskije Street, just outside Markale's indoor market,⁴¹⁵ killing at least 35 people and injuring at least 78 others.⁴¹⁶ The vast majority of victims were civilians.⁴¹⁷

63. Four contemporaneous on-site investigations were conducted: one by the Sarajevo CSB⁴¹⁸ and three by independent UN teams:⁴¹⁹ the FrenchBat Engineer Cell,⁴²⁰ a UNMO patrol from Sector Sarajevo⁴²¹ and G2 HQ UNPROFOR.⁴²² The

⁴⁰⁷ D554,pp.2,30/P1317,p.2(partial duplicates); D554,p.13(B/C/S)/P1319(partial duplicates).

⁴⁰⁸ See Brief, Appendix C, fn.434.

⁴⁰⁹ P1991,p.103; D2149,p.24; P1641,p.2; D850,p.11; P1496.

⁴¹⁰ D554,pp.5-6,21. See also E.SULJEVIĆ:P1276,paras.17-18.

⁴¹¹ D554,pp.2,4,30/P1317,p.2(partial duplicates); P1318,p.2; E.SULJEVIĆ:P1276,para.47;

E.SULJEVIĆ:T.6206; N.ĐOZO:P1978,para.47; N.ĐOZO:T.9639; P6325,p.2.

⁴¹² P1021,p.2; P1593; P5998,pp.1,3; P1303,p.1; P1314,p.1; P5940,p.2; P5941,p.1; P5056,pp.2,5.

⁴¹³ The ABiH only had a mortar in this direction. P1058; P6301.

⁴¹⁴ P1449,pp.2,18 [REDACTED] (partial duplicates); P1934,p.4; P2114,p.1; P150,p.1;

H.KONINGS:T.9306,9379; P1445,pp.9,14; R.HIGGS:P1437,p.19; R.HIGGS:T.5938;

E.TURKUŠIĆ:P1934,pp.1,4; E.TURKUŠIĆ:P1925,p.13; P2114,p.1; H.KONINGS:T.9379; P1454;

H.KONINGS:P1953,paras.56-58; M.SABLJICA:P1695,pp.11-12.

⁴¹⁵ AF3078; Đ.LEKA:P117,p.2; Đ.LEKA:P141; I.SVRAKA:P1992,paras.4-7;

P1449,p.2/[REDACTED] (partial duplicates);

P1445,pp.2,6,9,13/P2114,p.1/P1447,pp.3,7,29(partial duplicates); H.KONINGS:P1953,paras.49-53;

H.KONINGS:T.9372-9373; R.HIGGS:T.5939; P1450; P1448,pp.8-39/P1926,pp.1-31(partial

duplicates); S.BEŠIĆ:P1966,p.27; S.BEŠIĆ:T.9423,9429; P1969; P1971,pp.1-3,9,17-21,26-43. See

also P2191; P2193; D617; P2190,p.7; P1981; N.ĐOZO:T.9549-9550.

⁴¹⁶ AF3080; P1449,pp.2-5,8-12/[REDACTED] (partial duplicates); P1977;

KDZ485:P1905,para.27; KDZ485:T.8884-8886; S.BEŠIĆ:P1966,pp.32-33; P1960,p.2;

H.KONINGS:T.9315,9340; H.KONINGS:P1953,para.66; KDZ304:P2407,p.28. See P1225; P1226;

P1227; P1228; P1229; P1230; P1231; P1232; P1233; P1234; P740;

M.MANDILOVIĆ:P1217,para.117; P1531; P1525,para.94.

⁴¹⁷ AF3081; [REDACTED] M.MANDILOVIĆ:P1217,paras.89-90.

⁴¹⁸ P1449; [REDACTED]; P1934.

⁴¹⁹ P1445,p.2.

⁴²⁰ P2114/P1447,pp.29-36(partial duplicates); P1450,00:03:41-00:06:43.

⁴²¹ P150; P1960; P1445,pp.9-20/P1447,pp.3-13(partial duplicates).

clear crater at the site allowed for a reliable crater analysis.⁴²³ Local investigators and UN representatives, who secured the scene immediately after the explosion,⁴²⁴ saw no evidence of tampering with the crater.⁴²⁵

64. The shell was fired from a southerly direction on a bearing of 170 +/- 5 degrees.⁴²⁶ The inconsistent finding by the G2 team of a 220-240 degree bearing is not reliable, because they applied the fuse-funnel method without a clear fuse funnel, and should be disregarded.⁴²⁷ The minimum angle of descent was 67 degrees,⁴²⁸ and local investigators measured an angle of descent of 70±5 degrees.⁴²⁹ Applying the range table for a 120mm mortar⁴³⁰ to an angle of descent of 70 degrees,⁴³¹ four minimum firing ranges were: 900m (charge 0+1), 1,600m (charge 0+2), 2,400m (charge 0+3), or 3,000m (charge 0+4).⁴³² On the bearing of 170 degrees, the confrontation line was approximately 1,500-1,600 metres away,⁴³³ with the VRS controlling the slopes of Trebević beyond that.⁴³⁴

⁴²² P828. *See also* P1445; P1447.

⁴²³ H.KONINGS:P1953,para.58; P1926,pp.3-8; S.BEŠIĆ:P1966,pp.25,28; P1971,pp.29-33; P1974.

⁴²⁴ KDZ304:P2407,pp.16,28; H.KONINGS:P1953,paras.46,53; H.KONINGS:T.9302,9372-9373; KDZ485:P1905,para.6.

⁴²⁵ S.BEŠIĆ:P1966,pp.23-24; E.TURKUŠIĆ:P1925,pp.14,18-19; H.KONINGS:P1953,para.60; H.KONINGS:T.9306; KDZ485:P1905,para.6.

⁴²⁶ **CSB findings:** P1449,pp.2,18/P1934,p.4/[REDACTED] (partial duplicates); KDZ485:P1905,para.28; E.TURKUŠIĆ:P1925,pp.13,17-18,29. **UNMO findings:** P150,p.3; H.KONINGS:P1953,paras.61,76,78-79; H.KONINGS:T.9306-9307,9377-9378; P2114,pp.1-2,7. The Engineer Cell found the bearing to be 160 degrees, which KONINGS described as “roughly the same result”. H.KONINGS:P1953,paras.78,84. R.HIGGS:P1437,pp.19-21; R.HIGGS:T.5938,5961.

⁴²⁷ H.KONINGS:P1953,paras.75,84; R.HIGGS:P1437,pp.6,19-21; R.HIGGS:T.5932. The mechanical damage on the surface of the crater is consistent with a bearing of approximately 170 degrees and rules out a direction of 220-240 degrees. P1929; P1936; E.TURKUŠIĆ:P1925,pp.21-28,32-33; E.TURKUŠIĆ:T.9021; R.HIGGS:T.5932,5936,5961-5966,5973-5974,5976-5977; R.HIGGS:P1437,p.20-22.

⁴²⁸ E.TURKUŠIĆ:P1925,pp.13,29-30; E.TURKUŠIĆ:T.9012-9015; P1927; P1960,p.2; H.KONINGS:P1953,paras.61,80; H.KONINGS:T.9315,9394; R.HIGGS:P1437,pp.19,21; R.HIGGS:T.5991-5992.

⁴²⁹ E.TURKUŠIĆ:P1925,pp.29-31; P1928; E.TURKUŠIĆ:T.9017; R.HIGGS:P1437,pp.21,23.

⁴³⁰ H.KONINGS:P1953,para.81.

⁴³¹ P2317,p.6. *NB:* the difference in elevation between the firing spot and the site of the explosion is factored into ZEČEVIĆ's report.

⁴³² R.HIGGS:P1437,p.23; E.TURKUŠIĆ:T.9019. *See* P5921,p.16. *NB:* when firing from an elevated location, the velocity and corresponding range will be greater. P1437,p.24; D.ALLSOP:T.29477-29480. *NB:* this mortar system cannot be fired with zero additional charges. P5946; D.ALLSOP:T.29472.

⁴³³ B.HOGAN:T.11284-11285; D1006; T.KNUSTAD:P123,pp.22-23; P151; D718. *Cf.* P1445,p.3.

⁴³⁴ P1764; P1052; B.NAKAŠ:P1525,para.25; B.NAKAŠ:T.6689; D554,p.4; P1318,p.2; E.SULJEVIĆ:P1276,paras.44-46; KDZ304:P2407,p.28; E.TURKUŠIĆ:P1925,p.20; H.PALO:P120,p.20; M.MANDILOVIĆ:P1217,para.51; B.STANKOV:P670,p.2; T.KNUSTAD:P152,p.3.

65. The evidence excludes the possibility that the shell could have been fired from a distance of 900 to 1,600 metres, on the BiH side of the confrontation lines. There was an UNMO observation point (“OP1”) within the BiH side of the confrontation zone with a very clear view over Sarajevo.⁴³⁵ The incident took place on a bright, clear and quiet day with little wind.⁴³⁶ Given the location of OP1 and the loud noise of a mortar firing, these UNMOs “would certainly have heard any 120-millimetre mortar being fired from within the confrontation line [...] in the -- direction of fire”.⁴³⁷ By contrast, the sound of a shell fired from behind the mountain ridge would have been muffled.⁴³⁸ UNMOs on duty at OP1 neither saw nor heard any firing activity within ABiH territory.⁴³⁹ Investigators concluded that this evidence was decisive⁴⁴⁰ to establish that the shell must have been fired from a distance of at least 1,600m and thus from SRK-held territory.⁴⁴¹

66. This conclusion is corroborated by other evidence. The close proximity of the stabiliser to the crater is consistent with a medium level charge,⁴⁴² and HIGGS concluded the crater is consistent with a shell being fired on a charge of 0+3.⁴⁴³ On the same day, the Markale shelling was the last in a series of five rounds from SRK positions within a 25-minute period and a 300-metre area in central Sarajevo.⁴⁴⁴ The mortar shell was determined to have been produced in Serb-held territory and was “in

⁴³⁵ H.KONINGS:T.9298-9302,9308-9309; P1954; P1955; P1956; P1957;T.KNUSTAD:P152,p.3; P151.

⁴³⁶ H.KONINGS:T.9309-9310; H.KONINGS:P1953,para.89.

⁴³⁷ T.KNUSTAD:P123,pp.25-26; H.KONINGS:P1953,paras.23,89,91; H.KONINGS:T.9308-9310; R.SMITH:T.11458; KDZ413:P123,pp.25-28,43,69; P1445,p.3; R.HIGGS:P1437,pp.23-24; Z.SUBOTIĆ:T.38344,38354. For mortar launch noise: T.KNUSTAD:P123,p.25; J.WILSON:T.4111; T.OVERGARD:T.10031; S.GALIĆ:T.37860; S.SIMIĆ:T.30065; R.HIGGS:P1437,p.24; J.HAMILL:P1994,p.112.

⁴³⁸ P123,p.26; H.KONINGS:P1953,para.90; H.KONINGS:T.9309; B.HOGAN:T.11284; R.HIGGS:T.5933.

⁴³⁹ P123,pp.25,28-29,69-70; T.KNUSTAD:P152,p.3; P154; P1960,p.2; H.KONINGS:T.9309,9393.

⁴⁴⁰ P1449,p.2/[REDACTED] (partial duplicates); P1445,pp.3,21; R.SMITH:T.11458; H.KONINGS:P1953,para.90; H.KONINGS:T.9308-9309; E.TURKUŠIĆ:T.9071-9072; R.HIGGS:P1437,pp.23-24.

⁴⁴¹ P1449,p.2/[REDACTED] (partial duplicates); R.HIGGS:P1437,p.24; R.HIGGS:T.5934-5935; R.SMITH:T.11456; H.KONINGS:T.9308,9316,9342-9344.

⁴⁴² B.ZEČEVIĆ:T.12166; R.HIGGS:T.5980-5982.

⁴⁴³ R.HIGGS:P1437,p.24.

⁴⁴⁴ See Brief,AppendixC,fn.268.

common use by the BSA”.⁴⁴⁵ Both DEMURENKO and SUBOTIĆ also excluded the possibility that the shell was fired from the BiH side of the confrontation lines.⁴⁴⁶

67. DEMURENKO’s evidence regarding firing locations in SRK-held territory should be disregarded. On cross-examination, he contradicted his prior statements and testimony on the factual basis for his evidence,⁴⁴⁷ explaining that if he had given his current explanation, “it would not have sound[ed] convincing.”⁴⁴⁸ DEMURENKO’s evidence is unreliable because he only visited small areas of allegedly very specific firing locations, which were based on demonstrably erroneous information and assumptions.⁴⁴⁹ In contrast, HOGAN’s site check confirmed the suitability of the area for use of 120mm mortars.⁴⁵⁰ Moreover, the SRK held mortar positions in this area during the conflict.⁴⁵¹

3. Shelling Incidents G10-G15: MAB Incidents

68. Unrebutted adjudicated facts, contemporaneous on-site investigations, admissions by Defence witnesses, and other relevant evidence prove that the MABs in Incidents G10-G15 were SRK-fired (and indeed were examples of a weapon system possessed solely by the SRK in Sarajevo), and killed and wounded civilians and destroyed and damaged civilian objects.⁴⁵²

69. As discussed above, MABs were inherently incapable of targeting anything more specific than a general neighborhood in densely-populated and overwhelmingly-civilian Sarajevo due to their substantial inaccuracy.⁴⁵³ As a result, they could serve no useful military purpose in that theatre. When combined with their great destructive

⁴⁴⁵ P1934,pp.2-3; E.TURKUŠIĆ:P1925,pp.5,13; E.TURKUŠIĆ:T.8994; P2114,p.1; P1445,p.3; Z.SUBOTIĆ:T.38575-38576,38580-38581; P6328.

⁴⁴⁶ DEMURENKO claims that the incident was the result of a terrorist attack, rather than a mortar projectile. A.DEMURENKO:D2270,paras.65,139. *But see* A.DEMURENKO:T.28971. SUBOTIĆ excluded the possibility of a short-range mortar launch, arguing instead that the explosion was statically detonated. Z.SUBOTIĆ:D3551,para.110.

⁴⁴⁷ When confronted with the limitations to his approach, DEMURENKO dramatically changed his evidence and claimed he instead explored a “gigantic area...[of] thousands of square metres.” A.DEMURENKO:T.28926-28927,28937-28938.

⁴⁴⁸ A.DEMURENKO:T.28927-28932.

⁴⁴⁹ A.DEMURENKO:D2270,paras.117-119; H.KONINGS:D2272,para.25; D.ALLSOP:T.29436-29437. *See* Brief,DCC(A.DEMURENKO).

⁴⁵⁰ B.HOGAN:T.11228-11230; P2214; P2215.

⁴⁵¹ D2346; P5939; P5940; P5941; A.VANLYNDEN:P926,para.91.

⁴⁵² *See* Brief,paras.701-712.

⁴⁵³ *See* Brief,paras.707-712.

force as area weapons,⁴⁵⁴ and the SRK's awareness of their power and imprecision,⁴⁵⁵ they were a quintessential urban weapon of terror, used deliberately to that end by SRK in Sarajevo.

70. Evidence from the specific Scheduled MAB incidents further confirms that the SRK intentionally used MABs to terrorize the civilian population. On 6 April 1995, MILOŠEVIĆ ordered the Ilidža Brigade to fire an MAB at "the most profitable target" in Hrasnica or Sokolović Kolonija where "the greatest casualties and material damage would be inflicted."⁴⁵⁶ The next morning an MAB hit a residential area in Hrasnica, an act charged in Incident G10. That evening's report to KARADŽIĆ stated that the MAB was launched "on the centre of Hrasnica" and that the resulting destruction "adequately responded" to "enemy activity."⁴⁵⁷ Moreover, only one MAB was fired,⁴⁵⁸ and ŠEHOVAC admitted that from his observation post he saw it miss what he claimed was the target.⁴⁵⁹ He acknowledged that if he commanded a unit being threatened by a target, and a first attempt to eliminate the target failed, he "would order continued action until the target is neutralised or destroyed."⁴⁶⁰ The very fact that Defence SRK witnesses could neither agree nor state clearly what the target was further supports the notion that there was no target beyond the "centre of Hrasnica."⁴⁶¹

71. All Incidents fit this pattern of deliberately targeting civilians by launching an uncontrollable area weapon of immense destructive power at a civilian population center. The evidence surrounding Incidents G10, G13 and G15 further demonstrates that the SRK used MABs as instruments for retaliation against the civilian population in response to ABiH or NATO actions, a purpose consistent with the common

⁴⁵⁴ See Brief, para. 706.

⁴⁵⁵ See Brief, para. 711; S.VELJOVIĆ:T.29269-29270; AF2869; P1309, para. 2. MILOŠEVIĆ also admitted: that the bomb may have landed on his forces, that the same principle applied to residential areas, and that in the case of abandoning the MAB attack on the Butmir tunnel, firing was abandoned because "the degree of caution expressed by this artillery expert [was] justified," and acknowledged he gave an order indicating that to hit a target they needed four to six MABs: D.MILOŠEVIĆ:T.33150-33151, 33154, 33165-33166; P1309.

⁴⁵⁶ AF2878; P1201. See also P1782, p. 2.

⁴⁵⁷ P5943, p. 5.

⁴⁵⁸ M.ŠEHOVAC:T.31372.

⁴⁵⁹ M.ŠEHOVAC:T.31367.

⁴⁶⁰ M.ŠEHOVAC:T.31373.

⁴⁶¹ See e.g. Brief, DCC(V.RADOJICIC) and DCC(D.MILOŠEVIĆ).

purpose of the Terror JCE.⁴⁶² In addition, the Incidents took place on days on which there was no combat activity in the relevant area.⁴⁶³

72. Defence arguments regarding the weight (and in some cases explosive composition) of the specific bombs used in each incident, are not credible,⁴⁶⁴ and, more importantly, are beside the point given the overall destructiveness of all MABs. Defence contentions that alleged military objects in the vicinity of the impact sites were the targets of the MABs are inaccurate, vague, contradictory and speculative.⁴⁶⁵ As discussed above, SUBOTIĆ's analysis is scientifically unsound and not credible. Conjecture as to military targets is not responsive to the consistent evidence that MABs could not be accurately targeted at military objects in Sarajevo, and in fact supports that evidence by confirming that all of the MABs in the Incidents missed even speculative targets, sometimes by as much as 250 meters.⁴⁶⁶ None of the Defence evidence raises doubt that MABs were uncontrollable and inaccurate area weapons of immense destructive power, and that MABs were fired into a crowded, over-whelmingly civilian population centre.

(a) Shelling Incident G10 – 7 April 1995

73. On the morning of 7 April 1995, an MAB landed on Alekse Šantića Street in Hrasnica, killing one civilian and injuring three, as well as destroying two houses and

⁴⁶² See Brief, para. 773.

⁴⁶³ **Incident G10** was retaliatory: P1201; P1782, p.2; P5943, p.5. **Incident G11:** P1322, p.4; [REDACTED] A.GOTOVAC: P490, p.4; A.GOTOVAC: P489, pp.5, 8-9, 12-13, 27-28; E.TURKUŠIĆ: P1925, p.9; AF3043; KDZ166: T.8274. **Incident G12:** A.GOTOVAC: P489, p.13. **Incident G13:** AF3052; AF3054; [REDACTED]; D531; D866; D867; KDZ485: T.8950-8957; [REDACTED] KDZ477: T.10926-10927. **Incidents G14 and G15:** impact sites were far removed from areas of combat activity on that day, as these Incidents were retaliatory. See Brief, para. 773.

⁴⁶⁴ See M.ANDELKOVIĆ-LUKIĆ: T.31510-31513. Compare P5943, p.5 with Z.SUBOTIĆ: D3540, pp.51, 188.

⁴⁶⁵ **Incident G10:** D.MILOŠEVIĆ: T.32783-32784; 33155-33164; D.FRASER: T.8013; M.ŠEHOVAC: T.31367, 31371. **Incident G11:** Z.SUBOTIĆ: D3540, pp.58-68; Z.SUBOTIĆ: T.38189-38190; D.MILOŠEVIĆ: T.32776-32777; P1322, p.4; [REDACTED]. See also A.GOTOVAC: P490, p.4; A.GOTOVAC: P489, pp.5, 8-9, 12, 27-28. **Incident G12:** Z.SUBOTIĆ: D3540, pp.68-74; Z.SUBOTIĆ: T.38192, 38194; D.MILOŠEVIĆ: T.32776-32778. **Incident G13:** Z.SUBOTIĆ: D3540, pp.74-106; Z.SUBOTIĆ: T.38533. **Incident G14:** Z.SUBOTIĆ: D3540, pp.106-115; D.MILOŠEVIĆ: T.32779-32783. **Incident G15:** Defence when putting case on cross examination of KDZ166: T.8323-8324; Z.SUBOTIĆ: D3540, p.122. None of them provided any support for the allegation that Bitumenka factory was actually a legitimate military target. D.MILOŠEVIĆ: T.32781.

⁴⁶⁶ Z.SUBOTIĆ: D3540, pp.187-188.

damaging ten other houses.⁴⁶⁷ The MAB was fired from SRK-held territory in Ilidža by the Ilidža Brigade.⁴⁶⁸

(b) Shelling Incident G11 – 24 May 1995

74. On the morning of 24 May 1995, an MAB landed on Safeta Zajke Street, killing two civilians and seriously injuring five.⁴⁶⁹ The MAB was fired from SRK-held territory.⁴⁷⁰

(c) Shelling Incident G12 – 24 May 1995

75. On the afternoon of 24 May 1995, an MAB landed on Majdanska Street, killing two civilians and injuring six, five of them seriously.⁴⁷¹ The origin of fire was SRK-held territory.⁴⁷²

⁴⁶⁷ At about 0850 hours on 7 April 1995, an MAB destroyed the two-storey home of Ziba ŠUBO, a homemaker, living at Alekse Šantića Street, number 1, Hrasnica. AF3033-AF3034; AF3037; Z.ŠUBO:P488,p.7; Z.ŠUBO: [REDACTED] In claiming it was an FAB-100 and not FAB-250, SUBOTIĆ also admitted it was an MAB. Z.SUBOTIĆ:D3540,pp.51,188. One civilian was killed and three civilians were injured as a result of the explosion, one of them seriously. AF3038; [REDACTED]. The explosion completely destroyed two houses and damaged at least ten other houses nearby. AF3039; T.OVERGARD:P2058,pp.17,22; KDZ166:T.8268; P2060.

⁴⁶⁸ P1782,p.2; AF3041. Local witnesses informed OVERGARD that the weapon had been fired from a truck located near a rug weaving factory in an area of Serb-held Ilidža. T.OVERGARD:T.10020-10021,10042-10043; P2059,pp.1-2; T.OVERGARD:P2058,p.16; P1798,p.2. Damage to the houses, such as the windows broken in the direction from which the bomb had come, confirmed this direction of fire. T.OVERGARD:T.10020-10021,10041-10044; P2059,pp.1-2; T.OVERGARD:P2058,p.16; AF2878; P1201; P5943,p.5. See also P1782,p.2.

⁴⁶⁹ AF3042-AF3048. At about 1000 hours on 24 May 1995, an MAB propelled by at least three rockets hit Safeta Zajke Street. AF3044; A.GOTOVAC:P490,pp.4,12; A.GOTOVAC:D1271; A.GOTOVAC:P489,pp.15,28. SUBOTIĆ's expert team opined that a FAB-100 bomb with three rocket engines was used in this incident on the basis of the size of the crater. Z.SUBOTIĆ:D3540,pp.58-68; Z.SUBOTIĆ:T.38188. Contemporaneous reports of local investigators, by observing the remains of the rocket engines, concluded that there were up to five rocket engines for this air bomb. P1322; P1324; KDZ166:T.8349-8352. They noted that the houses in the radius of 100m were seriously damaged and concluded that such a powerful explosion could have been caused only by a larger MAB, e.g. FAB-250 or fuel-air MAB as ZEČEVIĆ claimed. P1812; P1324; B.ZEČEVIĆ:P2318,p.122. Two civilians were killed and five seriously injured as a result of the explosion. AF3044; AF3048; P1324,p.1. GOTOVAC was injured in the explosion by a piece of shrapnel. AF3045; A.GOTOVAC:P490,p.12; P1322.

⁴⁷⁰ The MAB was fired from the SRK-controlled area of Lukavica by members of the SRK. AF3047. This is corroborated by the findings of the investigators that the direction of fire was from the south-east on the basis of fragments embedded in the asphalt found on the site, as well as the funnel-shaped crater. [REDACTED] KDZ166:T.8274-8277.

⁴⁷¹ AF3049-AF3051; P1323,p.1. SUBOTIĆ also admitted it was an MAB, as was also noted by ZEČEVIĆ. Z.SUBOTIĆ:D3540,pp.68-74; Z.SUBOTIĆ:T.38192-38194; B.ZEČEVIĆ:P2318,p.127. The explosion killed two civilians and injured six civilians, five of them seriously. AF3050. It caused significant damage to nearby buildings, including the Novi Grad transformer station. [REDACTED]

⁴⁷² AF3051; P1323. KDZ166 reported that the projectile came from the area of Paljevo (south-east). KDZ166:T.8360-8361,8367; [REDACTED] All expert opinions and investigatory reports were similar regarding direction of fire. SUBOTIĆ 120-150°: Z.SUBOTIĆ:D3540,pp.68-74;

(d) Shelling Incident G13 – 26 May 1995

76. On 26 May 1995, an MAB hit an apartment building on Safeta Hadžića Street, destroying the top three floors, seriously injuring two civilians and slightly injuring at least fourteen civilians.⁴⁷³ The origin of fire was SRK-held territory.⁴⁷⁴

(e) Shelling Incident G14 – 16 June 1995

77. On 16 June 1995, an MAB exploded at the University Medical Centre at Dositejeva Street, number 4a, injuring three or four civilians and destroying surrounding buildings.⁴⁷⁵ The MAB was fired from SRK-held territory.⁴⁷⁶

(f) Shelling Incident G15 – 16 June 1995

78. On 16 June 1995, an MAB hit Trg Međunarodnog Prijateljstva, number 10, which was located in a residential area in Alipašino Polje, completely destroying a local community centre in the building and injuring seven people.⁴⁷⁷ The fire originated from SRK-held territory.⁴⁷⁸

Z.SUBOTIĆ:T.38192-38194. ZEČEVIĆ 135°; B.ZEČEVIĆ:P2318,p.127; P1322; KDZ166:T.8360-8361,8367; D813.

⁴⁷³ AF3052-AF3057; B.ZEČEVIĆ:P2318,p.129; D532; [REDACTED]; [REDACTED]; D533; P1325,pp.1,3; [REDACTED]; SUBOTIĆ concluded that a modified air bomb FAB-100 or FAB-250 with solid explosive was used here. Z.SUBOTIĆ:D3540,pp.74-106; Z.SUBOTIĆ:T.38195,38201-38203. Local investigators found three rocket engines (Grad) on the site which allowed them to conclude that it was a modified air bomb. P1913,p.2; P1325; E.SULJEVIĆ:P1276,para.53. Two civilians were seriously injured and at least fourteen civilians were slightly injured from the explosion. AF3056; [REDACTED]

⁴⁷⁴ AF3057; B.ZEČEVIĆ:P2318,p.129; D532; [REDACTED]; [REDACTED] D533; P1325,pp.1,3.

⁴⁷⁵ AF3058-AF3060; P1746,p.1; P1963; P1328; P1963. SUBOTIĆ claimed that the air bomb was of FAB-100 type with solid explosive and that three GRAD rockets were used for propulsion of the air bomb. Z.SUBOTIĆ:D3540,pp.106-115; Z.SUBOTIĆ:T.38204. Civilian injuries: P1963,pp.9,11(B/C/S); B.ZEČEVIĆ:P2318,p.133; AF3059; P1327,p.1; P1328,p.1. *But see* D850,p.13.

⁴⁷⁶ The modified air-bomb was fired from outside the confrontation lines and within SRK-held territory and was launched by members of the SRK. AF3060; P1327,pp.1,5; P1746,p.1; P1963. Despite a minor difference in determination of the direction of fire, Bosnian investigators, expert witness ZEČEVIĆ and witness KONINGS, agreed that the air-bomb was launched by the VRS from a general northerly direction. AF3060; P1327,p.5; E.SULJEVIĆ:T.6172-6174; E.SULJEVIĆ:P1328,p.1; B.ZEČEVIĆ:P2318,pp.133-135; H.KONINGS:P1953,para.47; P1746,p.1; P1328,p.1. SUBOTIĆ agreed with the CSB determination of the direction of fire (348 degrees, +/-10) and disagreed with ZEČEVIĆ's figure (315 degrees). Z.SUBOTIĆ:D3540,pp.113-114; Z.SUBOTIĆ:T.38204; P1327,p.4; B.ZEČEVIĆ:P2318,p.135.

⁴⁷⁷ AF3061; AF3063-AF3064; P454; P455; P458; P1803; [REDACTED]; [REDACTED]; KDZ166:T.8284; [REDACTED]; [REDACTED] KDZ166:T.8284; P1803; [REDACTED] SUBOTIĆ concluded that in this incident a modified air bomb

FAB-250 with a conventional charge was used. Z.SUBOTIĆ:D3540,pp.115-122;
Z.SUBOTIĆ:T.38212-38213. Destroyed a local community centre, causing seven casualties.

████████████████████ The building itself was a high-rise, with “at least four to five families living on each storey”. KDZ166:T.8286.

⁴⁷⁸ AF3064. SUBOTIĆ implied an admission that it was fired by the SRK by speculating about a possible target. Z.SUBOTIĆ:D3540,p.122.

CONFIDENTIAL
APPENDIX D

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I. SREBRENICA NARRATIVE

A. Introduction

1. Following the takeover of Srebrenica, over 7,000 Bosnian Muslim men and boys, including children, the elderly, and some who were severely handicapped, were brutally and systematically murdered and buried in different locations in Bratunac and Zvornik municipalities, the Tišća area and in Trnovo ("murder operation").¹ As described below, and in the Podrinje Summary,² the Bosnian Muslim population, including women, children and some elderly men,³ was removed from Srebrenica under violent, coercive and forcible circumstances ("forcible removal operation").⁴ The women, children, elderly men—and the boys and men who somehow managed to survive the executions—continue to suffer serious bodily or mental harm as a result of the crimes inflicted upon them.⁵

2. The murder and forcible transfer operations, implemented by **KARADŽIĆ**'s subordinates in the VRS, RS MUP and civilian structures, were premeditated, coordinated and carried out in furtherance of the JCE to Eliminate. Each crime charged in the Indictment can be imputed to at least one JCE member.⁶

3. The fate of the Bosnian Muslim men and boys captured in the fleeing column is exemplary of the high level of coordination that was required. In the Bratunac area, RS MUP and VRS forces captured men and boys from the column, detaining and mistreating them and finally executing them *en masse*. Civilian Protection supported their efforts by providing equipment and personnel for the burial operations. The thousands who were not killed in Bratunac in the first days were taken by the Bratunac Brigade and RS MUP to the Zvornik area and distributed to various detention locations, including schools and other public structures. There, the men and boys were guarded also by members of the Zvornik Brigade. The men and boys were

¹ AF1642; AF1643; AF1644; AF1647; AF1648; AF1649. *See also* Srebrenica Narrative, paras. 74-79, 159-163.

² *See* Podrinje Summary, paras. 31-43.

³ This section describes the forcible removal operation related to implementation of the JCE to Eliminate from 11 July (Indictment, paras. 46, 47(b), 58), and the attack and takeover of the Srebrenica enclave. This section, taken together with the *Podrinje Summary*, describe the forcible removal of the Bosnian Muslim population from Srebrenica (Indictment, paras. 57, 60(f)).

⁴ *See* Srebrenica Narrative, paras. 14-18.

⁵ AF1650. *See* V.H.I.(a)(ii): Serious bodily and mental harm.

⁶ *Brđanin* AJ, para. 413.

then executed following a consistent pattern: trucks would transport the prisoners from the detention centre to a nearby and previously identified execution site where different units from across the VRS would carry out the execution and burial of bodies. Executions continued during the night using the lights of the loaders engaged in digging mass graves. Even the disposal of the bodies was organised to efficiently support the ongoing killings.

4. That the killings were carried out in furtherance of the JCE to Eliminate is also reflected in the words and actions of the perpetrators and of high-level VRS and RS MUP officers as described throughout this Brief. For example, on 12 July, POPOVIĆ, referring to the Bosnian Muslim men and boys, noted that "every one of them" would be killed.⁷ On 13 July and before the killings at Jadar River, N.DERONJIĆ, one of the executioners, was heard saying that the prisoners would not be exchanged, but killed.⁸ That same day, when told the Muslim men in the column were killing themselves, BEARA said "excellent. Just let them continue, fuck it."⁹ [REDACTED] This sampling of statements illustrates beyond any doubt that the mass executions were intended and premeditated. They show that all the murders, including the opportunistic killings,¹¹ were committed in furtherance of the JCE to Eliminate.

B. Attack and takeover of Srebrenica

(a) 6-8 July: Attack on Srebrenica enclave

5. On 6 July 1995, the VRS DK attacked the Srebrenica safe area.¹² During the subsequent days the VRS used tanks, artillery, aerial bombs, mortars, rockets and heavy machine guns to pound the entire enclave.¹³ The VRS fired indiscriminately on

⁷ See V.G.2.(a): 12 July, Momir NIKOLIĆ told about the plan to separate and kill Muslim men.

⁸ KDZ065:P336,p.36.

⁹ See V.G.2.(c): 13 July, Thousands of Muslim prisoners in the Bratunac area.

¹⁰ See Srebrenica Narrative,para.151.

¹¹ As detailed in the Prosecution's Second Rule 73bis Submission, there is no legal distinction between the organised killings and the opportunistic killings. See Second 73bis Submission,para.4. See also Indictment,paras.47(a),58,66. However, the opportunistic killings at Potočari reflect the level of terror inflicted on the Bosnian Muslims there and are, therefore, relevant to their forced removal from the Srebrenica enclave. Because of their notorious and open nature, the opportunistic killings at Potočari also assist in contradicting the Accused's claim that the Bosnian Muslims of Srebrenica were treated humanely and left voluntarily.

¹² AF1472; R.BUTLER:P4914,p.35; J.KINGORI:P4140,paras.63-67; C.SCHMITZ:P4752,para.26.

¹³ AF1475; P5113,p.1; P4143,p.1; P4144,pp.2,5-6; P4145,pp.1-2; P5129,p.1; P4146,pp.2-3; P4148,p.1; P4149,p.1; J.KINGORI:P4140,paras.63,72-75,77-80,84,86,89; R.FRANKEN:P4175,paras.45-48;

civilian targets, including the hospital and PTT building,¹⁴ causing civilian injuries and deaths.¹⁵ Srebrenica town became more and more crowded as the Muslim population fled their villages which had come under attack.¹⁶

6. In the course of this military operation, the VRS attacked and disabled the UNPROFOR forces tasked to protect the civilian population.¹⁷ The attack included deliberate firing on DutchBat OPs, positions and vehicles with tank, artillery, rocket, heavy machine gun and small arms fire.¹⁸ Some of the Dutch soldiers retreated into the enclave after their posts were attacked, but others were detained and forced to hand over their equipment.¹⁹ DutchBat soldiers who were taken prisoner were held at the Hotel Fontana.²⁰ DutchBat's Potočari compound and its vicinity were also targeted.²¹

(b) 9-11 July: Attack and takeover of Srebrenica town

7. By the evening of 9 July, the VRS had pressed four kilometres deep into the enclave, halting just one kilometre short of Srebrenica town.²² At 19:00, the Muslim authorities in Srebrenica reported "civil[ia]n authorities are left with the last unpopular step to save the population",²³ meaning they had no other option but to leave.

8. **KARADŽIĆ** ordered the attack and takeover of the town on the night of 9 July.²⁴ On 10 July there was "massive" shelling of Srebrenica, including the DutchBat

P.BOERING:P3969,pp.53-55,64-65; C.SCHMITZ:P4752,para.27; J.RUTTEN:P3948,para.20; E.RAVE:P3995,paras.30-32.

¹⁴ P4147; J.KINGORI:P4140,paras.73,90-91; J.KINGORI:T.22892-22894.

¹⁵ P4143,p.1; P4144,p.2; P4145,pp.1-2; P4146,p.2; P4147; P2275,p.2; R.FRANKEN:P4175,para.46; C.SCHMITZ:P4752,para.27 J.KINGORI:P4140,paras.77-84,87,89.

¹⁶ AF1482; P4148,pp.1-2; P.BOERING:P3969,p.56; R.FRANKEN:P4175,para.51. *See also* P5129,p.2; J.KINGORI:P4140,paras.94-95.

¹⁷ P5129,p.1.

¹⁸ AF1476; P5129,p.1; P2275,p.2; P4143,p.1; P4144,pp.2,5; R.FRANKEN:P4175,paras.45-48; P.GROENEWEGEN:P4167,paras.14-15.

¹⁹ AF1477; AF1478; P2275,p.2; P5119,p.1; P5129,p.2.

²⁰ AF1518; R.FRANKEN:P4175,para.59; P.BOERING:P3968,pp.56-57,62; E.RAVE:P3995,para.67; P5119,p.1; AF1479; P4932; P4201,V000-9014,01:08:07-01:08:28,01:12:19-01:12:34; P4202,pp.226-227,229.

²¹ AF1473; P4144,pp.2,5; P4145,p.1; P5113,para.2; P4145; P.BOERING:P3969,pp.53-55; J.RUTTEN:P3948,para.20; P4147; J.KINGORI:P4140,para.89; E.RAVE:P3995,para.31.

²² AF1483; P5131; P5229; P4788; P5128; P2275.

²³ P4150.

²⁴ *See* V.G.1.(a): 9 July, **KARADŽIĆ** ordered the final attack and takeover of Srebrenica.

compound.²⁵ DutchBat blocking positions were also under fire.²⁶ Thousands of Bosnian Muslims from the surrounding area had gathered around the UNPROFOR base in Srebrenica town and at the HQ in Potočari.²⁷ Heavy shelling continued throughout the day,²⁸ resulting in civilian casualties.²⁹

9. As the situation in Potočari escalated towards crisis on the evening of 11 July, word spread through the Bosnian Muslim community that the able-bodied men should take to the woods, form a column together with members of the ABiH 28th Division, and attempt a breakthrough towards Bosnian Muslim-held territory in the north.³⁰ The column of 13,000-15,000³¹ mostly men and boys aged 16-65 years³² set out from Jagličići and Šušnjari.³³ Around one third were 28th Division soldiers, not all armed.³⁴ The soldiers were at the front and rear of the column, and also mixed through the remaining sections.³⁵

10. By the morning of 11 July, the ABiH had disappeared from the enclave.³⁶ Bosnian Muslims, desperate for protection, crowded in and around the Bravo Company compound in Srebrenica,³⁷ which the VRS continued to shell.³⁸ Thousands continued to flee to the UNPROFOR base in Potočari and sought protection there.³⁹ DutchBat trucks and APCs⁴⁰ were used to transport some, including the sick and

²⁵ AF1484; AF1485; R.FRANKEN:P4175,para.55; P.BOERING:P3969,pp.64-65, P.BOERING:T.22138-22140,22150-22151; P3991; J.RUTTEN:P3948,paras.18-20; P4151; P4152; J.KINGORI:P4140,paras.116-118; E.RAVE:P3995,paras.44-45,47.

²⁶ R.FRANKEN:P4175,paras.52-55; E.RAVE:P3995,para.42.

²⁷ AF1486. *See also* J.KINGORI:P4140,paras.123-125; P.BOERING:P3969,pp.64-65,69-70; J.RUTTEN:P3948,paras.21-23; E.RAVE:P3995,paras.45-46; M.MALAGIĆ:T.23472-23474.

²⁸ P3991; P4153,pp.1,3; J.KINGORI:P4140,para.122; E.RAVE:P3995,para.45.

²⁹ P2284,p.65.

³⁰ AF1594; P841; KDZ063:P334,p.3; KDZ065:P336,pp.5,105; KDZ069:P339,pp.81-82; KDZ071:P5029,p.62.

³¹ AF1596; KDZ064:T.1425; KDZ069:P339,p.4; M.ORIĆ:P350,p.14; KDZ045:P5910,p.5; KDZ064:P769,pp.47-48; KDZ065:P336,p.6 [REDACTED]

³² AF1596; AF1598; AF1599; KDZ045:P5910,p.5; [REDACTED]

³³ AF1594; AF1595; AF1596; AF1597; AF1600; AF1604; AF1494; KDZ045:P5910,pp.4-6; KDZ064:P769,p.43; KDZ065:P336,pp.5-7; KDZ066:P337,pp.3-5; [REDACTED] 3-4. *See also* KDZ063:P334,pp.3-4,63; KDZ071:P5029,p.10; M.ORIĆ:P350,p.14; P4201,V000-9014,00:14:03-00:14:57; P4202,pp.19,23,196.

³⁴ AF1596; AF1603; KDZ045:P5910,p.5; KDZ063:P334,pp.63-64; [REDACTED]; KDZ065:P336,pp.6,134-135,157-158; KDZ066:P337,p.5; KDZ071:P5029,pp.62-63.

³⁵ AF1603; KDZ064: [REDACTED]; KDZ065:P336,pp.6-7.

³⁶ R.FRANKEN:P4175,para.57.

³⁷ AF1490; R.FRANKEN:P4175,para.60; P4201,V000-9014,00:10:19-00:14:02; P4202,pp.19-22,195-196.

³⁸ AF1491; E.RAVE:P3995,para.54; M.MALAGIĆ:P356,p.6; M.MALAGIĆ:T.23475-23477.

³⁹ AF1500; P3992; J.KINGORI:P4140,para.129; R.FRANKEN:P4175,para.60; P4154,p.4; M.MALAGIĆ:P356,pp.7-8; M.MALAGIĆ:T.23477-23479; J.KINGORI T.22802-22803.

⁴⁰ KDZ039:P3940,pp.6-8; R.FRANKEN:P4175,para.61; J.RUTTEN:P3948,para.26.

wounded.⁴¹ The column of Bosnian Muslims and peacekeepers was shelled on either side by VRS mortars and artillery, forcing them to the main UN base at Potočari.⁴² At Potočari, Bosnian Muslims filled all available space and overflowed into the adjacent area.⁴³ Males were only allowed onto the base if they were elderly or otherwise unable to be classified as combatants.⁴⁴

C. Crimes in Potočari, 10-13 July

11. On 12 and/or 13 July 1995, senior VRS-GŠ and DK officers were present in Potočari, including MLADIĆ, R.JANKOVIĆ, KRSTIĆ, ŽIVANOVIĆ, KOSORIĆ, AĆAMOVIĆ and KRSMANOVIĆ, along with security officers POPOVIĆ and Momir NIKOLIĆ.⁴⁵ Also present were RS MUP Commanders BOROVIČANIN, Mendeljev ĐURIĆ(KW118) and JEVIĆ,⁴⁶ and local civilian Bosnian Serb leaders, including S.DAVIDOVIĆ, L.SIMIĆ, and A.TEŠIĆ.⁴⁷

1. Potočari 11-13 July: Humanitarian situation/terrorising and abuse of Bosnian Muslim population

12. By the end of 11 July, over 20,000 Bosnian Muslims from Srebrenica had gathered in and around the UN DutchBat HQ in Potočari.⁴⁸ There, they were

⁴¹ R.FRANKEN:P4175,para.61; E.RAVE: [REDACTED]; V.EGBERS:P331,p.13.

⁴² AF1489; AF1501; AF1589; R.FRANKEN:P4175,para.61; V.EGBERS:P331,pp.13-14,158; E.RAVE:P3995,para.58; M.MALAGIĆ:P356,p.6.

⁴³ R.FRANKEN:P4175,para.64; M.MALAGIĆ:P356,pp.8-9.

⁴⁴ J.RUTTEN:P3948,para.25. *See also* P.GROENEWEGEN:P4167,para.23.

⁴⁵ AF1554-AF1555; AF1558; AF1561; AF1572; AF1656; M.NIKOLIĆ:T.24625-24626,24630; Lj.BOROVIČANIN:D3659,para.20; P4201,V000-9035,00:16:45-00:30:50; P4202,pp.76-80,250-255; S.KOSORIĆ:T.38702-38703,38706; S.KOSORIĆ:D3562,paras.9-10; J.KINGORI:P4140,paras.151-162,167-168,189-190; J.KINGORI:T.22805-22811; C.SCHMITZ:P4752,paras.44,48; C.SCHMITZ:T.26849; R.FRANKEN:P4175,paras.73-77,86,89,91,112. *See also* P.BOERING:P3969,pp.112-118,185-186; D.MIČIĆ:D3196,para.23; AF1556; AF1559-AF1560; AF1562; AF1564.

⁴⁶ AF1563; AF1560; M.NIKOLIĆ:T.24625-24626,24630; Lj.BOROVIČANIN:D3659,paras.19-20,23; Lj.BOROVIČANIN:T.39456; M.ĐURIĆ(KW118):D3903,paras.8-9,12; D.MIČIĆ:D3196,para.23; P4201,V000-9035,00:16:45-00:00:30:50; P4201,V000-9016,00:04:05-00:11:20; P4202,pp.75,76,126-127,129-130,271-273; P667,00:00:00-00:09:00; P4270,pp.6-19. *See* D.KIJAC:T.44332,44335-44338. M.ĐURIĆ(KW118) testified that he did not participate in separating men in Potočari and did not know that the men were being separated. M.ĐURIĆ(KW118):D3903,para.13. His evidence is not credible, in particular, on this issue. Upon questioning by Judge Kwon M.ĐURIĆ(KW118) conceded that "it may have been happening." M.ĐURIĆ(KW118):T.42095. *See also* DCC(M.ĐURIĆ(KW118)).

⁴⁷ L.SIMIĆ:D3398,paras.73-74; L.SIMIĆ:T.37328; S.DAVIDOVIĆ:T.24402-24403; A.TEŠIĆ:T.35307.

⁴⁸ AF1500; AF1502; AF1504; AF1575; P3992; P4154,p.4; P2986; C.SCHMITZ:P4752,paras.37-38; J.KINGORI:T.22802-22803; J.KINGORI:P4140,para.129; R.FRANKEN:P4175,para.60; J.RUTTEN:P3948,paras.26,30; E.RAVE:P3995,paras.60-61. *See also* P4201,V000-9014,00:15:00-00:18:40(Situation in Potočari 11 July); P4202,pp.25-28; M.MALAGIĆ:T.23475-23479;

"subjected to a humanitarian crisis".⁴⁹ The situation in Potočari was "hell on earth".⁵⁰ The Bosnian Muslims were exhausted, weak and terrified,⁵¹ and looked as if the world had "stopped for them."⁵² They were "shivering with fear" from the constant shelling.⁵³ The weather was "unnaturally hot".⁵⁴ There was little water or food,⁵⁵ and no toilet facilities.⁵⁶ People were dying of exhaustion and dehydration.⁵⁷ Women delivered babies under horrific conditions.⁵⁸

13. The VRS singled out Bosnian Muslims for murder, beatings and other physical cruelty. On the night of 11 July, Bosnian Muslims were taken away one by one; moans were heard as the Bosnian Serb soldiers were "hitting, beating, killing".⁵⁹ This abuse continued on 12 and 13 July.⁶⁰ Senior VRS officers, aware of this conduct, did nothing to prevent it.⁶¹

M.MALAGIĆ:P356,pp.7-8; P.BOERING:T.22153-22155; P.BOERING:P3969,pp.69-71; V.EGBBERS:P331,p.15; P4960,p.2; P4388; P4936; P4935; P2987; P4939; P4942.

⁴⁹ R.FRANKEN:P4175,para.80.

⁵⁰ KDZ167:P354,p.7. *See also* A.TEŠIĆ:T.35307-35308; L.SIMIĆ:T.37275-37276; P4201,V000-9035,00:16:45-00:30:50; P4202,pp.69-81,250-255.

⁵¹ R.PATELSKI:P4173,para.22.

⁵² R.FRANKEN:P4175,para.67.

⁵³ C.SCHMITZ:P4752,para.38; P.BOERING:P3969,p.70; P.GROENEWEGEN:P4167,paras.18-19.

See also E.RAVE:P3995,paras.58,60,89,91; J.KINGORI:P4140,paras.138-140; P4154,p.4; P3974,paras.4-5. There was also sniping. *See* M.MALAGIĆ:P356,p.10.

⁵⁴ M.MALAGIĆ:P356,p.7; AF1503.

⁵⁵ AF1503-AF1504; P4154,p.4; M.MALAGIĆ:P356,p.11; KDZ070:P341,p.7; L.SIMIĆ:T.37277-37278. Evidence that MLADIĆ ordered BOROVCANIN and another Serb soldier to hand out food and cigarettes to the refugees and sweets to Muslim children is pure propaganda. *Compare* P4201,V000-9035,00:20:38-00:28:58; P4202,pp.75,250-255; Lj.BOROVCANIN:D3659,paras.17-18; D.MIĆIĆ:D3196,para.23 *with* J.RUTTEN:P3948,paras.40-42; J.RUTTEN:T.21989-21990,22000; J.KINGORI:P4140,paras.148-150; R.FRANKEN:P4175,para.73; P.GROENEWEGEN:P4167,para.31.

⁵⁶ M.MALAGIĆ:P356,p.15; KDZ070:P341,p.7; AF1505.

⁵⁷ R.FRANKEN:P4175,para.96; C.SCHMITZ:P4752,para.38; R.FRANKEN:P4175,para.96;

R.PATELSKI:P4173,para.22.

⁵⁸ R.FRANKEN:P4175,para.96; *See also* C.SCHMITZ:P4752,para.38; P4158,para.6;

J.KINGORI:P4140,para.194.

⁵⁹ KDZ167:P354,pp.6-7. *See also* AF1509.

⁶⁰ M.NIKOLIĆ:D2081,p.3; M.MALAGIĆ:P356,pp.12,16,19; M.MALAGIĆ:T.23487;

P.GROENEWEGEN:P4167,para.30; P.BOERING:P3969,p.117;

[REDACTED] S.IBIŠEVIĆ:P401,pp.2-3,9; R.FRANKEN:P4175,para.95. *See also* KDZ070:P341,p.11; AF1510; M.MALAGIĆ:T.23533,23536; M.MALAGIĆ:P356,pp.20-21,26;

J.KINGORI:P4140,para.204; J.KINGORI:T.22933; R.FRANKEN:P4175,para.97;

R.PATELSKI:P4173,para.24.

⁶¹ M.NIKOLIĆ:D2081,p.3.

2. Potočari 12-13 July: Separation and detention of the men and boys and transportation of the women, children and elderly

(a) 12 July: Transportation begins

14. The transportation of Bosnian Muslim women, young children, and some elderly men, from Potočari began at about 12:40 on 12 July.⁶² MUP forces (including the 1st Zvornik PJP and Jahorina Recruits under BOROVIČANIN's command),⁶³ working with the VRS (including the 10th DOd and 65th ZMTP),⁶⁴ began loading the women, children and elderly on buses,⁶⁵ and separating the Bosnian Muslim men and boys in the process.⁶⁶

15. Force and violence were used to push frightened Muslims onto over-filled buses.⁶⁷ During transportation, Bosnian Serb Forces stood beside the buses with guns and large dogs, terrifying the refugees.⁶⁸ Ethnically-tinged curses and insults were hurled at the refugees.⁶⁹ DutchBat attempted to help refugees to the buses.⁷⁰

⁶² AF1557; AF1571-AF1573; AF1575; AF1578-AF1579; AF1582-AF1583, AF1586; D2258; [REDACTED]; P4574. *See also* P4577; [REDACTED]; J.RUTTEN:P3948,para.39; KDZ039:P3940,p.9; M.NIKOLIĆ:T.24631-24632; R.FRANKEN:P4175,para.80; P4960,p.2.

⁶³ P4960,p.2; P4202,pp.71-76; M.NIKOLIĆ:T.24631-24632; M.ĐURIĆ(KW118):D3903,paras.8-9; M.ĐURIĆ(KW118):T.42082-42083; M.NIKOLIĆ:T.24625. *See also* P2987,p.1. M.ĐURIĆ(KW118) denied that he took part in forcible removal of civilians from Potočari. M.ĐURIĆ(KW118):T.42083-42086; M.ĐURIĆ(KW118):D3903,para.16. M.ĐURIĆ(KW118)'s evidence is manifestly dishonest and not credible. *See* DCC(M.ĐURIĆ(KW118)).

⁶⁴ M.NIKOLIĆ:T.24632-24633.

⁶⁵ AF1557; AF1571; AF1573; M.NIKOLIĆ:T.24631; P.GROENEWEGEN:T.23006-23007. *See also* AF1572; AF1575; AF1578; AF1582; AF1586; R.FRANKEN:P4175,para.80; P.GROENEWEGEN:P4167.

⁶⁶ There is overwhelming evidence that separations occurred, including from Defence witness ZAMETICA, KARADŽIĆ's spokesman. P6467,p.1; J.ZAMETICA:T.42527-42530. *See e.g.* J.RUTTEN:P3948,para.49; AF1571; P.BOERING:P3969,pp.116-118; R.FRANKEN:P4175,para.87; M.NIKOLIĆ:T.24631-24632; J.KINGORI:P4140,paras.153,158,160,162. *See also* R.FRANKEN:P4175,para.70; A.HASIĆ:P354,p.6; S.IBISEVIĆ:P401,pp.2-3; M.NIKOLIĆ:D2081,p.2; P4934. *Contra* M.ĐURIĆ(KW118):D3903,para.13; M.ĐURIĆ(KW118):T.42086-42088,42091-42097; Lj.BOROVIČANIN:D3659,para.19-21(denying separations and involvement). This limited evidence rebutting the occurrence of separations is not credible. *See* DCC(M.ĐURIĆ(KW118)); Lj.BOROVIČANIN:D3659,paras.23-24(admitting he was in Potočari at this time).

⁶⁷ AF1552; AF1574; R.FRANKEN:P4175,para.81; M.NIKOLIĆ:D2081,para.6; P.GROENEWEGEN:P4167,para.32. V.EGBERS:P331,p.28.

⁶⁸ R.PATELSKI:P4173,para.25; M.MALAGIĆ:P356,p.25. *See also* J.KINGORI:P4140,para.158; R.FRANKEN:P4175,para.70; A.HASIĆ:P354,p.6; S.IBISEVIĆ:P401,p.2; M.NIKOLIĆ:D2081,para.6; P4934.

⁶⁹ M.MALAGIĆ:T.23489.

⁷⁰ KDZ039:P3940,pp.9-10; KDZ070:P341,p.13; [REDACTED].

16. The first convoy to leave Potočari in the afternoon was well-organised, consisting of ten buses and six trucks.⁷¹ Each bus carried 50-60 people, with more jammed inside in subsequent convoys.⁷²

17. After disembarking in the Tišća area, refugees had to continue on foot for several kilometres through no-man's land to Kladanj.⁷³ The women, children and elderly who arrived in Tuzla were hungry, thirsty and "at the end of their rope".⁷⁴

18. The mood was fearful in Potočari that night. "[T]he people who were still there [...] were mainly people who did not want to get on to the bus and wanted to stay."⁷⁵ FRANKEN assembled a list of Muslim men inside the UN compound, attempting to protect them by making their identities public.⁷⁶

(b) 12 July: Separation and detention of the Muslim men

19. The separation of men was well-planned⁷⁷ from the start,⁷⁸ and marked by brutality, distress and heartbreak.⁷⁹ Bosnian Serb Forces, including those under the supervision of Momir NIKOLIĆ and members of RS MUP "Special Police" under BOROVIČANIN and Duško JEVIĆ, abused many of the Muslim men.⁸⁰

20. Men were separated from the crowd, including as they tried to board the buses.⁸¹ The men were lied to, if they were told anything, about why they were being

⁷¹ AF1571; AF1573; AF1575; P.BOERING:P3969,pp.124,182-183; V.EGBERS:P331,p.25. FRANKEN ordered DutchBat soldiers to accompany the convoys, though their efforts were increasingly stymied as the transportation continued. AF1576; AF1584-AF1585; R.FRANKEN:P4175,para.79; V.EGBERS:P331,pp.16,27,31; P.BOERING:P3969,pp.123-124,262; P.BOERING:D1968,p.8.

⁷² V.EGBERS:P331,pp.25,34.

⁷³ AF1573; AF1582; AF1583; P4201,V000-9035,00:54:00-00:58:13; P4202,pp.99-101; M.MALAGIĆ:P356,pp.42-43; P.BOERING:P3969,pp.128-129; [REDACTED]

⁷⁴ P.BOERING:P3969,p.129.

⁷⁵ P.GROENEWEGEN:P4167,para.46. *See also* J.RUTTEN:P3948,para.35.

⁷⁶ AF1513; P4181; R.FRANKEN:P4175,paras.90-91; E.RAVE:P3995,paras.115-116. The list contained only 251 names as many men refused to have their names recorded because they feared the VRS would find the list. *See* AF1515; R.FRANKEN:P4175,paras.91-92,113. Muslim representatives were too intimidated by the Serb forces to continue gathering names. R.FRANKEN:P4175,para.91; P4202,p.66.

⁷⁷ AF1548; J.RUTTEN:P3948,para.83.

⁷⁸ R.FRANKEN:P4175,para.87; J.KINGORI:P4140,para.160; P.BOERING:D1968,p.8; M.MALAGIĆ:P356,pp.12-13.

⁷⁹ AF1509; AF1552; M.MALAGIĆ:P356,pp.18-19; KDZ039:P3940,p.13; J.KINGORI:P4140,paras.160-162; M.NIKOLIĆ:T.24631-24632; P.GROENEWEGEN:P4167,paras.32,42-43; [REDACTED]

⁸⁰ M.NIKOLIĆ:D2081,p.3; M.NIKOLIĆ:T.24625; AF1551; AF1553; AF1557;

M.JANJIĆ:P1194,pp.25-26.

⁸¹ AF1551; P.BOERING:P3969,p.119; KDZ039:P3940,p.11.

separated.⁸² A few Muslim men of military age managed to leave Potočari on the first convoy,⁸³ but they too were later separated and detained.⁸⁴

21. Once separated, VRS and MUP forces took them to houses in the vicinity, including the "White House".⁸⁵ The conditions of detention at the White House were bad and rapidly deteriorating.⁸⁶ Guards prevented DutchBat soldiers from investigating.⁸⁷

22. No genuine screening process occurred before the separated men and boys were sent to the White House.⁸⁸ Instead, the Muslim men and boys were forced to drop their belongings and identification documents in a huge pile in front of the White House.⁸⁹ These were later destroyed.⁹⁰ There was no legitimate purpose for doing so; instead, it shows that the men would be killed.⁹¹ The murder plan is also evidenced by the appalling conditions in which men were held at the White House.

23. The first buses of men left for Bratunac on the evening of 12 July.⁹² The VRS prevented DutchBat escorts from following the buses.⁹³ Approximately 10-15 buses were filled with men that day.⁹⁴

⁸² [REDACTED]

⁸³ M.NIKOLIĆ:T.24636. Men were allowed on the first convoy as a propaganda exercise for Serb TV and DutchBat. M.NIKOLIĆ:D2081,p.3.

⁸⁴ P.BOERING:P3969,p.114; M.NIKOLIĆ:T.24631; M.NIKOLIĆ:D2081,p.3.

⁸⁵ AF1652; AF1654; KDZ039:P3940,p.11; V.EGBERS:P331,pp.27-28; R.FRANKEN:P4175,paras.86-87; J.KINGORI:P4140,para.160; M.JANJIĆ:P1194,pp.25-26,28; J.RUTTEN:P3948,para.57; P.BOERING:D1968,p.8; [REDACTED].

⁸⁶ J.KINGORI:P4140,paras.153-154; J.RUTTEN:P3948,para.61; P4201,V000-9016,00:08:37-00:08:53,00:10:44-00:10:55; P4202,pp.131,273-274. Detainees not at the White House also endured poor conditions. KDZ039:P3940,pp.11-13; M.MALAGIĆ:P356,p.16; [REDACTED]; P.BOERING:P3969,pp.116,121.

⁸⁷ R.FRANKEN:P4175,para.89; E.RAVE:P3995,para.102; P.BOERING:P3969,p.123.

⁸⁸ AF1549; AF1654; J.RUTTEN:P3948,para.49; M.NIKOLIĆ:T.24642-24643; P.GROENEWEGEN:P4167,paras.42-43; KDZ039:P3940,p.11; J.KINGORI:P4140,para.160; R.FRANKEN:P4175,paras.86-88; E.RAVE:P3995,para.98.

⁸⁹ AF1655-AF1666; J.RUTTEN:P3948,paras.55,63; J.RUTTEN:T.22040; P4201,V000-9016,00:09:24-00:10:56; P4202,pp.273-274,130-131; P667,00:08:22-00:08:53; P4270,pp.16,18(photoA); [REDACTED]; R.FRANKEN:P4175,para.87; J.KINGORI:P4140,para.175;

M.NIKOLIĆ:T.24631-24632; M.JANJIĆ:P1194,pp.29-30; J.KINGORI:P4140,para.156;

V.EGBERS:P331,p.29; E.RAVE:P3995,para.98.

⁹⁰ J.KINGORI:P4140,para.175; J.RUTTEN:P3948,para.67; J.RUTTEN:T.22039-22041.

⁹¹ J.KINGORI:P4140,para.175; J.RUTTEN:P3948,para.67; J.RUTTEN:T.22039-22040.

⁹² AF1569; AF1657; AF1663; AF1664; AF1666; KDZ039:P3940,pp.15-17; KDZ039:T.21953; E.RAVE:P3995,paras.98-100; J.KINGORI:P4140,paras.173-174; [REDACTED]

[REDACTED]. Ibro NUHANOVIĆ, who attended the Third Hotel Fontana Meeting, told FRANKEN

(c) 13 July: Transportation continued

24. Around 07:00 on 13 July, buses arrived⁹⁵ and the transportation of women, young children and some elderly men continued.⁹⁶ With no food or water and many injured among them, the refugees could not and did not want to stay any longer.⁹⁷ Abuse and separations⁹⁸ continued.

(d) 13 July: Separation and detention of men in Potočari continued

25. On the morning of 13 July, two DutchBat soldiers managed to enter the White House.⁹⁹ RUTTEN saw a prisoner hanging handcuffed to a staircase by one arm with his feet dangling off the floor¹⁰⁰ and two rooms of men and boys¹⁰¹ with "total fear" on their faces.¹⁰² He saw Bosnian Serb soldiers robbing Muslim men of any remaining belongings at gunpoint.¹⁰³ A gun was shoved in RUTTEN's mouth when he tried to enter what looked like an interrogation room.¹⁰⁴

26. That day, KINGORI received reports that Muslim men were being taken behind a building between the UN compound and the factory and were not seen again following single-round shots. After KINGORI witnessed a Muslim man being taken behind the building, VRS soldiers refused him access to the area, telling him he would be shot if he persisted. Leaving the area, KINGORI heard a gunshot.¹⁰⁵

he wanted DutchBat to stop the transportations out of fear for the fate of the men. R.FRANKEN:P4175,paras.92-93.

⁹³ R.FRANKEN:P4175,paras.84-85; J.RUTTEN:P3948,para.52.

⁹⁴ M.JANJIĆ:P1194,pp.31-32.

⁹⁵ P.GROENEWEGEN:P4167,para.48; E.RAVE:P3995,para.113; J.RUTTEN:P3948,para.39.

⁹⁶ C.SCHMITZ:P4752,para.51; M.JANJIĆ:P1194,pp.43-44,50-52; M.MALAGIĆ:T.23489-23490; M.MALAGIĆ:P356,pp.27-28,33-34; KDZ167:P354,p.47; AF1573; AF1664; J.RUTTEN:P3948,paras.51-52; R.PATELSKI:P4173,para.28.

⁹⁷ M.MALAGIĆ:P356,p.21; R.PATELSKI:P4173,paras.26-27. See J.RUTTEN:P3948,para.39.

⁹⁸ AF1550; R.PATELSKI:P4173,para.25; M.MALAGIĆ:P356,pp.25-26.

⁹⁹ J.RUTTEN:P3948,paras.56,60.

¹⁰⁰ J.RUTTEN:P3948,para.61.

¹⁰¹ J.RUTTEN:P3948,para.64. See also J.KINGORI:P4140,para.154; V.EGBERS:P331,p.28.

¹⁰² J.RUTTEN:P3948,para.91. See also J.RUTTEN:T.22045. EGBERS saw terrified men who signalled that the Bosnian Serbs would kill them. V.EGBERS:P331,pp.28-30.

¹⁰³ J.RUTTEN:P3948,paras.89,92-93.

¹⁰⁴ J.RUTTEN:P3948,para.61.

¹⁰⁵ J.KINGORI:P4140,paras.179-182; P4157.

27. After the men were transported from Potočari late in the evening of 13 July, their belongings, which formed a big mound outside the White House,¹⁰⁶ were set on fire and burned for almost two days.¹⁰⁷

(e) 13 July: Transportation ended

28. By about 20:00 on 13 July, transportation of the Bosnian Muslim women, young children and some elderly from Potočari was complete.¹⁰⁸

29. VRS MP JANJIĆ and other MPs counted civilians being transported out of Potočari,¹⁰⁹ as did M.ILIĆ, a civilian policeman.¹¹⁰ JANJIĆ counted over 9,000 removed on the first day.¹¹¹ On 13 July, VAŠIĆ reported that the MUP were involved in removing the remaining population of "about 15,000".¹¹² Over 20,000 Bosnian Muslim women, children and elderly were transported from Potočari on 12 and 13 July.¹¹³

30. When UN personnel went to collect the remaining patients from Srebrenica hospital, Serb soldiers threatened to kill any patients who refused to leave.¹¹⁴

31. The Muslim men and boys who remained inside the UN compound were detained by Bosnian Serb Forces, and are either still missing or have been identified as dead. The remains of Muslim representative Ibro NUHANOVIĆ¹¹⁵ and Mirsada

¹⁰⁶ J.RUTTEN:P3948,para.55; R.FRANKEN:P4175,para.100; P4201,V000-9016,00:09:20-00:11:00; P4202,pp.273-274,130-131; P667,00:08:22-00:08:53; P4270,pp.16,18(photoA).

¹⁰⁷ AF1667; J.RUTTEN:P3948,para.66; P3961; R.FRANKEN:P4175,para.100; P4183. *See also* AF1665.

¹⁰⁸ AF1586; P166(JANKOVIĆ's report on the evacuation). *See also* [REDACTED] J.KINGORI:P4140,paras.195-196,198; P4160; R.FRANKEN:P4175,para.98; C.SCHMITZ:P4752,para.56; E.RAVE:P3995,para.116.

¹⁰⁹ M.JANJIĆ:P1194,pp.2,13-15,19-21.

¹¹⁰ AF1571; M.JANJIĆ:P1194,p.22.

¹¹¹ M.JANJIĆ:P1194,pp.21-22; M.JANJIĆ:P372,p.11. *See also* P4939("in the afternoon about 8,500 people mainly women and children were transported out."); P4388("About 5,000 women and children were evacuated so far").

¹¹² P4942.

¹¹³ AF1575; P4960,p.2("We estimate that there were 25,000 to 28,000 people"); P4388("A refugee group of about 30,000-35,000 women, children, elderly, the infirm and the sick[...]About 5000 women and children were evacuated so far."); P4936("there are 30,000 people around the Dutch Battalion bases"); P4935("According to Muslims there are 25.000 people in the base in Potocari (mainly small children, women and elderly)"); P2987(In Potocari, [...]between 25,000 and 30,000 civilians had gathered)). *See also* AF1502; AF1504; P3992; P4154,p.4; P2986; C.SCHMITZ:P4752,para.38; J.KINGORI:T.22802-22803; J.RUTTEN:P3948,para.26; E.RAVE:P3995,para.60.

¹¹⁴ J.KINGORI:P4140,paras.185-186. *See also* J.RUTTEN:P3948,para.109.

¹¹⁵ P4202,pp.65,246; P5913(Protocol ID 8406/06).

MALAGIĆ's son Elvir¹¹⁶ have been found in secondary graves related to the Branjevo Farm and Pilica executions.¹¹⁷ The bodies of Muslim men on FRANKEN's list¹¹⁸ have been located in graves¹¹⁹ associated with executions at Tišća,¹²⁰ Petkovci Dam,¹²¹ Kozluk,¹²² Branjevo Farm and Pilica Cultural Centre,¹²³ while other men remain missing.¹²⁴

32. As the last Bosnian Muslims were transported out of the enclave, a UNHCR convoy carrying aid entered Potočari.¹²⁵

3. 12-13 July: Disabling and detaining DutchBat soldiers

33. By the afternoon of 12 July and continuing through 13 July, VRS and MUP soldiers detained DutchBat soldiers, stopped DutchBat convoy escorts, and stole DutchBat vehicles, weapons and communications sets.¹²⁶ Although the first convoy from Potočari was permitted to pass with DutchBat escort and some Muslim men on board, by late afternoon on 12 July, Bosnian Serb Forces were systematically stopping, disarming and hijacking DutchBat jeeps and turning back escorts.¹²⁷ The VRS leadership sanctioned the disabling of DutchBat to prevent them from fulfilling

¹¹⁶ P4181,p.4(line22); M.MALAGIĆ:P356,pp.2,4-5,8; M.MALAGIĆ:T.23490-23491; P5913(Protocol ID 13469/11).

¹¹⁷ See Srebrenica Narrative,paras.142-144.

¹¹⁸ P4181. See Srebrenica Narrative,fn.77.

¹¹⁹ See P5913.

¹²⁰ See e.g. Azem (Ramo) BEČIĆ (Protocol ID 12570/09), Mršići-Vlasenica primary grave. See Srebrenica Narrative,para.78.

¹²¹ See e.g. Ibrahim (Osman) ALIĆ (Protocol ID 6832/05), Liplje 4 secondary grave. See Srebrenica Narrative,paras.112-113.

¹²² See e.g. Nezir (Rasim) MUMINOVIĆ (Protocol ID 1429/03), Kozluk primary grave. See Srebrenica Narrative,paras.122-124.

¹²³ See e.g. Nehrudin (Nezir) SULEJMANOVIĆ (Protocol ID 704/02), Pilica primary grave. See Srebrenica Narrative,paras.142-144.

¹²⁴ See e.g. [REDACTED].

¹²⁵ J.KINGORI:P4140,para.196; P4160. See P6190,p.7.

¹²⁶ R.FRANKEN:P4175,paras.84-85; J.RUTTEN:P3948,paras.93,107; V.EGBERS:P331,p.32; R.PATELSKI:P4173,paras.14-21; P2987,p.1; P4960,pp.1-2; R.FRANKEN:P4175,para.69; R.PATELSKI:P4173,paras.13-17; P2996/P4373(duplicates). MLADIĆ was aware that DutchBat soldiers at OP Papa were being held captive. R.PATELSKI:P4173,para.20. See also J.RUTTEN:P3948,paras.43-47; P3957,p.2; P422; J.RUTTEN:P3948,paras.43-47. *Contra* M.ĐURIĆ(KW118):T.42081. See DCC(M.ĐURIC(KW118)).

¹²⁷ AF1584-AF1585; R.FRANKEN:P4175,paras.84-85; J.RUTTEN:P3948,paras.102-103; V.EGBERS:P331,pp.30-31,35,38. RAVE complained to MLADIĆ about the thefts of equipment. E.RAVE:P3995,para.117.

their mandate—"out of the way"¹²⁸—and from bearing witness to the forcible transfer and murder operations.¹²⁹

4. 13 July: Killing of Muslim men in Potočari

(a) Potočari (E14.1)

34. On 12-13 July, three DutchBat soldiers found the bodies of nine Muslim men in civilian clothes near a small stream behind the White House.¹³⁰ The men had apparently been lined up at that location and shot in the back with small calibre weapons.¹³¹ The Dutchbat soldiers left when the VRS fired on them.¹³²

(b) Potočari (E.14.2)

35. In Potočari on the afternoon of 13 July, GROENEWEGEN witnessed a group of four Bosnian Serb soldiers in camouflage uniforms pull a Muslim man in civilian clothes from the crowd, walk him to a house, shoot him in the head, and then walk away after the man collapsed.¹³³

D. Crimes in Bratunac area, 11-13 July

1. Capture of men from the column

36. On 12 and 13 July 1995, VRS and RS MUP forces were deployed along the Bratunac-Konjević Polje-Milići road to ambush, capture and kill Muslim men from the column.¹³⁴ These forces detained thousands of Muslim men on 13 July¹³⁵ at Konjević Polje, Nova Kasaba and Sandići Meadow.¹³⁶

¹²⁸ R.FRANKEN:P4175,para.84.

¹²⁹ R.FRANKEN:P4175,para.84; J.RUTTEN:P3948,para.105; V.EGBERS:P331,pp.30-31.

¹³⁰ AF1651; J.RUTTEN:P3948,para.68-70,74-76; J.RUTTEN:T.22038-22039; P3958; P3962; P3963; P3964; J.RUTTEN:T.22038.

¹³¹ J.RUTTEN:P3948,para.70; J.RUTTEN:T.22038-22039; AF1651.

¹³² J.RUTTEN:P3948,paras.71-72; J.RUTTEN:T.22038-22039. *See also* E.RAVE:P3995,para.114.

¹³³ P.GROENEWEGEN:P4167,paraS.58-65; P.GROENEWEGEN:D2004,p.4; P.GROENEWEGEN:T.22972-22973,23005. *See also* AF1662; P4168; P4169; P4171.

¹³⁴ AF1469; AF1600-AF1602; AF1604-AF1616; R.BUTLER:P4914,pp.55-59;

M.NIKOLIĆ:D2081,pp.3-4; J.RUEZ:T.23720-23723; P4308,pp.24-28; P4941,pp.7,27-28. On 12 July, MUP, DB and VRS OBP organs increasingly reported accurate information on the movement of the column of Muslim men from Jagličić and Šušnjari in the direction of Konjević Polje and Cerska. In the morning hours, the VRS and MUP did not know where the column was. *See* P4935,p.2; [REDACTED]; [REDACTED]; P4937; P5102; P4577,p.1; P4388,p.1; P5112; P4937; P6432; P4939,p.1; P4960,pp.2-3; P5103. VRS and MUP forces continued to search for Muslim men fleeing Srebrenica after 13 July. AF1628-AF1639.

2. Detention sites

(a) Konjević Polje

37. On 13 July, at least 1,500¹³⁷ Muslims were captured and detained in the Konjević Polje area by members of the Zvornik PJP Companies¹³⁸ and the DK 5th Engineering Battalion.¹³⁹ VRS officers facilitated this process by patrolling the area in an UNPROFOR APC, calling on Muslims to surrender.¹⁴⁰

38. Some prisoners were detained in a warehouse.¹⁴¹ A number of other prisoners were taken by truck to Nova Kasaba.¹⁴² Others were taken to Bratunac at around 21:00-22:00 by bus, guarded by VRS MPs.¹⁴³

39. KDZ065 was among those the MUP captured near Konjević Polje.¹⁴⁴ His identification and money were removed, and he was threatened with death.¹⁴⁵ KDZ065 was taken first to the 5th Engineering Battalion base,¹⁴⁶ then to another location where four VRS officers interrogated him,¹⁴⁷ then to the 6th Zvornik PJP Company's local command post¹⁴⁸ where other prisoners were detained.¹⁴⁹ [REDACTED]

¹³⁵ AF1615-AF1619; AF1631; P5374,pp.2-3/P4945(B/C/S/)(partial duplicates); P4201,V000-9016,00:27:50-00:28:17; P4202,pp.137,147,278; P2987,p.2; KDZ069:P339,p.6; KDZ045:P5910,pp.7,68-69; KDZ064:P769,p.52; P247. *See also* P5380; P4670,p.1. "Zoka" must be a reference to Zoran MALINIĆ, commander of the MP battalion of the 65th ZMTP, headquartered at Nova Kasaba. *See* V.C.1.(c): VRS-GŠ units in the DK zone of responsibility; M.SAVČIĆ:T.42257-42258 (aka "ZOKA"); D1970,pp.1,3(Timestamp reads received at 19:45).

¹³⁶ P4308,p.28; J.RUEZ:T.23723; P5374,pp.2-3/P4945(B/C/S/)(partial duplicates). *See also* Srebrenica Narrative,para.9.

¹³⁷ P5374,p.3/P4945(B/C/S/)(partial duplicates).

¹³⁸ P5136; P4935; P4937; P4942. KDZ065 testified that he was captured near the intersection of Konjević Polje by policemen dressed in dark blue camouflage uniforms. KDZ065:P336,pp.10-13. KDZ045 similarly testified that he surrendered to Bosnian Serb Forces wearing dark blue camouflage. KDZ045:P5910,p.9; [REDACTED]. *See also* KW558:D3764,pp.3,13-14,27-33; N.DERONJIĆ:D3760,pp.8-14,34; N.DERONJIĆ:T.40698.

¹³⁹ P6432; P247.

¹⁴⁰ AF1614; M.ORIĆ:P350,pp.26-27; M.NIKOLIĆ:T24662-24663; M.NIKOLIĆ:D2081,p.5; P2988,pp.1-2. *See also* [REDACTED] P5354,pp.1,5("POPOVIĆ went with the armoured personnel carriers towards Konjević Polje"); KDZ425:P381,p.21.

¹⁴¹ M.ORIĆ:P350,pp.28-30; KDZ045:P5910,p.10.

¹⁴² KDZ045:P5910,pp.10-12.

¹⁴³ M.ORIĆ:P350,pp.32-34,37-38.

¹⁴⁴ KDZ065:P336,pp.10-13; P204; J.RUEZ:T.23730-23731; P4308,p.41.

¹⁴⁵ KDZ065:P336,pp.12-13.

¹⁴⁶ KDZ065:P336,pp.16-17; [REDACTED]; J.RUEZ:T.23731-23732; P4308,p.43; D3767.

¹⁴⁷ KDZ065:P336,pp.21-23,52-53,96-97; P243.

¹⁴⁸ KDZ065:P336,p.96; D3766/P226(duplicates); KW558:D3764,p.13.

¹⁴⁹ KDZ065:P336,pp.28-30.

40. Finally, KDZ065 was moved to a warehouse at the Konjević Polje intersection where he was detained and beaten with 15 others.¹⁵² Nenad DERONJIĆ, a policeman from Bratunac and 2nd Zvornik PJP Company member,¹⁵³ was one of the guards.¹⁵⁴

(b) Nova Kasaba

41. On 13 July, the VRS 65th ZMTP MP Battalion¹⁵⁵ detained 1,500-2,000 Muslims on the football field outside Nova Kasaba.¹⁵⁶ Some of these prisoners were captured by the 65th ZMTP;¹⁵⁷ others were transferred from Konjević Polje to the 65th ZMTP at Nova Kasaba.¹⁵⁸

42. The prisoners did not receive food or water while detained.¹⁵⁹ They were ordered to discard their remaining belongings,¹⁶⁰ which were later burned.¹⁶¹

43. Senior VRS officers oversaw the Nova Kasaba detention site. At around 10:00, BEARA issued instructions regarding prisoners' detention.¹⁶² That afternoon, MLADIĆ personally visited the prisoners, falsely promising that the Serbs would give

¹⁵⁰ [REDACTED]

¹⁵¹ [REDACTED] *See also* M.NIKOLIĆ:T.24657-24658; M.NIKOLIĆ:D2081,p.5; Z.ČELANOVIĆ:P377,pp.9,47; KW558:D3764,pp.14-18,34-38(referring to Resid SINANOVIĆ as Resid "SALIHović"); KW558:T40755-40759; M.PERIĆ:D3852,paras.19-21; Srebrenica Narrative,paras.85-88.

¹⁵² KDZ065:P336,pp.30,34-37,39-40,92-96; P266. *See also* J.RUEZ:T.23732-23733,23751; P4308,pp.44-45,81; [REDACTED]

¹⁵³ N.DERONJIC:D3760,p.27,29-33; M.NIKOLIĆ:T.24665-24666; P4935,p.2(Item 5); KW582:D4291,pp.31-32.

¹⁵⁴ KDZ065:P336,p.36. Other reliable evidence also places N.DERONJIĆ in Konjević Polje on 13 July. M.NIKOLIĆ:T.24665-24666; M.NIKOLIĆ:D2081,p.4.

¹⁵⁵ P168; P5354,pp.2-4/D2204,p.1(partial duplicates); P4824; KDZ045:P5910,pp.13-14.

¹⁵⁶ P5380; P168; P5374,p.3/P4945(B/C/S/)(partial duplicates); KDZ333:P4342,p.8; KDZ045:P5910,pp.11-12; P4308,pp.37-38; V.POPOVIĆ:T.43040. *See also* V.EGBERS:P331,pp.20-23,26-27.

¹⁵⁷ AF1606; D2204.

¹⁵⁸ KDZ045:P5910,pp.9-11.

¹⁵⁹ KDZ045:P5910,p.16.

¹⁶⁰ AF1621; KDZ045:P5910,pp.11,15.

¹⁶¹ AF1627; V.EGBERS:P331,p.57.

¹⁶² P5354,pp.2-4/D2204(partial duplicates); M.SAVČIĆ:T.42278-42279.

them food and water, and that they would be exchanged.¹⁶³ MLADIĆ did not react when a prisoner was killed in front of him.¹⁶⁴

44. After MLADIĆ left, the prisoners were put onto buses and trucks. Some were transported to Kravica, stopping overnight near the supermarket.¹⁶⁵ The rest were taken to Bratunac.¹⁶⁶

(c) Sandići Meadow

45. On 13 July, 1,500 to 2,000¹⁶⁷ Muslims were captured and detained at Sandići Meadow¹⁶⁸ by MUP forces under BOROVIĆANIN's command, including the 2nd Sekovići Detachment of the SBP, the 1st Zvornik PJP Company and the Jahorina Recruits.¹⁶⁹ BOROVIĆANIN personally visited Sandići Meadow throughout the day.¹⁷⁰

46. The prisoners were stripped of money, bags and weapons.¹⁷¹ They were given water but no food or medical attention.¹⁷² They were threatened¹⁷³ and insulted.¹⁷⁴ At least one was beaten as he arrived at the meadow.¹⁷⁵

47. MLADIĆ arrived that afternoon. He falsely promised the prisoners there would be an "all for all" exchange the next day.¹⁷⁶

48. Shortly afterwards, over 1,000 of these prisoners were bussed or marched to Kravica and murdered.¹⁷⁷ Later that day, the remaining prisoners were transported to Bratunac.¹⁷⁸ The last 10-15 prisoners were executed at the meadow.¹⁷⁹

¹⁶³ KDZ045:P5910,pp.14-15; KDZ333:P4342,p.10.

¹⁶⁴ AF1623; KDZ333:P4342,p.10.

¹⁶⁵ AF1626; KDZ045:P5910,p.17.

¹⁶⁶ KDZ333:P4342,pp.11,13-14; KDZ333:T.24147,24150.

¹⁶⁷ P2987,p.2; P5374,p.3/P4945(B/C/S)(partial duplicates); KDZ071:P5029,p.13; KDZ069:P339,p.13; KDZ063:P334,pp.81-82.

¹⁶⁸ J.RUEZ:T.23733; P4308,p.28; KDZ063:P334,pp.4-6; KDZ425:P381,pp.28-29.

¹⁶⁹ P4201,V000-9016,00:17:46-00:37:04; P4202,pp.137-154,157-162,274-283; P2987;

P5374,p.3/P4945(B/C/S)(partial duplicates); KDZ069:P339,pp.6-9; KDZ425,P381,p.28.

¹⁷⁰ P4201,V000-9016,00:17:46-00:37:04; P4202,pp.137,142,148-149,153-154,275-279,281-283;

Z.PETROVIĆ:P376,pp.63,125; Z.PETROVIĆ:T.28459; P667,00:09:20-00:11:54,00:20:00-00:22:57;

P4270,pp.24-33,48-49,52-59; P252,pp.2-3; Lj.BOROVIĆANIN:D3659,para.25;

Lj.BOROVIĆANIN:T.39422.

¹⁷¹ AF1730; KDZ071:P5029,p.17; KDZ069:P339,pp.6-7; KDZ425:P381,pp.22-23,28,37-38,50-51.

¹⁷² AF1731; KDZ064:P769,p.62; KDZ425:P381,pp.39-40,59-60.

¹⁷³ KDZ064:P769,p.53; KDZ425:P381,pp.29,39-40.

¹⁷⁴ KDZ069:P339,pp.8-10.

¹⁷⁵ AF1733; KDZ069:P339,pp.10-11.

¹⁷⁶ AF1624; KDZ064:P769,pp.63-64.

3. 13 July: Killings in Bratunac Municipality

(a) Jadar River (E1.1)

49. The first known organised and systematic execution of Muslim men from Srebrenica occurred on the morning of 13 July when 15 prisoners were murdered on the banks of the Jadar River. This is in the AOR of the DK 5th Engineering Battalion, with the Bratunac Brigade responsible for broader military operations.¹⁸⁰

50. Before noon,¹⁸¹ KDZ065 and 15 other prisoners,¹⁸² including a 15-year-old boy,¹⁸³ were transported by bus to the Jadar River bank.¹⁸⁴ They were taken off the bus and lined up by the river. Four Bosnian Serbs then opened fire with automatic rifles.¹⁸⁵ KDZ065 recognised N.DERONJIĆ as one of the executioners.¹⁸⁶ KDZ065 survived as he threw himself into the river after being hit by a bullet.¹⁸⁷

51. A significant body of reliable evidence corroborates KDZ065's evidence. The existence of the two Konjević Polje detention sites he identified is confirmed by other evidence. He identified at least one other detainee confirmed as held at one of those sites. His evidence that MLADIĆ was expected at one detention site is corroborated by MLADIĆ's confirmed arrival later that day.¹⁸⁸ Most importantly, his identification of N.DERONJIĆ is supported by other reliable evidence putting N.DERONJIĆ in the area that day.¹⁸⁹ KDZ065 had no motive to falsely implicate N.DERONJIĆ, and it is wholly implausible that he falsely implicated someone who by coincidence was in the area at the time.

¹⁷⁷ AF1625; AF1705-AF1709; KDZ071:P5029,p.21; KDZ063:P334,pp.10-11. *See* Srebrenica Narrative,paras.54-70.

¹⁷⁸ AF1625; KDZ069:P339,pp.19-21; KDZ064:P769,p.65.

¹⁷⁹ *See* Srebrenica Narrative,paras.45-48.

¹⁸⁰ P4914,paras.6.13,6.17.

¹⁸¹ KDZ065:P336,pp.52-53.

¹⁸² KDZ065:P336,pp.30,35.

¹⁸³ AF1689; KDZ065:P336,p.29; ██████████.

¹⁸⁴ KDZ065:P336,pp.30,34-37,39-40,92-96; P266. *See also* J.RUEZ:T.23732-23733;23750-23756; P4308,pp.44-45,80-86; P4283; P4284; ██████████.

¹⁸⁵ AF1690; KDZ065:P336,pp.41-43; P261.

¹⁸⁶ KDZ065:P336,pp.36,38,42; ██████████.

¹⁸⁷ AF1691; KDZ065:P336,pp.42-45.

¹⁸⁸ KDZ065:P336,p.27; M.NIKOLIĆ:D2081,p.4. *See* V.G.2(e): 13 July, Thousands of Muslim prisoners in the Bratunac area.

¹⁸⁹ M.NIKOLIĆ:D2081,p.4; M.NIKOLIĆ:T.24665-24666.

52. In contrast, N.DERONJIĆ's denial¹⁹⁰ is self-serving and not credible.¹⁹¹ First, his alibi is based, in part, on a falsified document and should be given no weight.¹⁹² Second, documents show members from N.DERONJIĆ's unit were on combat duty on 13 July in the area of Konjević Polje, and a log shows that he was on combat duty that day.¹⁹³ Third, no Defence witness contradicted the Prosecution's evidence that N.DERONJIĆ was in Konjević Polje on 13 July. PERIĆ¹⁹⁴ and KW582¹⁹⁵ simply did not see N.DERONJIĆ at Konjević Polje on 13 July, while KW558 could not recall seeing N.DERONJIĆ that day.¹⁹⁶ Even if believed, this evidence does not undermine KDZ065's identification, particularly since none of these witnesses testified to being at the locations (the warehouse or the Jadar River bank) where KDZ065 saw N.DERONJIĆ.¹⁹⁷

53. The executions at Jadar River were pre-meditated, coordinated and carried out in furtherance of the JCE to Eliminate. The VRS and RS MUP coordination is evidenced by: (a) the detention of KDZ065 in various locations; (b) his interrogation by VRS intelligence officers; and (c) the use of a bus to transport the 16 men to the execution site, when buses were in short supply. Before the 16 prisoners left the warehouse, N.DERONJIĆ was heard saying that the prisoners were to be killed, not exchanged.¹⁹⁸ This statement shows premeditation, consistent with the evidence of MLADIĆ's indication to M.NIKOLIĆ at Konjević Polje that men held there were to be killed.¹⁹⁹

(b) Kravica Warehouse (E3.1)

54. Over 1,000 prisoners detained at Sandići Meadow were bussed or marched to the Kravica Warehouse on the afternoon of 13 July²⁰⁰ and executed by RS MUP and

¹⁹⁰ N.DERONJIĆ:D3760,pp.19-21,45-46,59-62; N.DERONJIĆ:T.40700-40704,40709-40710

¹⁹¹ See T.40715-40716(Prosecution's position); DCC(N.DERONJIĆ).

¹⁹² P6431,pp.3-4; N.DERONJIĆ:D3760,pp.36-40,54-57,60-62. See also N.DERONJIĆ:D3760,pp.32-35,41-46; N.DERONJIĆ:T.40710-40717,40729-40731,40697-40709.

¹⁹³ P6431; P4935; P5136; D3761.

¹⁹⁴ M.PERIĆ:D3852,paras.28-32; M.PERIĆ:T.40793-40802.

¹⁹⁵ KW582:D4291,pp.31-32,150-151.

¹⁹⁶ KW558:D3764,pp.22-23,39-40; KW558:T.40759-40763,T.40767-40770.

¹⁹⁷ M.PERIĆ:40802; KW558:T.40768-40770,40774-40775;

¹⁹⁸ KDZ065:P336,p.36.

¹⁹⁹ M.NIKOLIĆ:T.24655-24657.

²⁰⁰ AF1625; AF1705; KDZ063:P334,pp.12,18-20; KDZ071:P5029,pp.21-22; P4308,pp.96-103; J.RUEZ:T.23756-23763,23778-23779; P4289,00:00:11-00:02:18. Forensic investigation of the

VRS members, including soldiers from the 3rd Platoon of the 2nd Šekovići Detachment of the SBP,²⁰¹ the Bratunac Brigade,²⁰² and the 10th DOd.²⁰³

55. Transporting prisoners to Kravica Warehouse began shortly after MLADIĆ left Sandići.²⁰⁴ KDZ063 was bussed to the warehouse and detained in its east room.²⁰⁵ The east room was full after approximately two hours.²⁰⁶ Other prisoners, including KDZ071, were forced to walk to Kravica.²⁰⁷

56. At around 16:50,²⁰⁸ BOROVIČANIN was informed that the column of prisoners was moving. He ordered ČUTURIĆ, 2nd Šekovići Detachment commander, to stop traffic on the Bratunac-Konjević Polje road.²⁰⁹ ČUTURIĆ passed BOROVIČANIN's order to Milenko PEPIĆ, a member of the 2nd Šekovići Detachment,²¹⁰ who stopped a convoy of buses coming from the direction of Bratunac approximately 700 metres outside Kravica.²¹¹

57. The purpose of BOROVIČANIN's order cannot have been to allow the prisoners to move freely along the road as claimed by PEPIĆ.²¹² BOROVIČANIN issued this order shortly before the executions started,²¹³ when most of the prisoners were already at, or very close to, the warehouse. Instead, the purpose of this order was to ensure no traffic was passing when executions started. This is corroborated by

warehouse indicated this was a place of mass execution. *See* AF1717; P4504,pp.31-34; J.RUEZ:T.23763-23780; P4308,pp.100-128; P4308,p.112; P4286; P4289,V000-3123,00:02:17-00:08:50.

²⁰¹ M.PEPIĆ:P373,pp.26-29; [REDACTED] *See also* M.PEPIĆ:P373,pp.3-4; J.NIKOLIĆ, T.35499-35500,35505-35506; Z.BAJAGIĆ:T.41210; Lj.BOROVIČANIN:T.39457.

²⁰² M.NIKOLIĆ:D2081,pp.5-6.

²⁰³ F.KOS:D3927,pp.15-16; F.KOS:T.42407; P6473.

²⁰⁴ KDZ071:P5029,pp.16-18. *See also* KDZ063:P334,pp.8-9.

²⁰⁵ KDZ063:P334,pp.9-19,86; P263; P262; P4285; J.RUEZ:T.23758-23762; P4308,pp.100-102.

²⁰⁶ KDZ063:P334,pp.19-20.

²⁰⁷ KDZ071:P5029,pp.17-18,21,39,43-44. KDZ071 entered the west room. KDZ071:P5029,pp.21,28-31; P5030; P5031; P4285; J.RUEZ:T.23759-23763; P4308,pp.103,110.

²⁰⁸ The video date/timestamp shows 13 July 1995, 16:49 just prior BOROVIČANIN's order to stop the traffic. *See* P4270,pp.34; P667,00:14:03-00:14:25.

²⁰⁹ P4201,V000-9016,00:25:34-00:26:09; P4202,pp.137,277(BOROVIČANIN says "stop the traffic behind you"); P667,00:16:25-00:16:58,pp.10-11.

²¹⁰ M.PEPIĆ:P373,pp.3-4.

²¹¹ M.PEPIĆ:P373,pp.24,33-37,60-62; P291.

²¹² M.PEPIĆ:P373,pp.20-22,24,61.

²¹³ The PETROVIĆ video shows timestamp 16:49 just prior to BOROVIČANIN's order to stop the traffic. P4270,p.34; P667,00:14:03-00:16:58,pp.10-11. BOROVIČANIN then arrived at the warehouse while the executions were ongoing. Z.PETROVIĆ-PIROČANAC:P376,pp.71-72; P4201,V000-9016,00:36:00-00:37:04; P4202,pp.137,283(Pile of dead bodies as BOROVIČANIN arrives). He then

PEPIĆ, who heard "more intense" firing from the direction of the warehouse after he stopped traffic, and it "seemed as if fire was being opened from one side alone."²¹⁴ The firing was the start of the executions.

58. Executions began when the last prisoner entered, around 17:00 in the warehouse's west room.²¹⁵ VRS and MUP soldiers, including from the 2nd Šekovići Detachment of the SBP²¹⁶ and 10th DOd,²¹⁷ started throwing grenades and shooting into the group of men packed inside.²¹⁸ After shooting in the west room stopped, soldiers started shooting prisoners in the east room.²¹⁹ Guards surrounding the building killed prisoners who tried to escape through windows.²²⁰ Some were also shot outside the warehouse.²²¹ The shooting continued on and off all night.²²² When it stopped, the warehouse was filled with corpses.²²³ Witnesses driving past later that night saw bullet holes in the wall of the warehouse,²²⁴ hay,²²⁵ and bodies near the warehouse's entrance.²²⁶

59. At or close to the start of the executions, a prisoner grabbed a rifle from Krsto DRAGIČEVIĆ, a member of the 3rd Platoon of the 2nd Šekovići Detachment, and killed him. ČUTURIĆ wrestled the rifle from the prisoner and in doing so burnt his hands.²²⁷ Miroslav STANOJEVIĆ, a member of the Bratunac Brigade Red Berets,

took ČUTURIĆ to Bratunac Health Centre, arriving at 17:40. Lj.BOROVČANIN:D3659,para.30; P195,p.2.

²¹⁴ PEPIĆ:P373,p.25.

²¹⁵ KDZ071:P5029,p.22; KDZ071:T.28544-28550.

²¹⁶ M.PEPIĆ:P373,pp.26-29; [REDACTED].

See also M.PEPIĆ:P373,pp.3-4(ČUTURIĆ's nickname was "Oficir"); J.NIKOLIĆ, T.35499-35500,35505-35506; Lj.BOROVČANIN:T.39457.

²¹⁷ F.KOS:D3927,pp.15-16; F.KOS:T.42409; P6473.

²¹⁸ AF1709; KDZ063:P334,p.26-27; J.RUEZ:T.23764-23765; P4308,pp.105-107.

²¹⁹ KDZ063:P334,pp.29-31; J.RUEZ:T.23768-23769; P4308,pp.100-101.

²²⁰ AF1707.

²²¹ P4201,V000-9016,00:36:19-00:36:54; P4269; KDZ107:P345,pp.6-8,128-133;

KDZ333:P4342,pp.12-13,35; KDZ333:T.24123-24124,24147-24149; P4346.

²²² KDZ063:P334,pp.30; J.RUEZ:T.23768.

²²³ AF1708; F.KOS:D3927,pp.14-15; F.KOS:T.42403-42404,42407-42409,42411; P6473. Prior to the killings the warehouse was completely full. The east room was completely full, right up the door, with people sitting shoulder to shoulder. It took 1.5-2 hours to fill. KDZ063:P334,pp.19-20. The west room was full up to the second entrance; when the last person came in he had nowhere to sit.

KDZ071:P5029,pp.21-22,50; KDZ071:T.28544-28448.

²²⁴ KDZ333:P4342,p.12; M.PEPIĆ:P373,pp.38-39; P292.

²²⁵ M.PEPIĆ:P373,pp.39; P292.

²²⁶ P4343; P4346; KDZ333:T.24123-24124,T.24147-24149.

²²⁷ M.PEPIĆ:P373,pp.26-29,69-71; S.DAVIDOVIĆ:T.24412-24414; KDZ107:P345,pp.10-11,137-139;

[REDACTED]; Z.PETROVIĆ-PIROČANAC:P376,pp.67-76; [REDACTED]; P195.

was also injured in this "burnt hands" incident.²²⁸ ČUTURIĆ went to the Bratunac Health Centre to seek treatment.²²⁹

60. On the evening of 13 July, BEARA, M.DERONJIĆ and others began organising the burials of the prisoners killed at Kravica.²³⁰

61. The next morning, wounded prisoners were called out of the warehouse and killed.²³¹ An excavator, [REDACTED] began removing bodies, and blood was washed off the asphalt.²³³ [REDACTED]
[REDACTED]
[REDACTED]

62. Between 14 and 16 July, the bodies of executed prisoners were taken to grave sites in Glogova and Ravnice in trucks.²³⁶ Members of the Bratunac²³⁷ and Zvornik Brigades,²³⁸ and [REDACTED] participated in the burials at Glogova. Bodies from the Glogova graves were later dug up and reburied in the Zeleni Jadar, Budak, Blječeva and Zalazje secondary graves.²⁴⁰

²²⁸ P195.

²²⁹ M.PEPIĆ:P373,pp.27,30-32; P195; KDZ107:P345,pp.137-139; Lj.BOROVČANIN:D3659,para.30.

²³⁰ AF1712; KDZ107:P345,pp.9,12-17; [REDACTED]
[REDACTED] See V.G.2.(k): 13 July, DERONJIĆ and BEARA arranged logistics for burials.

²³¹ AF1710; KDZ063:P334,pp.35-36; KDZ071:P5029,pp.23-24; KDZ071:T.28554. KDZ107 witnessed 5 men executed outside the warehouse on 14 July. See KDZ107:P345,pp.7-8,76-77,105-106,124-125,128-135; P205. See also J.NIKOLIĆ:D3126,para.56; J.NIKOLIĆ:T.35493.

²³² [REDACTED]
²³³ AF1711; KDZ063:P334,p.36; [REDACTED];
KDZ107:P345,pp.19,143. See also P4308,pp.127-128; P4201,V000-9016,00:36:19-00:36:54;

²³⁴ [REDACTED]
²³⁵ [REDACTED]
²³⁶ AF1713; KDZ107:P345,pp.19,23-26,87-90,143,146-147,161; [REDACTED]

²³⁷ AF1714-AF1715.

²³⁸ AF1716.

²³⁹ [REDACTED]
[REDACTED]
KDZ107:P345,pp.22-23; [REDACTED]
²⁴⁰ D.JANC:P4772,pp.49-50,82,85-87; [REDACTED];
D.JANC:T.26966-26973; D.MANNING:P4503,p.5; D.MANNING:P4504,p.12; P4064; P4512,p.7;
D.MANNING:T.25830-25831; J.RUEZ:T.23863-23864; P4308,pp.257-260;
R.WRIGHT:P4009,pp.20-22. See also V.G.3.(f).(i): Bratunac reburials.

63. Physical evidence, including building materials, broken masonry and a door frame,²⁴¹ links the primary graves of Glogova²⁴² and Ravnice²⁴³ and secondary graves Zeleni Jadar 5²⁴⁴ and Zeleni Jadar 6, to the Kravica Warehouse execution. Aerial imagery,²⁴⁵ DNA evidence,²⁴⁶ and pollen and soil analysis²⁴⁷ prove that the men executed at Kravica Warehouse were first buried at Glogova and Ravnice and then reburied in secondary graves at Zeleni Jadar, Budak, Blječeva and Zalazje. Fragments of grenades and shrapnel were also found in both the primary and secondary graves,²⁴⁸ consistent with the nature of the victims' injuries,²⁴⁹ survivor accounts²⁵⁰ and other evidence of grenade and RPG fire at Kravica Warehouse.²⁵¹ The predominant cause of death was gunshot or blast injury.²⁵²

64. DNA analysis has identified the remains of 1,374 individuals in graves associated with the Kravica Warehouse massacre.²⁵³ While the majority of victims in these graves come from the Kravica Warehouse,²⁵⁴ they also contain bodies of up to 80 Srebrenica-related victims killed in Bratunac (including at the Vuk Karadžić School),²⁵⁵ 12 who were returned to the VRS from Serbia,²⁵⁶ 6-7 killed in Potočari,²⁵⁷

²⁴¹ AF1721; D.JANC:P4772,pp.11-14,26; D.MANNING:T.25829-25832; D.MANNING:P4502,pp.13-15; D.MANNING:P4503,pp.5,7; D.MANNING:P4504,p.84; R.WRIGHT:T.22269-22270; R.WRIGHT:P4009,pp.19-22; J.BARAYBAR:P4035,pp.12-13.

²⁴² AF1718; AF1723; R.WRIGHT:T.22266-22268,22300-22303,22314; R.WRIGHT:P4009; J.BARAYBAR:P4029,pp.57-64,95-96; J.BARAYBAR:P4050; J.BARAYBAR:P4034,pp.36,39; D.JANC:P4772,pp.11-12.

²⁴³ D.JANC:P4772,pp.12-14.

²⁴⁴ AF1727.

²⁴⁵ P4504,pp.79-80; D.MANNING:T.25831-25835; P4510; P4512,pp.10-15,31-42; R.WRIGHT:T.22268-22269; R.WRIGHT:P4006; R.WRIGHT:P4009,p.27.

²⁴⁶ D.JANC:P4772,pp.11-14,26-32,85-87; D.JANC:T.26966-26973.

²⁴⁷ J.BARAYBAR:P4030,p.8; J.BARAYBAR:P4034,p.6.

²⁴⁸ R.WRIGHT:P4009,pp.17,37; D.MANNING:P4502,p.13; D.MANNING:P4503,p.6; C.LAWRENCE:P4051,pp.48-49; R.WRIGHT:T.22270-22273; R.WRIGHT:P4007; R.WRIGHT:P4008.

²⁴⁹ See AF1722; D.MANNING:P4502,pp.13-15; C.LAWRENCE:P4059,pp.2-3; J.CLARK:P4104,pp.18-20,23; J.CLARK:P4105,pp.13,16,18,22,24-28; D.MANNING:P4503,pp.5-6; R.WRIGHT:T.22270-22273,22310-22311; R.WRIGHT:P4009,pp.17-18,37; P4007; P4008; C.LAWRENCE:P4051,pp.51-52; C.LAWRENCE:T.22506,22510.

²⁵⁰ KDZ063:P334,p.26.

²⁵¹ D.MANNING:P4502,p.13; D.MANNING:P4503,pp.6-7; F.KOS:D3927,p.15; F.KOS:P6473; J.RUEZ:T.23764-23768; P4308,pp.105-107; R.WRIGHT:P4009,pp.17-18,37; J.BARAYBAR:P4035,p.12.

²⁵² AF1720; AF1728; D.MANNING:P4502,pp.11,14-15; D.MANNING:P4503,pp.5-6,8-9; C.LAWRENCE:P4059,p.3; J.CLARK:P4103,p.23; J.CLARK:P4104,pp.20,23,26; J.CLARK:P4105,pp.9,11,17,20-22,26-28; D.MANNING:P4504,pp.11-12,80-81,84-85; J.BARAYBAR:P4033,pp.3-4,11,12; J.BARAYBAR:T.22414.

²⁵³ D.JANC:P4772,pp.11-14,26-31,40-41; D.JANC:T.26974.

²⁵⁴ [REDACTED]; D.JANC:T.27045-27046,27060; D.JANC:P4772,p.40; D.JANC:D1975.

See also [REDACTED]

²⁵⁵ AF1686; D.JANC:D1975; KDZ107:P345,pp.19,24-26,64-65; P290; [REDACTED]

[REDACTED] Hamed EFENDIĆ was

10-15 killed in Konjević Polje²⁵⁸ and one truckload of bodies from along the Bratunac-Konjević Polje Road.²⁵⁹ Therefore, conservatively, at least 1,200 individuals detained at Sandići were killed in the Kravica Warehouse executions.

65. Other contemporaneous evidence supports this figure. On 13 July, BOROVIČANIN reported that 1,500 prisoners were in MUP custody and the numbers were increasing by the hour.²⁶⁰ These were the prisoners detained by BOROVIČANIN's subordinates at Sandići. An intercept at 17:30 also records that 1,500-2,000 prisoners had been collected at Sandići.²⁶¹ Lastly, the 5th Engineering Battalion's regular combat report for 14 July details the arrest and killing of 1,000-1,500 Muslims in conjunction with the MUP.²⁶² Given the numbers cited and the units involved, this report can only refer to the Kravica Warehouse killings.²⁶³

66. The executions at Kravica Warehouse were planned and committed in furtherance of the JCE to Eliminate. Contrary to the Defence's contention, the executions at Kravica Warehouse were not a spontaneous response to the "burnt hands" incident,²⁶⁴ nor were they carried out by individuals seeking revenge.²⁶⁵

67. First, the scale of and length of time required for the executions, the involvement of both MUP and VRS and BOROVIČANIN's order to close the road

murdered at the hangar behind Vuk Karadžić School. KDZ039:P3940,pp.23,90. Hamed (Junuz) EFENDIĆ's (Protocol ID 2719/03) remains have been identified in Zeleni Jadar 5 grave. P5913;

²⁵⁶ D.JANC:D1975. Although the 12 individuals in subgrave L do not come from Kravica Warehouse, all 12 were killed by a single gunshot to the head. Their hands were bound behind their backs, and they were bound to each other in pairs. See AF1725; D.MANNING:P4502,p.14; J.CLARK:P4104,pp.21-22; J.CLARK:P.4105,p.14. Subgraves E and L in Glogova 1 were created between 17 and 27 July 1995. While all other subgraves in Glogova 1 were disturbed by the end of October 1995, subgraves E and L remained untouched, showing that they were dug after Kravica Warehouse bodies had been buried. R.WRIGHT:P4009,p.27; P4512,pp.10-14; P4049. See also R.WRIGHT:P4009,pp.6-7.

²⁵⁷ D.JANC:D1975; [REDACTED]

²⁵⁸ D.JANC:D1975; KDZ107:P345,pp.19,23,146.

²⁵⁹ D.JANC:D1975; KDZ107:P345,pp.87-90.

²⁶⁰ P2987. See also KDZ071:P5029,pp.12-13; KDZ069:P339,p.13.

²⁶¹ P5374,p.3/P4945,p.13(B/C/S)(partial duplicates).

²⁶² P247,p.1.

²⁶³ SIMANIĆ authenticated his report but claimed he did not read or check the information in the first paragraph. M.SIMANIĆ:P355,pp.21,48,81.

²⁶⁴ Lj.BOROVIČANIN:D3659,paras.26-28; N.NIKOLIĆ:D3690,para.20; N.NIKOLIĆ:T.39818-39819; L.SIMIĆ:D3398,para.79; B.TEŠIĆ:D3115,para.40; Z.BAJAGIĆ:T.41210; D.KATANIĆ:T.38669,38684-38685; F.KOS:D3927,p.17; F.KOS:T.42406-42407;

²⁶⁵ F.KOS:D3927,pp.17-18; F.KOS:T.42406-42407,T.42420-42421; [REDACTED]

immediately before the executions started all militate in favour of the killings being organised.

68. Second, the presence and conduct of senior RS MUP and VRS officers at the warehouse is inconsistent with an unplanned incident. For example, BOROVCANIN and POPOVIĆ did nothing to stop the VRS and RS MUP soldiers from killing the prisoners, nor did they investigate the killings or assist any prisoners, many of whom were still alive at that moment.²⁶⁶ Instead, BOROVCANIN reported to KRSTIĆ three hours later that he had no "problems".²⁶⁷ KOS saw five additional senior VRS officers nearby,²⁶⁸ none of whom took steps to prevent the ongoing murder and PELEMIŠ did nothing while BOŠKIĆ threw grenades into the warehouse. The conduct of these officers—including the patently false claims by BOROVCANIN²⁶⁹ and POPOVIĆ²⁷⁰ that they could not prevent the killings, assist the prisoners or even investigate the killings—demonstrates the planned nature of these murders.

69. Third, no testifying survivor claimed the "burnt hands" incident triggered the executions. KDZ071 makes clear that the killings started when the last prisoner entered the warehouse.²⁷¹ Notably, the evidence of all but one witness²⁷² claiming that the "burnt hands" incident triggered the killings was based on hearsay.²⁷³

70. Fourth, even if believed, the "burnt hands" incident merely accounts for an earlier start to the execution than may have been intended. It does not explain, justify or excuse the killing of over 1,200 unarmed prisoners.

(c) Murders at Sandići Meadow (E4.1)

71. [REDACTED]

²⁶⁶ Z.PETROVIĆ-PIROČANAC:P376,pp.71-72; P4201,V000-9016,00:36:00-00:37:04; P4202,pp.137,283; [REDACTED]; R.BLOCK,T.24921-24924; P4269; P4397; V.POPOVIĆ:D3993,para.36; V.POPOVIĆ:T.43043-43051. *See also* DCC(Lj.BOROVCANIN).

²⁶⁷ P4946.

²⁶⁸ F.KOS:D3927,pp.14-15; F.KOS:T.42401-42402.

²⁶⁹ *See* DCC(Lj.BOROVCANIN).

²⁷⁰ V.POPOVIĆ:T.43045; V.POPOVIĆ:D3993,para.36.

²⁷¹ KDZ071:P5029,p.22; KDZ071:T.28544-28550.

²⁷² [REDACTED] *But see* DCC(KW679).

²⁷³ Lj.BOROVCANIN:D3659,paras.26-28; N.NIKOLIĆ:D3690,para.20; N.NIKOLIĆ:T.39818;

L.SIMIĆ:D3398,para.79; B.TEŠIĆ:D3115,para.40; Z.BAJAGIĆ:T.41210;

D.KATANIĆ:T.38669,38684-38685; F.KOS:D3927,p.17; F.KOS:T.42406-42407.

²⁷⁴ [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

73. The Sandići Meadow executions were carried out in furtherance of the JCE to Eliminate. Not only were they carried out under orders, but they also share significant common elements with other execution sites, in particular, Kravica Warehouse. The Kravica Warehouse and Sandići Meadow executions were both perpetrated by members of the RS MUP under BOROVIČANIN's command, involved the same detention site during the same timeframe, and targeted the same victim group.

(d) Luke School, near Tišća (E5.1)

74. As buses crowded with Muslim civilians made their way from Potočari to Kladanj, they were searched at Tišća. Any Muslim men on board were detained.²⁸⁰

75. On 12 July, VRS soldiers, including Major SARKIĆ, Milići Brigade Chief of Staff, were at the Tišća checkpoint.²⁸¹ When the first convoy arrived at the checkpoint, escorted by KOSORIĆ,²⁸² 10-15 men were separated and taken towards the forest.²⁸³ Similarly, on 13 July, KDZ070 was separated by VRS soldiers at Tišća and taken to Luke School on the orders of a VRS Major,²⁸⁴ arriving at around 10:00.²⁸⁵ KDZ070's hands were bound with bootlaces.²⁸⁶

²⁷⁵ P4960,p.1; P4201,V000-9016,00:17:46-00:37:04; P4202,pp.137,142,146-149,151-154,275-279,281-283.

²⁸⁰ AF1737; KDZ070:P341,pp.14-15,18; P.BOERING:P3969,pp.123-130,186-187,261-265; P.BOERING:T.22148-22149.

²⁸¹ AF1738-AF1739; P.BOERING:P3969,p.127; P4201,V000-9035,00:56:04-00:56:30.

²⁸² S.KOSORIĆ:D3562,para.10; S.KOSORIĆ:T.38698-38701; P6333; P.BOERING:P3969,p.124.

²⁸³ P.BOERING:P3969,pp.126-128; P.BOERING:T.22148-22149.

²⁸⁴ KDZ070:P341,pp.14,18-20.

²⁸⁵ KDZ070:P341,pp.19-24,105-106; P4308,pp.29-32; P218; P219; P220.

²⁸⁶ KDZ070:P341,p.25.

76. Approximately 22 Muslim men were detained at the Luke School by nightfall.²⁸⁷ The 22 prisoners were taken into the school and questioned by about ten VRS soldiers.²⁸⁸ They were beaten, referred to as "balijas" and taunted with a flag removed from a mosque.²⁸⁹ All of the men's hands were bound with telephone wire.²⁹⁰ KDZ070 heard the soldiers discussing Kravica and how they had "finished with the balijas".²⁹¹

77. After midnight the 22 men were loaded onto a truck.²⁹² The truck stopped outside Vlasenica, and a Serb soldier told the driver, "Not here. Take them up there, where they took people before".²⁹³ The prisoners were driven to an isolated meadow nearby, where the soldiers threw them off the truck and shot them.²⁹⁴ KDZ070 managed to escape by freeing his hands, jumping from the truck and running into the forest.²⁹⁵ Two other prisoners were shot as they tried to escape.²⁹⁶

78. In 2009, a primary mass grave was exhumed in Mršić,²⁹⁷ north of Vlasenica and next to Rašića Gaj.²⁹⁸ The names of several individuals identified in the grave match names given by KDZ070 of prisoners detained at Luke School.²⁹⁹ Consistent with KDZ070's evidence, nine ligatures were found within the grave.³⁰⁰

79. The Muslim men separated at Tišća were executed in furtherance of the JCE to Eliminate. They were separated on orders of a VRS Major, then detained, mistreated, bound and shot by VRS soldiers. These soldiers knew of the mass killings

²⁸⁷ KDZ070:P341,pp.26,48,147-148.

²⁸⁸ AF1744; KDZ070:P341,pp.24,38-42; P219. *See also* AF1743.

²⁸⁹ AF1745; KDZ070:P341,pp.42-44; [REDACTED]

²⁹⁰ KDZ070:P341,pp.38-39; P220.

²⁹¹ KDZ070:P341,p.42.

²⁹² AF1746("23 men"); KDZ070:P341,pp.45-48.

²⁹³ KDZ070:P341,pp.50-51.

²⁹⁴ AF1746("23 men"); KDZ070:P341,pp.51-53,120.

²⁹⁵ KDZ070:P341,pp.54-55,120-121.

²⁹⁶ KDZ070:P341,pp.53-54.

²⁹⁷ D.JANC:P4772,pp.4,33.

²⁹⁸ P4941(Map D25); KDZ070:P341,pp.48-52.

²⁹⁹ KDZ070 identified, "Rizo...Fuad...two brothers...Azem Becic...Sajko...Abdul Kadir...Hasan" and "Fuad and Alija". KDZ070:P341,pp.58-59,79; [REDACTED]; P5913(ICMP site name, Mrsici Vlasenica). The bodies identified in the Mršići grave include Azem (Ramo) BEČIĆ (Protocol ID 12570/09), Abdulkadir (Avdurahman) VELIĆ (Protocol ID 12555/09), Rizo (Abaz) MUSTAFIĆ (Protocol ID 12541/09). [REDACTED]

See also [REDACTED]

³⁰⁰ D.JANC:P4772,p.33.

at Kravica, targeted the same victim group, and used an execution site that evidence suggests had been used before.

4. 12-13 July: Detention of Muslim men in Bratunac

80. On 12 July 1995, Bosnian Serb Forces started transporting Muslim prisoners to Bratunac.³⁰¹ At least 400, all elderly and/or infirm,³⁰² were held in an abandoned hangar behind the Vuk Karadžić School.³⁰³ 10-15 Bosnian Serb soldiers guarded the warehouse.³⁰⁴

81. By 13 July, Bosnian Serb Forces had detained thousands of Muslim men in Bratunac.³⁰⁵ They were detained in the Vuk Karadžić School complex,³⁰⁶ including the hangar behind the school;³⁰⁷ and in 80-120 buses³⁰⁸ and trucks³⁰⁹ lining the streets of the town,³¹⁰ surrounding the Vuk Karadžić School,³¹¹ town hall,³¹² municipal building,³¹³ MUP HQ,³¹⁴ stadium³¹⁵ and Vihor Garage.³¹⁶ They were guarded by

³⁰¹ AF1674; KDZ039:P3940,pp.17-18.

³⁰² KDZ039:P3940,p.18; KDZ039:T.21941-21942.

³⁰³ AF1674; KDZ039:P3940,pp.17-20; KDZ039,T.21938-21939.

³⁰⁴ KDZ039:P3940,p.17; KDZ039:T.21939-21940,21953.

³⁰⁵ AF1669; M.NIKOLIĆ:D2081,p.6.

³⁰⁶ The Vuk Karadžić school complex comprised of the main school building and gym, an old hangar, and the "old school". J.RUEZ:T.23781-23784; P4308,pp.130,131,282; P4290.

³⁰⁷ AF1674; AF1668-AF1669; M.NIKOLIĆ:T.24673; Z.ĆELANOVIĆ:P377,pp.29,66,76(school); KDZ039:P3940,pp.17-18,86; KDZ167:P354,pp.10,17,52; S.DAVIDOVIĆ:P4100,p.39; KDZ039:D1947,p.1; M.ORIĆ:P350,pp.56-57; J.RUEZ:T.23781-23784; J.RUEZ:P4308,pp.130-131,282; J.RUEZ:P4290.

³⁰⁸ AF1668; M.ORIĆ:P350,p.46; Z.ĆELANOVIĆ:P377,pp.14-15,27-28; KDZ333:P4342,pp.13-15; M.JANJIĆ:P1194,pp.55-57; S.DAVIDOVIĆ:P4100,p.34; D.ĐUKANOVIĆ:P408,para.8.

³⁰⁹ Z.ĆELANOVIĆ:P377,pp.14,16,28; KDZ069:P339,pp.20-21; KDZ064:P769,pp.68,70; M.JANJIĆ:P1194,p.55.

³¹⁰ AF1668; AF1685; M.NIKOLIĆ:T.24672-24673; M.JANJIĆ:P1194,pp.53-54.

³¹¹ AF1682; AF1683; M.ORIĆ:P350,p.46; KDZ333:P4342,p.14; M.JANJIĆ:P1194,p.54; Z.ĆELANOVIĆ:P377,pp.14,28.

³¹² M.JANJIĆ:P1194,p.55.

³¹³ KDZ107:P345,p.106; S.DAVIDOVIĆ:P4100,pp.33-36.

³¹⁴ M.JANJIĆ:P1194,p.55.

³¹⁵ M.NIKOLIĆ:T.24672-24674; Z.ĆELANOVIĆ:P377,pp.17-18,28-29.

³¹⁶ KDZ064:P769,pp.67-68; D.ĐUKANOVIĆ:P408,p.7.

Bosnian Serb Forces,³¹⁷ including Bratunac Brigade MPs,³¹⁸ "special police",³¹⁹ civilian police³²⁰ and the Zvornik Brigade's "Drina Wolves" unit.³²¹

82. Detention conditions were appalling. The men were crammed into buildings and vehicles.³²² Conditions were suffocating.³²³ Temperatures were very hot.³²⁴ There was insufficient water.³²⁵ Men were not given food, even though it was available.³²⁶ The wounded³²⁷ were not provided medical aid.³²⁸ Men were too afraid of being beaten to ask to use the toilet and decided to urinate where they stood instead.³²⁹

83. There was an atmosphere of terror.³³⁰ They spent the night listening to screams and cries of pain, fear and helplessness coming from places they could not see.³³¹ They could hear unexplained bursts of gunfire, and shots were fired over their heads.³³² The threat of death was constant.³³³

84. During the nights of 12 and 13 July prisoners were beaten and brutalised.³³⁴

³¹⁷ M.NIKOLIĆ:T.24674; KDZ167:P354,pp.10-11,18,74; KDZ333:P4342,pp.13,15;

M.JANJIĆ:P1194,p.55.

³¹⁸ AF1685; AF1670; M.NIKOLIĆ:T.24674; Z.ĆELANOVIĆ:P377,p.66; M.JANJIĆ:P1194,pp.55-56; M.ORIĆ:P350,pp.47-50; S.DAVIDOVIĆ:P4100,p.48.

³¹⁹ AF1670; Z.ĆELANOVIĆ:P377,pp.21-23. "Special police" is a reference to either PJP or SBP units. See V.C.2(a): Structure of the RS MUP in the DK zone.

³²⁰ AF1670; KDZ107:P345,pp.106,134; S.DAVIDOVIĆ:P4100,p.34; M.NIKOLIĆ:T.24674;

[REDACTED]

³²¹ AF1670; KDZ039:D1949,p.2.

³²² AF1675(hangar); AF1678; KDZ069:P339,pp.20-21; KDZ333:P4342,pp.13-14; KDZ167:P354,p.52; KDZ039:P3940,pp.17-18; KDZ064:P769,p.68; KDZ039:D1949,pp.2-3; KDZ069:P339,pp.20-21. See also KDZ045:P5910,pp.20-22.

³²³ AF1675; KDZ039:P3940,p.21.

³²⁴ KDZ039:P3940,p.21; KDZ333:P4342,p.16.

³²⁵ AF1671; KDZ167:P354,p.19; KDZ333:P4342,p.16; KDZ069:P339,p.21; KDZ039:P3940,p.21.

³²⁶ KDZ167:P354,pp.9-10,19-20,73; KDZ039:P3940,p.21; KDZ064:P769,p.70; M.ORIĆ:P350,p.57; KDZ039:D1947,p.1.

³²⁷ AF1678; KDZ167:P354,p.10; KDZ039:P3940,pp.22-23,25.

³²⁸ KDZ064:P769,p.70; KDZ167:P354,p.19.

³²⁹ KDZ167:P354,p.19.

³³⁰ AF1676; AF1673; KDZ167:P354,pp.10,19; KDZ064:P769,pp.68-69,200. See also KDZ045:P5910,p.21; KDZ039:D1949,p.2.

³³¹ KDZ167:P354,pp.10,17,52-53; KDZ064:P769,pp.68-70,200; KDZ039:P3940,pp.22-23;

M.ORIĆ:P350,pp.56-57; KDZ039:D1949,p.2.

³³² M.JANJIĆ:P1194,p.57; KDZ064:P769,pp.69,200; KDZ333:P4342,p.15; KDZ167:P354,pp.17,52;

M.ORIĆ:P350,pp.51,56; KDZ039:D1949,pp.2-3.

³³³ AF1673; AF1675; AF1681; KDZ039:P3940,p.21; KDZ039:D1949,p.3; KDZ167:P354,pp.19,52-53; KDZ064:P769,p.200; M.JANJIĆ:P1194,p.58.

³³⁴ KDZ167:P354,pp.10,22,52,73; KDZ064:P769,pp.68-69; KDZ039:P3940,pp.10,19,22-23,25,52,80,89; KDZ039:D1949,pp.2-3; KDZ039:D1947,p.2; M.ORIĆ:P350,p.52.

5. The murder of Rešid SINANOVIĆ

85. Beginning on 12 July, Bosnian Serb Forces took action to ensure that every Bosnian Muslim male was tracked down and killed. Their coordinated efforts involved VRS, RS MUP and DB, and the Republic of Serbia MUP. Emblematic of these coordinated efforts was the murder of Rešid SINANOVIĆ, a Muslim lawyer³³⁵ and the former Bratunac Chief of Police.³³⁶

86. On 13 July, M.NIKOLIĆ delivered SINANOVIĆ³³⁷ to Zlatan ČELANOVIĆ, Bratunac Brigade Desk Officer for Moral, Legal and Religious Affairs.³³⁸ With five other Bosnian Muslim men SINANOVIĆ was transported to Zvornik.³³⁹

87. SINANOVIĆ was amongst the Muslim men shot at Kozluk.³⁴⁰ He survived the massacre and managed to cross the Drina to Serbia, where he was treated for bullet wounds at the Banja Koviļjača unit of the Loznica Hospital, and then at the hospital's main branch in Loznica.³⁴¹ Soon after his escape, the Serbian MUP informed the Zvornik Brigade of SINANOVIĆ's whereabouts. An entry in the Zvornik DO Notebook on 15 July states: "A Turk lawyer escaped to Loznica hospital; wounded and treated."³⁴² The message was received from "Siniša," likely Šiniša GLOGOVAC from the State Security Service in the Zvornik area.³⁴³ Considering that SINANOVIĆ was a Muslim lawyer,³⁴⁴ and that the Loznica Hospital record of 15 July reflects SINANOVIĆ's treatment that day, this entry is clearly referring to SINANOVIĆ.

³³⁵ Z.ČELANOVIĆ:P377,p.10.

³³⁶ M.NIKOLIĆ:T.24657-24658.

³³⁷ M.NIKOLIĆ:D2081,pp.4-5; M.NIKOLIĆ:T.24657-24658; Z.ČELANOVIĆ:P377,pp.9,47.

³³⁸ Z.ČELANOVIĆ:P377,pp.2-3,6; M.NIKOLIĆ:D2081,p.5. *See also* S.DAVIDOVIĆ:P4100,p.47.

³³⁹ Z.ČELANOVIĆ:P377,pp.13,31,34-35; P170(Bratunac Brigade interrogation notes identifying Mujo HUSIĆ); P664(Interrogation notes identifying Hasiv IBIŠEVIĆ); P172(Interrogation notes identifying Nazif AVDIĆ, Munib DEDIĆ and Aziz HUSIĆ). Three men were executed at Kozluk, namely Nazif (Ramo) AVDIĆ, (Protocol ID 3215/03)(Kozluk grave), Mujo (Osman) HUSIĆ (Protocol ID 4041/04)(Kozluk / Čančari Road 3 graves) and Aziz (Osman) HUSIĆ (Protocol ID 7592/06)(Čančari Road 7 grave). The remains of Munib (Emin) DEDIĆ (Protocol ID 1786/03) were located in Čančari Road 11 grave. Notwithstanding minor differences in the dates of birth recorded for Nazif (Ramo) AVDIĆ and Munib (Emin) DEDIĆ in P5913 and P172, both documents are clearly referring to the same individuals. P5913. [REDACTED]

³⁴⁰ M.NIKOLIĆ:T.24659

³⁴¹ R.BLOCK:P4393,paras.37,41; R.BLOCK:T.24918-24920,24932-24936; P4406; P4401; P246; Z.ČELANOVIĆ:P377,pp.36-37; M.NIKOLIĆ:T.24659-24660; P4403,p.2; R.BUTLER:T.27875-27876; [REDACTED]

³⁴² P4585-ENG2,pp.71-72.

88. SINANOVIĆ was taken into custody by the Serb police³⁴⁵ and returned to the RS.³⁴⁶ His body was later found in a secondary grave associated with the Branjevo Farm execution.³⁴⁷

6. 12-13 July: Opportunistic killings in Bratunac

(a) Bratunac Town: Vuk Karadžić School (E15.1)

89. From the evening of 12 until 14 July, prisoners were detained in the Vuk Karadžić School complex.³⁴⁸ Over 50 men were killed.³⁴⁹

90. During the night of 12 July, Bosnian Serb soldiers entered the school and called for men from villages around Bratunac.³⁵⁰ Those who responded were told to leave their things behind and were taken outside, beaten and killed,³⁵¹ including Hamed EFENDIĆ.³⁵² His remains were identified in the Zeleni Jadar 5 secondary grave, linked to the Glogova primary graves.³⁵³ Other men were badly beaten and left inside without medical attention.³⁵⁴

91. By the morning of 13 July, at least five other prisoners had died.³⁵⁵ Prisoners reported seeing a "pile of dead" behind the warehouse.³⁵⁶ Later that day, ten Muslim men were selected to go outside and perform a task, but never returned.³⁵⁷ That afternoon, another ten Muslim men were chosen to go outside; again, they never returned.³⁵⁸

³⁴³ D.KIJAĆ:T.44328-44329; M.NIKOLIĆ:T.24628; G.MILINIĆ:T.39776.

³⁴⁴ Z.ČELANOVIĆ:P377,p.10.

³⁴⁵ R.BLOCK:P4393,para.38.

³⁴⁶ P4401.

³⁴⁷ P5913(Rešid (Rahman) SINANOVIĆ (Protocol ID 11916/09)); D.JANC:P4772,pp.41,48;

³⁴⁸ AF1668-AF1669.

³⁴⁹ AF1684. See D.JANC:D1975.

³⁵⁰ AF1676; KDZ039:P3940,pp.21-22; KDZ039:T.21946-21947.

³⁵¹ AF1676; KDZ039:P3940,pp.21-23.

³⁵² KDZ039:P3940,p.23.

³⁵³ D.JANC:P4772,pp.4,28-29,82,85-87; [REDACTED]; P5913(Hamed (Junuz) EFENDIĆ (Protocol ID 2719/03)).

³⁵⁴ AF1677-AF1678; KDZ039:P3940,pp.22-24.

³⁵⁵ AF1677-AF1678; KDZ039:P3940,pp.22-24.

³⁵⁶ KDZ039:P3940,pp.23-24.

³⁵⁷ AF1679; KDZ039:P3940,p.24.

³⁵⁸ AF1680; KDZ039:P3940,pp.25-26.

92. KDZ167 was detained at the Vuk Karadžić school on 13 July.³⁵⁹ He heard screams and machine-gun fire after Bosnian Serb soldiers took six or seven men from the room in which he was being held.³⁶⁰ They did not return.³⁶¹ KDZ167 saw a policeman in a blue uniform severely beat another detainee.³⁶² After an hour, that man was called outside and never returned.³⁶³

93. Mevludin ORIĆ was detained overnight in a bus outside Vuk Karadžić school.³⁶⁴ During the night, a Bosnian Serb named "Ilija from Spat" entered ORIĆ's bus and asked for a particular person.³⁶⁵ The man who went with "Ilija" never returned.³⁶⁶ ORIĆ also saw "Ilija" and two other men remove others from the bus behind him and a nearby courtyard and take them to Vuk Karadžić School.³⁶⁷ Once a prisoner was taken inside the school, screaming and bursts of fire could be heard.³⁶⁸ These men never returned.³⁶⁹

94. Up to 80 bodies were recovered in the area around the Vuk Karadžić School in Bratunac.³⁷⁰ [REDACTED] KDZ107 saw 5-6 bodies around the school on the morning of 14 July.³⁷² A driver told KDZ107 that "a lot more" bodies had been disposed of.³⁷³ These bodies were taken to Glogova.³⁷⁴

(b) Bratunac Town (E15.3)

95. A mentally ill prisoner detained on the same bus as Mevludin ORIĆ was hit by an MP. When he hit the MP back, two MPs dragged him off the bus in the direction of

³⁵⁹ KDZ167:P354,pp.8-10,80-81.

³⁶⁰ KDZ167:P354,pp.17-18,52-53,75.

³⁶¹ KDZ167:P354,pp.17-18.

³⁶² KDZ167:P354,p.10.

³⁶³ KDZ167:P354,p.10.

³⁶⁴ M.ORIĆ:P350,pp.45-46.

³⁶⁵ M.ORIĆ:P350,p.53.

³⁶⁶ M.ORIĆ:P350,p.53.

³⁶⁷ M.ORIĆ:P350,pp.53-55.

³⁶⁸ M.ORIĆ:P350,pp.56-57.

³⁶⁹ M.ORIĆ:P350,p.57.

³⁷⁰ D.JANC:D1975.

³⁷¹ [REDACTED]

³⁷² KDZ107:P345,pp.24-25,64-65,152; P290.

³⁷³ KDZ107:P345,pp.25-26.

³⁷⁴ KDZ107:P345,p.19; [REDACTED]

[REDACTED] D.JANC:D1975.

the school, and shots were heard.³⁷⁵ There is no evidence of any mentally ill detainees surviving detention in Bratunac. The only reasonable conclusion is that the man was murdered.

E. Crimes in Bratunac, Zvornik, Trnovo, 14 July to August

1. 14 July: Transport of Muslim men to Zvornik area

96. On the morning of 14 July, the Muslim men detained at locations around Bratunac were moved in a huge convoy³⁷⁶ to the Zvornik area,³⁷⁷ escorted by Bratunac Brigade MPs³⁷⁸ and members of the RS MUP;³⁷⁹ the same forces that had guarded the men during the preceding days in Bratunac.³⁸⁰ POPOVIĆ and Momir NIKOLIĆ issued orders to the MPs, and POPOVIĆ led the column as it left Bratunac.³⁸¹ After leaving Bratunac, the first part of the convoy arrived at Hotel Vidikovac, located about two kilometres south of Zvornik. Drago NIKOLIĆ and MP Milorad BIRČAKOVIĆ arrived at the hotel at around 08:30 to 09:00.³⁸² At Hotel Vidikovac, Drago NIKOLIĆ ordered BIRČAKOVIĆ to get on the first bus and go to Orahovac.³⁸³ The convoy then passed through Karakaj, from where some vehicles went to Petkovci School,³⁸⁴ some to Orahovac School,³⁸⁵ some to Ročević School,³⁸⁶ and others to Kula School at Pilica.³⁸⁷

³⁷⁵ AF1688; M.ORIĆ:P350,pp.49-52,204-205; P267.

³⁷⁶ M.NIKOLIĆ:T.24681. KW582 confirmed there was only one convoy but was mistaken in testifying that he left Bratunac around 14:00. Other witnesses confirm that the convoy left in the morning. Compare KW582:D4291,pp.57-58,168-171 with M.ORIĆ:P350,pp.70-77; KDZ064:P769,pp.76-81; KDZ069:P339,pp.21-22; M.BIRČAKOVIĆ:P360,pp.12-14,67-69. See also KDZ039:P3940,p.35.

³⁷⁷ AF1747-AF1748; AF1750; M.NIKOLIĆ:T.24681-24682; KW582:D4291,pp.56-64,168-171; P4941,pp.1,7.

³⁷⁸ KW582:D4291,pp.56-64,168-171; P169,p.14; AF1751-AF1752; AF1769.

³⁷⁹ M.BIRČAKOVIĆ:P360,pp.12-15,70,133-134,137-138; KDZ407:P379,pp.9,12,38-39. See also V.POPOVIĆ:D3993,paras.42,44; M.ĐURIĆ(KW117):T.35044-35045.

³⁸⁰ M.NIKOLIĆ:T.24681-24682.

³⁸¹ KW582:D4291,pp.56-58,168-171. See also P5354,pp.1,5. Momir NIKOLIĆ and POPOVIĆ gave instructions to the Bratunac Brigade MP to escort the column at around 10:00. AF1751-AF1752; P169,p.14; P4308,p.282.

³⁸² M.BIRČAKOVIĆ:P360,pp.11-12. See also M.ĐURIĆ(KW117):T.35041,35081-35082(commenting that "I was in the Vidikovac Hotel and I could see the convoy from the terrace. It was around noon or a bit later." and indicating that some 50 to 60 buses passed by Vidikovac).

³⁸³ M.BIRČAKOVIĆ:P360,pp.11-12, 49.

³⁸⁴ AF1790; KDZ069:P339,pp.23-25,61; P4308,pp.167-170; KDZ045:P5910,pp.22-25; P4091.

³⁸⁵ KW582:D4291,pp.59-63; P770; P4941,p.29. POPOVIĆ accompanied the vehicles to Orahovac School. KW582:D4291,pp.60-63.

³⁸⁶ M.JANJIĆ:P372,pp.28-30,32,76.

³⁸⁷ KDZ333:P4342,pp.3,6,13,16-17; P4344(aerial photo of Kula School); P4347(aerial photo of Kula School marked by KDZ333 indicating road buses took upon arrival, room in which witness was held

2. 14-16 July: Murder and burial of Muslim men in the Zvornik area

(a) Detention of approximately 1,000 Muslim prisoners at Orahovac School and their murder at two sites nearby (E6.1-E6.2)

97. On the night of 13 July³⁸⁸ and the morning of 14 July³⁸⁹, approximately 1,000³⁹⁰ prisoners were transported on buses to Orahovac School (also known as "Grbavci School"³⁹¹), where they were detained in the school gym.³⁹² Among the prisoners were four children, two of whom were approximately 10 and 14 years old.³⁹³ Others were elderly and/or infirm.³⁹⁴ The prisoners were forced to leave their personal belongings outside³⁹⁵ and were detained in cramped and suffocating conditions.³⁹⁶ They were not given any food and only a few were permitted to fetch water under MP guard. None received medical attention, and elderly prisoners fainted due to extreme heat.³⁹⁷

98. Civilian policemen escorted the prisoners to the school³⁹⁸ and guarded them.³⁹⁹ At least 10 Zvornik Brigade MPs⁴⁰⁰ and 30-50 other soldiers,⁴⁰¹ including

and water source); P4348(photo of Kula School marked by KDZ333 showing where buses were, where prisoners were and water point).

³⁸⁸ Muslim men who had been detained in the hangar behind Vuk Karadžić School were taken in a convoy of six buses to the Orahovac school. *See* KDZ039:P3940,pp.28-30(Their identification, wallets, watches and money had been stripped from them earlier that day in Bratunac.).

³⁸⁹ AF1755. *See also* KDZ407:P379,p.12; M.ORIĆ:P350,pp.71,74-78; KDZ039:P3940,p.35.

³⁹⁰ KDZ064:P769,p.99(500-1,000); M.ORIĆ:P350,p.80(over 2,000); KDZ064:P3940,pp.39-40(no less than 2,500); [REDACTED].

³⁹¹ J.RUEZ:T.23788.

³⁹² AF1756-AF1757; KDZ407:P379,p.13; KDZ064:P769,p.99; M.ORIĆ:P350,pp.79-80;

KDZ039:P3940,pp.34-35,39-40.

³⁹³ KDZ064:P769,pp.79,100; T.TANIĆ:P369,pp.21,27-28.

³⁹⁴ KDZ039:P3940,pp.15,18,29-30,53; KDZ064:P769,pp.79,100.

³⁹⁵ AF1758; M.ORIĆ:P350,pp.75-76; KDZ064:P769,pp.79,97-98; M.BIRČAKOVIĆ:P360,p.23;

T.TANIĆ:P369,p.18.

³⁹⁶ AF1760; KDZ039:P3940,pp.34-35; M.ORIĆ:P350,pp.79-81; KDZ064:P769,pp.99-104.

³⁹⁷ AF1759; KDZ039:P3940,pp.35-36; KDZ407:P379,pp.15-16,46-47; KDZ064:P769,pp.102-103;

M.ORIĆ:P350,pp.81-82; T.TANIĆ:P369,p.21.

³⁹⁸ M.BIRČAKOVIĆ:P360,pp.12-15,70,105-107,133-134,137-138; KDZ407:P379,pp.9,12,38-39. *See also* V.POPOVIĆ:D3993,paras.42,44; M.ĐURIĆ(KW117):T.35044-35045.

³⁹⁹ *See* P6191,p.2; M.ĐURIĆ(KW117):T.35051-35053; T.TANIĆ:P369,p.17.

⁴⁰⁰ [REDACTED]; P212; [REDACTED]

N.STOJANOVIĆ:D2266,pp.11-12; T.TANIĆ:P369,pp.15-17; AF1771; KDZ407:P379,pp.9-10,13,17-19. The Zvornik Brigade MP's attendance roster was subsequently altered to cover up their

involvement in the murder operation at Orahovac. In the entries for 14 July 1995, it is visible that ten MPs, including JASI KOVAC, had "O" marked (showing location at Orahovac), which was subsequently erased and remarked with "T" (designating "in the terrain"). *See* P4948;

R.BUTLER:T.27562-27564. *See also* M.BIRČAKOVIĆ:P360,p.107; C.RISTANOVIĆ:P652,pp.12-13; AF1753; AF1758.

⁴⁰¹ KDZ064:P769,p.84.

Zvornik Brigade members, of whom ten were members of the 4th Battalion,⁴⁰² were also involved in transporting and securing these prisoners. Some guards referred to themselves with pride as "Karadžić's chetniks".⁴⁰³

99. BEARA and POPOVIĆ were present at the Orahovac School on 14 July.⁴⁰⁴ D.NIKOLIĆ coordinated the changeover of security and deployment of Zvornik Brigade MPs,⁴⁰⁵ had discussions with senior VRS officers outside the School,⁴⁰⁶ and was present when a ULT loader arrived and left in the direction of the execution sites.⁴⁰⁷

(i) Murder of two prisoners at Orahovac School (E6.1)

100. When the removal of prisoners from the gym began, one prisoner stood and protested, "[t]hese people should not be killed."⁴⁰⁸ Guards took him outside, and rifle shots and a scream were heard; then another prisoner was taken outside and another shot heard.⁴⁰⁹ There is no question that these two men were murdered.

(ii) Orahovac Executions and burials (E6.2)

101. Members of the Zvornik Brigade participated in the Orahovac executions.⁴¹⁰ Zvornik Brigade MPs escorted blindfolded⁴¹¹ prisoners, some of whom had their hands tied,⁴¹² onto trucks from the late morning or early afternoon of 14 July.⁴¹³ Drivers included a member of the Zvornik Brigade 4th Battalion.⁴¹⁴ Soldiers

⁴⁰² M.BIRČAKOVIĆ:P360,p.33; T.TANIĆ:P369,pp.11-17(confidential). [REDACTED] AF1770; AF1753.

⁴⁰³ KDZ064:P769,p.100.

⁴⁰⁴ POPOVIĆ admitted he was at Orahovac School that day. V.POPOVIĆ:T.43062-43066. BEARA was also seen at the school. N.STOJANOVIĆ:D2266,pp.27,39,43. *See also* P4585-ENG2,p.42 (Zvornik Brigade logbook noting "1500 hrs. – Colonel BEARA is coming in order to Orovoc Petković Ročević Pilica". "Orovoc" is clearly a misspelling of "Orahovac."); [REDACTED]

⁴⁰⁵ M.BIRČAKOVIĆ:P360,p.16. *See also* T.TANIĆ:P369,pp.19-20.

⁴⁰⁶ KDZ507:P379,pp.14-15; T.TANIĆ:P369,p.14.

⁴⁰⁷ M.BIRČAKOVIĆ:P360,pp.17,33; KDZ064:P769,pp.123-124; M.ORIĆ:P350,p.97.

⁴⁰⁸ KDZ064:P769,p.105.

⁴⁰⁹ AF1762; KDZ064:T.1291; P770. *See also* KDZ039:P3940,pp.35-36; M.ORIĆ:P350,pp.82-84; T.TANIĆ:P369,p.18.

⁴¹⁰ AF1772-AF1773.

⁴¹¹ AF1764; KDZ064:P769,pp.108,110-111; M.ORIĆ:P350,pp.85-86,89; M.BIRČAKOVIĆ:P360,p.20. *See also* AF1779; AF1782; AF1785; AF1787-AF1789; KDZ039:P3940,pp.36-37; KDZ039:T.21958; J.RUEZ:T.23805-23806,23808; P4298.

⁴¹² KDZ407:P379,p.17; [REDACTED] M.BIRČAKOVIĆ:P360,p.20.

⁴¹³ AF1772-AF1777; KDZ407:P379,pp.16-18; [REDACTED] M.ORIĆ:P350,pp.86,89-90,93-96,99; M.BIRČAKOVIĆ:P360,pp.19-22,32-33; KDZ039:P3940,pp.36-38. *See* J.RUEZ:T.23789-23790; P4308,pp.135,140; P4292; KDZ064:P769,pp.111-113.

⁴¹⁴ M.BIRČAKOVIĆ:P360,pp.32-33.

transported the prisoners to two sites near the school,⁴¹⁵ where they were lined up and summarily executed.⁴¹⁶ [REDACTED]

[REDACTED] Some prisoners were not killed immediately, but left wounded, to suffer in agony while soldiers cursed their "Turk mothers".⁴¹⁹ The killings continued throughout the afternoon and evening⁴²⁰ and were completed on the late night of 14 July.⁴²¹

102. Burial of the murdered Muslim prisoners at the two execution sites started on 14 July⁴²² and continued on 15⁴²³ and 16 July.⁴²⁴ Members of the Zvornik Brigade, including the Engineering Company, carried out the burial operation using Zvornik Brigade excavation equipment.⁴²⁵ [REDACTED]

103. In September 1995, the Orahovac primary graves (known as Lažete 1 and 2)⁴²⁷ were partially robbed⁴²⁸ by members of the Zvornik Brigade Engineering Company⁴²⁹

⁴¹⁵ AF1767; KDZ407:P379,pp.18-20; M.BIRČAKOVIĆ:P360,pp.29-37; J.RUEZ:T.23803-23807; P4308,pp.162,165; P255; P275; D.LAZAREVIĆ:P352,pp.25-26; P3942; [REDACTED]

⁴¹⁶ AF1763; M.ORIĆ:P350,pp.92-93; KDZ039:P3940,pp.38-39; KDZ064:P769,p.114. AF1772-AF1775. *See also* [REDACTED]; P4566.

⁴¹⁷ [REDACTED] *See also* [REDACTED] KDZ446:P29,pp.39-43; [REDACTED] *See also* KDZ228:P324,p.7.

⁴¹⁹ M.ORIĆ:P350,pp.94,98.

⁴²⁰ M.ORIĆ:P350,pp.93,95-97,99; KDZ039:P3940,pp.38-39; KDZ064:P769,pp.115,117-118.

⁴²¹ AF1768; AF1808; M.ORIĆ:P350,p.97; KDZ039:P3940,pp.41-42.

⁴²² AF1776-AF1777; M.ORIĆ:P350,pp.97,101-105; P174,p.1; P175,p.1.

⁴²³ P4583,p.2; P176. *See also* D.LAZAREVIĆ:P352,pp.76-77.

⁴²⁴ AF1776; P4583,p.3; P1172,pp.1-2. *See also* P4914,p.73.

⁴²⁵ P660,p.6(Identifying MITROVIĆ, MILADINOVIĆ, and RISTANOVIĆ as Zvornik Brigade Engineering Company soldiers); AF1776-AF1777; AF1808; C.RISTANOVIĆ:P652,pp.7-11,14-16,19-20,41-42,50-51; P1172,pp.1-2(Vehicle log for Mercedes shows a "Rovokopač" excavator was assigned to RISTANOVIĆ and worked for six hours at Orahovac on 14 July). *See also* D.LAZAREVIĆ:P352,pp.7,11,14,18-22,49-50; KDZ064:P769,pp.123-124; M.BIRČAKOVIĆ:P360,p.35; M.ORIĆ:P350,pp.96-97,101-103; KDZ039:P3940,p.39; R.BUTLER:T.27633-27636; P238; P239; P656,p.1; P658,p.2.

⁴²⁶ [REDACTED] ⁴²⁷ AF1780; AF1784. *See* W.HAGLUND:P4310,pp.20-25; W.HAGLUND:P4326; W.HAGLUND:P4327; W.HAGLUND:P4328; W.HAGLUND:P4329; F.PECCERELLI:P4137,pp.5-9,15-24,36-38,42-43. *See also* AF1786.

⁴²⁸ W.HAGLUND:P4310,pp.25-28,53-54; W.HAGLUND:P4330; W.HAGLUND:P4331; F.PECCERELLI:P4137,pp.8-9,22-24,36-38,42-43; F.PECCERELLI:T.22740-22742,22768-22775,22780.

⁴²⁹ V.G.3.(f): September-October 1995, Reburial operations.

and their contents moved to secondary sites known as Hodžici Road 1-7. Aerial imagery,⁴³⁰ soil and pollen samples,⁴³¹ shell cases,⁴³² and DNA⁴³³ connect the Lažete 1 and 2 primary graves and the Hodžici Road 1-7 secondary graves.

104. Forensic evidence recovered from in and around the Lažete 1 and 2 grave sites corroborates witness accounts that a mass execution occurred at those sites.⁴³⁴ Blindfolds recovered from the Lažete 1 and 2 graves and related secondary sites also establish a link with the Orahovac School detention site⁴³⁵ and corroborate witness accounts that prisoners held at Orahovac School were blindfolded prior to execution.⁴³⁶

105. The cause of death for victims exhumed from the Orahovac primary and secondary graves, where ascertained, is gunshot wounds.⁴³⁷

106. As of January 2012, the remains of 841 persons reported missing after the fall of Srebrenica have been identified as exhumed from the Lažete 1 and 2 primary graves and the Hodžici Road 1-7 secondary graves, mainly by DNA matching.⁴³⁸ Victims included nine young boys⁴³⁹ and 78 victims over 60 years old.⁴⁴⁰

⁴³⁰ AF1778; AF1788; D.MANNING:P4502,pp.6,9; D.MANNING:P4504,pp.50,54,58; P4512,pp.16-19,43-54; D.MANNING:T.25835-25836.

⁴³¹ AF1788; R.WRIGHT:P4000,pp.23-24.

⁴³² AF1788.

⁴³³ D.JANC:P4772,pp.9-10,21-23,41,69-71,82,84. [REDACTED]

⁴³⁴ D.MANNING:P4502,pp.6-10; F.PECCERELLI:P4137,pp.10-14. *See also* F.PECCERELLI:P4135; F.PECCERELLI:P4136.

⁴³⁵ AF1787-AF1788; D.MANNING:P4502,pp.6-7,10; D.MANNING:P4504,pp.21-22,52,56,60,63; J.CLARK:P4104,pp.8-9; P4508. *See also* AF1764; AF1779; AF1782; AF1785; C.LAWRENCE:P4056; C.LAWRENCE:P4057; C.LAWRENCE:P4058; P4506; P4509; P4317,pp.208-211.

⁴³⁶ KDZ039:P3940,pp.36-37; KDZ039:T.21958; KDZ064:P769,pp.108,110-111; M.ORIĆ:P350,pp.85-86,89; M.BIRČAKOVIĆ:P360,p.20. *See also* J.RUEZ:T.23805-23806,23808; P4298.

⁴³⁷ AF1789; D.MANNING:P4502,pp.7,9; D.MANNING:P4504,pp.52,56,59-60,62-63;

J.CLARK:P4104,pp.13,15-16; C.LAWRENCE:P4056; C.LAWRENCE:P4057; C.LAWRENCE:P4058. *See also* W.HAGLUND:P4316,pp.11-12; W.HAGLUND:P4317; W.HAGLUND:P4318; W.HAGLUND:P4319; W.HAGLUND:P4320.

⁴³⁸ D.JANC:P4772,pp.9-10,21-23,41,69-71,82,84. [REDACTED]

[REDACTED] 15 victims in Lažete 2 were identified by methods other than DNA. *See* D.JANC:P4772,p.10.

⁴³⁹ Boys aged 15 or under.

⁴⁴⁰ [REDACTED]. *See e.g.* P5913 (Remzudin (Hasib) HASANOVIĆ, aged 12 (Protocol ID:5414/05); Amer (Meho) BOŠNJAKOVIĆ, aged 13 (Protocol ID:4020/04); and Edin (Šaban) ADEMOVIĆ, aged 14 (Protocol ID:02/02), identified in Orahovac-related graves). [REDACTED]

[REDACTED] *See also* KDZ064:P769,p.100.

(b) 14 July: Organised killings at Petkovci (E7.1/7.2)

107. Trucks transporting approximately 1,000⁴⁴¹ Muslim prisoners from Bratunac arrived at Petkovci School on the afternoon of 14 July.⁴⁴² O.STANIŠIĆ, the Zvornik Brigade 6th Battalion Commander, in whose zone Petkovci fell,⁴⁴³ was informed about the arrival.⁴⁴⁴

108. The mistreatment of prisoners began upon their arrival.⁴⁴⁵ They were made to repeat, "This is Serbian land and will always remain so," and "Srebrenica has always been Serbian and will continue to be that."⁴⁴⁶ The classrooms were overcrowded⁴⁴⁷ and conditions suffocating, with minimal access to water⁴⁴⁸ and no toilet facilities.⁴⁴⁹ Inside the School⁴⁵⁰ soldiers assaulted and beat prisoners,⁴⁵¹ demanded their money,⁴⁵² and confiscated their documents.⁴⁵³ After prisoners were removed, shots could be heard,⁴⁵⁴ and on leaving the School, survivors saw bodies of dead prisoners.⁴⁵⁵

109. Prisoners at Petkovci School were taken from the classrooms in groups of 10 and 20,⁴⁵⁶ forced to discard their belongings, including clothing and ID cards,⁴⁵⁷ and had their hands tied behind their backs using rope or sharp thread.⁴⁵⁸ Sometime after midnight, VRS trucks crammed with at least 100 prisoners⁴⁵⁹ left the School for the

⁴⁴¹ [REDACTED]

⁴⁴² AF1790; KDZ045:P5910,p.24; KDZ069:P339,pp.23-24. *See also* KDZ069:P339,pp.61-62; J.RUEZ:T.23812-23814; P4308,pp.167-174.

⁴⁴³ R.BUTLER:P4914,para.7.28.

⁴⁴⁴ O.STANIŠIĆ:P382,p.71.

⁴⁴⁵ KDZ069:P339,pp.24-27; KDZ045:P5910,pp.25-26; AF1791.

⁴⁴⁶ KDZ069:P339,p.27. They were also forced to chant "Long live the Serb Republic" and "Srebrenica is Serb." *See* KDZ045:P5910,p.26.

⁴⁴⁷ KDZ045:P5910,pp.27-29; KDZ045:T.22638-22639; KDZ069:P339,pp.28,83.

⁴⁴⁸ AF1791; KDZ069:P339,p.28.

⁴⁴⁹ KDZ069:P339,p.28; KDZ045:P5910,pp.28-29.

⁴⁵⁰ P214; P215.

⁴⁵¹ AF1792; KDZ045:P5910,pp.26-27; KDZ069:P339,pp.25-27. *See also* KDZ069:P339,pp.29-30,61-62; P4308,pp.172-173; KDZ045:P5910,p.28.

⁴⁵² KDZ045:P5910,pp.27-28; KDZ069:P339,p.29.

⁴⁵³ KDZ045:P5910,pp.29-30.

⁴⁵⁴ AF1792; KDZ045:P5910,pp.27-28. *See also* KDZ069:P339,p.29; P4308,pp.174-176.

⁴⁵⁵ KDZ045:P5910,p.31. *See also* KDZ069:P339,p.35.

⁴⁵⁶ KDZ045:P5910,pp.29-31. *See also* KDZ069:P339,pp.31-32.

⁴⁵⁷ KDZ045:P5910,pp.29-30; KDZ045:T.22639,22685; KDZ069:P339,p.31. *See also* KDZ069:P339,p.62; P4098.

⁴⁵⁸ KDZ045:P5910,p.30; KDZ069:P339,pp.31,62. *See also* D.MANNING:P4504,pp.24,71,124-125.

⁴⁵⁹ AF1793; AF1796; AF1807; KDZ045:P5910,pp.31,35; KDZ069:P339,pp.35-36; KDZ045:T.22686-22687.

nearby execution site.⁴⁶⁰ Throughout the process, soldiers insulted the prisoners and cursed their "balija mothers".⁴⁶¹ At least one prisoner on the truck was shot.⁴⁶² Upon arrival at the execution site,⁴⁶³ which was lit by floodlights on two poles,⁴⁶⁴ prisoners heard heavy bursts of fire and yelling.⁴⁶⁵ KDZ045 saw a large area covered in dead bodies, all lying face down with their hands tied.⁴⁶⁶

(i) Executions and burials

110. The VRS soldiers called prisoners off the truck in groups of five or 10, ordered them to form rows and lie on the ground,⁴⁶⁷ then opened fire at close-range.⁴⁶⁸ The soldiers then went around and systematically shot many of the dead and dying in the head.⁴⁶⁹

111. Two TAM trucks logged out to Zvornik Brigade 6th Battalion drivers made 10 trips between Petkovci School and the Petkovci Dam on 15 July.⁴⁷⁰ A Zvornik Brigade ULT and an excavator were also working at Petkovci that day.⁴⁷¹ Survivors testified that they saw a Caterpillar bulldozer with a blade and a ULT loader scoop up bodies and load them onto a truck at the execution site on the morning of 15 July,⁴⁷² while explosions and strong bursts of fire continued.⁴⁷³

112. In September 1995, the Dam primary grave⁴⁷⁴ was partially robbed and its contents moved to secondary sites known as Liplje 1-4 and 7.⁴⁷⁵ The links between

⁴⁶⁰ AF1807; AF1796; KDZ069:P339,pp.36-37; KDZ045:P5910,p.35.

⁴⁶¹ KDZ045:P5910,p.31.

⁴⁶² KDZ045:P5910,pp.31-32; KDZ069:P339,p.36.

⁴⁶³ J.RUEZ:T.23815-23824; P4308,pp.179-194; P4300; P4301.

⁴⁶⁴ KDZ045:P5910,p.45.

⁴⁶⁵ KDZ045:P5910,p.35; KDZ069:P339,pp.36-37.

⁴⁶⁶ KDZ045:P5910,p.36. *See also* KDZ069:P339,p.62.

⁴⁶⁷ AF1808; AF1794; KDZ045:P5910,p.36; KDZ045:T.22686-22687; KDZ069:P339,pp.38-39.

⁴⁶⁸ AF1794. Before being fired at, KDZ045 saw Bosnian Serb soldiers in uniform with masked faces. KDZ045:P5910,pp.36-37; KDZ069:P339,pp.39,41,63; P216; P217.

⁴⁶⁹ AF1795; KDZ045:P5910,pp.37-38; KDZ069:P339,pp.39-40.

⁴⁷⁰ AF1796; P197; O.STANIŠIĆ:P382,pp.11,21-24. STANIŠIĆ's claimed that he approved the use of a truck to drive some dead bodies away without knowing more is an attempt to minimise his involvement in the Petkovci killings. [REDACTED]

⁴⁷¹ AF1796; AF1797; P108,p.1; P196,p.3. D.LAZAREVIĆ claimed to know nothing about these log entries relating to Petkovci, though they bear his signature. D.LAZAREVIĆ:P352,pp.43-44. Since shooting could still be heard *after* the loader and tractor arrived at the site on the morning of 15 July, D.LAZAREVIĆ obviously denied the Petkovci entries to try and diminish his role in the killings. KDZ045:P5910,p.42.

⁴⁷² KDZ045:P5910,pp.40-42,44-45; KDZ069:P339,pp.43,59; P4096.

⁴⁷³ KDZ045:P5910,pp.40-42; KDZ069:P339,p.42.

⁴⁷⁴ R.WRIGHT:P3999,pp.23-28; R.WRIGHT:P4010; R.WRIGHT:P4011; R.WRIGHT:P4012; R.WRIGHT:P4013; R.WRIGHT:P4014.

these graves include aerial imagery,⁴⁷⁶ the presence of distinctive limestone from the Dam gravefill in the secondary graves,⁴⁷⁷ and DNA.⁴⁷⁸ Two Dam survivors testified that prisoners' hands were bound with string or rope:⁴⁷⁹ this is corroborated by ligatures found at these graves, which also supports the connection between the Dam primary grave and the associated Liplje secondary graves.⁴⁸⁰ Where cause of death of the victims exhumed from these graves was determined, gunshot wounds predominated.⁴⁸¹

113. As of January 2012, DNA matching has identified the remains of 815⁴⁸² persons reported missing after the fall of Srebrenica in the Dam primary grave and its associated secondary graves (Liplje 1-4 and 7).⁴⁸³ Seven victims were aged over 60, and eight were young boys.⁴⁸⁴

(c) 14-15 July: Organised killings at Ročević and Kozluk
(E8.1/8.2)

114. Ročević School was used as a detention and execution site on 14-15 July. While a number of prisoners were murdered at the school, most were executed and buried at Kozluk. There are no known survivors from the execution of approximately 1,000⁴⁸⁵ Bosnian Muslim men at Ročević and Kozluk.⁴⁸⁶

⁴⁷⁵ See V.G.3.(f): September-October 1995, Reburial operations.

⁴⁷⁶ AF1802; D.MANNING:P4504,pp.65,69; D.MANNING:T.25836-25837; P4512,pp.20-22,55-61.

⁴⁷⁷ R.WRIGHT:P4000,pp.21,24; R.WRIGHT:P3999,pp.28-30,45-46,76-77; R.WRIGHT:P4015; D.MANNING:P4504,p.66.

⁴⁷⁸ D.JANC:P4772,pp.10-11,24-25,41,49,71-73,82,84; [REDACTED]

⁴⁷⁹ KDZ045:P5910,p.30; KDZ069:P339,pp.31,62; P4098.

⁴⁸⁰ AF1806; C.LAWRENCE:P4060,p.3; D.MANNING:P4504,pp.67,71,124-125;

R.WRIGHT:P4000,p.3. *See also* C.LAWRENCE:P4053; C.LAWRENCE:P4060; P4506.

⁴⁸¹ AF1805; D.MANNING:P4504,pp.66-67,71; C.LAWRENCE:P4060,pp.2-3;

C.LAWRENCE:P4053,p.2. *See also* AF1799.

⁴⁸² D.JANC:P4772,p.41.

⁴⁸³ D.JANC:P4772,pp.10-11,24-25,41,49,71-73,82,84; [REDACTED]

[REDACTED]. *See also* AF1798; AF1800-AF1801.

⁴⁸⁴ [REDACTED]. *See e.g.* P5913(Rijad (Ibran) GABELJIĆ, aged 14, (Protocol Id.:7295/06), Mehmed (Asim) VARNICA, aged 14, (Protocol Id.:10350/07), Elvis (Ibrahim) ŠABIĆ, aged 13, (Protocol Id.:10750/07) and Mehruđin (Sačir) ALIĆ, aged 13 (Protocol Id.:1945/03)); [REDACTED]

⁴⁸⁵ [REDACTED]

⁴⁸⁶ Rešid SINANOVIĆ survived but was later executed. *See* Srebrenica Narrative, paras.85-88.

115. Prisoners who arrived at Ročević School during the day on 14 July were detained in the school building and gym.⁴⁸⁷ A number were killed in front of the school that day.⁴⁸⁸ During the early evening hours, when the school was full of prisoners,⁴⁸⁹ Bratunac Brigade MP Platoon and "Zenica Company" members⁴⁹⁰ guarded the prisoners.

116. After visiting Ročević School,⁴⁹¹ AĆIMOVIĆ, Zvornik Brigade 2nd Battalion Commander, informed POPOVIĆ by phone that prisoners were being killed in front of the school.⁴⁹²

117. During the early morning hours of 15 July, AĆIMOVIĆ received two coded telegrams from Zvornik Brigade HQ, instructing the 2nd Battalion to gather soldiers to execute prisoners.⁴⁹³ D.NIKOLIĆ followed up on the implementation of this order, which had "come from above".⁴⁹⁴ AĆIMOVIĆ returned to Ročević School around 10:00 on the morning of 15 July,⁴⁹⁵ where he met POPOVIĆ.⁴⁹⁶ An UNPROFOR APC and Bratunac Brigade MPs were at the school.⁴⁹⁷

118. [REDACTED]

⁴⁸⁷ AF1747,AF1750; R.BUTLER:T.27559,27561,27568-27569,27769. *See also*

V.IVANOVIĆ:P384,pp.7-8; [REDACTED]; M.LAZAREVIĆ:P363,p.10; KDZ496:P387,p.6; P4308,pp.195-197.

⁴⁸⁸ S.AĆIMOVIĆ:P343,p.14; D.JOVIĆ:P365,pp.4-5; M.LAZAREVIĆ:P363,p.12.

⁴⁸⁹ M.JANJIĆ was uncertain if these events took place on 14 or 15 July 1995. *See* M.JANJIĆ:P372,pp.26,31. However, given the majority of prisoners were killed by 15 July, the school would not have been filled that evening.

⁴⁹⁰ M.JANJIĆ:P372,pp.26-31(The "Zenica company" were members of the 1st and 2nd Battalions of the Bratunac Brigade who had come from Zenica in 1992).

⁴⁹¹ S.AĆIMOVIĆ:P343,pp.7-8,10; M.LAZAREVIĆ:P363,pp.11,14; KDZ496:P387,pp.6,8. BEARA was also present in the Ročević area on 14 July. At 15:00, the Zvornik DO Notebook records "Colonel BEARA is coming in order to Orovoc [*sic*] Petkovci Ročević Pilica". P4585-ENG2,p.42.

⁴⁹² S.AĆIMOVIĆ:P343,pp.10-13; M.LAZAREVIĆ:P363,pp.14-15(referring to a security man from the corps).

⁴⁹³ S.AĆIMOVIĆ:P343,pp.17-22,129; M.LAZAREVIĆ:P363,pp.15-16. *See also* D.JOVIĆ:P365,pp.41,44-45. Around 02:30, D.NIKOLIĆ called AĆIMOVIĆ, telling him the order had "come from above" and had to be carried out. S.AĆIMOVIĆ:P343,pp.23,129. Similarly, a telegram was sent from Zvornik Brigade Command to the 1st Battalion concerning the prisoners at Kula school, followed by a phone call from D.NIKOLIĆ. *See* Srebrenica Narrative,paras.125,128-132. AĆIMOVIĆ claimed he resisted D.NIKOLIĆ multiple times. S.AĆIMOVIĆ:P343,pp.23-25; M.LAZAREVIĆ:P363,pp.19-20,34-35.

⁴⁹⁴ S.AĆIMOVIĆ:P343,p.23.

⁴⁹⁵ D.NIKOLIĆ told AĆIMOVIĆ to meet him at the Ročević School at 09:00 or 10:00. S.AĆIMOVIĆ:P343,pp.26-27,30. *See also* D.JOVIĆ:P365,pp.6-7; M.LAZAREVIĆ:P363,p.21. AĆIMOVIĆ remained at the School for five or six hours. D.JOVIĆ:P365,p.22.

⁴⁹⁶ S.AĆIMOVIĆ:P343,pp.30-31. There were at least 12 corpses in front of the School. S.AĆIMOVIĆ:P343,pp.30-31; KDZ407:P379,pp.24-25.

⁴⁹⁷ D.JOVIĆ:P365,pp.7-8,38.

[REDACTED]
[REDACTED]
[REDACTED] At this point, the prisoners at Petkovci and Orahovac had been executed, and the Kozluk executions were imminent. These were the burials and pending executions being discussed and organised by the Zvornik Brigade Command and the VRS OBP at this time.

119. Around this time, a group of Zvornik Brigade MPs were ordered [REDACTED] [REDACTED] to go to Ročević School to secure the facilities and prisoners held there, and establish a checkpoint.⁴⁹⁹ Other Zvornik Brigade members were deployed at the school.⁵⁰⁰ Both MPs and soldiers pointed their machine guns at the school.⁵⁰¹

120. By noon, on AĆIMOVIĆ's orders, three crates of ammunition from the Zvornik Brigade HQ arrived at Ročević School and were delivered to the execution site.⁵⁰² Vehicles were arranged to transport prisoners to the execution site.⁵⁰³ The first prisoners, blindfolded and hands tied,⁵⁰⁴ were loaded onto V.IVANOVIĆ's 2nd Battalion truck.⁵⁰⁵ V.IVANOVIĆ and D.JOVIĆ, both from the Zvornik Brigade's 2nd Battalion, drove them to the execution site.⁵⁰⁶ Bratunac Brigade MPs escorted the first

⁴⁹⁸ [REDACTED].

⁴⁹⁹ KDZ407:P379,pp.22-25; [REDACTED]. *See also*

M.BIRČAKOVIĆ:P360,pp.39-41. The Zvornik Brigade MP Roster showing the deployment of seven MPs to Ročević School on 15 July was altered to conceal the presence and involvement of MPs in the murder operation. *See* P4948; R.BUTLER:T.27562-27564. In the entries for 15 July 1995, it is visible that the names JASIKOVAC, D.IVANOVIĆ, P.RISTIĆ, M.SIMIĆ, S.BIRČAKOVIĆ, S.JOKIĆ and AŠĆERIC had "R" marked next to their name (showing location at Ročević), which was subsequently erased and remarked with a "T" (designating "in the terrain"). KDZ496 saw MPs guarding the school. KDZ496:P387,pp.9-10.

⁵⁰⁰ *See e.g.* P4948,p.2(RISTIĆ,number 27). *See also* D.JOVIĆ:P365,p.18;

⁵⁰¹ KDZ496:P387,p.9.

⁵⁰² V.IVANOVIĆ:P384,pp.7-8.

⁵⁰³

[REDACTED] *See also* V.IVANOVIĆ:P384,pp.7-9. AĆIMOVIĆ ordered D.JOVIĆ to take IVANOVIĆ to Kozluk, and to recruit a man to execute prisoners. D.JOVIĆ:P365,pp.11-14,37.

⁵⁰⁴ KDZ496:P387,pp.11-12; P4116. *See* J.CLARK:P4110,pp.19-20;

[REDACTED] D.MANNING:P4504,pp.73-77. *See also* AF1817; AF1824.

⁵⁰⁵ KDZ407:P379,p.27; . D.JOVIĆ:P365,p.18. *See* KDZ496:P387,pp.6-7,9-10.

⁵⁰⁶ D.JOVIĆ:P365,pp.14-15; V.IVANOVIĆ:P384,pp.8-9; [REDACTED]

[REDACTED] KDZ496:P387,p.6.

group of prisoners.⁵⁰⁷ [REDACTED]

D.JOVIĆ and other Zvornik Brigade 2nd Battalion members and MPs⁵⁰⁹ continued to transport prisoners to the execution site.⁵¹⁰

(i) Executions and burials

121. On 15 July, the prisoners detained at Ročević School were executed in an area of gravel pits by the Drina River near Kozluk.⁵¹¹ 40-50 soldiers and MPs,⁵¹² including members of the Zvornik Brigade's 2nd Battalion⁵¹³ and persons wearing regular civilian police uniforms,⁵¹⁴ lined either side of a pit and began shooting at prisoners as they were unloaded from the truck. The prisoners were killed in the crossfire.⁵¹⁵

122. The burial of the Muslim prisoners executed at Kozluk began on 16 July and continued the following days.⁵¹⁶ Zvornik Brigade members carried out the burials

⁵⁰⁷ D.JOVIĆ:P365,pp.37-38.

⁵⁰⁸ [REDACTED]

⁵⁰⁹ D.JOVIĆ:P365,pp.14,18.

⁵¹⁰ D.JOVIĆ:P365,pp.15-18,22-23; V.IVANOVIĆ:P384,pp.8-10; [REDACTED]

Each round trip was no less than one hour. D.JOVIĆ:P365,p.16.

⁵¹¹ AF1809; AF1818; KDZ496:P387,pp.6-7,12,15,18-19,29-31; [REDACTED]; R.BLOCK:T.24919-24920,24932-24936; R.BLOCK:P4393,paras.35-41; P4401; KDZ407:P379,p.27; D.LAZAREVIĆ:P352,p.28; P4406; P4308,pp.198-206; P4302,00:00:00-00:04:08; J.RUEZ:T.23830-23831; ČELANOVIĆ:P377,p.37.

⁵¹² KDZ496:P387,pp.12,15-16. KDZ496 saw MPs including Milomir SIMIĆ, at the execution site. KDZ496's description of "Cigo" matches Zvornik Brigade MP Milomir SIMIĆ, whose name was one of those altered on the MP Roster in an attempt to conceal his presence at Ročević on 15 July. KDZ496:P387,pp.6,8-10,16,25.

⁵¹³ Including Zoran SIMANIĆ, Commander of the 2nd Battalion Intervention Platoon, and Milorad RISTANOVIĆ, a member of the 3rd Company of the 2nd Battalion. [REDACTED]

⁵¹⁴ KDZ496:P387,pp.6-7,12,35.

⁵¹⁵ KDZ496:P387,p.7; P4393,paras.35-36; R.BLOCK:T.24919-24920,24932-24936; P4406; P4401; Z.ČELANOVIĆ:P377,p.37; [REDACTED] See also Srebrenica Narrative,paras.85-88.

⁵¹⁶ AF1812; D.LAZAREVIĆ:P352,pp.26-27. See R.BUTLER:P4914,paras.7.55,7.57-7.58.

using brigade machinery,⁵¹⁷ including a TAM truck,⁵¹⁸ a "Rovokopač" Torpedo excavator,⁵¹⁹ a ULT 220⁵²⁰ and a bulldozer TG-75.⁵²¹

123. In September 1995, the Kozluk primary grave⁵²² was partially robbed⁵²³ and its contents moved to secondary sites.⁵²⁴ Aerial imagery,⁵²⁵ glass from the Vitinka bottling plant,⁵²⁶ soil and shell cases,⁵²⁷ the recovery of ligatures and blindfolds,⁵²⁸ and DNA evidence⁵²⁹ establish connections between Kozluk and Čančari Road 1, 2, 3, 7 and 13. Investigations also confirm that a mass execution occurred at Kozluk.⁵³⁰ Where ascertained, the cause of death was gunshot wounds.⁵³¹

124. As of January 2012, DNA matching has identified 815⁵³² persons reported missing after the fall of Srebrenica whose remains were exhumed from the Kozluk primary grave or related secondary graves (Čančari Road 1, 2, 3, 7 and 13).⁵³³ 213

⁵¹⁷ The work done by engineering machines at Kozluk can be clearly seen on the aerial photograph of the area taken on 27 July. P4308,p.202. *See also* AF1819, AF1821.

⁵¹⁸ Around 8 a.m. on 16 July, D.LAZAREVIĆ arrived in the Brigade's TAM 75 truck to bury the bodies of execution victims. AF1812; D.LAZAREVIĆ:P352,pp.26-27. *See* R.BUTLER:P4914,paras.7.26-7.27,7.55.

⁵¹⁹ Around 08:00-09:00 on 16 July, excavator operator M.MITROVIĆ was at the Kozluk execution site with the "Skip" (the "Rovokopač" Torpedo excavator). *See* AF1811-AF1812; P660,pp.3,6; P175,p.2. *See also* D.LAZAREVIĆ:P352,pp.25,29,85.

⁵²⁰ A ULT 220 driven by R.BOŠKOVIĆ arrived approximately half an hour after the Rovokopač. D.LAZAREVIĆ:P352,pp.29-30,85.

⁵²¹ The bulldozer was used to "mend a trench" and perform "special purposes work in Kozluk" on 18-19 July P4583,pp.5-6; AF1812; P5118,pp.535-536; P660,p.6; R.BUTLER:T.27633-27636.

⁵²² R.WRIGHT:P3999,pp.46-51,73-74,83-84,88-89; R.WRIGHT:P4021; R.WRIGHT:P4022.

⁵²³ R.WRIGHT:P3999,pp.55-58; R.WRIGHT:P4024; R.WRIGHT:T.22250-22255.

⁵²⁴ *See* V.G.3.(f)(i): Zvornik reburials.

⁵²⁵ AF1819; AF1821; D.MANNING:P4504,pp.71-72,75; P4512,pp.23-25,62-69,74-75,86-87; D.MANNING:T.25837.

⁵²⁶ AF1822; R.WRIGHT:P4000,pp.22-23; R.WRIGHT:P3999,pp.32-34,45; R.WRIGHT:T.22250-22251; D.MANNING:P4504,p.72. *See also* D.LAZAREVIĆ:P352,p.28; P4308,pp.203-206; J.RUEZ:T.23827,23830-23831; P4302,00:04:10-00:04:45; D.JOVIĆ:P365,pp.14-15;

⁵²⁷ AF1822; R.WRIGHT:P4000,p.22; P4033,p.8.

⁵²⁸ AF1817; D.MANNING:P4504,pp.21-22,74,77; R.WRIGHT:P4001,p.3; C.LAWRENCE:P4055; P4508; *See also* P4505.

⁵²⁹ D.JANC:P4772,pp.11,16-18,20,40-41,48-49,66-69,82-83; D.JANC: [REDACTED]

⁵³⁰ AF1813; D.MANNING:P4504,pp.72-74; R.WRIGHT:P3999,pp.51-55,58-60,75-76,89-90; R.WRIGHT:T.22252-22256; R.WRIGHT:P4022; P4302,00:00:00-00:04:08; J.RUEZ:T.23830-23831; P4308,pp.198-206. *See also* KDZ407:P379,pp.24-25.

⁵³¹ AF1815; AF1823; D.MANNING:P4504,pp.73-74,76-77; C.LAWRENCE:P4055,pp.2-3; J.CLARK:P4103,pp.8-11; J.CLARK:P4110,pp.20-27,53-57; J.CLARK:P4118; J.CLARK:P4119; J.CLARK:P4120.

⁵³² D.JANC:P4772,p.41.

⁵³³ AF1820; D.JANC:P4772,pp.11,16-17,18,20,40-41,48-49,66-69,82,83; [REDACTED]

victims were over 60 years old,⁵³⁴ eight were young boys,⁵³⁵ and some had disabilities or signs of chronic disease.⁵³⁶

(d) 14-17 July: Organised killings at Kula, Branjevo Military Farm (E9.1-E9.2) and Pilica Cultural Centre (E10.1)

125. The Nikola Tesla primary school (Kula School)⁵³⁷ in Pilica⁵³⁸ was used as a detention facility for Muslim prisoners between 14-16 July.⁵³⁹ VRS soldiers guarded the prisoners.⁵⁴⁰ Approximately 1,200⁵⁴¹ Bosnian Muslim men were executed at Branjevo Farm on 16 July.

126. At the Pilica Cultural Centre approximately 500⁵⁴² Muslim prisoners were executed on 16 July.⁵⁴³ These prisoners were buried at Branjevo Farm on 17 July.⁵⁴⁴

127. VRS formations, including members of the Zvornik Brigade 1st Battalion and 10th DOD took part in these executions. The executions and later burials were overseen by BEARA and POPOVIĆ.

128. On the morning of 14 July, the Zvornik Brigade Command sent a telegram to its 1st Battalion Command, ordering personnel to secure access to Kula School and gym where prisoners were to be detained,⁵⁴⁵ which they did.⁵⁴⁶ Starting from around

⁵³⁴ [REDACTED]. See e.g. P5913 (Meho (Saliko) HAMZABEGOVIĆ (Protocol ID 2798/03), Aljo (Salih) CEMO (Protocol ID 194/02), Hasan (Ramo) HASANOVIĆ (Protocol ID 1908/03)) [REDACTED].

⁵³⁵ [REDACTED]. See e.g. P5913 (Munir (Mujo) MUSTAFIĆ (Protocol ID 05/01), Adnan (Husejin) PITAREVIĆ (Protocol ID 428/02), Osman (Bajro) ALIĆ (Protocol ID 7020/06), Velija (Ohran) BUDIĆ (Protocol ID 6607/05) and Fikret (Ismet) PALIĆ (Protocol ID 12472/09)) [REDACTED].

⁵³⁶ AF1816; D.MANNING:P4504,pp.73-74; P4114; P4115. See J.CLARK:P4110,pp.17-18.

⁵³⁷ AF1829.

⁵³⁸ R.BABIĆ:P361,p.3; J.BOGDANOVIĆ:P385,p.9; P4308,p.208.

⁵³⁹ AF1826; AF1828-AF1829; R.BABIĆ:P361,p.4; R.BUTLER:T.27580,27594,27599.

⁵⁴⁰ AF1830.

⁵⁴¹ AF1844-AF1845; D.ERDEMOVIĆ:P332,p.61; KDZ167:P354,p.35; P4308,pp.228-230.

⁵⁴² J.BOGDANOVIĆ:P385,p.23; D.ERDEMOVIĆ:P332,p.61.

⁵⁴³ AF1860-1862. See Srebrenica Narrative,paras.136-138.

⁵⁴⁴ See Srebrenica Narrative,paras141-144.

⁵⁴⁵ R.BABIĆ:P361,pp.5-7,11,31. Significantly, this was around the time that BEARA, POPOVIĆ and D.NIKOLIĆ met at the Zvornik Brigade HQ to co-ordinate the murder operation. See V.G.2.(I): 14 July, BEARA, POPOVIĆ and D.NIKOLIĆ organized executions in the Zvornik area.

⁵⁴⁶ R.BABIĆ:P361,pp.7-14,42.

14:00,⁵⁴⁷ Muslim men were brought to the school by armed soldiers and led into the gym and classrooms.⁵⁴⁸

129. Conditions were horrendous.⁵⁴⁹ The school was overcrowded.⁵⁵⁰ Prisoners were hungry and thirsty.⁵⁵¹ They were subjected to extortion⁵⁵² and physical abuse⁵⁵³ with no access to medical care.⁵⁵⁴ Prisoners were shot at,⁵⁵⁵ and those removed from the school could be heard crying for help.⁵⁵⁶

130. On the night of 15 July, approximately 40-50 soldiers were at Kula School, including approximately 20 Zvornik Brigade 1st Battalion soldiers.⁵⁵⁷

131. On the night of 15 July and morning of 16 July, D.NIKOLIĆ, the Zvornik Brigade Duty Officer at the time, organized fuel "for transport of troops to Kula" as well as ammunition to the 1st Battalion.⁵⁵⁸ The fuel and ammunition would be used to transport and summarily execute the prisoners at the Kula School.⁵⁵⁹ That same morning, BEARA secured the assistance of the 10th DOD.⁵⁶⁰ ERDEMOVIĆ and seven other 10th DOD soldiers were told to ready their weapons and prepare for an assignment.⁵⁶¹ Following a trip from their base to Zvornik Brigade's HQ, they were led to Branjevo Farm by a VRS Lieutenant Colonel,⁵⁶² where ERDEMOVIĆ saw men in military uniform.⁵⁶³ It was announced that buses carrying "civilians" from

⁵⁴⁷ R.BABIĆ:P361,pp.11-13.

⁵⁴⁸ R.BABIĆ:P361,pp.12,17; J.RUEZ:T.23831-23835; P4308,pp.208-218; KDZ167:P354,pp.22-25,57. Although KDZ167's chronology is not clear, taken in the context of the proven events leading up to the Branjevo Military Farm executions, KDZ167 likely arrived at Kula School on 14 July. *See* KDZ333:P4342,pp.3,6,13,16-17; P4344; P4347; P4348.

⁵⁴⁹ AF1831; AF1833.

⁵⁵⁰ R.BABIĆ:P361,pp.14-16; KDZ333:P4342,p.22; KDZ167:P354,pp.23-24.

⁵⁵¹ AF1827; J.BOGDANOVIĆ:P385,pp.30-31,11-12; R.BABIĆ:P361,pp.18,29; KDZ333:P4342,pp.22-23; KDZ167:P354,p.25.

⁵⁵² AF1834; KDZ333:P4342,pp.23-24.

⁵⁵³ KDZ167:P354,p.23.

⁵⁵⁴ KDZ333:P4342,p.22.

⁵⁵⁵ R.BABIĆ:P361,pp.18-20.

⁵⁵⁶ AF1832; AF1835; KDZ333:P4342,pp.18-19. *See also* J.RUEZ:T.23832-23835; P4308,pp.210,212-213,216-217; KDZ167:P354,pp.22,25-27; KDZ333:P4342,p.24; M.BIRČAKOVIĆ:P360,p.40; P173,p.4(vehicle log indicating trip); J.BOGDANOVIĆ:P385,pp.13-14,34.

⁵⁵⁷ R.BABIĆ:P361,p.21-23.

⁵⁵⁸ P4585-ENG2,p.72.

⁵⁵⁹ At this time, the only significant operation requiring troops and ammunition was the murder of Muslim prisoners at Kula School. R.BUTLER:T.27634-27635.

⁵⁶⁰ F.KOS:D3927,pp.20-21,36.

⁵⁶¹ AF1849; D.ERDEMOVIĆ:P332,p.41; M.TOMIĆ:P390,pp.6-8.

⁵⁶² D.ERDEMOVIĆ:P332,pp.40-42,45-46,48-50; F.KOS:D3927,pp.22-23; P265; P421; P249.

⁵⁶³ D.ERDEMOVIĆ:P332,pp.48-49.

Srebrenica would start arriving soon and they were to be killed.⁵⁶⁴ A machine gun was set up.⁵⁶⁵ Reluctant members of ERDEMOVIĆ's unit were told they could join those being executed.⁵⁶⁶

132. At around 11:00 on 16 July, BEARA was ordered to execute the prisoners at Kula School and Pilica Cultural Centre.⁵⁶⁷ The prisoners detained at Kula School then started being transported to Branjevo Farm.⁵⁶⁸ Zvornik Brigade soldiers were ordered to guard the school while the prisoners were loaded onto buses.⁵⁶⁹ The prisoners' hands were tied behind their backs and they were blindfolded with torn sheets. VRS MPs escorted them onto crammed buses.⁵⁷⁰ VRS soldiers insulted the prisoners and occasionally struck them with rifle butts.⁵⁷¹

(i) The executions

a. Branjevo Farm

133. Prisoners heard bursts of gunfire as they neared Branjevo Farm.⁵⁷² 10th DOD soldiers ordered prisoners off the buses several at a time,⁵⁷³ while threatening and abusing them.⁵⁷⁴ They were escorted in a column for 100-200 meters.⁵⁷⁵ While they stood with their backs to the executioners and before they could comply with an order

⁵⁶⁴ D.ERDEMOVIĆ:P332,pp.49-50.

⁵⁶⁵ F.KOS:D3927,p.25.

⁵⁶⁶ D.ERDEMOVIĆ:P332,p.50. *See also* F.KOS:D3927,p.30.

⁵⁶⁷ P5075. *See* V.G.2.(s): 16-17 July, BEARA and POPOVIĆ arranged logistics.

⁵⁶⁸ AF1837; AF1846; R.BUTLER:P4914,paras.7.1,7.36; P659; KDZ167:P354,pp.25,28; KDZ333:P4342,pp.25-26.

⁵⁶⁹ AF1838-AF1839; J.BOGDANOVIĆ:P385,pp.4,10-11.

⁵⁷⁰ KDZ167:P354,pp.25,28,30; KDZ333:P4342,p.26; R.BABIĆ:P361,pp.24-25;

J.BOGDANOVIĆ:P385,pp.10-12; D.ERDEMOVIĆ:P332,p.50.

⁵⁷¹ KDZ167:P354,p.28.

⁵⁷² KDZ167:P354,p.31. *See also* AF1836; J.RUEZ:T.23836-23837,23840-23844; P4303; P4304; P4308,pp.220-227.

⁵⁷³ AF1840; KDZ167:P354,p.31; D.ERDEMOVIĆ:P332,pp.50-51,57-58; P264.

⁵⁷⁴ KDZ167 saw dead men lying on the path to the execution site when he arrived. As he was marched to the killing site, a soldier demanded his money and kicked him in the stomach. The soldier taunted him to "convert to and register [as a Serb] to survive." KDZ167:P354,pp.31-32.

⁵⁷⁵ KDZ167:P354,pp.31-32; D.ERDEMOVIĆ:P332,pp.50-51; KDZ333:P4342,pp.29-30.

to lie down, B.GOJKOVIĆ, a member of the 10th DOD⁵⁷⁶ ordered they be shot.⁵⁷⁷ ERDEMOVIĆ and the seven other 10th DOD soldiers opened fire on them.⁵⁷⁸

134. Sometime immediately before 14:00, POPOVIĆ requested 500 litres of fuel for Pilica to complete his "work".⁵⁷⁹ POPOVIĆ's "work" at the time was the executions at Branjevo Farm.⁵⁸⁰ In the early afternoon, 8-10 VRS soldiers, believed to come from Bratunac, arrived at the execution site and joined in the killing.⁵⁸¹ As the executions progressed, these soldiers beat and cursed the prisoners.⁵⁸² The executions lasted from around 10:00-16:00, during which time 15-20 busloads of prisoners were executed.⁵⁸³

135. Approximately 1,200 men were killed at Branjevo Farm.⁵⁸⁴ As set out below, this figure is corroborated by DNA evidence regarding the number of unique DNA profiles identified from the human remains exhumed from Branjevo Farm and associated Čančari Road 4-6, 8-12 secondary mass graves. In light of this compelling DNA evidence, as well as significant inconsistencies in his evidence on this point over many years, KOS's testimony regarding the number of prisoners killed at Branjevo Farm has no credibility whatsoever.⁵⁸⁵

b. Pilica Cultural Centre

136. As the last busload of prisoners was executed at Branjevo Farm, the 10th DOD soldiers were told that 500⁵⁸⁶ prisoners at Pilica Cultural Centre were also to be executed.⁵⁸⁷ ERDEMOVIĆ and some other soldiers in his squad refused this order.⁵⁸⁸

⁵⁷⁶ D.ERDEMOVIĆ:P332,pp.41-42.

⁵⁷⁷ AF1841; D.ERDEMOVIĆ:P332,p.51; KDZ167:P354,pp.32-33; F.KOS:T.42369.

⁵⁷⁸ AF1842; AF1847-AF1849; D.ERDEMOVIĆ:P332,pp.51-52; F.KOS:D3927,pp.25-51;

F.KOS:T42359-42360,42363-42366,42368-42370,42386; KDZ167:P354,pp.32-33;

KDZ333:P4342,pp.26-27,30; P4349; D.TODOROVIĆ:P4353,p.44; P4352; P232; P4306.

⁵⁷⁹ P5077; R.BUTLER:T.27593-27594. *See also* P4585-ENG2,p.84(showing POPOVIĆ's presence in Pilica); P4669,pp.67-68(fuel dispatch); P5079,pp.3-4.

⁵⁸⁰ *See* V.G.2.(s).

⁵⁸¹ D.ERDEMOVIĆ:P332,pp.53-54,61-62; P4489; D2053.

⁵⁸² AF1843; D.ERDEMOVIĆ:P332,pp.53-54.

⁵⁸³ D.ERDEMOVIĆ:P332,pp.51,62; KDZ167:P354,pp.33-34; J.BOGDANOVIĆ:P385,p.15;

KDZ333:P4342,p.28.

⁵⁸⁴ AF1844-AF1845; D.ERDEMOVIĆ:P332,p.62; KDZ167:P354,p.35; P4308,pp.228-230.

⁵⁸⁵ *See* DCC(F.KOS).

⁵⁸⁶ J.BOGDANOVIĆ:P385,p.23; D.ERDEMOVIĆ:P332,p.61.

⁵⁸⁷ AF1860; D.MANNING:P4504,p.7; ERDEMOVIĆ:P332,p.61. The Lieutenant Colonel and the two MPs who had accompanied the 10th DOD soldiers to Branjevo Farm that morning returned to the execution site to convey this order. D.ERDEMOVIĆ:P332,pp.54,61.

Members of the Bratunac unit left Branjevo Farm with the Lieutenant Colonel and the two MPs, while the 10th DOD soldiers, instructed to meet the Lieutenant Colonel in a coffee bar across the road from Pilica Cultural Centre, readied their weapons.⁵⁸⁹

137. When ERDEMOVIĆ's squad arrived at the coffee bar, they saw a checkpoint manned by two or three MUP members.⁵⁹⁰ Gunfire and explosions could be heard coming from the Cultural Centre, and several dead bodies were visible in front of it.⁵⁹¹

138. On 17 July, the day following their assignment at Kula School⁵⁹² around 12 members of J.BOGDANOVIĆ's Zvornik Brigade Workers Platoon were ordered to go to Pilica⁵⁹³ to load onto trucks the dead bodies in the Pilica Cultural Centre.⁵⁹⁴ The victims were in civilian clothes; it appeared to J.BOGDANOVIĆ that these victims had all been killed on site.⁵⁹⁵ He estimated that there were 550 bodies.⁵⁹⁶

c. The murder of four Branjevo Farm survivors

139. KDZ167 escaped from the Branjevo Farm execution site and encountered four other survivors ranging in age from 16-25 years. He eventually lost track of them and subsequently learned they had been recaptured and taken to Zvornik.⁵⁹⁷

140. On the morning of 18 July, two Zvornik Brigade soldiers helped⁵⁹⁸ these four survivors.⁵⁹⁹ However, they were captured and taken to the Zvornik Brigade HQ⁶⁰⁰

⁵⁸⁸ D.ERDEMOVIĆ:P332,p.61.

⁵⁸⁹ D.ERDEMOVIĆ:P332,p.62.

⁵⁹⁰ D.ERDEMOVIĆ:P332,pp.63-64.

⁵⁹¹ D.ERDEMOVIĆ:P332,pp.62-63. Investigation of the crime scene provided evidence of gunshots and damage from explosions. Hand and footprints which appeared to be in blood and skeletal remains were observed. Blood, hair and tissue samples were collected. AF1861-AF1863; D.MANNING:P4504,pp.29-30; P4307; J.RUEZ:T.23850-23859; P4308,pp.232-247.

⁵⁹² See Srebrenica Narrative,paras.125-132; J.BOGDANOVIĆ:P385,p.29.

⁵⁹³ J.BOGDANOVIĆ:P385,pp.4,9,13,16-17.

⁵⁹⁴ J.BOGDANOVIĆ:P385,pp.19-20,22-23,33.

⁵⁹⁵ J.BOGDANOVIĆ:P385,pp.20-21.

⁵⁹⁶ AF1860; J.BOGDANOVIĆ:P385,p.23.

⁵⁹⁷ KDZ167:P354,pp.34-36.

⁵⁹⁸ N.JEREMIĆ:P348,pp.11-14. N.ĐOKIĆ gave them food and clothing and agreed to help take them to the front; his son gave them directions to Teočak. P182. See also R.BUTLER:P4914,paras.8.16.

⁵⁹⁹ They were later identified as: Sakib KIVIRIĆ, 31; Emin MUSTAFIĆ, 25; Fuad ĐOZIĆ, 30; and Almir HALILOVIĆ, 14. See P186; P187; P188; P189. Their remains have not been located.

⁶⁰⁰ P186; P187; P188; P189; N.JEREMIĆ:P348,pp.15,24. See also KDZ167:P354,pp.34-36.

██████████ They remain listed among those missing from the fall of Srebrenica.⁶⁰² The two VRS soldiers who helped them during their escape were later arrested and disciplined.⁶⁰³

(ii) The burials at Branjevo Farm

141. POPOVIĆ supervised the operation at Branjevo Farm to bury the murdered Muslim prisoners who had been executed there and at Pilica Cultural Centre.⁶⁰⁴ It began on 17 July.⁶⁰⁵ Witness testimony, the Zvornik DO Notebook,⁶⁰⁶ and equipment and fuel logs reflect the involvement of Zvornik Brigade members and engineering equipment—including a TAM-130 freight truck⁶⁰⁷ and a G-700 backhoe excavator⁶⁰⁸—in the burials.⁶⁰⁹ The operation was completed before nightfall.⁶¹⁰

⁶⁰¹ ██████████
⁶⁰² See ██████████ Evidence in the case corroborates that these four men actually *did* survive the executions at Branjevo Farm near Pilica: See ██████████; P186. The ages of the four Muslims N.ĐOKIĆ met correspond with the approximate age range of the four individuals described by KDZ167. KDZ167 also recalled that one of them was from Jagonje. ██████████; P186(KIVIRIĆ, is recorded as from Jagodnja).

⁶⁰³ P185; ██████████; ██████████. See also P183.

⁶⁰⁴ POPOVIĆ's direct and personal involvement is evidenced by, among other things, a series of intercepts between 12:42 through 16:22 on 17 July, which make clear he is overseeing the burials. See P4961(12:42 intercept where KRSTIĆ is looking for POPOVIĆ, who GOLJIĆ says is in Zvornik, but will be back later in the afternoon. While KRSTIĆ is not mentioned in this intercept, subsequent intercepted conversations make it clear that he is the "General" referred to in this conversation); P5080(12:44 intercept where Zlatar 01 (KRSTIĆ) tries to reach POPOVIĆ, and Zvornik Brigade Duty Officer TRBIĆ notes that POPOVIĆ has "gone toward *that task*", confirming that he is north of the Brigade Command); P5081(12:49 intercept where X tells TRBIĆ plans had changed and that he must contact POPOVIĆ and "let him finish that work that he's doing, and have him report immediately here at (GOLAC's?) Given that GOLJIĆ was a participant in a related intercept at 12:42, the reference to "Golac" in this intercept is simply a transcription error. Significantly, TRBIĆ tells X that POPOVIĆ, "[is] working on that, you know. The preparation is mainly finished", confirming that the burial operation is almost complete. P4964(16:22 intercept in which POPOVIĆ mostly likely reports to Krstić from the Zvornik Brigade Command that "everything's OK, that job is done...everything's OK...everything's been brought to an end, no problems ... I am here at the place ... I'm here at the place where I was before, you know ... I'm at the base ... at the base, the base... basically, that all gets an A ... an A ... the grade is an A, everything's OK ... that's it, bye, take care."); ██████████. See also ██████████

⁶⁰⁵ AF1845; AF1851; KDZ167:P354,p.37; KDZ333:P4342,pp.30-31.

⁶⁰⁶ P4585-ENG2,pp.91-92.

⁶⁰⁷ M.TOMIĆ:P390,pp.6-10,14-15,26; ██████████; P661; P5118,pp.583-584.

⁶⁰⁸ D.LAZAREVIĆ, Zvornik Brigade Engineering Company's Road and Bridge Platoon Commander, received an assignment on the morning of 17 July to go to Branjevo Farm and dig a pit "to dump the bodies in", which he did. D.LAZAREVIĆ:P352,pp.25.31-34,36; C.RISTANOVIĆ:P652,pp.36-37; P272; P273; P274. See also P238; D.LAZAREVIĆ:P352,pp.38-39; C.RISTANOVIĆ:P652,p.33-35, 38-39; P657.

⁶⁰⁹ AF1850-AF1851; P239; P176; P1172,p.2; J.RUEZ:T.24014-24016.

⁶¹⁰ C.RISTANOVIĆ:P652,p.39; D. LAZAREVIĆ:P352,p.35.

142. In September 1995, the Branjevo Farm primary grave⁶¹¹ was partially robbed by members of the Zvornik Brigade Engineering Company⁶¹² and its contents moved to secondary sites known as Čančari Road 4-6 and 8-12. Evidence such as aerial imagery,⁶¹³ soil samples,⁶¹⁴ and DNA⁶¹⁵ links the Branjevo Farm primary grave to the Čančari Road 4-6 and 8-12 secondary graves. The connections between these graves are also established by the ligatures found at both the Branjevo Farm primary gravesite and the Čančari Road 8 and 12 secondary gravesites.⁶¹⁶ This evidence also corroborates witness testimony that prisoners' hands were bound at Kula School and the execution site.⁶¹⁷

143. The cause of death for individuals exhumed from the Branjevo Farm grave and related secondary sites, where ascertained, was predominantly gunshot wounds.⁶¹⁸

144. As of January 2012, 1,735⁶¹⁹ persons who had been reported missing after the fall of Srebrenica had been identified from the Branjevo Farm grave and its related secondary graves, mainly using DNA matching.⁶²⁰ This figure matches the witness evidence regarding the number of victims murdered at Branjevo Farm and the Pilica

⁶¹¹ W.HAGLUND:P4310,pp.29-33; W.HAGLUND:P4332; W.HAGLUND:P4333; W.HAGLUND:P4334; W.HAGLUND:P4335; W.HAGLUND:P4336.

⁶¹² See V.G.3.(f): September-October 1995, Reburial operations.

⁶¹³ Aerial imagery from 17 July 1995 shows bodies strewn across the site and near the Branjevo Farm buildings. AF1845; P4305; F.KOS:T.42366-42367. Track marks consistent with the use of heavy earth-moving equipment are also visible. AF1845-AF1855; P4305; P4512,p.28; D.MANNING:P4504,p.42; D.MANNING:T.25838-25839; P4511. See also D.ERDEMOVIĆ: T25343-25344,25381-25383,25387; P4489; D2134. Other imagery confirms the dates that the Branjevo Farm grave was created and robbed prior to reburial and when the Čančari Road 4-6, 8-12 secondary graves were created. See P4512,pp.26-30;70-73,76-88; D.MANNING:P4504,pp.42-43,46; D.MANNING:T.25839; P4511.

⁶¹⁴ R.WRIGHT:P4000,pp.21-22; J.BARAYBAR:P4033,p.8.

⁶¹⁵ D.JANC:P4772,pp.10,16-20,41-42,48,73-75,82-83; [REDACTED]

[REDACTED] A drivers licence was found on one of the bodies exhumed from the Čančari Road 8 grave whose remains had already been identified via DNA matching in the Branjevo Farm primary mass grave. See D.JANC:P4772,p.18; P5913(Bektic (Adil) ESED (Protocol ID 11213/08); [REDACTED].

⁶¹⁶ AF1854-AF1857; D.MANNING:P4504,pp.21-22,44,48; P4659,pp.8,18; P4508. See also P4505.

⁶¹⁷ KDZ167:P354,pp.25,28,31,33-34; KDZ333:P4342,pp.26-28; D.ERDEMOVIĆ:P332,pp.50-51; AF1838; R.BABIĆ:P361,p.24.

⁶¹⁸ AF1853; AF1856; D.MANNING:P4504,pp.44,48; W.HAGLUND:P4321,pp.11-12; C.LAWRENCE:P4054,pp.2-3. See also W.HAGLUND:P4322; W.HAGLUND:P4323; W.HAGLUND:P4324.

⁶¹⁹ D.JANC:P4772,pp.41-42.

⁶²⁰ D.JANC:P4772,pp.10,16-20,40-42,48,73-75,82-83; [REDACTED]

[REDACTED] Eleven individuals from Branjevo Farm, and one from Čančari Road 12 were identified using other methods. See P4772,pp.10,20. See also AF1852.

Cultural Centre on 16 July. The graves included 225 victims who were over 60 years old, and also 11 young boys.⁶²¹

3. 17 July-August: Murders in the Zvornik, Bratunac and Trnovo areas⁶²²

(a) Murder of Muslim men in Cerska, Bratunac (E2.1)

145. In July 1996, Prosecution investigators and a team from PHR exhumed an undisturbed primary mass grave in the Cerska Valley,⁶²³ containing the remains of approximately 150⁶²⁴ men executed at that site.⁶²⁵ The Prosecution's position is that this execution occurred on or around 17 July 1995.⁶²⁶

146. The grave was located using information from KDZ066,⁶²⁷ a Bosnian Muslim man who had fled Srebrenica in July 1995.⁶²⁸ KDZ066 testified that he was on a hill looking down into the Cerska Valley when he saw two or three buses on the Konjević Polje road drive in the direction of Cerska, across a bridge over the Jadar River.⁶²⁹ An APC carrying Bosnian Serb soldiers in camouflage uniforms and two other trek vehicles followed,⁶³⁰ as did a yellow backhoe.⁶³¹ KDZ066 watched these vehicles until they rounded a curve and disappeared from sight.⁶³²

⁶²² See V.G.3.(a): 17 July, MLADIĆ and SARIĆ issued orders to sweep the terrain.

⁶²³ AF1696; J.RUEZ:T.23740-23750; P4308,pp.56-68; P4280; P4281 P4282; P209; W.HAGLUND:T.23887,23912-23914; W.HAGLUND:P4310,pp.11-12,15-16; W.HAGLUND:P4311,pp.8-11,39,66; P209; W.HAGLUND:P4312; W.HAGLUND:P4313; W.HAGLUND:P4314; W.HAGLUND:P4315; [REDACTED]; D.JANC:P4772,p.8; P4512,pp.8-9; D.MANNING:T.25831; D.MANNING:P4503,p.12; D.MANNING:P4504,pp.36-38.

⁶²⁴ DNA matching and other methods have identified the remains of 149 individuals:

D.JANC:T.26951-26955; D.JANC:P4772,pp.2-3,8; [REDACTED]; D.MANNING:P4504,p.96. See AF1695.

⁶²⁵ AF1695. W.HAGLUND:T.23912-23914; W.HAGLUND:P4310,pp.15-16; W.HAGLUND:P4311,pp.8,38,66; D.MANNING:P4504,p.37.

⁶²⁶ JANC testified that several witness statements identified persons captured in a sweep operation after 13 July who were later found in the Cerska Valley grave. D.JANC:T.27043-T.27045. The victims found in the Cerska grave were last seen alive on various dates, many of which are after 13 July See e.g. [REDACTED]

[REDACTED] Exhumation records show that watches on bodies in the grave stopped on days 17, 18, or 19 July. D.JANC:T.27044-T.27045. See also D.MANNING:T.25802-25803. Indictment, Schedule E alleges that the Cerska Valley execution occurred on 13 July 1995. This date was based on the statement of KDZ066. In its Pretrial Brief the Prosecution clarified its position that the execution occurred between 13-17 July 1995. See Indictment, Schedule E-2; KDZ066:P337,pp.6-7,26-27; Pretrial Brief,para.241. See also T.28591.

⁶²⁷ J.RUEZ:T.23740-23743; P4280; P4281; P4282; KDZ066:P337,pp.18-20,31,33; P203.

⁶²⁸ KDZ066:P337,pp.2-5.

⁶²⁹ KDZ066:P337,pp.5-8,11-13; P203; P208; P209; P222.

⁶³⁰ KDZ066:P337,pp.7,8-9.

147. Ten minutes later, KDZ066 heard shooting,⁶³³ which lasted for approximately half an hour.⁶³⁴ After the shooting stopped, three empty buses and the APC returned along the same road, followed more than half an hour later by the excavator.⁶³⁵

148. The cause of death for all but one victim was determined to be gunshot wounds.⁶³⁶ The cartridges inside the grave matched those found along the road at the gravesite, indicating that the victims in the grave were shot there.⁶³⁷ Physical evidence indicates that the victims had been placed on the roadside while their executioners stood across the road and that soil from the northeast side of the road was used to cover the bodies where they fell.⁶³⁸

149. All the victims in the grave were male.⁶³⁹ 147 of the victims wore civilian clothes.⁶⁴⁰ 48 wire ligatures were recovered, about half of which were still binding the victims' hands behind their backs.⁶⁴¹ 149 individuals have been identified, including through DNA, as missing from Srebrenica.⁶⁴²

150. The Cerska Valley executions were carried out as part of the coordinated operation to eliminate the Bosnian Muslims in Srebrenica. Significantly, sweep operations for Muslim men were being conducted in the area at this time.⁶⁴³ In addition, these executions occurred in the same area as other Srebrenica executions,

⁶³¹ KDZ066:P337,pp.7,9-11; J.RUEZ:T.23745-23746,23748-23749; P4308,pp.61-63,68-69.

⁶³² KDZ066:P337,pp.7,9-11.

⁶³³ KDZ066:P337,pp.7,9,11.

⁶³⁴ KDZ066:P337,pp.9,35.

⁶³⁵ KDZ066:P337,pp.9-10,33-34,41.

⁶³⁶ W.HAGLUND:P4310,p.12; W.HAGLUND:P4311,pp.8-10,21,38,53-59,61-62,67;

W.HAGLUND:P4313,p.3; D.MANNING:P4504,pp.8,37; J.BARAYBAR:P4029,p.31;

J.BARAYBAR:P4036,pp.5,7; D.MANNING:P4503,p.12; D.MANNING:P4504,pp.8,37.

⁶³⁷ AF1703; W.HAGLUND:P4310,pp.11-13; W.HAGLUND:P4311,pp.9,19-20,38,56,66;

D.MANNING:P4504,p.37.

⁶³⁸ AF1697; AF1704; J.RUEZ:T.23745-23750; P4308,pp.62-69; P4281; P4282;

D.MANNING:P4504,pp.8,37; W.HAGLUND:T.23887-23888; W.HAGLUND:P4310,pp.11-15;

W.HAGLUND:P4311,pp.9,17,19,38,56,62,66-67; P209. *See* W.HAGLUND:P4313,p.3.

⁶³⁹ AF1699; W.HAGLUND:P4310,p.12; W.HAGLUND:P4311,pp.8-9,26-32,53-59,67;

W.HAGLUND:P4313,p.3; D.MANNING:P4503,p.12; D.MANNING:P4504,pp.8,37.

⁶⁴⁰ AF1700; W.HAGLUND:P4310,pp.44-45; W.HAGLUND:P4311,pp.9,38,67;

W.HAGLUND:P4313,p.3; D.MANNING:P4504,pp.8,37.

⁶⁴¹ AF1701; W.HAGLUND:P4310,pp.12,15; W.HAGLUND:P4311,pp.9,38,60,67;

W.HAGLUND:P4313,p.3; D.MANNING:P4504,pp.8,37; P4506,pp.233-281; P4507; P4509.

⁶⁴² D.JANC:T.26951-26955; D.JANC:P4772,pp.2-3,8; ██████████
D.MANNING:P4504,p.96. Other evidence proves that the grave was created between 7-27 July 1995.

J. RUEZ:T.23748-23749; P4308,p.68; P4512,pp.8-9; D.MANNING:T.25831;

D.MANNING:P4504,p.36. KDZ066 gave the date of the execution as 13 July. KDZ066:P337,pp.6-7,26-27.

targeted the same group of victims (i.e., Muslim men who fled following the fall of Srebrenica), and used procedures almost identical to other Srebrenica executions. Like earlier groups of men captured from the column, these men were bussed to a remote execution site; many of them had their hands bound; and they were immediately buried after being shot.

(b) Murder of two Muslim men in Snagovo, Zvornik (E11.1)⁶⁴⁴

151. [REDACTED]
[REDACTED]
[REDACTED], [REDACTED]
[REDACTED]

152. Near Zvornik, KDZ365's group of police officers captured two Muslim men and a 16 year-old boy who surrendered.⁶⁴⁷ [REDACTED]
[REDACTED] The police were searching the captured Muslims,⁶⁴⁹ when about 20 members of the Bosnian Serb Forces clad in military uniforms suddenly arrived. One of these soldiers shot the Muslim men in the head. KDZ365 later heard he was from Zvornik.⁶⁵⁰ KDZ365 hid the frightened boy behind him.⁶⁵¹

153. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

⁶⁴³ See V.G.3.(a): 17 July, MLADIĆ and SARIĆ issued orders to sweep the terrain.

⁶⁴⁴ The evidence led shows that 2 rather than 6 men were killed.

⁶⁴⁵ [REDACTED] See also P316; P315.

⁶⁴⁶ [REDACTED]

⁶⁴⁷ KDZ365:P326,pp.20-21; [REDACTED]

⁶⁴⁸ [REDACTED]

⁶⁴⁹ KDZ365:P326,p.22; [REDACTED]

⁶⁵⁰ KDZ365:P326,pp.20-24,41-43.

⁶⁵¹ KDZ365:P326,pp.21-22; [REDACTED]

⁶⁵² [REDACTED]

⁶⁵³ [REDACTED]

⁶⁵⁴ [REDACTED]

[REDACTED] Given that [REDACTED] arrived at Batković on 24 July,⁶⁵⁶ the execution must have occurred on or around 22 July.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

(c) Murder of Muslim men at Bišina (E12.1)

155. On 23 July,⁶⁶⁰ POPOVIĆ organised and oversaw the execution of at least 39 Muslim men in Bišina.⁶⁶¹

156. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

655 [REDACTED]
656 [REDACTED]
657 [REDACTED]
658 [REDACTED]
659 [REDACTED]

660 KDZ285:P371,p.5.

661 Following exhumation of the Bišina grave in 2006, 39 Srebrenica-related victims were positively identified through DNA. See D.JANC:P4772,p.32(eighteen ligatures and four blindfolds were recovered from the grave); [REDACTED]; P6500.

662 [REDACTED]
663 [REDACTED]
664 [REDACTED]

[REDACTED] The 10th DOd's Vlasenica Platoon had its base in Dragaševac and the unit included both Croat and Muslim soldiers. KDZ018:P332,pp.10-14,40-41. KDZ285 was ordered to pick up a special unit in Dragaševac. He picked up five or six masked men

158. [REDACTED]
[REDACTED]
[REDACTED]

Two intercepts from 24 July discuss one of the executed men, Himzo MUJIĆ,⁶⁷¹ and confirm POPOVIĆ's responsibility for his death.⁶⁷²

(d) Murder of Muslim men and boys near Trnovo (E13.1)

159. Following the fall of Srebrenica, the Scorpions, a Serbian MUP unit re-subordinated to the VRS,⁶⁷³ summarily executed six Bosnian Muslim men and boys near the town of Trnovo.⁶⁷⁴

160. After Srebrenica's fall, the Scorpions' commander was ordered to provide vehicles and men to transport Muslims from Srebrenica.⁶⁷⁵ The six Muslims they brought back to Trnovo for execution "belonged to the last group that they transported from Srebrenica."⁶⁷⁶ The commander ordered STOJKOVIĆ, a member of the unit, to film the killings.⁶⁷⁷

161. STOJKOVIĆ's video shows six Muslim men and boys brought by truck to an isolated location near Trnovo, where the Scorpions abused and tormented them before killing them. The victims are first seen in a truck: they had been beaten, and their hands were bound.⁶⁷⁸ A Scorpions member kicked one prisoner in the head as he was

with caps over their heads, fingerless gloves, and military fatigues in different colours. A couple of these men were Croats and Muslims. KDZ285:P371,pp.5-7.

⁶⁶⁷ KDZ285:P371,pp.5-6,8-12,16; P663,p.2.

⁶⁶⁸ [REDACTED]

⁶⁶⁹ [REDACTED]; KDZ285:P371,p.19; P663,p.2(Columns 16-19 of the vehicle log record "Lt. Colonel POPOVIĆ").

⁶⁷⁰ [REDACTED]

⁶⁷¹ P5913(Protocol ID 8428/06); [REDACTED]

[REDACTED]

⁶⁷² P6499; [REDACTED]; P5391. [REDACTED]

[REDACTED] POPOVIĆ denied involvement in the murder of the prisoners but confirmed he was present when about 30 bodies were buried. V.POPOVIĆ:D3993,paras.86-88; POPOVIĆ:T.43108-43109,T43113-43128; [REDACTED]. POPOVIĆ's denial is not credible. *See* DCC(V.POPOVIĆ).

⁶⁷³ *See* V.C.2: KOVAČ, BOROVCANIN and the MUP.

⁶⁷⁴ P4201,V000-9016,01:07:11-01:26:13; P4202,pp.187-189,295-304; P665/P668(partial duplicates).

⁶⁷⁵ [REDACTED]

S.STOJKOVIĆ:P4751,pp.32-33,38-39.

⁶⁷⁶ [REDACTED]

⁶⁷⁷ S.STOJKOVIĆ:P4751,pp.29-30,42,49,66,73.

⁶⁷⁸ P4201,V000-9016,01:07:11-01:08:48; P4202,pp.295-296; P665,01:38:58-01:40:30,pp.88-90; P668,00:00:00-01:30; S.STOJKOVIĆ:P4751,p.65.

lying in the back of a truck and asked, "Why are you shaking motherfucker?"⁶⁷⁹ The prisoners were ordered to get out of the truck and lie face down in a ditch for a period of time.⁶⁸⁰ The captors denied a prisoner's request for water⁶⁸¹ and tormented the youngest prisoners.⁶⁸²

162. The Scorpions then ordered the prisoners up and marched them to an execution site near two deserted buildings.⁶⁸³ Two of the prisoners were forced to lie face down while the four left standing were shot in the back, one by one.⁶⁸⁴ The Scorpions untied the hands of the two prisoners lying on the ground and ordered them to carry the bodies of the four dead men and boys into one of the deserted buildings nearby.⁶⁸⁵ Once they had moved the bodies, they were also executed.⁶⁸⁶

163. The six Srebrenica victims killed by the Scorpions were all identified by DNA analysis.⁶⁸⁷

F. Total number of deceased: forensic and demographic evidence

1. Enrichment of graves and cause of death

164. As of January 2012, 76 Srebrenica-related graves (primary and secondary) had been identified and exhumed ("Srebrenica-Related Graves").⁶⁸⁸

⁶⁷⁹ P4201,V000-9016,01:07:30-01:07:35; P4202,p.295; P665,01:39:10-01:39:15,p.88; P668,00:00:10-00:00:20; S.STOJKOVIĆ:P4751,pp.48-50.

⁶⁸⁰ P4201,V000-9016,01:08:48-01:09:45; P4202,pp.296-297; P665,01:40:30-01:41:27,pp.90-92; P668,00:01:30-00:09:00; S.STOJKOVIĆ:P4751,pp.50-51. As the prisoners lay in the ditch, STOJKOVIĆ stopped videotaping while another Scorpion left to get a new battery for the camera, which took 10-15 minutes. S.STOJKOVIĆ:P4751,pp.72-73; P4202,p.297; P665,p.92.

⁶⁸¹ P4201,V000-9016,01:10:19-01:10:44; P4202,pp.297-298; P665,01:42:00-01:42:24,pp.93-94; P668,00:03:00-00:03:24.

⁶⁸² P4201,V000-9016,01:11:00-01:11:20; P4202,p.298; S.STOJKOVIĆ:P4751,pp.60-65; P665,01:42:45-01:43:05,pp.94-95; P668,00:03:40-00:04:00.

⁶⁸³ P4201,V000-9016,01:16:15-01:17:40; P4202,pp.299-300; P665,01:48:00-01:49:30,pp.99-100; P668,00:09:00-00:10:40.

⁶⁸⁴ P4201,V000-9016,01:17:40-01:19:06; P4202,pp.300-301; P665,01:49:30-01:50:55,pp.100-101; P668,00:10:30-00:11:50.

⁶⁸⁵ P4201,V000-9016,01:19:06-01:24:00; P4202,pp.299-300; P665,01:50:55-01:55:45,pp.102-108; P668,00:11:50-00:16:40.

⁶⁸⁶ P4201,V000-9016,01:24:00-01:25:55; P4202,pp.303-304; P665,01:55:45-01:57:58,pp.108-112; P668,00:16:40-00:18:57.

⁶⁸⁷ These were Azmir (Alija) ALISPHAHIC; Juso (Alija) DELIC; Safet (Sakib) FEJZIC; Smajil (Juso) IBRAHIMOVIĆ; Dino (Hajro) SALIHOVIĆ; and Sidik (Mehmed) SALKIĆ. See D.JANC:P4472,p.38; P5913; D.JANC:T.26932; [REDACTED]

⁶⁸⁸ D.JANC:P4772,pp.3-5. See also D.MANNING:T.25803-25805.

165. Primary mass graves were created in the period 14-20 July 1995,⁶⁸⁹ then partially robbed and the contents reburied in secondary graves in September and October 1995.⁶⁹⁰

166. The Defence speculation that the graves had been enriched should be given no weight.⁶⁹¹ There was no archaeological evidence of enrichment in the graves,⁶⁹² it is normal for bodies to decompose at different rates in a mass grave,⁶⁹³ and Defence expert DUNJIĆ conceded that winter clothing was not determinative of time of death.⁶⁹⁴

167. The Defence argument that the graves contain non-execution victims, including those killed in combat, is unsustainable.⁶⁹⁵ Overwhelming evidence shows that individuals exhumed from Srebrenica-Related Graves were victims of execution.⁶⁹⁶ This includes witness and documentary evidence,⁶⁹⁷ expert analysis,⁶⁹⁸ blindfolds and ligatures in the graves,⁶⁹⁹ forensic evidence linking gravesites to execution sites,⁷⁰⁰ and as discussed above all major primary Srebrenica-Related

⁶⁸⁹ Engineering records, witness testimony and aerial imagery show that the primary graves at Orahovac, Petkovci, Kozluk, Branjevo Farm and Glogova were all dug and closed by 20 July 1995. *See* Srebrenica Narrative, paras.62,102,111,122,134; P4512, pp.11,24.

⁶⁹⁰ *See* V.G.3.(f): September-October 1995, Reburial operations.

⁶⁹¹ D.DUNJIĆ:T.41745-41747,41751-41752,41758,41771-41772,41793-41794. DUNJIĆ argued different degrees of putrefaction meant different times of death or burial. D.DUNJIĆ:T.41747,41761-41763,41793-41794. He also suggested winter clothing indicates that the victims died at different times. D.DUNJIĆ:T.41847-41848.

⁶⁹² R.WRIGHT:T.22306-22308,22312-22313; R.WRIGHT:P3999, pp.73-74,83-84; F.PECCERELLI:T.22740-22742,22755,22759-22760; W.HAGLUND:T.23912-23914. *See also* D.MANNING:T.25849-25850,25855.

⁶⁹³ R.WRIGHT:T.22306-22307; C.LAWRENCE:T.22482; F.PECCERELLI:T.22742-22743.

⁶⁹⁴ D.DUNJIĆ:T.41848. *See* DCC(D.DUNJIĆ). *See also* C.LAWRENCE:T.22492-22494,22514-22515. Many of the men separated in Potočari were wearing or carrying coats. *See* P4909, pp.2-4.

⁶⁹⁵ D.DUNJIĆ:D3894, pp.13,15,21,25; D.DUNJIĆ:T.41887-41888,41894,41898-41899.

⁶⁹⁶ With the exception of those victims buried in the Glogova grave who have not been proven to be execution victims. *See* Srebrenica Narrative, para.171.

⁶⁹⁷ *See e.g.* Srebrenica Narrative, paras.65,78,87-88,94-101-102,109-112,120-122,133-134,138,141,146-147,156-158,161-162.

⁶⁹⁸ J.CLARK:T.22709; W.HAGLUND:T.23914-23915; R.WRIGHT:T.22305-22306; F.PECCERELLI:T.22751-22753; F.PECCERELLI:P4137, pp.10-13.

⁶⁹⁹ D.MANNING:T.25821-25828; P4507; P4508; P4509; C.LAWRENCE:T.22499. *Note:* there is no credible evidence before the Chamber that strips of cloth around the heads of Muslim victims were anything but blindfolds. There was significant contemporaneous evidence of blindfolds being used. *See* Srebrenica Narrative, paras.104,123. Moreover, all Prosecution experts questioned on this point testified that the strips of cloth around the heads of Muslim victims were blindfolds. *See e.g.* C.LAWRENCE:T.22467-22478; F.PECCERELLI:T.22745-22747; J.CLARK:T.22710-22711; W.HAGLUND:T.23914-23915. In contrast, DUNJIĆ's evidence on this point was wholly speculative and inappropriately influenced by the Defence case theory. D.DUNJIĆ:T.41827-41840.

⁷⁰⁰ *See* Srebrenica Narrative, paras.63-64,103-104,106,112-113,123,124,135,142,144,148-149,163.

Graves were dug and closed in the period 14-20 July.⁷⁰¹ DUNJIĆ acknowledged that injuries recorded in autopsy reports were consistent with Prosecution and Defence witnesses' evidence of executions.⁷⁰²

168. Further, it would have been dangerous and impractical for Bosnian Serbs to retrieve Muslim bodies from the wooded and remote areas of combat including around Ravni Buljim during the period 14-20 July 1995.⁷⁰³ There was no reason for the Bosnian Serbs to take the bodies to Orahovac, Petkovci, Kozluk or Branjevo Farm at a time when every available Bosnian Serb soldier and material resource was needed to attack Žepa⁷⁰⁴ and battle the Muslim column,⁷⁰⁵ carry out executions (14-16 July),⁷⁰⁶ then sweep the terrain for the hundreds of stragglers from 17 July through August 1995.⁷⁰⁷

2. Number of victims

(a) ICMP DNA Matching

169. ICMP is an internationally accredited DNA laboratory⁷⁰⁸ which has identified human remains associated with the fall of Srebrenica by matching a DNA sample from the remains against a DNA sample from a relative.⁷⁰⁹ The evidence leaves no doubt that the ICMP's DNA analysis was reliable. **KARADŽIĆ** deliberately chose not to test this evidence, despite extensive efforts by the ICMP, Prosecution and Chamber to enable him to do so.⁷¹⁰

⁷⁰¹ The Accused suggested that AĆANOVIĆ's order of 20 July to collect the bodies of human and livestock in particular in the Srebrenica, Žepa, Kamenica and Snagovo areas meant that bodies buried in the Srebrenica-Related Graves included those of non-execution victims. *See* D2216; D.JANC:T.27048-27051. The Defence adduced no evidence that the AĆANOVIĆ order was implemented, nor that any bodies collected pursuant to his order were buried in the Srebrenica-Related Graves.

⁷⁰² D.DUNJIĆ:T.41894-41903.

⁷⁰³

⁷⁰⁴ *See e.g.* P4942.

⁷⁰⁵ *See* Srebrenica Narrative, paras.36-48.

⁷⁰⁶ *See e.g.* P5074.

⁷⁰⁷ *See* V.G.3.(a): 17 July, MLADIĆ and SARIĆ issued orders to sweep the terrain; Srebrenica Narrative, para.150

⁷⁰⁸ T.PARSONS:T.26556.

⁷⁰⁹ T.PARSONS:T.26555. *See* T.PARSONS:T.26549-26585.

⁷¹⁰ *See* DNA Evidence Decision.

(b) JANC report

170. JANC summarised the Prosecution's evidence relating to the Srebrenica missing and dead and detailed linkage between primary and secondary graves based on DNA connections.⁷¹¹ He relied, in part, upon the ICMP DNA matching to identify the number of victims in the Srebrenica. As of the date of JANC's report, at least 5,942 unique DNA profiles had been identified in the Srebrenica-Related Graves.⁷¹² Another 35 individuals had been identified by PHR and the ICRC.⁷¹³ Accordingly, the number of victims (both identified and unidentified) in the Srebrenica-Related Graves as of January 2012 was 5,977.⁷¹⁴

171. Although 5,977 individuals have been identified from Srebrenica-Related Graves,⁷¹⁵ a conservative estimate of 100 individuals found in the Glogova grave cannot be determined beyond a reasonable doubt to have been executed.⁷¹⁶ Hence the number of known victims from the Srebrenica executions is at least 5,850.

(c) Demographic evidence

172. As of April 2012, demographic evidence had identified 7,905 people as deceased following the fall of Srebrenica in July 1995.⁷¹⁷ This is according to rigorously analysed ICMP, ICRC and PHR data that has been cross-checked against the 1991 census, the list of voters compiled in 1997-1998 and the UNHCR database

⁷¹¹ See D.JANC:P4772.

⁷¹² D.JANC:P4772,pp.2,5. This includes 260 profiles not yet matched against the DNA of a family member. P4772,p.2.

⁷¹³ D.JANC:P4772,p.2.

⁷¹⁴ D.JANC:P4772,p.5; D.JANC:T.26923-26926,26953-26955. This figure does not include the six Scorpions' victims discovered in Godinjske Bare who were executed pursuant to the JCE to Eliminate. See D.JANC:P4772,pp.5,38; D.JANC:T.26927-26934. See Srebrenica Narrative,paras.159-163.

⁷¹⁵ D.JANC:P4772,p.5; D.JANC:T.26923-26926,26953-26955.

⁷¹⁶ The Glogova grave contains 10-15 bodies from Konjević Polje, 6-7 from Potočari and a "truckload" from along the Bratunac-Konjević Polje road. These individuals cannot be said beyond reasonable doubt to have been executed. Additionally, 12 individuals in the Glogova grave were returned from Serbia to the VRS, and although executed, their deaths are not charged in this case. Therefore, the Prosecution reduces the number of alleged execution victims by a conservative estimate of 100. The other individuals in the Glogova grave were victims of execution at the Kravica Warehouse or around the Vuk Karadžić School. See also Srebrenica Narrative,paras.62-63.

⁷¹⁷ E.TABEAU:P5004,pp.1,3-4; E.TABEAU:T.28257-28258; E.TABEAU:P4995,pp.28-29;

██████████. The figure of 7,905 includes those individuals who have not been located in Srebrenica-Related Graves, and who may or may not have been execution victims, and includes victims whose bodies may already have been located and identified as "surface remains".

of Displaced Persons and Refugees.⁷¹⁸ The Defence adduced no credible evidence undermining this figure.⁷¹⁹

3. Over 7,000 men and boys were executed

173. As of January 2012, at least 5,850 known victims of the Srebrenica executions had been identified in Srebrenica-Related Graves. The number of bodies of execution victim is constantly increasing as more Srebrenica-Related Graves are exhumed.⁷²⁰ The demographic evidence as of April 2012 demonstrates 7,905 people are known to have gone missing from Srebrenica. It can be conservatively concluded that over 7,000 Muslim men and boys from Srebrenica were executed.⁷²¹

⁷¹⁸ E.TABEAU:T.28233-28236. *See generally* E.TABEAU:P4995.

⁷¹⁹ *See* DCC(S.PASALIĆ).

⁷²⁰ *See e.g.* T.PARSONS:T.26585; D.JANC:T.26920-26922.

⁷²¹ Indictment,para.47(a).