

**UNITED
NATIONS**

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

Case No.: IT-03-69-T

Date: 28 February 2013

IN TRIAL CHAMBER I

Before: Judge Alphons Orie, Presiding
Judge Michèle Picard
Judge Elizabeth Gwaunza

Registrar: Mr. John Hocking

THE PROSECUTOR
v.
JOVICA STANIŠIĆ
and
FRANKO SIMATOVIĆ

Public
with
Public Annexes A-E

**PUBLIC REDACTED VERSION OF
PROSECUTION FINAL TRIAL BRIEF**

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

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Public Annexes A-E*

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*On 14 December 2012 the Prosecution filed its Final Trial Brief and five annexes confidentially. The following is a public redacted copy of this filing.**

Pursuant to Rule 86 of the Rules of Procedure and Evidence the Prosecution submits its Final Trial Brief with the following Annexes:

- i. Public Redacted Annex A: Index of Persons with a Significant Relationship to the State Security Service of Serbia.
- ii. Public Redacted Annex B: Payments Made by the Serbian State Security Service
- iii. Public Redacted Annex C: Index of the Prosecution Final Trial Brief
- iv. Public Annex D: Glossary of Terms and Abbreviations
- v. Public Annex E: Table of Authorities

* The Prosecution has redacted the following types of material:

1. References to protected witnesses upon whose evidence a particular assertion in the brief relies.
2. Passages of text containing quoted or paraphrased material from testimony and documents that are confidential. The Prosecution has not redacted assertions that are based on confidential evidence unless such is necessary to protect the interest and purpose underlying the confidential status. The Prosecution has not redacted public testimony that is formally confidential but for which public versions will be filed in compliance with orders of the Chamber ("PPCE" material).
3. In Annexes A and B the entries for individuals whose relationship with the SMUP-DB was only established with confidential evidence have been redacted in full.
4. Index entries for all Prosecution and Defence witnesses and exhibits.

Conventions Used in the Prosecution Final Trial Brief

1. At the heart of this case lies a complex and covert network of the Serbian State Security Service presided over by Jovica STANIŠIĆ and Franko SIMATOVIĆ. They used this network to secretly pour men, materiel and know-how into Croatia and BiH to execute crimes in furtherance of the criminal plan they shared with others.
2. To assist the reader in better understanding this, the Prosecution throughout this Brief identifies those who were either paid by or were under the command of the SMUP-DB by placing “DB” in subscript after the person’s name. For example Zoran RAIĆ_(DB) will be indicated as RAIĆ_(DB) when he is referred to in the brief. Annex A contains an index of all of these relevant persons and summarises their relationship to the SMUP-DB and their particular role in the events as well as cross references to where in the brief their role is discussed in greater detail. Annex B is a table which summarises the exhibits demonstrating payments to many of these individuals. This list is not exhaustive, but an enumeration of people who meet this criteria and are discussed in this Brief.
3. This brief employs a similar convention to identify the members of the Joint Criminal Enterprise alleged in the indictment. These individuals will be identified by placing a “JCE” in subscript after the person’s name. For example, Veljko KADIJEVIĆ will be indicated as KADIJEVIĆ_(JCE). This designation will be dropped in passages that contain frequent references to the same person.
4. The phrase “the Accused” when used in this brief, refers to both Jovica STANIŠIĆ and Franko SIMATOVIĆ collectively.
5. The structure of footnotes is intended to provide the reader with information that may assist in understanding the evidence. The witness who gave particular evidence will appear at the beginning of a string cite in bold with a “:” to indicate which exhibits a particular witness addressed. Individual exhibits are separated by a “;” and a “.” indicates the end of exhibits related to a particular witness. This brief identifies whether evidence is public or confidential. In those cases in which the evidence consists of publicly available evidence placed under seal by the Chamber the Prosecution will indicate this in footnotes as public portions of confidential evidence (PPCE).¹ To avoid repetition the Prosecution has made use of cross-references. These are indicated in the footnotes by underline.

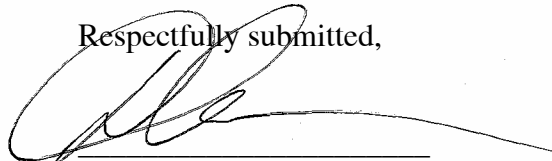
¹ The Trial Chamber by its Citation Decision granted the Prosecution permission to cite this category of evidence publicly.

6. Orders of the Chamber required the Prosecution to assign and refer to protected witnesses who gave live testimony by pseudonyms unique to this case. In many cases the Prosecution has adduced evidence provided by these witnesses in earlier trials in which they were assigned different pseudonyms. The Prosecution recalls its filing of 23 February 2010 which enumerates these witnesses and their several pseudonyms which may assist the Defence and the Chambers.² To indicate that certain testimonial evidence was given in a prior trial without identifying the particular trial the Prosecution will identify such evidence using “PriorT.#####”.

7. An SMUP-DB employee with the name Zoran RAIĆ features prominently in the evidence in this case. The correct spelling of his name, as reflected in his official identification card is “RAIĆ.”³ Some of the documentary evidence in the case has RAIĆ’s name spelled phonetically and incorrectly as “RAJIĆ.” The transcript of the trial also uses this incorrect spelling, an error the Prosecution did not appreciate before it received a copy of Zoran RAIĆ’s official identification card. Whenever the Prosecution refers to RAIĆ in this brief it is referring to person recorded as RAJIĆ in the transcript and documentary evidence.

Words (including Annex A)⁴: 112,989

Respectfully submitted,



Dermot Groome
Senior Trial Attorney

Dated this 28th day of February, 2013
At The Hague, The Netherlands

² Witnesses: C-015, C-1118, B1108 and B-1048, who testified prior to this date are referred to by their previous pseudonyms.

³ See, P2978, p.4 (public).

⁴ The word count includes all of the text in the main body of the brief as well as in Annex A. Practice Direction IT/184.2 (16 September 2005) directs what text should be included and what text should be excluded from a word count. Pursuant to the practice direction, the text in Annexes B-E have not been included in the word count of the brief.

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P R O S E C U T I O N F I N A L T R I A L B R I E F

Introduction

Summary of the Facts⁵

1. Jovica STANIŠIĆ and Franko SIMATOVIĆ committed murder, persecution, forcible transfer and deportation as members of a joint criminal enterprise (“JCE”) aimed at forcibly and permanently removing the majority of non-Serbs from large areas of Croatia and BiH. As part of this JCE—which lasted from at least April 1991 until at least December 1995—Serb Forces⁶ violently drove thousands of non-Serbs from their homes. Serb Forces murdered, detained, tortured, beat and forcibly expelled non-Serbs. Serb Forces destroyed the villages and towns of non-Serbs and plundered their property.

2. Throughout this persecutory campaign, STANIŠIĆ and SIMATOVIĆ enjoyed positions among the most prominent members of the State Security Service of the Ministry of Interior of the Republic of Serbia (SMUP-DB). They exercised substantial political power and influence in the former Yugoslavia. STANIŠIĆ was, throughout the Indictment period, the head or effective head of the SMUP-DB. SIMATOVIĆ was his deputy and operational commander of the SMUP-DB’s special units. They planned and executed the

⁵ This section has limited citation. Detailed cites to the trial evidence are provided in subsequent sections which deal more comprehensively with the topics covered here.

⁶ See, Indictment, para.6.

"Serb Forces" is used to refer to the following:

- a. The members of the Yugoslav People's Army (*Jugoslovenska Narodna Armija*, hereinafter “JNA”), later the Yugoslav Army (*Vojska Jugoslavije*, hereinafter “VJ”);
- b. The newly-formed Serb TO in the SAO Krajina and the SAO SBWS which later became the Army of SAO Krajina (*Srpska Vojska Krajine* hereinafter “SVK”);
- c. The newly formed TO in BiH which later became the VRS;
- d. The TO of the Republic of Serbia;
- e. The special units of the Republic of Serbia DB;
- f. The newly formed special police and police forces of the SAO Krajina, later incorporated into the *Republika Srpska Krajina* (hereinafter “RSK”) MUP, who were commonly referred to as “Martić’s Police”, “*Martićevci*”, “SAO Krajina Police” or “*SAO Krajina Milicija*” (hereinafter, “Martić’s Police”);
- g. The newly formed special police and police forces of the SAO SBWS, including the Serb National Security (*Savet za Nacionalnu Bezbednost*, hereinafter “SNB”) (hereinafter “SAO SBWS MUP Forces”), which were later incorporated into the RSK MUP;
- h. The newly formed police forces and special police forces in Serb-controlled territories in BiH which later became the police and special police forces of the *Republika Srpska* MUP; and
- i. Members of Serbian, Montenegrin, Bosnian Serb and Croatian Serb paramilitary and volunteer formations including “Chetniks” or “*Šešeljevci*”.

JCE along with Croatian Serb and Bosnian Serb political leaders, Croatian Serb and Bosnian Serb government, military and police officials, high-ranking members of the JNA/VJ and the Ministry of Interior of the Republic of Serbia (SMUP), and leading Serbian political figures and officials.

3. The Accused and other JCE members targeted territories in Croatia and BiH that they considered should be Serb, then created or assisted in the creation of parallel Serb institutions and Serb combat units there. Starting as early as the summer of 1990, the Accused began assisting and advising JCE members in the two self-declared autonomous regions in Croatia in the Krajina (SAO-Krajina) and in Slavonia Baranja and western Srem (SAO-SBWS). From the summer of 1991, JCE members used Serb Forces, including the DB's own "Red Berets" (the "Unit") and the Serbian Volunteer Guard (SDG or "ARKAN's Tigers") to intimidate and attack non-Serbs throughout these territories. JCE members used the parallel Serb institutions and Serb Forces to carry out a massive campaign of persecutory violence to purge these territories of their non-Serb populations.

4. In 1991 and 1992, as it became clear that BiH would declare independence, JCE members used the model applied in Croatia to set up Serb institutions and Serb combat units in BiH. They used these institutions and forces to continue the violent persecutory campaign against non-Serbs that had begun in Croatia.

5. In 1997, 1 ½ years after the conflict ended, SIMATOVIĆ stood before STANIŠIĆ and numerous Serbian dignitaries—including Slobodan MILOŠEVIĆ_(JCE)—and boasted of the role he and his men had played during the break-up of Yugoslavia. He boasted that since May 1991, the SMUP-DB had engaged in a "heroic epic"⁷ in Croatia and BiH and had constantly worked to protect national security in circumstances where the existence of the Serbian people was directly jeopardised "throughout its entire ethnic area."⁸ SIMATOVIĆ asserted that the Unit had fought in combat operations "at 50 different locations"⁹ and formed and operated 26 training camps.¹⁰ A video recording of SIMATOVIĆ's speech is in evidence.¹¹

⁷ P0061, p.9 (public).

⁸ P0061, p.9 (public).

⁹ P0061, p.10 (public).

¹⁰ P0061, p.11 (public).

¹¹ P0061 (public).

6. Other evidence corroborates SIMATOVIĆ's admissions. Overall, the evidence shows that STANIŠIĆ and SIMATOVIĆ made numerous significant contributions to the JCE alleged in the Indictment:

- They armed, supported, controlled and commanded some of the physical perpetrators. They created the "Unit", a special purpose unit of the SMUP-DB, which remained directly under their command throughout the Indictment period. They controlled ARKAN's_(JCE/DB) SDG and the Scorpions and either directed their activities or permitted other JCE members to direct them. They trained, equipped and co-ordinated units from political parties in Serbia, including ŠEŠELJ's SRS volunteers.
- They provided material, logistical and intelligence support—including weapons, equipment and fuel—to other units that committed crimes in furtherance of the JCE, notably police and TO units in Croatia and BiH such as MARTIĆ's_(JCE) Police. In 1994, MILOŠEVIĆ_(JCE) estimated that Serbia had provided arms and equipment valued at US\$ one billion.
- They trained Serb Forces in Croatia and BiH in an integrated network of covert training camps that they established and operated.
- STANIŠIĆ served as an important co-ordinator between the Serb leadership in Belgrade—notably MILOŠEVIĆ_(JCE),—and JCE members in Croatia—including Goran HADŽIĆ_(JCE), Milan BABIĆ_(JCE) and Milan MARTIĆ_(JCE)—and in BiH, including Radovan KARADŽIĆ_(JCE).

7. The physical perpetrators of the crimes charged in the Indictment were men controlled by STANIŠIĆ and SIMATOVIĆ, or men controlled by other JCE members who had in different ways been trained, equipped and/or supported by STANIŠIĆ and SIMATOVIĆ.

8. The systematic and widespread commission of crimes by forces under the control of JCE members establishes that STANIŠIĆ, SIMATOVIĆ and other JCE members intended these crimes. These forces committed crimes repeatedly, systematically throughout the nearly five-year Indictment period. JCE members were aware of the massive expulsions, massacres and destruction of property that resulted from their campaign and continued to use the same forces and strategies. They lauded their effectiveness, and personally expressed their own support for the criminal purpose of the JCE.

9. This evidence shows that STANIŠIĆ and SIMATOVIĆ intentionally committed murder, persecutions, forcible transfer and deportations as members of a joint criminal

enterprise. Each of the crimes was a part of this JCE. Alternatively, persecutions and murder were reasonably foreseeable consequences of the execution of the JCE to remove, through deportation and forcible transfers, the majority of non-Serbs from large areas of BiH and Croatia. Additionally, STANIŠIĆ and SIMATOVIĆ planned and ordered many of these crimes. Alternatively, they aided and abetted each of the crimes.

10. This Brief is organised into five Sections:

- i. Section 1 describes the evolution and implementation of the JCE and its members, establishing that STANIŠIĆ and SIMATOVIĆ were part of a JCE, the objective of which, was the forcible and permanent removal of the majority of non-Serbs from large areas of Croatia and BiH.
- ii. Section 2 sets forth the role, responsibilities and key JCE contributions of each Accused, establishes their command relationship to the SMUP-DB special units, and details how they used these special units during the Indictment period.
- iii. Section 3 describes the charged crimes, establishing that they were committed by direct perpetrators controlled by the Accused and other JCE members in furtherance of the common purpose.
- iv. Section 4 demonstrates why each Accused is criminally liable for the charged crimes by establishing that each significantly contributed to the JCE's common purpose and intended the charged crimes to further that purpose. This Section also sets out the Accused's responsibility for the physical perpetrators, and liability for planning, ordering, aiding and abetting the charged crimes.
- v. Section 5 sets out the Prosecution's submissions with respect to sentence.

Summary of the Charges

11. Each Accused is charged with individual criminal responsibility pursuant to Article 7(1) of the Statute of the Tribunal ("Statute") for planning, ordering, committing¹² or aiding and abetting crimes against humanity under Article 5 of the Statute and violations of the laws or customs of war, as recognised by Common Article 3(1)(a) of the Geneva Conventions of 1949 under Article 3 of the Statute. The crimes charged include:

¹² Commission through their participation in and contribution to a JCE.

persecution, murder, deportation and inhumane acts (forcible transfers). Specifically, the Accused are charged with:¹³

Persecution

- i. The persecution of Croats, Bosnian Muslims, Bosnian Croats, and other non-Serbs within SAO-Krajina, SAO-SBWS and the BiH municipalities of Bijeljina, Bosanski Šamac, Doboj, Sanski Most, Trnovo (of Muslim civilians from Srebrenica) and Zvornik. This persecution included underlying acts of murder, forcible transfer, and deportation.

Forcible Transfer: Croatia and BiH

- i. The unlawful forcible transfer or deportation of thousands of Croat, Bosnian Muslim, Bosnian Croat and other non-Serb civilians from locations in which they were lawfully present in SAO-Krajina, SAO-SBWS, and the BiH municipalities of Bijeljina, Bosanski Šamac, Doboj, Sanski Most, and Zvornik to other countries or other areas inside the same country.

Murder: SAO-Krajina

- i. The killing of 56 non-Serb civilians near the village of Baćin on 21 October 1991.
- ii. The killing of nine civilians in the hamlet of Vukovići near Poljanak on 7 November 1991.
- iii. The killing of at least 20 Croat civilians in the village of Saborsko on 12 November 1991.
- iv. The killing of at least 38 non-Serb civilians in the village of Škabrnja near Zadar on 18 November 1991.
- v. The killing of 10 civilians, including nine Croats, in the village of Bruška and the hamlet of Marinovići on 21 December 1991.

Murder: SAO-SBWS

- i. The killing of 11 detainees from the Dalj police building in the SAO-SBWS on 21 September 1991.
- ii. The killing of 26 Croat civilian detainees from the Dalj police building on 4 October 1991.

¹³ See, Indictment and Pre-Trial Brief for more complete descriptions of these crimes.

- iii. The killing of at least nine ethnic Hungarian and Croat civilians at the TO training centre in Erdut on 10 November 1991.
- iv. The killing of three civilians – two of whom were family members of the original Hungarian victims – several days after 10 November 1991.
- v. The killing of Marija SENAŠI on 3 June 1992.
- vi. The killing of five non-Serb civilians at the TO training centre in Erdut on 11 or 12 November 1991.
- vii. The killing of seven ethnic Hungarian and Croat civilians at the TO training centre in Erdut on or around 26 December 1991.

Murder: BiH

- i. The killing of approximately 20 non-Serb civilians in Zvornik on or about 8 April 1992.
- ii. The killing of at least 16 non-Serb detainees at Crkvina in Bosanski Šamac municipality on or about 7 May 1992.
- iii. The killing of approximately 27 non-Serb detainees in a human shield incident in Doboje on or about 12 July 1992.
- iv. The killing of approximately 12 non-Serb men in Trnova, in Sanski Most municipality, on or about 20 September 1995.
- v. The killing of six Muslim men and boys at Trnovo in July 1995.
- vi. The killing of approximately 65 non-Serb civilians in Sasina, Sanski Most municipality, on or about 21 September 1995.

Section 1: The Accused Were Part of a JCE to Forcibly and Permanently Remove the Majority of Non-Serbs from Parts of Croatia and BiH

“The [Serbs] wanted their own state and they did not want any Croats in it.”

-Ante MARINović¹⁴

“[...] our primary strategic aim, which is to get rid of the enemies in our house, the Croats and Muslims, and not to be in the same state with them any more.”

- Radovan KARADŽIĆ at the 42nd Session of the Bosnian Serb Assembly, 18-19 July 1994.¹⁵

“We are now entering the decisive phase of the fight to achieve the common goals of all the *Serbian lands*.”

- Letter of Jovica STANIŠIĆ to RSK, 5 July 1994.¹⁶

Overview

12. The Accused joined with others in a JCE aimed at forcibly and permanently removing the majority of non-Serbs (primarily Croats, Bosnian Muslims and Bosnian Croats) from “Serbian lands”—from the self-declared RSK¹⁷ in Croatia and from the self-declared RS in BiH through the crimes of persecution, murder, deportation and inhumane acts (forcible transfer).

13. As described below, the crimes charged unfolded over nearly five years. But each crime—from the 26 July 1991 forcible displacement of civilians from Glina and Struga to the late September 1995 execution of Bosnian Muslim prisoners in Sanksi Most—was committed as part of this single overarching JCE that employed similar methods. For

¹⁴ MARINović:P0490, p.2 (public).

¹⁵ P1483, p.31 (public).

¹⁶ P2667 (public) (emphasis added).

¹⁷ This includes both SAO-Krajina and the SAO SBWS prior to the founding of the RSK.

example, the implementation of the JCE in each area began with the establishment of SAOs and Serb quasi-governmental institutions such as the SNC and Serb police forces.¹⁸

14. A criminal plan of this magnitude necessarily required the involvement and co-operation of JCE members from Serb military, political and police organisations in Serbia, Croatia and BiH. In addition to STANIŠIĆ and SIMATOVIĆ, top-level JCE members included Ratko MLADIĆ, Veljko KADIJEVIĆ, Blagoje ADŽIĆ, Milan MARTIĆ, Milan BABIĆ, Goran HADŽIĆ, Slobodan MILOŠEVIĆ, Mihalj KERTES, Vojislav ŠEŠELJ, Radovan KARADŽIĆ, Momčilo KRAJIŠNIK, Biljana PLAVŠIĆ, Radmilo BOGDANOVIĆ, Radovan STOJIČIĆ aka BADŽA, Željko RAŽNATOVIĆ aka ARKAN and Mićo STANIŠIĆ.¹⁹

15. Some JCE members, such as ARKAN_(JCE/DB), directly perpetrated crimes charged in the Indictment. Others, including the Accused, used members of the Serb Forces as tools²⁰ to implement the common criminal purpose.²¹ Each JCE member contributed to their shared criminal goal.

16. The narrative²² in this Section recounts the events leading up to and following the creation of SAOs in Croatia and BiH. It details the evolution of the JCE in Croatia and BiH and the role the Accused played; describes the other key JCE members and their relationships with the Accused; and explains how the JCE members worked together to unleash a persecutory campaign of violence against non-Serbs in Croatia and BiH. This

¹⁸ SecondAFD-no.3-5; P2619 (public); P1917 (public); P1106 (public). **BOGUNOVIĆ**:T.5972 (28-June-2011) (public).

¹⁹ Indictment, para.12.

²⁰ When the Prosecution uses the terms “tool” it intends that term in the same way that term has been used in previous Prosecution submissions (*e.g.*, *Brdanin* Prosecution Appeal Brief) as well as in the jurisprudence of the Tribunal (*e.g.*, *BrdjaninAJ*, para. 411-412). It is used to reflect the concept that members of a criminal enterprise may use persons and institutions to implement that enterprise even though the persons and institutions used may not necessarily possess the same *mens rea* as members of the JCE. It closely parallels the criminal law concept of “instrumentality” *See*, Black’s Law Dictionary, 8th Edition. “Instrumentality, n.1 A thing used to achieve an end or purpose. 2. A means or agency through which a function of another entity is accomplished, such as a branch of a governing body.” *See also*, Archibold’s 2011 §18-7.

²¹ *BrdaninAJ*, para.413; *MartićAJ*, para.168; *KrajišnikAJ*, para.225.

²² It is not the Prosecution’s case that all events in the narrative were inherently criminal.

narrative establishes that the JCE comprised a plurality of persons²³ who shared a common purpose that involved committing the charged crimes.²⁴

Implementation of the JCE in SAO-Krajina

“As for Slobodan MILOŠEVIĆ, he is the President of all Serbs, not only those in Serbia.”

-Milan BABIĆ, interview on 18 January 1991, a month after the formation of SAO-Krajina²⁵

Overview

17. In 1990, JCE members in Knin vowed publicly to refuse to serve under the State of Croatia or its flag. By January 1992, they had declared their autonomy from Croatia, pledged their allegiance to Serbia and had executed a campaign of massive expulsion, murder and persecution of non-Serbs in SAO-Krajina, their self-declared autonomous region. JCE members in Belgrade, particularly MILOŠEVIĆ and the Accused, contributed to these events from the beginning. STANIŠIĆ provided men for the barricades in 1990 and both Accused set up a training camp at Golubić around April 1991 and helped set up MARTIĆ's Police in the nascent autonomous region. Embedded in these security forces were SMUP-DB members reporting to Belgrade. Throughout this process, STANIŠIĆ met routinely with Serb leaders in the Krajina, ensuring their access to JCE members in Belgrade, including MILOŠEVIĆ. SIMATOVIĆ oversaw the training of special units. From July to December 1991, the Serb Forces, established and equipped by the Accused and other JCE members, launched successive attacks against non-Serb civilian areas and terrorised the non-Serb population through murders and other grave crimes which provoked an exodus of non-Serbs.

The Accused began supporting the Krajina Serbs by at least August 1990

18. By August 1990, JCE members in the Krajina turned to Serbia to assist them in carving out a Serb-majority autonomous region in Croatia. They had already taken a number of steps towards autonomy: MARTIĆ_(JCE), led the group of Serb policemen who

²³ *Milutinović*TJ (Vol. 1), para.97; *Brđanin*AJ, para.364; *Stakić*AJ para.64; *Tadić*AJ, para.227.

²⁴ *Milutinović*TJ (Vol. 1), para.97; *Tadić*AJ, para.227; *Stakić*AJ, para.64. *See also Brđanin*AJ, para. 364, 418; *Kvočka*AJ, para.115-119.

²⁵ P1956, p.10 (public).

refused to serve in an independent Croatia,²⁶ and JCE members had joined in declaring the sovereignty and autonomy of the Serb people in Croatia²⁷ during a 25 July 1990 assembly in Srb.²⁸ On 31 July 1990, BABIĆ_(JCE) became president of the SNC, the executive body of this assembly.²⁹ Two weeks later, the SNC would call for a referendum on Serb autonomy.³⁰

19. On 16 August 1990, the day the SNC called for a referendum, Croatian police moved towards several Serb-majority towns in the Krajina to remove weaponry from the SJBs (public security stations). The following day, Serbs erected armed barricades in the Krajina³¹ in an event known as the *Balvan* (Log) Revolution.³² MARTIĆ_(JCE) did not believe the SDS, the political party of JCE members in the Krajina, had enough men and equipment to hold the barricades and contacted STANIŠIĆ for assistance.³³ He arranged a meeting between BABIĆ_(JCE) and STANIŠIĆ,³⁴ who was then the Assistant Republican Secretary of the Interior.³⁵ In time men including: Zoran RAIĆ_(DB),³⁶ Goran OPAČIĆ_(DB),³⁷

²⁶ **JF-039:T.7220** (public). [REDACTED] (confidential). **DST-43:T.13048-50** (public). This day, 5 July 1990 would be commemorated in the years to come as “Security Day of the RSK”. To mark it in 1994, STANIŠIĆ sent a telegramme to the RSK-MUP that stated:

During the last three years’ period your state and public security services contributed significantly to the protection of the national security of the RSK and fighting against the aggression of the neo-fascist Croatian regime. [...] The internal affairs organs of the RSK were among the main establishers of Krajina’s statehood and the guarantee of its independence.”

...We are now entering the decisive phase of the fight to achieve the common goals of all the Serbian lands, more determined and prepared than ever before.

P2667, p.1 (public).

²⁷ P1904 (public).

²⁸ SecondAFD-no.3; [REDACTED] (confidential); P1956, p.5 (public).

²⁹ SecondAFD-no.3.

³⁰ SecondAFD-no.4. [REDACTED] The referendum, declared illegal by Croatian authorities, was held and 97.7% of those who voted favoured autonomy. (SecondAFD-no.4).

³¹ SecondAFD-no.4. **DRAČA:T.16685**(31-Jan-2012) (public).

³² [REDACTED] **BABIĆ:P1878**, p.51 (PriorT.12923) (public).

³³ [REDACTED] (confidential).

³⁴ **BABIĆ:P1878**, p.56 (PriorT.12930) (public).

³⁵ P2397 (confidential).

³⁶ P2766, p.1 (confidential).

³⁷ P2737 (confidential); P2739 (confidential). [REDACTED] (confidential).

Dragan OLUIĆ_(DB),³⁸ Slobodan MAJSTOROVIĆ_(DB),³⁹ Predrag BAKLAJIĆ_(DB),⁴⁰ Nikola PILIPOVIĆ_(DB)⁴¹ and Nenad ŠARE_(DB)⁴²—arrived to man the barricades. They would later become members or instructors of special units in Golubić.⁴³

20. Over the months and years following this August 1990 meeting, STANIŠIĆ would personally meet with BABIĆ_(JCE) approximately ten times.⁴⁴ BABIĆ and MILOŠEVIĆ met at least 20 times between the summer of 1990 and the end of 1991,⁴⁵ and STANIŠIĆ occasionally facilitated or was present at some of these meetings.⁴⁶ During this period MARTIĆ_(JCE) often referred to STANIŠIĆ as “-----” and said “-----”⁴⁷ In 1990, most contact between the Krajina Serb leadership and the president of Serbia (MILOŠEVIĆ_(JCE)) went through STANIŠIĆ.⁴⁸ MARTIĆ had a direct telephone line to STANIŠIĆ.⁴⁹

21. Later that autumn, the SMUP-DB became increasingly active in the Krajina. When the Krajina Serbs established the Council for National Resistance around 10 September

³⁸ P3178, p.5 (confidential). *See*, ----- (confidential); P2877 (public); P0061, p.7 (public).

³⁹ P3009, p.1-2 (confidential)

⁴⁰ P3008, p.1 (confidential)

⁴¹ P1001, p.2 (confidential); P3195, p.13 (confidential).

⁴² P2820. (confidential)

⁴³ -----
(confidential); P2766, p.1 (confidential); P2746, p.1 (confidential).

⁴⁴ **BABIĆ**: P1877, pp.97-102, 116-17 (PriorT.1522-27, 1545-46) (public); P1878, pp.56, 58-59, 136-37, 151-54, 164-65, 182-83, 192, 201-03, 227-29 (PriorT. 12930, 12932-33, 13082-83, 13100-04, 13118-19, 13136, 13152, 13175, 13184-86, 13220-22) (public). BABIĆ’s 92^{quater} testimony regarding these meetings and other interactions with the SMUP-DB is significantly corroborated. For example, BABIĆ provides evidence of three meetings with STANIŠIĆ in August 1991 (P1877, p. 99 (PriorT.1524)(public), P1877, pp. 116-17 (PriorT.1545-46)(public) and P1878, p. 192 (PriorT.13175)(public)). In an intercepted conversation with KARADŽIĆ on 8 August 1991 (P0631 (pp.3-4)(confidential)) STANIŠIĆ’s own words corroborate the timing and location of all three meetings between himself and BABIĆ. As another example, BABIĆ provides evidence he met with KERTES and STANIŠIĆ on 4 January 1992 (P1878, pp. 180-82 (PriorT.13135-36)(public)). On 5 January 1992, during an intercepted conversation (P0683, p.4 (confidential)) STANIŠIĆ told KARADŽIĆ “[BABIĆ] spent two hours with us. We drilled him and all that.”

⁴⁵ **BABIĆ**: P1877, p.4 (PriorT.1368) (public).

⁴⁶ **BABIĆ**: P1877, p.101-02 (PriorT.1526-27) (public); P1878, p.154-56, 201-03 (PriorT.13104-06, 13184-86) (public).

⁴⁷ ----- (confidential).

⁴⁸ ----- (confidential).

⁴⁹ ----- (confidential).

1990,⁵⁰ ethnic tensions increased after some Serbs made provocative statements, blocked rail traffic, and blew up Croat-owned shops.⁵¹ MARTIĆ_(JCE), RAIĆ_(DB) and ORLOVIĆ_(DB) were members of this Council.⁵² In late 1990, Uroš POKRAJAC_(DB) and technicians from the SMUP-DB came to Knin and checked the PTT, the town hall and the police station for listening devices.⁵³ ARKAN_(JCE) was sent to Croatia with MILOŠEVIĆ_{'S(JCE)} approval to provoke an incident with Croatian police in December 1990.⁵⁴

22. On 21 December 1990, the municipalities in the Northern Dalmatia and Lika regions proclaimed the SAO-Krajina.⁵⁵ After the proclamation, KARADŽIĆ_(JCE) congratulated BABIĆ_(JCE) and assured him that the BiH SNC would support “state unity of the Serb Autonomous Region of Krajina and all other Serb regions with the Serbia mother-country”.⁵⁶ JCE members in Belgrade continued to support the autonomous region during the key period following this declaration as JCE members in SAO-Krajina laid the groundwork for violence that would follow in the autumn of 1991. STANIŠIĆ was in frequent contact with MARTIĆ_(JCE) in the spring of 1991⁵⁷ as STANIŠIĆ and SIMATOVIĆ made some of their most critical contributions to the evolution of the JCE in the Krajina: the establishment of the Golubić training camp and police forces in the autonomous region.

The Accused established, equipped and financed police structures and police stations in SAO-Krajina

23. In the spring of 1991, the Accused started working with MARTIĆ_(JCE) to set up police stations throughout the Krajina. STANIŠIĆ, SIMATOVIĆ, MILOŠEVIĆ_(JCE) and other members of the SMUP-DB contributed to the formation of Krajina police structures knowing they would later be used for crimes in furtherance of the JCE.⁵⁸ When asked how he was going to pay for the additional stations and staff, MARTIĆ said, “Jovica promised

⁵⁰ **BABIĆ**:P1877, p.19 (PriorT.1384) (public).

⁵¹ **BABIĆ**:P1877, p.12-136, 19 (PriorT.1384) (public); P2057 (public); P2028, p.1-2 (public).

⁵² P2028, p.11-12 (public); P2057 (public); D0302 (confidential).

⁵³ [REDACTED] (confidential).

⁵⁴ P1646 (public).

⁵⁵ SecondAFD-no.5; P1106 (public).

⁵⁶ P1917 (public).

⁵⁷ [REDACTED] (confidential).

⁵⁸ **BABIĆ**:P1878, p.340 (PriorT.13491) (public).

it”.⁵⁹ In July 1991, MARTIĆ would confirm that STANIŠIĆ had fulfilled his promise: “the most significant aid came from the government of Serbia, in nearly all forms.”⁶⁰ As MARTIĆ acknowledged, “everybody was well aware...we weren’t able to survive in the area on our own.”⁶¹

24. In January 1991, MARTIĆ_(JCE) met with STANIŠIĆ and SIMATOVIĆ at the Hyatt Hotel in Belgrade. The next morning, SIMATOVIĆ took MARTIĆ to Serbian Minister of the Interior Radmilo BOGDANOVIĆ’s_(JCE) office in the SMUP building, where STANIŠIĆ met them. After these meetings, MARTIĆ returned to Knin, stating that “ [REDACTED] [REDACTED] ” and that SIMATOVIĆ would supply the uniforms, salaries and equipment for the special police.⁶²

25. In short order, in the spring of 1991, Serb police stations were established in Obrovac, Benkovac, Graćac, Korenica, Donji Lapac, Dvor-na-Uni, Glina, Kostajnica, Vojnić and Knin.⁶³ MARTIĆ_(JCE) became the Secretary of Internal Affairs.⁶⁴ The SAO-Krajina police became known as “MARTIĆ’s Police”—also known as *Martićevci* and the *Milicija Krajina*. MARTIĆ’s Police would later play a prominent role among other Serb Forces in murdering, persecuting and displacing non-Serbs in SAO-Krajina starting in the autumn of 1991.

26. The operational costs of MARTIĆ’s Police were covered by bags of cash that SIMATOVIĆ delivered or MARTIĆ picked up.⁶⁵ At other times, support came as goods to be sold for cash to pay salaries and other expenses.⁶⁶ [REDACTED]

[REDACTED]⁶⁷

27. MARTIĆ appointed men with SMUP-DB connections to key positions in his new MUP, including ORLOVIĆ_(DB) (Chief of Knin DB), Tošo PAJIĆ_(DB) (SJB Chief of

⁵⁹ STANIŠIĆ ordered these police stations be put into place to ensure that the Krajina would be Serb territory. **JF-039:P0978**, p.7 (confidential).

⁶⁰ P2593, p.1 (public).

⁶¹ **DRAČA:T.17041** (8-Feb-2012) (public).

⁶² [REDACTED] (confidential).

⁶³ P1907 (public); P2061 (public).

⁶⁴ P1118 (public); P1908 (public).

⁶⁵ [REDACTED] (confidential); P0978, para.66, 68 (confidential).

⁶⁶ [REDACTED] (confidential).

Vojnić/Kordun)⁶⁸ and his brother Miloš PAJIĆ (Chief of Dvor-na-Uni/Glina DB).⁶⁹ Aco DRAČA_(DB) and RAIĆ_(DB) were also assigned to SAO-Krajina DB in early 1991.⁷⁰

28. Through men in the new SAO-Krajina DB with links to the SMUP-DB, JCE members controlled the Krajina police.⁷¹ For example, ORLOVIĆ_(DB) reported directly to the SMUP-DB in Belgrade.⁷² DRAČA_(DB), a member of the SAO-Krajina MUP-DB was closer to STANIŠIĆ than he was to MARTIĆ.⁷³ SIMATOVIĆ regularly and openly issued direct orders to DRAČA_(DB), ORLOVIĆ_(DB) and RAIĆ_(DB).⁷⁴

29. Further, Dušan MOMČILOVIĆ_(DB), an official of the SMUP-DB from 1991,⁷⁵ held a “field employment” position in SAO-Krajina as Chief of the Glina SUP⁷⁶ and later as a RSKMUP Special Unit Commander.⁷⁷ MOMČILOVIĆ_(DB) stated “We will perform all of the tasks ordered by the MUP of Serbia and the MUP of the Krajina”.⁷⁸

30. The SMUP-DB played a significant role in establishing communications and security systems in the SAO-Krajina as well. In late April 1991, MARTIĆ’s Police received four Land Rovers equipped with RACAL radios from Dragan JERENIĆ_(DB).⁷⁹ Pursuant to SIMATOVIĆ’s order, this equipment was removed and was ultimately used by the Krajina TO and MUP in Knin.⁸⁰ On 8 May 1991, SRBiH authorities allowed POKRAJAC_(DB) to transport SMUP communications equipment towards Knin after he presented his official

⁶⁷ [REDACTED] (confidential).

⁶⁸ [REDACTED] (confidential).

⁶⁹ [REDACTED] (confidential); P2462 (confidential).

⁷⁰ **DRAČA**:T.16691-92 (31-Jan-2012) (public); P2766, p.1 (confidential).

⁷¹ [REDACTED] (confidential).

⁷² [REDACTED] (confidential).

⁷³ [REDACTED] (confidential).

⁷⁴ [REDACTED] (confidential).

⁷⁵ P2995, p.3 (public). D0456, p.49 (confidential).

⁷⁶ P2995, p.3 (public); P2996, p.2 (public).

⁷⁷ P2995, p.3 (public).

⁷⁸ D0693 (public).

⁷⁹ P2615 (public); P2626 (public). Although JERENIĆ is not included in Annex A these two exhibits demonstrate his relationship to the SMUP-DB.

⁸⁰ P2615, p.1 (public); P2626, p.1 (public).

SMUP identification.⁸¹ Police stations in Knin, Korenica, Vojnić, Glina, Okučani, Beli Manastir and Vukovar were connected to the SMUP, the RSKMUP and the Banja Luka CSB.⁸²

The Accused established the Golubić training camp

31. As described in greater detail below, in the spring and summer of 1991 MARTIĆ_(JCE), STANIŠIĆ and SIMATOVIĆ established a training camp in Golubić.⁸³ This camp would become the foundation of the SMUP-DB's military efforts in SAO-Krajina, training hundreds of troops who would go on to commit crimes in the autumn of 1991 as members of MARTIĆ's Police and the SAO-Krajina TO.⁸⁴

32. SIMATOVIĆ brought CAPTAIN DRAGAN_(DB) to the camp in April 1991⁸⁵ and delivered fuel, vehicles, and money for its operation.⁸⁶ Dragan VASILJKOVIĆ, aka CAPTAIN DRAGAN_(DB) collaborated with STANIŠIĆ, SIMATOVIĆ and BOGDANOVIĆ_(JCE) regarding his activities at the Golubić camp, and co-operated with MARTIĆ_(JCE) and BABIĆ_(JCE) to train volunteers.⁸⁷ Publicly, MARTIĆ represented that he established the training centre in Golubić, thereby preserving the covert nature of the SMUP-DB's involvement.⁸⁸ STANIŠIĆ also supplied the uniforms, salaries, and equipment for MARTIĆ's "special force" that was training in Golubić, and SIMATOVIĆ issued orders to CAPTAIN DRAGAN_(DB) and the other instructors.⁸⁹ The first three trainers at Golubić were from the SMUP-DB.⁹⁰ MARTIĆ understood that STANIŠIĆ was the ultimate source of what was supplied through SIMATOVIĆ.⁹¹ STANIŠIĆ confirmed this, telling BABIĆ

⁸¹ P3004 (public).

⁸² P3164 (public).

⁸³ Cross-reference, The establishment of this camp and the training conducted there is discussed in Golubić Training on page 89.

⁸⁴ **BABIĆ**:P1878, p.58(PriorT.12932)(public). P0061, p.10 (public).

⁸⁵ ██████████ (confidential). See ██████████ (confidential).

P3251, p.1 (public) (on 13 April SIMATOVIĆ met with CAPTAIN DRAGAN_(DB) to discuss "his further engagement pursuant to the plan".

⁸⁶ ██████████ (confidential). ██████████ (confidential).

⁸⁷ P1069, p.2 (public).

⁸⁸ ██████████ (confidential).

⁸⁹ ██████████ (confidential); ██████████ (confidential). See ██████████ (confidential).

⁹⁰ ██████████ (confidential); see ██████████ (confidential).

⁹¹ ██████████ (confidential).

during a meeting at Golubić in August that they had given a large amount of money to CAPTAIN DRAGAN_(DB) to fund the Golubić camp.⁹²

33. MARTIĆ's election as Minister of Defence on 29 May 1991⁹³ coincided with legislation forming the Golubić "Special Purpose Police Units" "under the authority" of the Minister of Defence.⁹⁴ As Defence Minister, MARTIĆ also commanded the SAO-Krajina TO.⁹⁵ MARTIĆ referred to STANIŠIĆ as "his only and first Commander".⁹⁶

34. Later that year, MLADIĆ_(JCE) wrote the telephone number for Golubić in two of his military notebooks.⁹⁷

35. In addition to training Krajina forces at the Golubić training centre, STANIŠIĆ and SIMATOVIĆ formed a SMUP-DB special purpose unit (the "Unit"), which they would use covertly to train, arm, co-ordinate operations and commit crimes with Serb Forces across SAO-Krajina, SAO-SBWS, Serbia and BiH throughout the Indictment period.

BABIĆ, MARTIĆ and the SAO-Krajina government strengthened connections to Serbia

36. As STANIŠIĆ and SIMATOVIĆ assisted the SAO-Krajina militarily, the political ties between the autonomous region and Serbia continued to grow. On 1 April 1991, SAO-Krajina acceded to Serbia and officially declared itself "an integral part of the state territory of the Republic of Serbia."⁹⁸ In early July 1991, MARTIĆ stated that his Police were "defending Serbian land and the Serbs' ethnic area".⁹⁹

37. On 1 August 1991, SAO-Krajina adopted the Law of Defence of the Republic of Serbia.¹⁰⁰ MARTIĆ's Police units together with the TO made up the armed forces of SAO-Krajina.¹⁰¹ That day, BABIĆ also decided that the Law on Internal Affairs of the Republic

⁹² **BABIĆ**:P1877 (PriorT.1545-46) (public).

⁹³ P1116 (public).

⁹⁴ P1117 (public). The armed forces of the SAO-Krajina were defined as including the TO and the special purpose units of the RKSMUP. P1105, art.5 (public). See also, P1110 (public).

⁹⁵ **THEUNENS**:P1575, p.174-83 (public); P1116 (public); D0104 (public); P1105, p.1 (public).

⁹⁶ **C-015**:T1624 (29-Jun-2009) (public).

⁹⁷ P3215, p.7 (public); P3216, p.3 (public).

⁹⁸ P1107, p.1 (public).

⁹⁹ SecondAFD-no.37.

¹⁰⁰ P1105 (public).

¹⁰¹ SecondAFD-no.16. *See also*, P1105, p.1 (public)

of Serbia would apply.¹⁰² On 8 August 1991, BABIĆ_(JCE) appointed MARTIĆ_(JCE) as Deputy Commander of the SAO-Krajina TO.¹⁰³

The JNA under KADIJEVIĆ aligned officially with other SAO-Krajina forces

38. Under Federal Secretary for People's Defence KADIJEVIĆ's_(JCE) command, in the summer of 1991 the JNA abandoned its role as a "neutral buffer" between radical elements of all ethnic groups. The JNA aligned with Serb interests and joined other SAO-Krajina Serb Forces in furthering the JCE's goals.

39. The JNA and SAO-Krajina armed forces began to co-operate in the summer of 1991.¹⁰⁴ KADIJEVIĆ said the JNA deployed in order to achieve "full co-ordination with Serb insurgents in the Serbian Krajina".¹⁰⁵ The JNA formed *ad hoc* joint formations to carry out specific missions.¹⁰⁶ As MARTIĆ_(JCE) said in July 1991, in relation to the "liberation" of villages in Knin and the expulsion of Croatian police officers, "Well, the tanks belong to the Yugoslav People's Army, and it is well-known that we and the army have a common goal."¹⁰⁷

40. Around the time of the attack on Kijevo in August 1991,¹⁰⁸ the JNA abandoned its constitutional mandate to protect all peoples¹⁰⁹ and openly declared itself the protector of Serb interests in Croatia,¹¹⁰ echoing MARTIĆ's goal " "¹¹¹ The JNA leadership and political leaders, led by MILOŠEVIĆ_(JCE), redefined the JNA's task as "protecting and defending the Serb people outside of Serbia and assembling the JNA within the boundaries of the future Yugoslavia".¹¹² MILOŠEVIĆ also

¹⁰² P1910 (public).

¹⁰³ D0104. (public).

¹⁰⁴ SecondAFD-no.27.

¹⁰⁵ SecondAFD-no.35.

¹⁰⁶ D0048. (public). THEUNENS:T.8059-8060 (26-Oct-2010) (public); P1138 (public), P0967 (confidential), P1144 (public).

¹⁰⁷ P0324, p.1 (public). JF-032:T.4641 (3-May-2010) (public); (confidential).

¹⁰⁸ THEUNENS:P1575, p.190 (public).

¹⁰⁹ THEUNENS:P1575, p.27-9 (public).

¹¹⁰ D0048, p.3 (public). (confidential).

¹¹¹ (confidential).

¹¹² See BABIĆ:P1878, p.125 (PriorT.13056) (public).

knew about the attack in Kijevo,¹¹³ which demonstrated the “”,¹¹⁴

41. From August 1991 onwards there were two armed forces in the Krajina, each with a chain of command headed by MILOŠEVIĆ_(JCE). The first went through the JNA and included KADIJEVIĆ_(JCE); the other, composed of police and paramilitaries, went through both Accused.¹¹⁵

Serb Forces, including SIMATOVIĆ and MARTIĆ, attacked non-Serb civilians in the summer and autumn of 1991

42. Starting in the summer of 1991, the Serb Forces that JCE members in the Krajina and in Belgrade had armed, trained, commanded and deployed committed widespread and grave crimes against the non-Serb population of SAO-Krajina. As detailed in the sections below, the Unit, MARTIĆ’s Police, SAO-Krajina TO and JNA launched successive attacks from at least July to December targeting civilians in predominantly non-Serb areas. During and following the attacks these forces terrorised and persecuted the civilian population, murdering hundreds and displacing thousands.¹¹⁶

43. The intention of the JCE members was clear. MARTIĆ openly expressed his hostility towards non-Serbs¹¹⁷ and his desire to join “up all Serb lands into one entity, into one whole”.¹¹⁸ MARTIĆ actively advocated and pursued the goal of creating an ethnically pure Serb state in spite of his awareness of the serious and widespread crimes that were being perpetrated against the Croat and other non-Serb civilian population as a result of this

¹¹³ **BABIĆ**:P1879, p.19 (PriorT.3389) (public); P1877, p.118 (PriorT.1556) (public).

¹¹⁴ (confidential).

¹¹⁵ **BABIĆ**:P1877, p.121 (PriorT.1567) (public); P1878, (PriorT.13129-30) (public).

¹¹⁶ *Cross-reference*, These crimes are discussed in detail in “The Crimes in SAO-Krajina” on page 174 *et seq.*.

¹¹⁷ P0989, p.2 (public). In a public speech MARTIĆ_(JCE) said:

No one has the right to stop at the half-way stage and wonder whether things could be different, whether there is a chance of living together with those who do evil to us. That clearly is not possible.” ... “I am convinced, seeing you all here, I know that almost all of you, many, most of you, are the same ones as /unclear/ here in Golubić on 17 August 1990, that you will not forget the oath you swore then: ‘We shall fight: never again in Croatia.’

¹¹⁸ (confidential). **BABIĆ**:P1877p.49 (PriorT.1438) (public).

policy.¹¹⁹ SIMATOVIĆ and MARTIĆ planned and personally participated in the attack on Lovinac, after which SIMATOVIĆ bragged that he had “razed it all”.¹²⁰

Implementation of the JCE in SAO-SBWS

“He immediately started shouting how come Vukovar has not fallen yet, how come Vukovar is not liberated yet.”

-JF-032, describing what STANIŠIĆ said in front of the Dalj police station, September 1991¹²¹

“I had a meeting today with forty-four of those commanders. I came and explained them the situation.”

-STANIŠIĆ to KARADŽIĆ during an intercepted telephone conversation on 7 January 1992. They were discussing eastern Slavonia¹²²

Overview

44. JCE members in Belgrade—including STANIŠIĆ and MILOŠEVIĆ—controlled the SBWS SNC from its very beginning in May 1991 and subsequently controlled the SBWS government. They exercised their power to appoint people in the SAO-SBWS government, placing SMUP-DB operatives in key roles. Ilija KOJIĆ_(DB), who was already associated with the SMUP-DB and would eventually become an official operative, was the first SAO-SBWS TO commander. While SMUP-DB operative Rade KOSTIĆ_(DB) held no formal position, he nevertheless exercised great power. JCE member Radovan STOJIČIĆ aka BADŽA assumed the role of TO commander, brought SMUP special police units to SAO-SBWS and collaborated with ARKAN_(JCE) to train TO units. Under STANIŠIĆ and BADŽA_(JCE), the SMUP (State Security and Public Security divisions) established SAO-SBWS police forces, which were also under BADŽA’s command. In joint actions, the JNA, the TO and the SDG forced thousands of non-Serbs from their homes in the region. The SDG, assisted by the SAO-SBWS TO and police and HADŽIĆ’S_(JCE) personal security forces, murdered at least 62 civilians in SAO-SBWS in late 1991 and 1992.

¹¹⁹ SecondAFD-no.60.

¹²⁰ BABIĆ:P1877, p.44 (PriorT.1432) (public).

¹²¹ JF-032:T.4660 (3-May-2010) (public).

¹²² P0686, p.1 (public).

STANIŠIĆ and MILOŠEVIĆ were influential in forming and controlling SAO-SBWS

45. As in SAO-Krajina, one of the first steps SBWS Serbs took towards forming SAO-SBWS was to establish the SBWS SNC in January 1991.¹²³ The aim of the SNC was to establish an autonomous Serb-dominated territory in the SBWS,¹²⁴ with HADŽIĆ_(JCE) as its President.¹²⁵

46. Once the SNC was established, HADŽIĆ_(JCE) held meetings with MILOŠEVIĆ, STANIŠIĆ and others in May 1991. After one meeting, HADŽIĆ reported to SBWS representatives that he had been given approval to form a government, of which he would be President.¹²⁶ Like BABIĆ_{s(JCE)}, HADŽIĆ's bodyguards were supplied by the SMUP-DB.¹²⁷

47. HADŽIĆ_(JCE) was elected Prime Minister-designate when the SBWS Great National Assembly was convened on 25 June 1991. The SAO-SBWS government was formed in August 1991.¹²⁸ On 25 September, HADŽIĆ_(JCE) became the President of the SAO-SBWS government.¹²⁹ Despite his position as President, HADŽIĆ was heavily influenced by the JCE members in Belgrade when making his decisions.¹³⁰

48. An order dated 18 September 1991¹³¹ exemplifies the influence MILOŠEVIĆ had over the SBWS and Krajina leadership. This order, issued to MARTIĆ and KOJIĆ_(DB), heads of the TO staffs of SAO-Krajina and SAO-SBWS respectively, indicates that the

¹²³ **BOGUNOVIĆ**:T.5972 (28-Jun-2010) (public).

¹²⁴ P0015p.1-3 (public).

¹²⁵ **BOGUNOVIĆ**:P0553, para.7 (public).

¹²⁶ **BOGUNOVIĆ**:P0553, p.3 (public); T.5972-5974 (28-Jun-2010) (public).

¹²⁷ **SAVIĆ**:T.1803 (6-Jul-2009) (public). **BABIĆ**:P1878, p.150-152 (PriorT.13099-01) (public).

¹²⁸ **BOGUNOVIĆ**:T.5972 (28-Jun-2010) (public).

¹²⁹ P0016 (public).

¹³⁰ [redacted] (confidential). See **BOGUNOVIĆ**:P0554, para.12-13,15,18 (public), T.5974-75,77, 5982-84, 5997 (28-Jun-2010) (public). [redacted] (confidential) [redacted]

See, [redacted] (confidential).

[redacted] (confidential).

BABIĆ:P1878,p.234(PriorT.13230)(public).

¹³¹ D0366 (public).

SSNO, the Presidents of Croatia and Serbia had reached a ceasefire agreement.¹³² Though leaders from the SAOs were not parties to the agreement, Serb Forces in SAO-Krajina and SAO-SBWS both observed this agreement.¹³³

STANIŠIĆ embedded SMUP-DB operatives in key positions in SAO-SBWS

49. STANIŠIĆ embedded SMUP-DB operatives in the SAO-SBWS government and other positions throughout the region to further the JCE's common purpose. SMUP-DB operatives KOJIĆ_(DB) and KOSTIĆ_(DB) were particularly instrumental, and their employment with the SMUP-DB was not public knowledge.¹³⁴

50. Through his operatives, STANIŠIĆ, as SMUP-DB Chief, was well-informed about and involved in the situation in the SBWS. [REDACTED] at least 10 to 15 people employed by the SMUP-DB were engaged in SBWS. Their activities were not limited to collecting intelligence; rather, KOJIĆ_(DB), KOSTIĆ_(DB), and other SMUP-DB members were involved in "other work".¹³⁵

51. KOSTIĆ_(DB) possessed "[REDACTED]" in SAO-SBWS, appointed by the SMUP-DB as the "[REDACTED]".¹³⁶ [REDACTED]
[REDACTED].¹³⁷ KOSTIĆ possessed a permit from the SMUP¹³⁸ which allowed him to cross the Serbian border freely with an armed group.¹³⁹ KOSTIĆ co-ordinated with Mihajl KERTES_(JCE) to supply the SAO-SBWS Serb Forces with arms and equipment from Serbia.¹⁴⁰

52. KOJIĆ_(DB) held similar authority in SBWS. The Ilok police commander considered KOJIĆ to be in the SBWS's top leadership,¹⁴¹ as he was regularly with BADŽA_(JCE), his

¹³² D0366, p.1 (public).

¹³³ [REDACTED] (confidential).

¹³⁴ [REDACTED] (confidential); [REDACTED] (confidential).

ĐUKIĆ:T.18132-3 (8-Mar-2012) (public).

¹³⁵ [REDACTED] (confidential); [REDACTED] (confidential).

¹³⁶ [REDACTED] (confidential).

¹³⁷ [REDACTED] (confidential).

¹³⁸ P0018, p.14 (public).

¹³⁹ [REDACTED] (confidential); [REDACTED] (confidential).

¹⁴⁰ Cross-reference, "The Accused contributed to the JCE by supplying arms and equipment to Serb Forces" on page 250.

¹⁴¹ [REDACTED] (confidential).

deputy ZAVIŠIĆ, HADŽIĆ_(JCE) or senior staff from the Dalj SUP or TO.¹⁴² KOJIĆ was the first commander of the SBWS TO.¹⁴³ One of the most important exercises of power by STANIŠIĆ and other JCE members was HADŽIĆ's appointment of KOJIĆ as SAO-SBWS Minister of Defence in September 1991.¹⁴⁴

53. Lazar ŠARAC_(DB) was another SMUP-DB operative in the SBWS.¹⁴⁵ In April 1991, ŠARAC reported information from a source in Ilok who recommended that volunteers from Serbia be brought to Borovo Selo “[REDACTED]” ŠARAC was also centrally involved with KOSTIĆ_(DB) in bringing weapons into Borovo Selo as early as May 1991.¹⁴⁶ KNEŽEVIĆ's evidence suggests that STANIŠIĆ had direct communication with ŠARAC.¹⁴⁷

54. Another operative, Dragan LAZIĆ_(DB) worked for the Borovo Selo police and was regularly with KOJIĆ_(DB).¹⁴⁸ [REDACTED]¹⁴⁹ [REDACTED]¹⁵⁰ [REDACTED].¹⁵¹ LAZIĆ_(DB) crossed borders easily, recognised at all checkpoints.¹⁵²

¹⁴² [REDACTED] (confidential).

¹⁴³ [REDACTED] (confidential). [REDACTED] (confidential).

¹⁴⁴ P0016 (public). BOGUNOVIĆ:T.5977,82-84 (28-Jun-2010) (public).

¹⁴⁵ P0019 (confidential); P0407 (confidential); D0241 (confidential) [REDACTED]

[REDACTED] (confidential); P4749 (public); [REDACTED] (confidential). SAVIĆ:T.1803-4 (6-Jul-2009) (public).

[REDACTED] (confidential); [REDACTED] (confidential).

[REDACTED] (confidential).

¹⁴⁶ D0241 (confidential); [REDACTED] (confidential), T.13162 (16-Aug-2011) (public).

¹⁴⁷ KNEZEVIĆ:T.13514-15(23-Aug-2011)(public).

¹⁴⁸ [REDACTED] (confidential); [REDACTED] (confidential).

¹⁴⁹ [REDACTED] (confidential); [REDACTED] (confidential); P0401, p.9-10 (confidential); [REDACTED] (confidential). [REDACTED] (confidential); [REDACTED] (confidential).

¹⁵⁰ *Cross-reference. “Take-over of Dalj and Erdut” on page 194 et seq.*

¹⁵¹ [REDACTED] (confidential); [REDACTED] (confidential).

¹⁵² [REDACTED] (confidential).

55. Other SMUP-DB operatives were engaged in the SBWS in 1991, including but not limited to: Momir GAVRILOVIĆ_(DB), the head of security in the Vukovar Corps, who used the name “Colonel Milan PERIĆ”¹⁵³ and crossed the border often;¹⁵⁴ Milenko LEMIĆ_(DB), an operative who conducted assignments with LAZIĆ_(DB);¹⁵⁵ and Branko GLUŠICA_(DB), an operative from Novi Sad.¹⁵⁶

56. By May 1991, BOGDANOVIĆ and other JCE members had sent ARKAN to SBWS “as commander”, with the SDG.¹⁵⁷ Even before ARKAN arrived in SBWS, his criminal proclivities were known in that area.¹⁵⁸

STANIŠIĆ and the Serbian MUP public and state security established police units in SAO-SBWS

57. Mirroring what was done in SAO-Krajina, in July and early August 1991 the SMUP-DB and public security¹⁵⁹ facilitated the establishment and provision of personnel, arms and equipment for the SAO-SBWS police forces,¹⁶⁰ including units established in Dalj and Erdut.¹⁶¹ JCE member and SMUP officer BADŽA_(JCE),¹⁶² his deputy Miodrag ZAVIŠIĆ,¹⁶³

¹⁵³ [redacted] (confidential); [redacted] (confidential).

¹⁵⁴ [redacted] (confidential).

¹⁵⁵ [redacted] (confidential). N.BOGUNOVIĆ:T.13191 (16-Aug-2011) (public).

¹⁵⁶ **JF-029**:T.10028-9 (8-Dec-2010) (confidential). [redacted] (confidential); T.13191-2 (16-Aug-2011) (public) (Glušica a DB operative).

¹⁵⁷ **SAVIĆ**:T.1809 (6-Jul-209) (public). Cross-reference, “SDG Operations from 1990-1991” on page 140..

¹⁵⁸ [redacted] (confidential) [redacted] [redacted] [redacted] (confidential) [redacted]

¹⁵⁹ [redacted] (confidential); [redacted] (confidential). C-015:P0003, p.3 (confidential); [redacted] (confidential).

[redacted] (confidential); [redacted] (confidential) [redacted]

¹⁶⁰ **BOGUNOVIĆ**:T.5974-5 (28-Jun-2010) (discussion of salaries for police); 5995-6 (discussed matters concerning the uniforms, weapons, communications means and vehicles that would be used by police) (28-Jun-2010) (public); P0553, p.2 (public); P0554, para.14, 19 (public) (uniforms, STANIŠIĆ present).

[redacted] (confidential) [redacted]; P0402, p.20 (PriorT.15138) (confidential); [redacted] (confidential) [redacted] (confidential)

¹⁶¹ [redacted] (confidential). **ŠUTALO**:P0301, p.5 (public). [redacted] (confidential). [redacted] (confidential); [redacted] (confidential); [redacted] (confidential).

¹⁶² [redacted] (confidential). **BOGUNOVIĆ**:T.5995-6 (28-Jun-2010) (public); P0553, para.13 (BADŽA acquired uniforms and equipment for SBWS police in Novi Sad) (public).

KOŠTIĆ_(DB)¹⁶⁴ and KOJIĆ_(DB),¹⁶⁵ were instrumental. The establishment of the SBWS police force demonstrates the close and complementary relationship between the SMUP's public and state security, whose work was "intertwined".¹⁶⁶

58. [REDACTED]
[REDACTED] The decision to form the SAO-SBWS police force was dictated from Serbia.¹⁶⁷ [REDACTED]

[REDACTED]¹⁶⁸ [REDACTED]
[REDACTED]¹⁶⁹ [REDACTED]
[REDACTED]¹⁷⁰

59. As promised, KOŠTIĆ_(DB) and KOJIĆ_(DB) did provide weapons, equipment, and vehicles through the SMUP, with the approval of STANIŠIĆ and BOGDANOVIĆ_(JCE), the

[REDACTED] (confidential) [REDACTED]
¹⁶³ **C-015:T.1610** (29-Jun-2009) (public). [REDACTED] (confidential); [REDACTED] (confidential). [REDACTED] (confidential)

[REDACTED] (confidential) [REDACTED]
¹⁶⁴ [REDACTED] (confidential); [REDACTED] (confidential).

¹⁶⁵ [REDACTED] (confidential).

¹⁶⁶ **SAVIĆ:T.1875-76** (07-Jul-2009) (public) (BADŽA (JCE) made no distinction between the roles "they did not make a clear line among themselves either. Their jobs intertwined, so it's really difficult for me to know because I think they didn't either").

N.BOGUNOVIĆ:T.13191(16-Aug-2011) (public) (public security officers at the crossing shared information with members of Vojvodina or Serbia DB: "Since we were all members of the Ministry of the Interior, we shared all the information with those people"), T.13235-13239 (17-Aug-2011) (public).

[REDACTED] (confidential).

DRAGIČEVIĆ:T.14872 (09-Nov-2011) (public) (when asked if BADŽA (JCE) and STANIŠIĆ had a productive and co-operative relationship, he answered that both sections of the MUP, the public and state security had good co-operation).

¹⁶⁷ **JF-032:P0402** (PriorT15134) (PPCE). **BOGUNOVIĆ:P0554**, para.18 (public).

¹⁶⁸ [REDACTED] (confidential), [REDACTED] (confidential). [REDACTED]

¹⁶⁹ [REDACTED] (confidential).

¹⁷⁰ [REDACTED] (confidential).

de facto SMUP and SMUP-DB leadership.¹⁷¹ STANIŠIĆ attended a meeting in late August 1991 where HADŽIĆ_(JCE) received uniforms for the police force.¹⁷²

60. The SMUP-DB was also involved in establishing the DB in SAO-SBWS. KOSTIĆ appointed the Chief of the Beli Manastir DB and ensured that he would report to both the SMUP and SBWS government.¹⁷³

61. BADŽA_(JCE) arrived in SAO-SBWS around August 1991, and brought members of the SMUP SAJ unit that he commanded.¹⁷⁴ BADŽA was STANIŠIĆ's counterpart for public security in SBWS and both would later be appointed Assistant Ministers of the Interior in Serbia.¹⁷⁵ HADŽIĆ viewed STANIŠIĆ as the link between MILOŠEVIĆ_(JCE) and BADŽA.¹⁷⁶ ZAVIŠIĆ, a SAJ unit member under BADŽA's command,¹⁷⁷ assisted KOJIĆ_(DB) and others at the Vukovar and Beli Manastir SUPs in establishing SAO-SBWS police.¹⁷⁸ JCE members BADŽA and HADŽIĆ worked closely and BADŽA briefed the Serbian MUP units he commanded about meetings with HADŽIĆ.¹⁷⁹

62. In September, STANIŠIĆ attended a meeting in Belgrade at which a decision was taken to deploy SMUP policemen (mostly former Serb police from Croatia) to the SBWS.¹⁸⁰ These police units were under BADŽA's_(JCE) command.¹⁸¹ SMUP member

¹⁷¹ Cross-reference, "The Accused contributed to the JCE by supplying arms and equipment to Serb Forces" on page 250 *et seq.*

¹⁷² **BOGUNOVIĆ**:P0554, para.14 (public).

¹⁷³ [REDACTED] (confidential); [REDACTED] (confidential).

¹⁷⁴ [REDACTED] (confidential). [REDACTED] (confidential); D0372, p.1 ([REDACTED]) (confidential) ([REDACTED]).

[REDACTED] (confidential) ([REDACTED]).

[REDACTED] (confidential) ([REDACTED]).

¹⁷⁵ [REDACTED] (confidential) ([REDACTED]).

[REDACTED] (confidential); [REDACTED] (confidential).

¹⁷⁶ **BOGUNOVIĆ**:T.6061 (29-Jun-2010) (public).

¹⁷⁷ [REDACTED] (confidential) ([REDACTED]); D0372, p.1 ([REDACTED]) (confidential) ([REDACTED]).

¹⁷⁸ [REDACTED] (confidential); [REDACTED] (confidential).

¹⁷⁹ **N.BOGUNOVIĆ**:T.13300 (17-Aug-2011) (public).

¹⁸⁰ [REDACTED] (confidential). [REDACTED] (confidential); [REDACTED] (confidential) ([REDACTED]).

Veljko BOGUNOVIĆ led these units, and received his orders from ZAVIŠIĆ.¹⁸² The SMUP deployed two such groups to SAO-SBWS, which were largely assigned to the newly established SUPs and police stations to help establish the police force.¹⁸³ They had MUP blue police uniforms that nobody else wore, and usual police weapons.¹⁸⁴ Although they were sometimes resubordinated to JNA units, these officers remained employees of the SMUP,¹⁸⁵ which provided their salaries and daily allowances.¹⁸⁶ Administratively, they were considered to be on a special mission.¹⁸⁷

63. These police officers had considerable authority, as they carried military police ID cards with authorisations both from the Novi Sad Corps commander and the TO commander, BADŽA, to conduct searches without any additional order or authorisation.¹⁸⁸ They were ostensibly deployed in order to restore law and order,¹⁸⁹ but witness GAGIĆ conceded that their purpose was not to prevent crimes against civilians.¹⁹⁰ They failed in many instances to prevent or report crimes against non-Serbs,¹⁹¹ including the charged murders by ARKAN's men in Dalj, some even denying knowledge that the crimes took place despite their presence nearby and the notoriety of the crimes.¹⁹² Witness KNEŽEVIĆ, one of the SMUP police officers, who became head of the Ilok police station, was present at

_____ (confidential) (_____); T.13464 (22-Aug-2011) (public) (30 or 40 men).

N.BOGUNOVIĆ: T.13206 (16-Aug-2011) (public) (40 police officers).

_____ (confidential).

¹⁸¹ _____ (confidential).

¹⁸² _____ (confidential); _____ (confidential).

¹⁸³ _____ (confidential). _____ (confidential).

N.BOGUNOVIĆ: _____ (confidential); T.13206 (16-Aug-2011) (public).

¹⁸⁴ **KNEŽEVIĆ:** _____ (confidential); _____ (confidential); _____ (confidential).

¹⁸⁵ _____ (confidential); T.13479 (23-Aug-2011) (public).

¹⁸⁶ _____ (confidential); _____ (confidential).

¹⁸⁷ _____ (confidential).

¹⁸⁸ **KNEŽEVIĆ:** _____ (confidential); T.13505-09 (23-Aug-2011) (public); D0379.

¹⁸⁹ _____ (confidential).

¹⁹⁰ _____ (confidential).

¹⁹¹ _____ (confidential).

¹⁹² _____ (confidential). GAGIĆ: T.17280-84 (14-Feb-2012) (public).

a celebration with ARKAN shortly after the murders occurred. He explained: “ [REDACTED] [REDACTED] „¹⁹³

BADŽA and ARKAN trained SBWS TO units

64. Shortly after arriving, BADŽA_(JCE) took over command of the SBWS TO from KOJIĆ_(DB).¹⁹⁴ [REDACTED] [REDACTED].¹⁹⁵ BADŽA’s TO staff was composed of members of the MUP of Serbia or Vojvodina SUP as well as JNA members and defence commanders of villages.¹⁹⁶ These police officers continued to be paid by the SMUP¹⁹⁷ and also received *per diem* payments from BADŽA.¹⁹⁸ The command chain for both the TO and SMUP police in SAO-SBWS reported up to BADŽA.¹⁹⁹

65. As TO commander, BADŽA_(JCE) organised and consolidated the local TO and police units.²⁰⁰ BADŽA convened a meeting in September 1991 with police and TO commanders in the region, attended by HADŽIĆ_(JCE) and KOSTIĆ_(DB), where he introduced himself as

¹⁹³ [REDACTED] (confidential).

¹⁹⁴ [REDACTED] (confidential); [REDACTED] (confidential); [REDACTED] (confidential).

N.BOGUNOVIĆ:D0334, para.50 (confidential) [REDACTED]; T.13245 (17-Aug-2011) (public) (KOJIĆ was TO commander); P0323, p.14 (public) (BADŽA (DB) signs certificate of wounded volunteer as commander of TO); P0054 (public) (certificate signed by BADŽA as TO commander to regulate employment status).

[REDACTED] (confidential); [REDACTED] (confidential) [REDACTED]

BABIĆ:P1878, p.234 (PriorT.13230) (public).

¹⁹⁵ [REDACTED] (confidential). See also, [REDACTED] (confidential) [REDACTED]

¹⁹⁶ [REDACTED] (confidential).

¹⁹⁷ [REDACTED] (confidential); T.13196 (16-Aug-2011) (public); T.13271-3 (17-Aug-2011) (public); [REDACTED] (confidential).

¹⁹⁸ **N.BOGUNOVIĆ**:T.13271 (17-Aug-2011) (public); [REDACTED] (confidential).

¹⁹⁹ [REDACTED] (confidential). [REDACTED] (confidential); [REDACTED] (confidential).

²⁰⁰ *E.g.*, P0054 (dated 13 December 1991) (public) (certificate showing he was commander of TO). **BOGUNOVIĆ**:P0553, para.73 (public). **C-015**:T.1657 (30-Jun-2009) (public); P0002, p.3 (confidential).

[REDACTED] (confidential) ([REDACTED]).

being from SMUP and stated that, henceforth, he would command local units.²⁰¹ The focus of this meeting was on sending SBWS forces to Vukovar “ [REDACTED] ”.²⁰²

66. Those who arrived with BADŽA were stationed at the TO training centre in Erdut, which ARKAN commanded and where the SDG was already based.²⁰³ The SAJ under BADŽA²⁰⁴ and SDG under ARKAN trained SBWS TO forces in Erdut.²⁰⁵ [REDACTED]
[REDACTED]²⁰⁶

67. As in SAO-Krajina, JNA units abandoned their role as a neutral buffer and aligned alongside the interests of radical ethnic Serbs; HADŽIĆ, BADŽA and other JCE members embraced this new role. Beginning in August 1991, BADŽA met practically every evening with the Novi Sad Corps.²⁰⁷ [REDACTED]

[REDACTED].²⁰⁸ BADŽA’s TO units numbered between 25,000 and 30,000 men and participated in joint actions with the JNA.²⁰⁹ General BIORČEVIĆ and BADŽA had a joint headquarters in Tenja during operations there.²¹⁰ During the summer and autumn of 1991, HADŽIĆ met Novi Sad Corps Commander Major-General BRATIĆ,²¹¹ his deputy General BIORČEVIĆ, BADŽA and ARKAN to discuss operations.²¹²

68. As in SAO-Krajina, JCE members in Serbia provided financial and other material support to the SAO-SBWS armed forces. They were dependent on this support.²¹³ A Serbian Defence Ministry report of 1 November 1991 stated that the financial assistance provided to “Serb districts in Croatia”, including to SBWS TO units, by the end of 1991

²⁰¹ [REDACTED] (confidential). [REDACTED] (confidential); [REDACTED] (confidential).
See also C-015:P0002, p.3; T.1660-1 (30-Jun-2009) (public). [REDACTED] (confidential).

²⁰² [REDACTED] (confidential).

²⁰³ D0339 (confidential); N.BOGUNOVIĆ:T.13297 (17-Aug-2011) (public).

²⁰⁴ N.BOGUNOVIĆ: [REDACTED] (confidential); T.13200-2 (16-Aug-2011) (public).

²⁰⁵ P1188 (public); P1078 (public); P1079 (confidential); D0031 (public). *See* KOVAČEVIĆ:P0051, para.36 (public).

²⁰⁶ [REDACTED] (confidential).

²⁰⁷ [REDACTED] (confidential); JF-032:P0402, p.10 (PriorT.15128) (public).

²⁰⁸ [REDACTED] (confidential).

²⁰⁹ [REDACTED] (confidential); [REDACTED] (confidential). [REDACTED] (confidential).

²¹⁰ [REDACTED] (confidential).

²¹¹ THEUNENS:P1218, p.5-6 (public).

²¹² KOVAČEVIĆ:P0051, para.44 (public); P0053, para.6 (public).

would amount to 1,285,456,700.00 dinars.²¹⁴ SAO-SBWS had at least two accounts in a bank in Sombor, Serbia: one for the “Budget of” SBWS in HADŽIĆ’s name, and another for the “large peoples assembly” of SBWS.²¹⁵

Serb Forces attacked non-Serb civilians in the autumn of 1991

69. In the autumn of 1991, Serb Forces launched a campaign of attacks to empty SAO-SBWS of its non-Serb population, pursuant to the common criminal purpose. In July 1991, HADŽIĆ met with MARTIĆ, TO commanders, JNA Novi Sad Corps representatives and local officials in Borovo Selo.²¹⁶ Also in July, HADŽIĆ met with Vojvodina TO Commander General MANDARIĆ²¹⁷ and others at the Novi Sad JNA barracks. They discussed “liberat[ing] Dalj” and linking Serb-controlled villages in SBWS with Serbia through military operations, with the army’s assistance.²¹⁸ The territory discussed at this meeting was under Serb control by December 1991,²¹⁹ as a result of attacks by combined Serb Forces from Croatia and from Serbia. The campaign began with the attack on the village of Dalj,²²⁰ and culminated with the attack on Vukovar.²²¹

70. JNA officer Geza FARKAŠ also came to the SAO-SBWS where he met with KOJIĆ_(DB) and other TO commanders from surrounding villages to plan the Dalj attack.²²² During the Dalj attack, the TO was still under KOJIĆ’s command.²²³

²¹³ P0968 (public); P2029 (public); P1889 (public).

²¹⁴ P0968 (public).

²¹⁵ P0333, p.4 (public); P0016 (public).

²¹⁶ P0324, p.1, (public). **JF-032:T.4641** (3-May-2010) (public); [REDACTED] (confidential).

²¹⁷ [REDACTED] (confidential).

²¹⁸ [REDACTED]

²¹⁹ **JF-032:P0402**, p.30-40 (T.15148-58) (PPCE); P0403 (public); P1169 (confidential) ([REDACTED]).

See also, [REDACTED] (confidential); [REDACTED] (confidential).

²²⁰ [REDACTED] (confidential).

²²¹ [REDACTED] (confidential).

²²² [REDACTED] (confidential).

²²³ [REDACTED] (confidential).

71. As detailed below,²²⁴ Dalj was attacked on 1 August 1991 from one direction by TO units from Borovo Selo and from the other direction by JNA units that crossed into Croatia from Serbia.²²⁵ The JNA and TO forces attacked Erdut that same day.²²⁶ This attack was conceived and executed co-operatively between Serb Forces from Croatia and from Serbia. The similarity of this attack to the matters discussed at the meeting between HADŽIĆ_(JCE) and MANDARIĆ a few days previously demonstrates that it was pursuant to a plan shared by HADŽIĆ.

72. Following the Dalj attack, Serb Forces, including the JNA, SDG, SBWS TO, Serbian TO, volunteers and others launched other attacks on villages, hamlets and towns in SBWS to forcibly expel the non-Serb population.²²⁷ ARKAN_(DB) and JNA commanders as well as others also met to discuss operations in eastern Slavonia.²²⁸

73. In mid-September 1991, STANIŠIĆ arrived at the Dalj police station looking for HADŽIĆ.²²⁹ When told that HADŽIĆ was not there STANIŠIĆ began shouting and demanding to know why Vukovar hadn't fallen yet.²³⁰ He told those at the police station to find HADŽIĆ and gather him and the TO commanders for a meeting.²³¹ [REDACTED]

[REDACTED]²³²

74. In November 1991, JCE members SIMATOVIĆ, BADŽA, HADŽIĆ, ADŽIĆ and KERTES attended a military planning meeting shortly before the fall of Vukovar.²³³ During the operations around Vukovar in the autumn of 1991, SIMATOVIĆ commanded a Unit (referred to as "FRENKI's Men"), which was known to be deployed in the most difficult situations and whose tasks involved clearing the buildings from which the fiercest

²²⁴ Cross-reference, "The Crimes in SAO-SBWS" on page 194 *et.seq.*

²²⁵ [REDACTED] (confidential); P0403 (public).

²²⁶ **JF-032**:P0402, p.35-38 (PriorT.15153-56) (PPCE).

²²⁷ **THEUNENS**:P1575, p.205-8 (public); P0327, p.1 (confidential). [REDACTED] (confidential). **BABIĆ**:P1878, p.129 (PriorT.13064) (public). [REDACTED] (confidential). **JF-032**:P0401, p.5 (confidential). **N.BOGUNOVIĆ**:T.13286-7 (17-Aug-2011) (public). **BOGUNOVIĆ**:P0553, para.23 (public); P3010 (public). *See also*, [REDACTED] (confidential); [REDACTED] (confidential).

²²⁸ [REDACTED] (confidential).

²²⁹ **JF-032**:T.4660 (3-May-2010) (public); [REDACTED] (confidential).

²³⁰ **JF-032**:T.4660 (3-May-2010) (public); P0402, p.62 (PriorT.15179) (PPCE).

²³¹ **JF-032**:T.4660 (3-May-2010) (public); P0402, p.61-62 (PriorT.15178-79) (PPCE).

²³² [REDACTED] (confidential).

resistance came.²³⁴ After Vukovar fell on 18 November 1991, SIMATOVIĆ celebrated with BADŽA_(JCE), ARKAN_(JCE), HADŽIĆ_(JCE), ADŽIĆ_(JCE), KERTES_(JCE), BOGDANOVIĆ_(JCE) and others.²³⁵

The SDG and other Serb Forces terrorised non-Serbs in Dalj and Erdut with impunity from September 1991 into 1992

75. Beginning from at least September 1991 and lasting into 1992, the SDG, assisted by other Serb Forces including the SAO-SBWS TO, SAO-SBWS police and HADŽIĆ's special police unit (the SNB) cleansed non-Serbs from the areas of Dalj and Erdut through the charged crimes and other crimes.²³⁶

76. The SNB was commanded by Stevo BOGIĆ aka JAJO, who was selected by HADŽIĆ and was also a Minister in the government.²³⁷ BOGIĆ met daily with and reported directly to HADŽIĆ, from whom he received tasks for the SNB.²³⁸ The SAO-SBWS government financed BOGIĆ's office,²³⁹ which was in the same complex as HADŽIĆ's_(JCE) office, ARKAN's_(JCE) training centre in Erdut and BADŽA's_(JCE) TO staff.²⁴⁰ The SNB's main task was to provide security for HADŽIĆ and the SAO-SBWS government.²⁴¹

77. The SDG was able to commit crimes with impunity because of ARKAN's relationship to the two Accused and position within the JCE—the SDG's crimes were ARKAN's contribution to the common purpose. BADŽA intervened when ARKAN was once stopped at the border,²⁴² and instructed the border police to allow him to move freely

²³³ [REDACTED] (confidential).

²³⁴ [REDACTED] (confidential); [REDACTED] (confidential).

²³⁵ [REDACTED] (confidential); [REDACTED] (confidential).

²³⁶ [REDACTED] (confidential); [REDACTED] (confidential). **BOGUNOVIĆ**:T.6039 (26-Jun-2009) (public).

²³⁷ [REDACTED] (confidential); [REDACTED] (confidential); P0016 (public).

JF-032:P0402, p.83 (PriorT.15201) (public).

²³⁸ [REDACTED] (confidential). [REDACTED] (confidential). [REDACTED] (confidential). [REDACTED] (confidential). **BABIĆ**:P1878, T.13230 (public).

²³⁹ P0504 (public).

²⁴⁰ [REDACTED] (confidential); [REDACTED] (confidential).

²⁴¹ [REDACTED] (confidential); [REDACTED] (confidential); [REDACTED] (confidential).

[REDACTED] (public). **BOGUNOVIĆ**:P0553, para.34 (public).

²⁴² **N.BOGUNOVIĆ**:T.13256 (17-Aug-2010) (public).

and do as he pleased. When some local police complained to ZAVIŠIĆ about the SDG's theft, looting, abuse, and behaviour at checkpoints, ZAVIŠIĆ said he would take action, but the SDG's behaviour persisted.²⁴³

78. [REDACTED]:

[REDACTED]

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79. Not only did HADŽIĆ and BADŽA disregard the crimes reported by the local police; they replaced these local policemen with others who would not stand in the way of their criminal objective. When [REDACTED] and [REDACTED] attempted to hold ARKAN accountable for his crimes, their lives were threatened.²⁴⁵

80. Local police could not put a stop to ARKAN's crimes because those who held the power in SAO-SBWS—HADŽIĆ_(JCE), BADŽA_(JCE), ZAVIŠIĆ, KOJIĆ_(DB) and KOSTIĆ_(DB)—were either JCE members themselves or were controlled by JCE members in Serbia. Shortly after the SDG and SAO-SBWS TO executed Croat civilians detained in the Dalj police building in September 1991—crimes known to all of the area's police—BADŽA, ZAVIŠIĆ, and local police attended a celebration dinner, together with ARKAN_(DB).²⁴⁶

Continued Implementation of the JCE after the RSK was formed

“KARADŽIĆ: You can appoint people there can't you?

STANIŠIĆ: Yes.”

-Intercepted conversation dated 7 January 1992 in relation to eastern Slavonia and Krajina²⁴⁷

²⁴³ [REDACTED] (confidential); P0401, p.7 (confidential). *See also*, N.BOGUNOVIĆ:T.13221 (16-Aug-2011) (public) (citizens asked BOGUNOVIĆ to send ARKAN back, but he could not do that).

²⁴⁴ D0274, p.2 (confidential).

²⁴⁵ Cross-reference. “The Crimes in SAO-SBWS” on page 194 *et seq.*

²⁴⁶ [REDACTED] (confidential).

²⁴⁷ P0686, p.1 (public).

81. On 19 December 1991, the SAO-Krajina proclaimed itself the RSK.²⁴⁸ It was joined by the SAO-SBWS on 26 February 1992.²⁴⁹ The Accused's role in furthering the common criminal purpose in Serb-held areas of Croatia continued uninterrupted through this transition and after the RSK's establishment.

82. In January 1992, STANIŠIĆ told KARADŽIĆ about his ability to appoint people to government positions during a conversation about the future of the Serb autonomous areas and the need for "consolidation" in SBWS.

83. In the conversation, STANIŠIĆ and KARADŽIĆ discussed plans for activities in the Croatian territories. Their conversation makes clear that the future of the Serb territories in Croatia and BiH were part of the same project. They discussed securing land in different areas to "turn everything towards Serbia". STANIŠIĆ stated: "I am trying to reorganise as much as I can. I am talking with these people, because they have some trust in me...I have certain reputation there." He said he had met with 44 "of those" commanders in order to explain the situation to them. He affirmed that he would appoint people after touring the field and creating "some kind of concept".²⁵⁰

84. This intercept shows that STANIŠIĆ played an integral role in shaping the soon-to-be RSK government's "concept", making government appointments, planning military/police activities in SBWS and consolidating Serbian territories outside of Serbia. His role extended beyond the political sphere to directly engaging commanders. In addition to receiving information from his operatives and sources, he travelled to the field himself.²⁵¹ In short, this conversation demonstrates STANIŠIĆ's central and active role in furthering the JCE in the RSK.

85. When MARTIĆ_(JCE) became RSK Minister of the Interior,²⁵² KOSTIĆ_(DB) and KOJIĆ_(DB), were appointed as his Assistant Ministers.²⁵³ KOJIĆ was, for all practical

²⁴⁸ SecondAFD-no.21.

²⁴⁹ SecondAFD-no.22.

²⁵⁰ P0686, p.6 (public). *See also* ČORBIĆ:T.14423-6 (13-Oct-2011) (public).

²⁵¹ ČORBIĆ limited his answers to the context in which he worked with STANIŠIĆ, but the examples he gave demonstrate general management traits likely to have been applied to all of STANIŠIĆ's work.

²⁵² SecondAFD-no.22.

²⁵³ [REDACTED] (confidential); [REDACTED] (confidential); ĐUKIĆ:T.18007 (7-Mar-2012) (public).

purposes, Minister when MARTIĆ was absent.²⁵⁴ STANIŠIĆ sent POKRAJAC_(DB) to serve as MARTIĆ's special advisor²⁵⁵ in the RSK-DB, to help him reorganise it.²⁵⁶ POKRAJAC was frequently present with MARTIĆ during meetings²⁵⁷ and remained involved with RSK special purpose units.²⁵⁸ MARTIĆ ordered that POKRAJAC_(DB) be given whatever he wanted.²⁵⁹ [REDACTED]²⁶⁰ [REDACTED]

[REDACTED]²⁶¹

86. The Accused continued to exercise influence over MARTIĆ and his Police after the RSK was formed. In October 1992, at what was described as a meeting of the leaders of the RS and RSK,²⁶² RS President KARADŽIĆ sat at one side of the table, across from RSK President MARTIĆ and STANIŠIĆ.²⁶³

87. STANIŠIĆ and SIMATOVIĆ maintained a presence in the RSK throughout the Indictment period at the DB's training centre just outside Ilok.²⁶⁴ In 1995, as the Serb gains in Croatia were under threat, prominent Unit members under the Accused's command trained the Unit's *Poskok*²⁶⁵ Detachment in Knin before congregating in SBWS to take command of the Serb Forces, co-ordinating with the SMUP, RSK-MUP, SVK and VJ leadership²⁶⁶ in the JCE's final stand in pursuit of the common criminal purpose.²⁶⁷

²⁵⁴ **DUKIĆ**:T.18009 (7-Mar-2012) (public).

²⁵⁵ [REDACTED] (confidential). **DST-043**:T.13078; P1555 (public), D0322 p.14 (confidential).

²⁵⁶ [REDACTED] (confidential).

²⁵⁷ [REDACTED] (confidential).

²⁵⁸ P1562 (public); P2563 (public). *See also*, **DST-043**:T.13078 (20-Jul-2011) (public).

²⁵⁹ **DST-043**:T.13078 (20-Jul-2011) (public).

²⁶⁰ [REDACTED] (confidential).

²⁶¹ [REDACTED] (confidential); [REDACTED] (confidential).

²⁶² P1571, p.1 (public).

²⁶³ P1571, (timecode-00:13:00-00:13:05) (public).

²⁶⁴ Cross-reference, "Ilok Camp (Pajzoš)" on page 101.

²⁶⁵ "*Poskok*" means "horned viper" and "jump" or "leap."

²⁶⁶ [REDACTED] P1666, p.6 (public); [REDACTED] (confidential). [REDACTED]

²⁶⁷ Cross-reference, "Poskok Detachment" on page 127; "SBWS Operations" on page 161.

Implementation of the JCE in BiH

“It is important that you should seize power wherever you can.”

-Radovan KARADŽIĆ in a speech to SDS leaders, November 1991²⁶⁸

Overview

88. As Serb Forces in Croatia had begun committing crimes against non-Serbs in pursuit of the JCE’s criminal purpose there, the Accused began working with their fellow JCE members to create Serb-dominated areas in BiH. As early as the summer of 1991, SIMATOVIĆ was involved in arming Serbs in BiH, and STANIŠIĆ involved himself ever more deeply in the political affairs of BiH JCE members KARADŽIĆ and Momčilo KRAJIŠNIK. STANIŠIĆ remained in constant contact with KARADŽIĆ throughout the period, providing him with encouragement, advice and support even as KARADŽIĆ publicly threatened Bosnian Muslims with “possible extinction”.

89. As the region edged ever-closer to open conflict in early 1992, SIMATOVIĆ’s Unit trained Serb Forces in preparation for their violent take-overs of targeted municipalities. ARKAN’s SDG launched attacks on Bijeljina and Zvornik, and forces trained, armed and commanded by the Unit attacked non-Serbs in Bosanski Šamac and Doboj. SIMATOVIĆ led other Unit troops in Operation *Udar*²⁶⁹ in 1993. In July 1995, after the VRS took Srebrenica, the Accused deployed the Scorpions to BiH. The SDG, deployed and paid by the Accused, murdered non-Serb civilians in BiH as late as September 1995 as the ABiH was bearing down on Serb-held positions.

90. At the end of 1993, STANIŠIĆ praised the success achieved by the JCE in BiH as he and other JCE members planned for consolidating Serb control over the RS. Ratko MLADIĆ_(JCE) echoed this praise in a speech in December 1995, underscoring the continuity of the JCE throughout the Indictment period.

STANIŠIĆ and MILOŠEVIĆ supported the Bosnian Serbs from at least mid-1991

91. As in SAO-Krajina and in SAO-SBWS, STANIŠIĆ and MILOŠEVIĆ were involved early in the implementation of the JCE in BiH. Under JCE members KARADŽIĆ, KRAJIŠNIK, and Biljana PLAVŠIĆ, the SDS began preparing for the consolidation of Serb

²⁶⁸ P0941, p.12 (public).

²⁶⁹ The word “*Udar*” means blow, impact, strike.

power in BiH in early 1991. In the first eight months of that year, the SDS began a programme of regionalisation to link up municipalities in which Serbs were an absolute or relative majority.²⁷⁰ During this period, JCE members MILOŠEVIĆ, KADIJEVIĆ and ADŽIĆ oversaw the transformation of the JNA from multi-ethnic to Serb-dominated. By early 1991, some ninety per cent of high-ranking officers were Serbs and Montenegrins. Not a single general was Muslim.²⁷¹

92. By April 1991, KARADŽIĆ and MILOŠEVIĆ were discussing the prospect of Serbia supplying arms to the BiH Serb Forces and by May, KERTES_(JCE) had arranged the first shipment.²⁷² By July 1991, STANIŠIĆ was personally involved, along with BOGDANOVIĆ_(JCE), in discussing weapons supply with Petar JANKOVIĆ—President of the North-eastern BiH Regional Board²⁷³ and SDS Kalesija Municipal Board.²⁷⁴

93. By August 1991, after Serb Forces in Croatia had begun committing crimes furthering the JCE, KARADŽIĆ was already planning for the failure of negotiations with the Bosnian Muslims, and STANIŠIĆ was deepening his involvement in political and military affairs in BiH. Much of the evidence relating to this period comes from intercepts. The participants in these conversations were aware that their calls were being intercepted, and they often spoke cryptically.²⁷⁵ Despite this, these intercepted conversations provide key insights into the often secret activities of JCE members.²⁷⁶

94. In a conversation with Nenad STEVANDIĆ in August 1991, KARADŽIĆ emphasised that it was important that the Serbs do “nothing stupid” so that Alija

²⁷⁰ DONIA:P0939, p.34-35 (PriorT.3100-01) (public).

²⁷¹ FirstAFD-no.252.

²⁷² For a full discussion of the Accused’s role in arming BiH Serbs, see “The Accused contributed to the JCE by supplying arms and equipment to Serb Forces”.

²⁷³ P2522, p.3-5 (public).

²⁷⁴ P2522, p.4 (public). DERONJIĆ:P2510, p.111-2 (PriorT.971-2) (public) (recognised as Petar JANKOVIĆ’s diary by Miroslav DERONJIĆ).

²⁷⁵ P0664, p.5 (public). (Intercepted conversation between KARADŽIĆ and Nenad STEVANDIĆ on 2 November 1991.)

²⁷⁶ Because of the speakers’ intentional obfuscation, intercepted conversations require review that is closer, more detailed, and ultimately more time-consuming than that required by some other sources of evidence. But, the conclusions that flow from them are just as well-founded. Each of the intercepted conversations in evidence provides context for all of the others, and the Prosecution asks the Chamber to consider the entire body of intercept evidence as it deliberates on the meaning of each conversation.

IZETBEGOVIĆ would have no arguments against the Serbs.²⁷⁷ KARADŽIĆ's explains why:

We'll carry out everything that Vojo and Brdo are thinking, but after these agreements fail because of Alija and we'll blame Alija for that failure."²⁷⁸

95. The "Brdo" that KARADŽIĆ referred to was Radoslav BRĐANIN,²⁷⁹ and KARADŽIĆ's statement that the Bosnian Serbs would "carry out everything that Vojo and Brdo are thinking" is chilling in light of the extreme views expressed by BRĐANIN: BRĐANIN advocated three stages of ridding the area of non-Serbs, the third of which involved liquidating them.²⁸⁰



Figure 1. Momčilo KRAJISNIK_(JCE), Jovica STANIŠIĆ_(JCE), Radovan KARADŽIĆ_(JCE), and Franko SIMATOVIĆ_(JCE). P0390 (public).

²⁷⁷ P0632, p.2-3 (public).

²⁷⁸ P0632, p.1-2 (public).

²⁷⁹ P0632, p.1 (public).

²⁸⁰ In 1992, BRĐANIN, President of the Crisis Staff of the SAO of the Banja Luka area, indicated repeatedly that only a small percentage of non-Serbs would be allowed to stay in the new Bosnian Serb state and used for menial work. BRĐANIN advocated three stages of ridding the area of non-Serbs: (1) creating impossible conditions that would encourage them to leave, including terror tactics; (2) deportation; and (3) liquidating those remaining and undesired. *See* FirstAFD-no.37, 38.

96. Further in the conversation, STEVANDIĆ assured KARADŽIĆ, “Brdo is no problem, Miro and I are holding BRĐANIN back; last time we took him up to Jovica [STANIŠIĆ] for a good telling off.”²⁸¹ According to STEVANDIĆ, “Jovica” scared BRĐANIN into not doing anything stupid.²⁸² The fact that STANIŠIĆ—who as chief of the SMUP-DB with no formal authority over BRĐANIN—was able to “scare[...] him a little” and get him to change his behaviour demonstrates the extent of STANIŠIĆ’s influence in BiH by August 1991. This influence extended beyond STANIŠIĆ’s meeting with BRĐANIN. In the same intercept STEVANDIĆ described STANIŠIĆ’s involvement in selecting municipal Bosnian Serb political leaders,²⁸³ a role he also played in SAO-SBWS and SAO-Krajina. In addition, KARADŽIĆ and STEVANDIĆ emphasised that “Jovica” agreed with their opinions,²⁸⁴ and frequently referred to STANIŠIĆ in other conversations²⁸⁵—evidence of the value of STANIŠIĆ’s opinions on matters impacting the situation in BiH, opinions worthy of significant weight given his role as MILOŠEVIĆ’s envoy.

97. As his discussions with STEVANDIĆ demonstrate, KARADŽIĆ knew about the success of CAPTAIN DRAGAN’S_(DB) Golubić camp in the few months it had been

²⁸¹ P0632, p.1 (public).

²⁸² P0632, p.2 (public). The references to “Jovica” in this intercept are references to Jovica STANIŠIĆ. Another intercepted conversation (P0664 (public)) shows that the “Jovica” discussed by STEVANDIĆ and KARADŽIĆ was based in Belgrade.

P0664, p.1-2 (public). In the conversation, STEVANDIĆ described someone as having been “*here in Belgrade* for two days, ” showing that STEVANDIĆ was in Belgrade at the time of the conversation. Earlier in the conversation, when STEVANDIĆ told KARADŽIĆ that he was “waiting for Jovica, ” KARADŽIĆ answered, “Ah, you are *up there?*”. KARADŽIĆ then said, “I am coming tonight, ”and “I will be in Belgrade. I will be in Belgrade as well...”

The references to “Jovica” must also be assessed in light of the intercepted conversations between STANIŠIĆ and KARADŽIĆ (in chronological order: P0631 (confidential); P0636 (public); P0666 (public); P0670 (public); P0671 (public); P0673 (confidential); P0676 (public); P0678 (confidential); P0681 (public); P0683 (confidential); P0684 (confidential); P0685 (confidential); P0715 (confidential); P0686 (public); P0687 (public); P0689 (public); P0690 (public); P0691 (public); P0692 (public)) Similar references to “Jovica” in the conversations between KARADŽIĆ and MILOŠEVIĆ should also be considered.

In the context of all of the intercepts and other evidence, it is clear that the “Jovica” referred to is STANIŠIĆ.

²⁸³ P0632, p.6 (public) (“Just one thing would do, we went to see Jovica and three names remained for the municipality, I, Miroslav and BRĐANIN.”)

²⁸⁴ P0632, p.7 (public) (“K: Good, Nedo, we’ll see what we will talk about, I agree with that and I think that Jovica is of the exact same opinion as you. N:Of course, Jovica is...”)

²⁸⁵ P0632 (intercept of 17-18 August 1991):6 references at p.2, 5-8 (public); P0664 (intercept of 2 November 1991):7 references at p.1, 3-5 (public); P0672 (intercept of 13-Dec-1991):2 references at p.1-2 (public).

operating in SAO-Krajina, and wanted STANIŠIĆ's assistance in establishing something similar in BiH. In the 17-18 August conversation, STEVANDIĆ said: "it would be good if you came over, because we did a few great things. ... It's like Golubić, ... what we did there." STEVANDIĆ indicated that he had plans to "try to do the same in every municipality I worked in."²⁸⁶ Later that month, STEVANDIĆ²⁸⁷ told KARADŽIĆ, "Incidentally, I spoke to the people *up there across the Drina* about giving us this guy for a short while, for some fifteen-twenty days and they are looking into that now /he's called/ Dragan."²⁸⁸ In light of other evidence of STEVANDIĆ's contact with STANIŠIĆ, this statement, "the people up there across the Drina" should be understood as a reference to the SMUP-DB and "Dragan" as a reference to Dragan VASILJKOVIĆ_(DB).²⁸⁹

98. In an intercepted conversation between STANIŠIĆ and KARADŽIĆ from 29 November 1991, the following exchange took place:

Speaker	Intercepted Conversations
STANIŠIĆ:	My colleagues send you special regards, FRENKI and Captain are here.
KARADŽIĆ:	Thank you very much, give them my best regards.
STANIŠIĆ:	I hope we'll also have a chance to work with you a little.
KARADŽIĆ:	Are they satisfied with everything so far?
STANIŠIĆ:	Yes, yes.
KARADŽIĆ:	Do we have what we need?
STANIŠIĆ:	Yes, yes, we have more every day.
KARADŽIĆ:	Are they still advancing toward that town, no?
STANIŠIĆ:	Not at this moment.
KARADŽIĆ:	But this is certain, everything so far is certain?
STANIŠIĆ:	Yes, yes

²⁸⁶ P0632, p.3-4 (public).

²⁸⁷ Although the transcript identifies the speaker as "probably Nenad STEVANDIĆ," JF-002 actually recognised the voice to be that of Nenad STEVANDIĆ. P0618, p.3, row15 (confidential); *see also* [REDACTED] (confidential).

²⁸⁸ P0633, p.3 (public) (emphasis added).

²⁸⁹ P0633, p.3-4 (public). That the conversation related to an armed unit is shown by the reference to "the boys we did it with" and KARADŽIĆ's concern that this news, if leaked, "would be a sign for Europe and everyone else that this battlefield is moving into Bosnia." STEVANDIĆ's comment that "These are all his people that I sent, who had spent a month with him down there" shows that some of CAPTAIN DRAGAN's former trainees might already have been in BiH.

Speaker	Intercepted Conversations
KARADŽIĆ:	Give them my best regards. ²⁹⁰

99. This conversation demonstrates that STANIŠIĆ intended to engage CAPTAIN DRAGAN_(DB) and SIMATOVIĆ to assist KARADŽIĆ_(JCE) in the same way that they had already assisted MARTIĆ.²⁹¹

KARADŽIĆ and the Bosnian Serb leadership advocated ethnic separation through violence

100. The 14 and 15 of October 1991 marked a watershed in political developments in BiH.²⁹² The multi-ethnic Assembly of BiH was considering the adoption of a declaration of sovereignty.²⁹³ The SDS opposed any consideration of independence,²⁹⁴ and at the assembly session of 14 October, KARADŽIĆ gave a lengthy speech in which he said the following:

This is the road you want Bosnia and Herzegovina to take, the same highway of hell and suffering that Slovenia and Croatia went through. Don't think you won't take Bosnia and Herzegovina to hell and Muslim people to possible extinction. Because, Muslim people will not be able to defend itself if it comes to war here!²⁹⁵

101. In spite of his threats, the Assembly of BiH adopted the declaration of sovereignty.²⁹⁶ On the evening of that same day as the adoption of the declaration, the SDS political council considered its options.²⁹⁷

102. KARADŽIĆ's speech was broadcast on television,²⁹⁸ and was widely known and discussed because of its inflammatory nature. In light of STANIŠIĆ's frequent contacts with KARADŽIĆ,²⁹⁹ there is no real possibility that STANIŠIĆ was unaware of this threat.

²⁹⁰ P0671, p.2-3 (public). Note that the speakers are not consistently indicated in the English translation; their names do however appear in the BCS original.

²⁹¹ Subsequent events in BiH shows that STANIŠIĆ followed through on this intention. P3017 (public) a report by Federal SUP Brigade Deputy Commander Milorad DAVIDOVIĆ sets out the activities of CAPTAIN DRAGAN in BiH. P3017, p.2-3, 6-8, 10 (public). It also corroborates the involvement of "FRENKI" in sending Živojin IVANOVIĆ_(DB) to BiH.

²⁹² DONIA:P0939, p.35 (PriorT.3101) (public).

²⁹³ DONIA:P0939, p.35-9 (PriorT.3101-5) (public).

²⁹⁴ DONIA:P0939, p.36 (PriorT.3102) (public).

²⁹⁵ P0940, p.1 (Eng); p.1 (BCS) (public).

²⁹⁶ DONIA:P0939, p.35-6 (PriorT.3101-2) (public).

²⁹⁷ DONIA:P0939, p.41 (PriorT.3107) (public).

103. On 24 October 1991, the SDS deputies convened separately and established the Assembly of the Serbian People of Bosnia-Herzegovina (Bosnian-Serb Assembly).³⁰⁰ The deputies passed a resolution that “the Serbian people of Bosnia-Herzegovina shall stay in the joint state of Yugoslavia together with Serbia, Montenegro, SAO-Krajina, SAO Slavonia, Baranja, western Sylvania [Zapadni Srem], and others who may declare that they wished to stay”, subject to confirmation by a plebiscite.³⁰¹

104. That same day, KARADŽIĆ_(JCE) made it clear to MILOŠEVIĆ_(JCE) that the Bosnian Serbs intended a violent take-over of large portions of BiH if their demands were not met. KARADŽIĆ told MILOŠEVIĆ, “we hold power in 37 municipalities and have a relative majority in...several others, in about ten municipalities”. He said that no decision of the multi-ethnic Assembly of BiH would be implemented in those municipalities.³⁰² In the same conversation, KARADŽIĆ informed MILOŠEVIĆ that STANIŠIĆ had called him the night before.³⁰³

105. In a November 1991 speech, KARADŽIĆ instructed SDS members to impose complete Bosnian Serb authority in their respective municipalities and local communities.³⁰⁴ He cautioned his listeners to prepare for violence and characterised demographic issues as “a fight to the finish, a battle for living space”.³⁰⁵ In conclusion, KARADŽIĆ reiterated the importance of seizing power: “[I]t is important that you should seize power wherever you can”.³⁰⁶

²⁹⁸ P0654, p.1 (public).

²⁹⁹ P0631 (confidential); P0636 (public); P0666 (public); P0670 (public); P0671 (public); P0673 (confidential); P0676 (public); P0678 (confidential); P0681 (public); P0683 (confidential); P0684 (confidential); P0685 (confidential); P0715 (confidential); P0686 (public); P0687 (public); P0689 (public); P0690 (public); P0691 (public); P0692 (public).

³⁰⁰ ThirdAFD-no.75; DONIA:P0939, p.41 (PriorT.3107) (public).

³⁰¹ ThirdAFD-no.77.

³⁰² P0660, p.5-8 (public).

³⁰³ P0660, p.3 (public). P0646 shows that the person KARADŽIĆ occasionally refers to as “Joca” is named Jovica. This is shown by the fact that a exactly the same assessment of the military situation in western Slavonia is ascribed to “Joca” on page 3 of P0646 and to “Jovica” on page 5 of P0646. It is clear that these two references are to the same person.

³⁰⁴ FirstAFD-no.116; P0941, p.10 (public).

³⁰⁵ P0941, p.6 (public).

³⁰⁶ P0941, p.12 (public).

106. In November 1991, the SDS sponsored, organised and conducted a plebiscite primarily for the Bosnian Serb population. Voters were given different ballots depending upon whether they were Serb or non-Serb.³⁰⁷

107. On the basis of the plebiscite, the SDS and military forces including the JNA, paramilitary organisations, local Serb TO units, and special police, began to establish physical and political control over certain municipalities where it had not already gained control through the electoral process.³⁰⁸ In these regions, the SDS representatives in public office in some cases established parallel municipal governments and separate police forces.³⁰⁹ Physical control was asserted by positioning military units, tanks and heavy artillery around the municipalities and setting up checkpoints to control the movement of non-Serbs.³¹⁰

108. The Bosnian Serb leadership was fully aware that establishing its authority, especially where Bosnian Serbs were a minority, would necessarily require armed force.³¹¹ Despite this awareness, the SDS began making concrete preparations to take over targeted areas of BiH. On 19 December 1991, the SDS Main Board issued its “Instructions for the Organisation and Activity of Organs of the Serbian People in Bosnia and Herzegovina in Extraordinary Circumstances” (“Variant A/B Instructions”). KARADŽIĆ_(JCE), KRAJIŠNIK_(JCE) and PLAVŠIĆ_(JCE) attended the meeting at which the document was distributed.³¹² These instructions provided a blueprint for the imposition of Bosnian Serb leadership control in municipalities where they constituted a majority (“Variant A”) and where they were in a minority (“Variant B”).³¹³

STANIŠIĆ and SIMATOVIĆ stayed in close contact with KARADŽIĆ as BiH headed towards war in early 1992

109. In January 1992, the Accused maintained regular contact with KARADŽIĆ, closely monitoring the developing situation in BiH to ensure tight co-operation in furthering the

³⁰⁷ FirstAFD-no.115.

³⁰⁸ FirstAFD-no.119.

³⁰⁹ FirstAFD-no.120.

³¹⁰ FirstAFD-no.121.

³¹¹ FirstAFD-no.129.

³¹² [REDACTED] (confidential).

³¹³ FirstAFD-no.126 with the Chamber’s *proprio motu* addition. P2512 (public); DONIA:P0939, p43-45 (PriorT.3109-11) (public). See also FirstAFD-no.127; P2512, p.2-7 (public).

JCE. Two days after the Variant A/B instructions were issued, STANIŠIĆ watched on television as KARADŽIĆ predicted a bloodbath and massive population displacements.³¹⁴ STANIŠIĆ called KARADŽIĆ after the session and told him that it had looked “good.”³¹⁵

110. STANIŠIĆ continued to follow KARADŽIĆ’s activities and consult with him into early 1992. On 5 January 1992, STANIŠIĆ told KARADŽIĆ that he and “Braca” (KERTES_(JCE)) were “watching you carefully”.³¹⁶ STANIŠIĆ continued as the liaison between KARADŽIĆ and MILOŠEVIĆ, conveying KARADŽIĆ’s requests for meetings to MILOŠEVIĆ and MILOŠEVIĆ’s responses to KARADŽIĆ.³¹⁷

111. The Republic of the Serbian People of Bosnia and Herzegovina (“SerBiH”) was declared at the Fifth Session of the Bosnian Serb Assembly on 9 January 1992.³¹⁸ STANIŠIĆ and KARADŽIĆ were in close contact in the days leading up to this occasion, speaking on the phone at least three more times.³¹⁹ STANIŠIĆ continued to serve as KARADŽIĆ’s point of contact with the Serbian government, on this occasion passing the phone to the Minister of the Interior, who assured a worried KARADŽIĆ, “Ok, ok, we’ll do everything Jovica said we would do, and then...”³²⁰

112. KARADŽIĆ and STANIŠIĆ again discussed the political situation a few days later, and arranged to meet. STANIŠIĆ was eager to meet with KARADŽIĆ in person, saying “Believe me, Doc, I would really love to see you. It is of outmost [*sic*] importance for me.”³²¹ Their meeting had to take place in Belgrade rather than in Bosnia, as STANIŠIĆ was eager to hide his involvement in the events, saying “It is not very simple for me to show up there right now” and “Could you maybe do it in a way so that I am not shown as a part of the initiative? I can’t afford that.”³²²

³¹⁴ P1483, p.87 (public).

³¹⁵ P0678, p.1 (confidential). The date is omitted from the English translation. It appears on page 1 of the BCS original.

³¹⁶ P0684, p.1 (confidential).

³¹⁷ P0683 (confidential); P0684 (confidential).

³¹⁸ P1483, p.8 (public). On 12 August 1992, the Republic of the Serbian People of Bosnia & Herzegovina was renamed “Republika Srpska” (“RS”). See FirstAFD-no.141.

³¹⁹ P0685 (confidential); P0715 (confidential); P0686 (public).

³²⁰ P0685, p.2 (confidential).

³²¹ P0687, p.2 (public).

³²² P0687, p.3, 7 (public).

113. A few days later, KARADŽIĆ and STANIŠIĆ had another telephone conversation in which both men clearly contemplated the possibility of violence if negotiations then taking place between Serbs and Croats failed.³²³ Later in the same conversation, KARADŽIĆ said, “if the Muslims want, we can finish everything peacefully so that everyone is satisfied, and if they don’t, there will be chaos.”³²⁴ As usual, the two also discussed their plans to meet soon³²⁵ and discussed matters related to MILOŠEVIĆ.³²⁶

114. On 25 January 1992, KARADŽIĆ and STANIŠIĆ had another conversation that clearly indicated that neither man was seriously interested in peace. Referring to the resolution authorising the referendum on the independence of BiH,³²⁷ the two had the following exchange:

Speaker	Intercepted Conversation
KARADŽIĆ:	They met up again illegally and adopted... adopted a decision on the referendum and other things, which... They’ve set everything up for us just perfectly; it’s all fallen right into place.
STANIŠIĆ:	Yes.
KARADŽIĆ:	They did something which compromises them further, so... So this will be alright. ³²⁸

KARADŽIĆ’s delight (and STANIŠIĆ’s concurrence) at the prospect of a Bosnian referendum³²⁹ shows that the two were not interested in a peaceful resolution of the crisis.

115. On 28 January 1992, KARADŽIĆ and STANIŠIĆ spoke again. The phone call began with a conversation between KARADŽIĆ and “Braco” (KERTES_(JCE)).³³⁰ After they spoke briefly, Braco said to KARADŽIĆ, “I’ll put on a friend of ours.”³³¹ SIMATOVIĆ then took

³²³ P0690, p.6-7 (Eng); p.3-4 (BCS) (public).

³²⁴ P0690, p.21 (public).

³²⁵ P0690, p.5, 16, 18, 22, 24 (public).

³²⁶ P0690, p.2-3 (public).

³²⁷ See FirstAFD-no.81, 82. **DONIA:T.6520** (26-Aug-2010) (public).

³²⁸ P0691, p.2 (public).

³²⁹ See FirstAFD-no.82. **DONIA:T.6520** (26-Aug-2010) (public).

³³⁰ P0693, p.1-3 (public). See, **BABIĆ:P1877**, p.103 (PriorT.1528); P2536 (public), p.17; P1929, p.6 (public).

³³¹ P0693, p.3 (public).

the phone, identifying himself as “FRENKI.”³³² Apparently aware that their conversation may be intercepted, the two men attempted to disguise the subject of their conversation.³³³ Despite this, the conversation reflects that they were co-operating and working together. KARADŽIĆ said, “I believe my man will be up there tomorrow.”³³⁴ SIMATOVIĆ said, “No problem. He’ll be given a proper reception.”³³⁵

116. It is also clear from the conversation that SIMATOVIĆ and KARADŽIĆ planned to see each other in the near future. SIMATOVIĆ said, “Well, when you get here, I’ll write some things down for you.”³³⁶ KARADŽIĆ later asks, “Will you be in Belgrade when I get there?” to which SIMATOVIĆ replies, “Yes, yes, yes, yes.”³³⁷

117. “Braco” and KARADŽIĆ then continued their conversation for a period of time before Braco handed the phone back to SIMATOVIĆ, saying to KARADŽIĆ, “I’ll put your friend on again[.]”³³⁸ SIMATOVIĆ then expressed his support for KARADŽIĆ:

Speaker	Intercepted Conversations
FRENKI:	Just as I am behind my man there... you know who you’re coming to?!
KARADŽIĆ:	Yes, yes.
FRENKI:	So I am behind you.
KARADŽIĆ:	Thank you very much. ...
FRENKI:	You’re the main man there, doctor, and that’s how it stays.
KARADŽIĆ:	Okay (chuckling) Okay. So, we’ll meet as soon as I get there, right?
FRENKI:	That’s right. As for that matter, let them come. No problem.” ³³⁹

³³² P0693, p.4 (public).

³³³ P0693, p.3-5 (public).

³³⁴ P0693, p.4 (public).

³³⁵ P0693, p.4 (public).

³³⁶ P0693, p.4 (public).

³³⁷ P0693, p.5 (public).

³³⁸ P0693, p.6 (public).

³³⁹ P0693, p.7-8 (public).

SIMATOVIĆ's Unit trained Serb Forces in preparation for combat in BiH

118. In early 1992, while international negotiations on the question of the status of BiH were ongoing, JCE members in the Bosnian Serb leadership along with JCE members in Belgrade co-ordinated activities in order to execute their common plan to create a separate Bosnian Serb state³⁴⁰ by committing murder, persecution and forcible transfer against the non-Serbs in the targeted territory. As in SAO-Krajina and SAO-SBWS, the JCE members' intent to use violence to achieve their goals in BiH was clear from the beginning. One of the first steps towards implementing this plan was the comprehensive training of local Serbs. The SDS, JNA and the SMUP all contributed significantly to this training.

119. By around February 1992, the Unit under SIMATOVIĆ's command began actively preparing Serb Forces for operations in BiH at their training camps at Ležimir (Serbia) and Pajzoš, near Ilok (SBWS).³⁴¹ The Unit trained Serbs from Serbia, the RSK and BiH. The SMUP-DB recruited volunteers from Serbia through ŠEŠELJ's SRS party and others, while SDS leaders at the regional, municipal and local levels did the same in their localities, funnelling Serb men to the camps for combat training and equipment.³⁴² These camps proliferated as the conflict went on, training and arming Serb Forces over the course of the Indictment period.³⁴³

Co-operation between the JNA and the SDS under KARADŽIĆ grew stronger

120. In March and April 1992, co-operation between the JNA and the SDS took definite shape. The JNA increased its assistance in the organising and arming of SDS-led Bosnian Serb Forces, including the TO and the police. Certain JNA units also began securing areas of BiH claimed as Serb. A 2nd Military District report issued at that time said that the SDS leadership had "embraced" the JNA.³⁴⁴ Milutin KUKANJAC, the commander of the 2nd Military District, met with SDS officials and JCE members KARADŽIĆ, KRAJIŠNIK and

³⁴⁰ FirstAFD-no.140.

³⁴¹ [REDACTED] (confidential); T.7619-24 (4-Oct-2010) (PPCE). For a detailed discussion of these camps and the training they conducted.

Cross-reference, "The "Unit": Training at the Ležimir Camp (Fruška Gora)" on page 97 and "The "Unit": Ilok Camp (Pajzoš)" on page 101.

³⁴² Cross-reference, "Bosanski Šamac" on page 108; and "Doboj" on page 112.

³⁴³ P0061, p.11 (public).

³⁴⁴ THEUNENS:P1575, p.289 (Part III, p.8) (public).

PLAVŠIĆ.³⁴⁵ KARADŽIĆ himself publicly discussed the relationship between the JNA and the SDS.³⁴⁶

121. JNA units also actively supported the SDS in their take-over of power in certain municipalities in BiH.³⁴⁷ After the JNA left BiH on 18 May 1992, the VRS, a force under the command of two JCE members,³⁴⁸ relied heavily on support from the FRY, Serbia, and the VJ.³⁴⁹ This support included operational support in the form of intelligence exchange with STANIŠIĆ.³⁵⁰

122. ██████████ of the SMUP-DB states it provided “██████████” to Republika Srpska and the Republic of Serbian Krajina “in order to exchange the information.” During 1992, the SMUP-DB also exchanged encrypted information with the Federal MUP “until the take-over of these tasks,” the Ministry of Defence of Serbia and the VJ.³⁵¹

SIMATOVIĆ’s Unit, ARKAN’s SDG and other Serb Forces launched attacks against non-Serb civilians from April 1992

123. At this stage, the objective of political leaders in Serbia, the SDS and other Serb-dominated political parties and the JNA was to create a Serb-dominated western extension of Serbia, taking in Serb-dominated portions of Croatia and BiH. Joining these areas with Serbia, its two autonomous provinces and Montenegro would result in a new, smaller Yugoslavia with a majority ethnic Serb population.³⁵² In April 1992, JCE members in Belgrade and BiH commenced their pursuit of demographic change by force.³⁵³

³⁴⁵ THEUNENS:P1575, p.291 (Part III, p.10) (public).

³⁴⁶ THEUNENS:P1575, p.293 (Part III, p.12) (public).

³⁴⁷ THEUNENS:P1575, p.291-2, 307(Part III, p.10-11) (public). While the SDS co-operated extensively with the JNA, it also sought help directly from Serbia.

³⁴⁸ As President of the Republika Srpska, Radovan KARADŽIĆ was the commander-in-chief of the Army of the Republika Srpska. FirstAFD-no.262.

The former Commander of the 2nd Military District of the JNA, based in Sarajevo, General Ratko MLADIĆ (JCE), became the Commander of the VRS following the announced withdrawal of the JNA from Bosnia and Herzegovina. FirstAFD-no.267.

³⁴⁹ THEUNENS:P1575, p.315 (Part III, p.34) (public).

³⁵⁰ THEUNENS:P1575, p.316-7 (Part III, p.35-6) (public).

³⁵¹ P3227, p.14 (confidential).

³⁵² FirstAFD-no.90.

³⁵³ THEUNENS:P1575, p.321-22 (Part III, p.40-41) (public).

124. On 1 April 1992, ARKAN led his SDG, in co-ordination with the SDS, SRS and other Serb Forces, in a brutal attack on Bijeljina, swiftly imposing Serb control and in the process driving out the non-Serb civilian population.³⁵⁴ On 7 April 1992, BiH was recognised as an independent state by the European Community and the United States.³⁵⁵ The next day, ARKAN's_(JCE/DB) SDG, the SRS and other Serb Forces executed the violent take-over of Zvornik, continuing the persecutory campaign of murder and other crimes to drive out non-Serbs.³⁵⁶ Both attacks were co-ordinated with the SDS and its local Crisis Staffs in Bijeljina and Zvornik. The Accused deployed Marko PAVLOVIĆ_(DB) to Zvornik, where he, along with local SDS leaders, organised mass deportations of non-Serb civilians from Zvornik municipality. The SMUP contributed enormously to the deportation of Muslims from Kozluk by facilitating the initial crossing of 1,800 people over Serbia's border, to co-ordinating local Serbian police to guard and transport the convoy through Serbia, to finally issuing hundreds of passports.³⁵⁷

125. On 16-17 April, at SIMATOVIĆ's order, Unit member Dragan ĐORĐEVIĆ aka CRNI_(DB) led a group of Red Berets trained at Ležimir and Pajzoš in an equally brutal attack on Bosanski Šamac, co-ordinating with the JNA, RSMUP police and other Serb Forces.³⁵⁸ Reflecting the JCE members' shared intent, a JNA commander described how the arrival of SIMATOVIĆ's Unit for this operation "had been legalised through the official organs of the government and the army both at the level of Šamac Municipality and at the highest level in Serbia and Yugoslavia".³⁵⁹

126. Another Unit member, Radojica BOŽOVIĆ_(DB) led a group of Red Berets trained at the Unit's camps at Mt. Ozren and Doboj in taking over Doboj on 3 May 1992 with local Serb Forces.³⁶⁰ During and following both of these attacks the Red Berets detained, tortured, murdered and otherwise persecuted the non-Serb civilians, forcing many to flee.

³⁵⁴ Cross-reference, "Bijeljina Take-over and Crimes of Forcible Transfer and Deportation" on page 206.

³⁵⁵ FirstAFD-no.83. DONIA:T.6520 (26-Aug-2010) (public).

³⁵⁶ Cross-reference, "Zvornik Take-over and Crimes" on page 210.

³⁵⁷ Cross-reference, "Deportation and forcible transfer during the Zvornik take-over" on page 213 et seq.

³⁵⁸ Cross-reference, "The Crimes in Bosnia and Herzegovina: "Bosanski Šamac" on page 218 et seq..

³⁵⁹ P1418, p.1 (public); P1582, p.1 (public) (P1418 and P1582 are the same document, except that P1582 is annotated by TODORVIĆ).

³⁶⁰ Cross-reference, "The Crimes in Bosnia and Herzegovina: Doboj" on page 227 et seq.

127. In April 1992, KARADŽIĆ_(JCE) and RS Vice President Nikola KOLJEVIĆ showed a map of the future BiH, according to which seventy per cent of the territory of BiH would be covered by the SerBiH. Through the attacks described above and others that continued throughout 1992, this map became reality.³⁶¹

KARADŽIĆ promulgated the Bosnian Serb leadership's Six Strategic Goals

128. The Sixteenth Session of the Bosnian Serb Assembly, on 12 May 1992, was the first assembly session after the war began.³⁶² By this time Serb Forces in BiH had already secured significant territorial gains—the session had a celebratory feel.³⁶³ KARADŽIĆ articulated the delegates' key wartime objectives.³⁶⁴ The “Six Strategic Goals” set out in clear terms the steps necessary to implement the common criminal plan to expel non-Serbs.

129. The first and most fateful of the six strategic goals was the “separation from the other two national communities—separation of states”.³⁶⁵ This goal mirrored the JCE's common purpose, as it entailed the permanent removal of a significant part of the non-Serb population from the territory of the planned Bosnian Serb state.³⁶⁶

130. The Bosnian Serb leadership viewed this first strategic goal as paramount. KRAJIŠNIK_(JCE) stated that “[t]he first goal is the most important one, and in relation to all other goals, all other goals are sub-items of the first one.”³⁶⁷

131. The other strategic goals concerned the establishment of a corridor between Semberija and Krajina; the establishment of a corridor in the Drina Valley; the establishment of a border on the Una and Neretva rivers; the division of the city of Sarajevo into Serb and Muslim sectors; and, finally, securing access to the sea for the SerBiH.³⁶⁸ In essence, these strategic goals constituted a plan to seize and control territory, establish a Bosnian Serb state, defend defined borders and separate the ethnic groups within BiH.³⁶⁹

³⁶¹ FirstAFD-no.151; **ROBERTS:T.18608** (26-Mar-2012) (public); P2532, p.1 (public).

³⁶² **DONIA:P0939**, p.9 (PriorT.3075) (public).

³⁶³ **DONIA:P0939**, p.9 (PriorT.3075) (public).

³⁶⁴ **DONIA:P0939**, p.9 (PriorT.3075) (public); P0942, p.1 (public)

³⁶⁵ FirstAFD-no.153.

³⁶⁶ FirstAFD-no.154. **DONIA:P0939**, p.31 (PriorT.3097) (public).

³⁶⁷ P1483, p.25 (public).

³⁶⁸ FirstAFD-no.155; P0942 (public).

³⁶⁹ FirstAFD-no.156.

132. The take-overs that Serb Forces had already completed were nevertheless perfectly aligned with the Six Strategic Goals, demonstrating that these objectives were consistent with the common purpose that the JCE leadership had already been pursuing. In brief, the take-overs and crimes in Bijeljina and Zvornik supported the first, second, and third strategic goals;³⁷⁰ and the take-overs and crimes in Bosanski Šamac and Doboj were related to the first and second strategic goals.³⁷¹

The VRS under MLADIĆ, the VJ, and SIMATOVIĆ planned and conducted eastern Bosnia operations to further the common purpose

133. On 19 November 1992, MLADIĆ_(JCE) issued Operational Directive Number 4 of the VRS, essentially instructing his VRS forces to carry out the common purpose of the JCE. The document states: “The Drina Corps: From its present positions, its main forces shall persistently defend Višegrad (the dam), Zvornik and the corridor, while the rest of its forces in the wider Podrinje region shall exhaust the enemy, inflict the heaviest possible losses on him and force him to leave the Birač, Žepa and Goražde areas together with the Muslim population.”³⁷² The distinction that this directive makes between “the enemy” and “the Muslim population” makes it clear that the population referred to is the civilian population.

134. On 28 February 1993—after MLADIĆ_(JCE) instructed one of the units under his command to drive the Muslim population out of a portion of eastern Bosnia—SIMATOVIĆ took part in a meeting with MLADIĆ to plan further military operations in eastern Bosnia.³⁷³ The meeting took place at Mt. Tara, and, in addition to SIMATOVIĆ and MLADIĆ, it was also attended by PANIĆ, OJDANIĆ, and LONČAR³⁷⁴—the top leadership of both the VJ and VRS. The topic of the meeting, as recorded by MLADIĆ in his military notebook, was “Plan of action in Operation *Udar*.”³⁷⁵

135. Operation *Udar* was, in essence, the continuation of VRS operations in eastern Bosnia. It was part of the VRS plan to drive the Muslim population out of eastern Bosnia, which was, in turn, a part of the larger plan to create an ethnically pure corridor in the Drina

³⁷⁰ THEUNENS:P1575, p.329-30, 337 (Part III, p.48-9, 56) (public). These goals related to the separation of the national communities, the creation of a corridor between Semberija and Krajina, and the elimination of the Drina as a border separating Serbian states. P0942, p.1 (public)

³⁷¹ THEUNENS:P1575, p.356, 380 (Part III, p.75, 99) (public).

³⁷² P0385, p.5 (public).

³⁷³ P0392 (public); P0392, p.3 (public).

³⁷⁴ P0392, p.3 (public).

river valley and eliminate the Drina as a border between Serbian states, as set out in the third strategic goal.³⁷⁶

136. The result of Operation *Udar* was that “the enemy was squeezed into enclaves whose dimensions were determined with the engagement of UN forces (UNPROFOR).”³⁷⁷ Bosnian Muslim residents of the outlying areas converged on Srebrenica town and its population swelled to between 50,000 and 60,000 people.³⁷⁸ On 13 April 1993, the Bosnian Serbs told the UNHCR representatives that they would attack the town within two days unless the Bosnian Muslims surrendered and agreed to be evacuated.³⁷⁹ On 16 April 1993, the UN Security Council responded by passing a resolution, declaring that “all parties and others treat Srebrenica and its surroundings as a “safe area” that should be free from armed attack or any other hostile act.” At the same time, the Security Council created two other UN protected enclaves, Žepa and Goražde.³⁸⁰ Were it not for this intervention of the UN, this counter-attack would have achieved the third strategic goal in April of 1993.

137. Under SIMATOVIĆ’s command, the Unit was active in combat operations in this area of eastern BiH during this period, co-ordinating with the VRS and VJ.³⁸¹

STANIŠIĆ hosted a meeting among JCE members to discuss furthering the common purpose through the Six Strategic Goals in December 1993

138. On 13 and 14 of December 1993, STANIŠIĆ hosted a two-day meeting at the state security building in Belgrade.³⁸² The meeting was attended by JCE members MILOŠEVIĆ, KARADŽIĆ, KRAJIŠNIK, MLADIĆ, BADŽA, Mićo STANIŠIĆ, and other military, police, and security leaders from Serbia and the RS.³⁸³

139. Through the discussion at this meeting, STANIŠIĆ demonstrated that he shared the criminal intent underlying the six strategic goals. STANIŠIĆ opened the meeting with an unambiguous statement of support for the Bosnian Serbs and their goals: “it is because of

³⁷⁵ P0392, p.3 (public).

³⁷⁶ P0942, p.1 (public).

³⁷⁷ P3118, p.3 (public).

³⁷⁸ FirstAFD-no.409.

³⁷⁹ FirstAFD-no.412.

³⁸⁰ FirstAFD-no.413.

³⁸¹ Cross-reference, “The “Unit”:1993 Eastern Bosnia Operations” on page 115 et seq..

³⁸² MILOVANOVIĆ:T.15445-15446 (public); P2532 (public).

your initiative that we are meeting in order to improve /your/ operational and tactical position and see about help from Serbia”.³⁸⁴ KARADŽIĆ then gave an assessment of the extent to which the six strategic goals had been achieved: “We are holding 75% of the territory and controlling the most important parts of the territory. [...] Unification with Serbia is smiling upon us.”³⁸⁵ He then reiterated the six strategic goals, starting with what he would later call the “primary goal”³⁸⁶—separation from the Muslims and Croats.³⁸⁷

140. At this critical December 1993 meeting in Belgrade, these goals, the extent to which they had been achieved, and the best way to consolidate those gains served as the centrepiece of the discussion.³⁸⁸

JCE members continued to co-operate to further the common plan until the end of the Indictment period

141. Tension arose in the relationship between MILOŠEVIĆ_(JCE) and KARADŽIĆ_(JCE) as a result of KARADŽIĆ_(JCE) rejection of various international peace plans, beginning with the Vance-Owen Peace Plan in 1993.³⁸⁹ However, even at the height of the tensions in early 1995, MILOŠEVIĆ_(JCE) retained influence in Bosnia.³⁹⁰ Tensions in the relationships among MILOŠEVIĆ_(JCE), KARADŽIĆ_(JCE), and KRAJIŠNIK_(JCE) were not reflected in the relationships between the state security services or the armies: “conversations and understanding continued between state security people and – and the armies.”³⁹¹

142. According to its [REDACTED], the SMUP-DB would “continue to support the Serbian people who live outside their home country” and “the established forms of co-

³⁸³ P2532, p.1 (public).

³⁸⁴ P2532, p.1 (public).

³⁸⁵ P2532, p.1 (public).

³⁸⁶ P3115, p.2 (public).

³⁸⁷ P2532, p.1 (public).

³⁸⁸ P2532, p.1-10 (public). **MILOVANOVIĆ**:T.15445-15446 (7-Dec-2011) (public).

³⁸⁹ **DONIA**:T.6554-6558 (26-Aug-2010) (public).

³⁹⁰ **ROBERTS**:T.18623-24 (26-Mar-2012) (public).

³⁹¹ **ROBERTS**:T.18578-79 (26-Mar-2012) (public). (“That was the impression one had for the reasons I was saying earlier, that while the political leaderships were very much out of sympathy with each other, at other levels conversations and understanding continued between state security people and – and the armies.”)

operation and professional assistance will continue to be provided to the State Security Services of Republika Srpska and the Republic of Serbian Krajina.”³⁹²

143. Despite political disagreements, the JCE members maintained their common plan, and continued to contribute to fulfilling it. STANIŠIĆ, MLADIĆ_(JCE), MILOŠEVIĆ_(JCE), KARADŽIĆ_(JCE) and MARTIĆ_(JCE) attended a meeting in March 1994, where they further discussed the achievement of their goals; their desire to define the borders of the RS; co-operation among the VRS, SVK, and VJ; and the possible unification of state security services.³⁹³ STANIŠIĆ and SIMATOVIĆ met with MLADIĆ_(JCE) and other SMUP-DB members in September and October 1995.³⁹⁴ At the same time, MLADIĆ_(JCE) perceived KARADŽIĆ_(JCE) to be co-operating with ARKAN_(DB).³⁹⁵

144. The JCE members’ continued co-operation manifested itself in operations in 1994 and 1995, in which JCE members co-ordinated the organisations under their control. During Operation *Pauk*,³⁹⁶ which began in mid-1994 along the north-western border of BiH with Croatia, the Accused co-ordinated with MILOŠEVIĆ_(JCE), MARTIĆ_(JCE), ARKAN_(JCE), MLADIĆ_(JCE) and other senior military leadership from the SVK and VJ.³⁹⁷ The Treskavica/Trnovo operations in July 1995³⁹⁸ involved co-ordination among the Accused, MLADIĆ, BADŽA_(JCE), ARKAN_(JCE) and other SBWS and Serbian MUP and defence leadership and various units they controlled.³⁹⁹ These operations coincided with the VRS-led Srebrenica take-over, resulting in the Scorpions murdering Bosniaks from Srebrenica

³⁹² P3232,p.4(confidential).

³⁹³ P2540, p.1, 3, 8, 10-11, 15 (public).

³⁹⁴ P2541, p.1-3 (public) (9 September 1995 meeting among MLADIĆ, PERIŠIĆ, STANIŠIĆ, and SIMATOVIĆ); P2545, p.1 (public) (30 September 1995 meeting among MLADIĆ, PERIŠIĆ, and STANIŠIĆ); P2546, p.1-2 (public) (3 October 1995 meeting among MLADIĆ, FILIPOVIĆ, and BOŽOVIĆ).

³⁹⁵ P0289, p.2-3 (public).

³⁹⁶ Cross-reference, “Operation Pauk” on page 153 et seq..

³⁹⁷ P1285, p.4 (public); P3984, p.3, 15 (public).

SLIŠKOVIĆ:T.5127-8 (18-May-2010) (public); P0441, para.49 (confidential); P0440, para.8 (public); P0382, p.1-2 (public); P0380, p.1-2 (public); P0235, p.17, 53, 56 (NOVAKOVIĆ (“Pauk”) met with “Jovica”; NOVAKOVIĆ, ABDIĆ and TG commanders met with “FRENKI”; NOVAKOVIĆ, BOŽOVIĆ and LEGIJA went to Belgrade); P0394, p.3-4, 11-13 (public).

██████████ (confidential). ██████████ (confidential); P1616, p.7 (confidential).

³⁹⁸ Cross-reference, Trnovo/Treskavica” on page 153 et seq.

³⁹⁹ ██████████ (confidential), ██████████ (confidential), ██████████ (confidential).

during the Trnovo operations.⁴⁰⁰ The Banja Luka/Sanski Most operations in September 1995⁴⁰¹ involved co-ordination among KARADŽIĆ_(JCE),⁴⁰² the VRS under MLADIĆ_(JCE), ARKAN_(JCE)'s SDG and units of the RS and Serbian MUP and DB.⁴⁰³ During these operations the SDG furthered the common purpose by murdering Bosniaks near Sanski Most.

145. These operations aimed to further the common purpose: at the Fiftieth Session of the Bosnian Serb Assembly on 15-16 April 1995, MLADIĆ said: "The tasks of the army in this war stem from the known six strategic objectives adopted by our Assembly[.]"⁴⁰⁴ The joint operations and crimes of the Scorpions and SDG aligned with these goals. The Scorpions' Trnovo murders were in furtherance of the third and fifth strategic goals,⁴⁰⁵ while the SDG's murders in Sanski Most were related to the first strategic goal of separating the national communities.⁴⁰⁶

146. Even MILOŠEVIĆ measured the success of the Dayton peace agreement with reference to the objectives outlined in the Six Strategic Goals.⁴⁰⁷ In a speech in December 1995, MLADIĆ_(JCE) emphasised that even during the period of "misunderstandings," the people of the RS survived "because of the huge and unlimited help of our homeland, Serbia and Montenegro" which "cannot be measured".⁴⁰⁸

⁴⁰⁰ Cross-reference, "Trnovo/Treskavica" on page 153 et seq.

⁴⁰¹ Cross-reference, "SDG Operations in 1994-1995 on page 147 et seq.

⁴⁰² P0289, p.2-3 (public).

⁴⁰³ P2546, p.1-2 (public). MILOVANOVIĆ:T.15522-27, 15557-58 (8-Dec-2011) (public).

⁴⁰⁴ DONIA:P0939, p.80-1 (PriorT.3146-7) (public).

⁴⁰⁵ THEUNENS:P1575, p.389, 401-2 (Part III, p.108, 120-1) (public).

Cross-reference, "Trnovo" en page 158 et seq.

⁴⁰⁶ Cross-reference, "The Crimes in BiH: Sanski Most" on page 238.

⁴⁰⁷ P3047, p.5-6, 10 (public).

⁴⁰⁸ P2954, p.2-3 (public).

Membership of the Joint Criminal Enterprise

“It is because of your initiative that we are meeting in order to improve /your/ operational and tactical position and see about help from Serbia.”

- Jovica STANIŠIĆ to Radovan KARADŽIĆ at a meeting chaired by MILOŠEVIĆ_(JCE), and attended by Jovica STANIŠIĆ, BADŽA_(JCE), KARADŽIĆ_(JCE), KRAJIŠNIK_(JCE), MLADIĆ_(JCE) and Mićo STANIŠIĆ_(JCE).⁴⁰⁹

147. Various members of the Serb leadership in Serbia, BiH and Croatia were members of the JCE and participated with the Accused to achieve the common purpose. Brief descriptions of the named JCE members are below. The Accused, members of this JCE, are dealt with in Section 3.

Slobodan MILOŠEVIĆ

148. A “ruthless power broker,”⁴¹⁰ Slobodan MILOŠEVIĆ was the President of Serbia⁴¹¹ and the overall leader of the JCE throughout the Indictment period.⁴¹² MILOŠEVIĆ shared the common criminal plan of the JCE. While he publicly supported the preservation of Yugoslavia as a federation of which, *inter alia*, the SAO-Krajina would form a part, MILOŠEVIĆ intended the creation of a state dominated by ethnic Serbs.⁴¹³ His regime ran a propaganda campaign designed to support the conquest and ethnic cleansing of BiH by the Bosnian Serbs.⁴¹⁴

149. MILOŠEVIĆ acknowledged taking the Serb side in Croatia: on 25 October 1991, at a meeting of, among others, MILOŠEVIĆ, Veljko KADIJEVIĆ_(JCE) and Blagoje ADŽIĆ_(JCE), MILOŠEVIĆ stated that “we have helped [the Serbs in Croatia] abundantly and [we] will continue to do so until the end”.⁴¹⁵ In BiH, MILOŠEVIĆ saw KARADŽIĆ_(JCE),

⁴⁰⁹ P2532,p.1(public); **MILOVANOVIĆ**: T15445-46 (7-Dec-2011) (public).

⁴¹⁰ D0780, p.26 (public). (ROBERTS’s observations of MILOŠEVIĆ are based on 40-50 meetings over a period of four years.) **ROBERTS**:D0779, para.3 (public).

⁴¹¹ SecondAFD-no.34.

⁴¹² In an interview in January 1991, Milan BABIĆ said, “As for Slobodan MILOŠEVIĆ, he is the President of all Serbs, not only those in Serbia.” P1956, p.10 (public). Also, in his communications with KARADŽIĆ, STANIŠIĆ referred to MILOŠEVIĆ as “the main boss.” P0666, p.1 (public); P0673, p.5 (confidential).

⁴¹³ SecondAFD-no.34.

⁴¹⁴ **ROBERTS**:T.18605-7 (26-Mar-2012) (public).

⁴¹⁵ SecondAFD-no.36.

KRAJIŠNIK_(JCE), and PLAVŠIĆ_(JCE) as “amenable work mates in his plans of carving out a Bosnian Serb entity.”⁴¹⁶

150. MILOŠEVIĆ was a key link between the JCE and the JNA: he was able to give KADIJEVIĆ instructions on the use of SFRY Armed Forces.⁴¹⁷

151. During the Kula ceremony in 1997 STANIŠIĆ presented MILOŠEVIĆ_(JCE) with an award after calling for a minute of silence in remembrance of BADŽA_(JCE).⁴¹⁸



Figure 2. L to R: Stojan ŽUPLJANIN_(JCE), Franko SIMATOVIĆ_(JCE), Momčilo KRAJISNIK_(JCE), Jovica STANIŠIĆ_(JCE), Radovan KARADŽIĆ_(JCE), Milan MARTIĆ_(JCE) and Dragan KIJAC, Head of the RSMUP-DB and RS-SNB. P0391(public)

Milan MARTIĆ

152. Milan MARTIĆ held the following positions in SAO-Krajina: Secretary for Internal Affairs (appointed 4 January 1991);⁴¹⁹ Minister of Defence (appointed 29 May 1991);⁴²⁰

⁴¹⁶ **ROBERTS:**T.18591 (26-Mar-2012) (public).

⁴¹⁷ **THEUNENS:**P1575, p.147 & footnote 6 (Part II, p.4) (public). On at least one occasion, KADIJEVIĆ_(JCE) accepted MILOŠEVIĆ's_(JCE) demands “without any discussion.”

THEUNENS:P1575, p.148 (Part II, p.5) (public).

⁴¹⁸ P0061 (public).

⁴¹⁹ SecondAFD-no.7.

⁴²⁰ SecondAFD-no.14. **THEUNENS:**P1575, p.176 (PartII, p.33) (public); P1116, p.1 (public).

Minister of the Interior (appointed 27 June 1991);⁴²¹ and Deputy Commander of the TO (8 August – 30 September 1991).⁴²² In February 1992, following the formation of the RSK, Milan MARTIĆ was appointed RSK Minister of the Interior.⁴²³ In February 1994, he became RSK President.⁴²⁴

153. MARTIĆ was unambiguous in his support for the JCE goal. He said that the “joint life of Croats and Serbs in one State is impossible”.⁴²⁵ He actively advocated and pursued the goal of creating an ethnically Serb state in spite of his awareness of the serious and widespread crimes, which were being perpetrated against the Croat and other non-Serb civilians as a result of this policy.⁴²⁶ He also supported the unification of the RS and RSK.⁴²⁷

154. MARTIĆ had *de jure* authority over the units known as MARTIĆ’s Police.⁴²⁸ With respect to the TO, MARTIĆ’s *de facto* authority exceeded his *de jure* powers;⁴²⁹ in particular, he had the power to issue orders dealing with operational matters to the SAO-Krajina TO and its units.⁴³⁰

Milan BABIĆ

155. Milan BABIĆ held numerous positions in SAO-Krajina and RSK: on 31 July 1990, he became President of the SNC;⁴³¹ by 1 April 1991, he was the President of the Executive Council of SAO-Krajina;⁴³² on 29 May 1991, he became the President of the SAO Krajina

⁴²¹ SecondAFD-no.14.

⁴²² SecondAFD-no.17. He continued to hold the position of Minister of the Interior while he was Deputy Commander of the TO.

⁴²³ SecondAFD-no.21-22.

⁴²⁴ THEUNENS:P1575, p.250 (PartII, p.107) (public).

⁴²⁵ SecondAFD-no.39. *See also* SecondAFD-no.37.

⁴²⁶ SecondAFD-no.60.

⁴²⁷ SecondAFD-no.40.

⁴²⁸ THEUNENS:P1575, p.174 (PartII, p.31) (public); P1117, p.1-2 (public).

⁴²⁹ THEUNENS:P1575, p.174 (PartII, p.31) (public).

⁴³⁰ THEUNENS:P1575, p.179 (PartII, p.36) (public); P1123, p.1-2 (public). For further information regarding Milan MARTIĆ’s_(JCE) role in the JCE, *cross-reference*, . “Implementation of the JCE in SAO-Krajina” on page 25.

⁴³¹ SecondAFD-no.3.

⁴³² SecondAFD-no.9.

government;⁴³³ and on 19 December 1991 he became President of the RSK on the same day it was established.⁴³⁴ He remained in that position until February 1992, when he was removed due to his opposition to MILOŠEVIĆ_(JCE) regarding the Vance Plan.⁴³⁵

156. Like MARTIĆ_(JCE), BABIĆ publicly expressed the view that SAO-Krajina belonged with Serbia.⁴³⁶

157. BABIĆ also played a role with respect to the armed forces of SAO-Krajina. He ordered the mobilisation of the TO and volunteer units of SAO-Krajina and requested the SMUP to provide technical and personnel support to the SAO-Krajina SUP.⁴³⁷ As President of SAO-Krajina, he was formally the Commander of the SAO-Krajina TO,⁴³⁸ though his authority in this regard was somewhat limited by his power struggle with MARTIĆ_(JCE).⁴³⁹ For further information on BABIĆ's_(JCE) role in the JCE.⁴⁴⁰

Goran HADŽIĆ

158. Goran HADŽIĆ_(JCE) “wanted power and he wanted plenty of territory.”⁴⁴¹ HADŽIĆ became President of the SNC in SBWS on 7 January 1991.⁴⁴² HADŽIĆ was elected Prime Minister-designate when the SAO-SBWS Great National Assembly was convened on 25 June 1991. On 25 September, he became the President of the Government (*i.e.*, Prime Minister) of SAO-SBWS.⁴⁴³ HADŽIĆ worked closely with (and was strongly influenced by) STANIŠIĆ (as well as other SMUP-DB personnel), MILOŠEVIĆ_(JCE), BADŽA_(JCE) and ARKAN_(JCE) throughout this period.

159. In his official capacity, HADŽIĆ implemented recommendations and orders he received from Belgrade⁴⁴⁴ after meetings with MILOŠEVIĆ and STANIŠIĆ.⁴⁴⁵ HADŽIĆ

⁴³³ SecondAFD-no.14.

⁴³⁴ SecondAFD-no.21.

⁴³⁵ SecondAFD-no.21.

⁴³⁶ SecondAFD-no.13.

⁴³⁷ SecondAFD-no.9.

⁴³⁸ SecondAFD-no.17.

⁴³⁹ THEUNENS:P1575, p.175-76,181-82 (PartII, p.32-33) & p.181-2 (PartII, p.38-39) (public).

⁴⁴⁰ Cross-reference, “Implementation of the JCE in SAO-Krajina” on page 25.

⁴⁴¹ P1050, p.20 (public).

⁴⁴² BOGUNOVIĆ:P0553, para.7 (public). THEUNENS:P1575, p.181-82 (public).

⁴⁴³ P0016, p.1 (public) *see also*, P0568, p.1 (public); P0405, p.1 (confidential).

⁴⁴⁴ BOGUNOVIĆ:T.6046-47(public).

appointed non-local SAO-SBWS government ministers⁴⁴⁶ to entrench the links between the two governments.⁴⁴⁷

160. As the head of the SBWS government, HADŽIĆ oversaw the SBWS MoD whose responsibilities included the organisation and functioning of the regional TO.⁴⁴⁸ HADŽIĆ appointed KOJIĆ_(DB) as Minister of Defence and BADŽA_(JCE) as the TO Commander.⁴⁴⁹ HADŽIĆ also oversaw the SBWS MUP and made decisions regarding the SBWS police with authorities in Belgrade.⁴⁵⁰

161. On 25 February 1992, HADŽIĆ_(JCE) was elected President of the RSK.⁴⁵¹ While serving in that position, he continued to seek and receive assistance from Serbia.⁴⁵² For further information on HADŽIĆ's_(JCE) role in the JCE.⁴⁵³

Radovan STOJIČIĆ aka BADŽA

162. Radovan STOJIČIĆ aka BADŽA⁴⁵⁴ was a SMUP public security officer and commander of the SAJ unit.⁴⁵⁵ He served as the commander of the SAO-SBWS TO beginning sometime in the autumn of 1991.⁴⁵⁶ During the time he served as SAO-SBWS TO commander, he continued to be paid by the SMUP,⁴⁵⁷ and he actively recruited SMUP members to serve in SBWS.⁴⁵⁸

⁴⁴⁵ **BOGUNOVIĆ**:T.5974 (28-Jun-2010) (public); P0554, para.15 (public); T.5975 (28-Jun-2010) (public); *See*, [REDACTED] (confidential); [REDACTED] (confidential); **BABIĆ**:P1878,p.234(PriorT.13230)(public).

⁴⁴⁶ **BOGUNOVIĆ**:T.5977 (28-Jun-2010) (public); T.5982-84 (28-Jun-2010) (public).

⁴⁴⁷ **BOGUNOVIĆ**:T.5977-78 (28-Jun-2010) (public). *See*, **SAVIĆ**:T.1754, 1763, 1766-86 (6-Jul-2009) (public).

⁴⁴⁸ P0557, p.3 (public).

⁴⁴⁹ P1050, p.23(public).

⁴⁵⁰ **BOGUNOVIĆ**:P0554, para.18 (public).

⁴⁵¹ **THEUNENS**:P1575, p.242-43 (PartII, p.99-100) (public).

⁴⁵² **THEUNENS**:P1575, p.259 (PartII, p.116) (public); P1257, p.1-2 (public).

⁴⁵³ *Cross-reference*, "Murder: SAO-SBWS" on page 21.

⁴⁵⁴ **N.BOGUNOVIĆ**:T.13171 (16-Aug-2011) (public).

⁴⁵⁵ [REDACTED] (confidential). [REDACTED] (confidential).

⁴⁵⁶ [REDACTED] (confidential); P0054, p.1 (public); P3010, p.1 (public); P0323, p.14 (public). [REDACTED] (confidential). [REDACTED] (confidential). **BABIĆ**:P1878, p.234 (PriorT.13230) (public).

⁴⁵⁷ **N.BOGUNOVIĆ**: [REDACTED] (confidential).

⁴⁵⁸ **N.BOGUNOVIĆ**: [REDACTED] (confidential); T.13195 (16-Aug-2011) (public).

163. BADŽA was appointed Assistant Minister of the Interior of Serbia on 31 December 1991⁴⁵⁹ and was simultaneously Chief of the Public Security Sector.⁴⁶⁰ He was appointed Deputy Minister of the Interior on 12 August 1993.⁴⁶¹

164. Under BADŽA, the Public Security Service of the SMUP closely co-ordinated its activities with the SMUP-DB. The co-ordination between the Public and State security sectors [REDACTED].⁴⁶²

Radovan KARADŽIĆ

165. Radovan KARADŽIĆ was the SDS President by October 1991.⁴⁶³ He became the President of the Presidency of the SerBiH on 12 May 1992⁴⁶⁴ and President of the RS on 17 December 1992.⁴⁶⁵ As such, he was the commander-in-chief of the VRS⁴⁶⁶ and MLADIĆ's_(JCE) immediate superior.⁴⁶⁷ His close relationship with the VRS Main Staff meant he was well-informed of events throughout the RS.⁴⁶⁸ KARADŽIĆ also had influence over the police⁴⁶⁹ and TO.⁴⁷⁰

166. KARADŽIĆ was an “unrepentant nationalist,” following “the old Chetnik path” toward his goal of a creating a Serbia with as much territory as possible, ethnically cleansed of non-Serbs.⁴⁷¹

167. KARADŽIĆ made perhaps the most explicit statements of JCE intent of any of the JCE members. On 15 October 1991, he threatened the Bosnian Muslims with extinction⁴⁷²

⁴⁵⁹ P1055, p.5 (public).

⁴⁶⁰ P1057, p.1 (public).

⁴⁶¹ P1056, p.1 (public). For further information on BADŽA's_(JCE) role in the JCE, *see*, “Murder: SAO-SBWS” on page 21.

⁴⁶² P3227, p.13 (confidential); P3232, p.6 (confidential); P3233, p.7 (confidential); P3234, p.6 (confidential); P3226, p.3 (confidential).

⁴⁶³ FirstAFD-no.108.

⁴⁶⁴ ThirdAFD-no.121-122.

⁴⁶⁵ ThirdAFD-no.132.

⁴⁶⁶ FirstAFD-no.262; ThirdAFD-no.122, 132, 137, 150.

⁴⁶⁷ ThirdAFD-no.150-53.

⁴⁶⁸ ThirdAFD-no.152-53.

⁴⁶⁹ ThirdAFD-no.212.

⁴⁷⁰ ThirdAFD-no.247.

⁴⁷¹ **ROBERTS**:D0779, para.12 (public);T.18592-3 (26-Mar-2012) (public).

⁴⁷² P0940, p.1 (Eng), p.1 (BCS) (public).

and on 12 May 1992, he articulated the six strategic goals of the Bosnian Serbs,⁴⁷³ thus formally adopting the JCE common plan as his goal.⁴⁷⁴

Željko RAŽNATOVIĆ aka “ARKAN”

168. Željko RAŽNATOVIĆ aka “ARKAN”⁴⁷⁵ led the SDG⁴⁷⁶ throughout the Indictment period. His role in the JCE is discussed in detail below.⁴⁷⁷

Mihalj KERTES aka BRACO/BRACA

169. During the Indictment period, KERTES aka BRACO⁴⁷⁸ was an Assistant Minister of the Interior⁴⁷⁹ of the Federal MUP⁴⁸⁰ prior to its take-over by the SMUP-DB and then became Director of the FRY Customs Service.⁴⁸¹ KERTES co-operated with STANIŠIĆ and other members of the JCE to arm Serb Forces in the RS and RSK.

Blagoje ADŽIĆ

170. In 1991, Blagoje ADŽIĆ⁴⁸² was the Chief of the General Staff of the JNA.⁴⁸³ ADŽIĆ participated in a military planning meeting at Vukovar just prior to the fall of the city. The meeting was also attended by JCE members SIMATOVIĆ, BADŽA, HADŽIĆ, and KERTES.⁴⁸⁴

⁴⁷³ DONIA:P0939, p.9 (PriorT.3075) (public); P0942, p.1 (public).

⁴⁷⁴ FirstAFD-no.154 (emphasis added). DONIA:P0939, p.31 (PriorT.3097) (public). For further information on KARADŽIĆ’s role in the JCE, see “Implementation of the JCE in BiH” on page 51.

⁴⁷⁵ [REDACTED] (confidential).

⁴⁷⁶ P1078, p.1 (public). [REDACTED] (confidential).

⁴⁷⁷ Cross-reference, “Murder: SAO-SBWS” on page 21 and “The Serbian Volunteer Guard (“SDG”)” on page 135.

⁴⁷⁸ See, BABIĆ:P1877, p.103 (PriorT.1528); P2536, p.17; P1929, p.6 (public).

⁴⁷⁹ [REDACTED] (confidential).

⁴⁸⁰ [REDACTED] (confidential).

⁴⁸¹ [REDACTED] (confidential); P2097 (confidential); P0048.12, p. 4 (public).

⁴⁸² For information on ADŽIĆ’s and the JNA’s role in the JCE generally, see THEUNENS:P1575, p.49-50, 114, 157-59, 225, 244, 290, 293-94 (public).

⁴⁸³ THEUNENS:P1575, p.157 (Part II, p.14) (public). For an overview of the responsibilities of the General Staff and its role in the JNA and SFRY Armed Forces; *see also*, P1575, Part I.

⁴⁸⁴ [REDACTED] (confidential); [REDACTED] (confidential); [REDACTED] (confidential).

Ratko MLADIĆ

171. Ratko MLADIĆ's involvement in the JCE began in Croatia, where, in 1991, he was the Chief of Staff of the 9th Corps of the JNA.⁴⁸⁵ MLADIĆ began acting in concert with JCE member MARTIĆ no later than the attack on Kijevo in August 1991.⁴⁸⁶ While in SAO-Krajina, MLADIĆ declared his JCE intent, stating that civilians would be attacked and their homes destroyed.⁴⁸⁷ MLADIĆ continued his involvement in the JCE after being appointed the Chief of the Main Staff of the VRS on 12 May 1992.⁴⁸⁸

Radmilo BOGDANOVIĆ

172. Radmilo BOGDANOVIĆ was the Minister of the Interior of Serbia at the beginning of 1991. Although he was forced to resign after the March 1991 demonstrations in Belgrade, he remained “ [REDACTED] ”.⁴⁸⁹

173. BOGDANOVIĆ and STANIŠIĆ acted in concert to arm Serbs throughout the former Yugoslavia. With respect to BiH, the JANKOVIĆ diary has descriptions of two meetings with STANIŠIĆ at which deliveries of weapons were approved. BOGDANOVIĆ attended the second of these meetings and encouraged STANIŠIĆ, to “make a deal” with the Bosnian Serb representatives.⁴⁹⁰

Momčilo KRAJIŠNIK

174. Momčilo KRAJIŠNIK was the President of the Bosnian Serb Assembly,⁴⁹¹ and was the one who signed the decision adopting the strategic objectives of the Serbian people in BiH.⁴⁹² He believed that the first goal of ethnic separation was the most important of the six.⁴⁹³

⁴⁸⁵ THEUNENS:P1575, p.190 (Part II, p.47) (public).

⁴⁸⁶ THEUNENS:P1575, p.190 (Part II, p.47-8) (public).

⁴⁸⁷ P2989, p. 9 (public).

⁴⁸⁸ THEUNENS:P1575, p.297, 302 (Part III, p.16, 21) (public).

⁴⁸⁹ P0018, p.14 (public). N.BOGUNOVIĆ: [REDACTED] (confidential); T.13255(17-Aug-2011) (public). *See also*, [REDACTED] (confidential).

⁴⁹⁰ P2522, p.36, 41 (public); P2522, p.36-37, 41 (public).

⁴⁹¹ P1483, p.3 (public); P2514, p.1 (public).

⁴⁹² P1885, p.1 (public). KRAJIŠNIK also signed other important decisions, such as the decision on the creation of the army of the Serbian Republic of Bosnia & Herzegovina. P1333, p.1 (public).

⁴⁹³ P1493, p.25 (public).

Biljana PLAVŠIĆ

175. Biljana PLAVŠIĆ was an SDS leader and deputy in the Bosnian Serb Assembly. PLAVŠIĆ visited Bijeljina following its take-over by Bosnian Serb Forces.⁴⁹⁴ While there⁴⁹⁵ she met ARKAN_(JCE/DB) and HADŽIĆ_(JCE) at the Crisis Staff.⁴⁹⁶

Mičo STANIŠIĆ

176. Mičo STANIŠIĆ served at the Minister of the Interior of the SerBiH (and later RS) beginning in March or April of 1992.⁴⁹⁷ He was also a member of the SNC of the Serbian Republic of BiH along with KARADŽIĆ_(JCE) and KRAJIŠNIK_(JCE).⁴⁹⁸ One of his tasks was serving as a liaison with the MUP of the FRY.⁴⁹⁹ He also co-ordinated combat operations in Sarajevo in May 1992 by telephone with KARADŽIĆ_(JCE) and ADŽIĆ_(JCE).⁵⁰⁰

177. The photo in figure 1 depicts Drajan KIJAC. He was the head of the RSMUP-DB and the RS-SNB.⁵⁰¹

Vojislav ŠEŠELJ

178. Vojislav ŠEŠELJ was the leader of the Serbian Radical Party.⁵⁰² On 10 May, 1991, an operative of the SMUP-DB met ŠEŠELJ at his house where they discussed ŠEŠELJ's men in Borovo Selo and ŠEŠELJ told the operative that his recent statements were intended to have a preventative effect in terms of "frightening the Croats." At the meeting, it was agreed that ŠEŠELJ would notify the SMUP-DB of additional information regarding that report.⁵⁰³

179. He began registering volunteers to go to Knin in 1990 and first met BABIĆ there in August 1990.⁵⁰⁴ In 1991, ŠEŠELJ began sending volunteers to eastern Slavonia where they

⁴⁹⁴ **DIMITRIJEVIĆ**:T.16104 (17-Jan-2012) (public); D0052, p.2-6 (public).

⁴⁹⁵ P1621 (public); [REDACTED] (public).

⁴⁹⁶ D0052, p.4 (public).

⁴⁹⁷ **DONIA**:P0939, p.72 (PriorT.3138) (public).

⁴⁹⁸ P1327, p.1 (public).

⁴⁹⁹ P1483, p.44 (public). **DONIA**:T.6548 (26-Aug-2010) (public).

⁵⁰⁰ P0703, p.4 (public).

⁵⁰¹ D1013, p.2 (public); D0842 (public); D1051, p.1 (public); P0479, p.4 (confidential); P2417 (confidential); P2467, p.4 (public); P2892 (confidential).

⁵⁰² P0018, p.3 (public).

⁵⁰³ P3241, p.2 (public).

⁵⁰⁴ P0018, p.4-7 (public).

participated in the fighting in Borovo Selo.⁵⁰⁵ His volunteers received weapons from the SMUP – in particular, from BOGDANOVIĆ_(JCE).⁵⁰⁶ According to ŠEŠELJ, KERTES_(JCE) and SIMATOVIĆ also helped arm his volunteers. ŠEŠELJ identified SIMATOVIĆ as the commander of the Red Berets.⁵⁰⁷

*Veljko KADIJEVIĆ*⁵⁰⁸

180. Veljko KADIJEVIĆ was the Federal Secretary for People's Defence in 1991;⁵⁰⁹ as such, he was responsible for the implementation of the system of command and control in the armed forces.⁵¹⁰ KADIJEVIĆ “radically” changed the tasks of the JNA from the constitutionally defined tasks of defence against external and internal aggression to “Defence of the Serb nation in Croatia and the national interests of the Serb nation” and “Gaining full control of Bosnia-Herzegovina, with the ultimate aim of defending the Serb nation and its rights there.”⁵¹¹ During the second half of 1991, he met on an almost daily basis with JCE members ADŽIĆ and MILOŠEVIĆ to discuss operations in the SFRY,⁵¹² receiving instructions from MILOŠEVIĆ on the use of the SFRY armed forces on several occasions.⁵¹³

The JCE Was a Single Criminal Enterprise Spanning Several Years and Several Regions

“Last year, 1994, was marked by the effort to attain a common stance in our joint effort – the creation of a unified Serbian state.”

⁵⁰⁵ P0018, p.7 (public).

⁵⁰⁶ P0018, p.7 (public).

⁵⁰⁷ P0018, p.16 (public); P1443, p.3, 7, 11 (public)

⁵⁰⁸ For information on KADIJEVIĆ's and the JNA's role in the JCE generally.

See, **THEUNENS**: P1575 (public)) and the excerpts from KADIJEVIĆ's book admitted as P1025 (public).

⁵⁰⁹ **THEUNENS**:P1575, p.146 (Part II, p.3) (public).

⁵¹⁰ **THEUNENS**:P1575, p.41 (Part I, p.18) (public). For a complete description of the powers and responsibilities of the Federal Secretary for People's Defence, see P1575, p.40-42 (Part I, p.17-19) For a complete description of the JNA command and control structure, see Part I of P1575 (public).

⁵¹¹ **THEUNENS**:P1575, p.151 (Part II, p.8) (public); P1025, p.8 (public).

⁵¹² **THEUNENS**:P1575, p.147 & fn5 (Part II, p.4) (public). Members of the DB special unit also participated in this attack.

⁵¹³ **THEUNENS**:P1575, p.147 & fn6 (Part II, p.4) (public)

-MARTIĆ's 1994-1995 New Year's greeting card to JCE members⁵¹⁴

181. At New Year 1994-1995, MARTIĆ, as President of the RSK, sent greetings cards to a number of JCE members including STANIŠIĆ, KARADŽIĆ, KRAJIŠNIK, and MILOŠEVIĆ.⁵¹⁵ The text of each card is nearly identical. The card MARTIĆ sent to STANIŠIĆ said, "Last year, 1994, was marked by the effort to attain a common stance in our joint effort – the creation of a unified Serbian state."⁵¹⁶

182. As this card shows, STANIŠIĆ, SIMATOVIĆ and other members of the JCE considered their work in the SAO-Krajina, SAO-SBWS and BiH to be a single project spanning multiple years. For this reason, events in each region and each period are relevant to – and corroborative of – events in other regions and other periods. The Defence may invite the Chamber to look at particular periods or regions in isolation. The Chamber should decline. The events did not occur in isolation and considering them in isolation would impede an accurate understanding of them. The Accused and the other JCE members viewed this as a single, integrated project, and the Chamber should as well.

⁵¹⁴ P0995, p.2 (public).

⁵¹⁵ P0995, p.1-4 (public).

⁵¹⁶ P0995, p.2 (public).

Section 2: The Accused and the Special Units of the Serbian State Security Service

Jovica STANIŠIĆ

“He mentioned the boss, his boss in state security.”

-KOVAČEVIĆ testifying about a dispute in Erdut in November 1991 at which ARKAN mentioned STANIŠIĆ⁵¹⁷

183. Jovica STANIŠIĆ was effectively the most powerful person in the SMUP-DB throughout the Indictment period. On 6 June 1990 STANIŠIĆ, as Assistant Chief of SMUP-DB, was appointed Assistant Republican Secretary of the Interior.⁵¹⁸ From 1 January 1992, he was the Chief of the SMUP-DB.⁵¹⁹

184. Even before his formal appointment as Chief of the DB, STANIŠIĆ enjoyed the trust of and direct access to MILOŠEVIĆ, who bypassed the *de jure* Chief, Zoran JANAČKOVIĆ⁵²⁰ to deal directly with STANIŠIĆ. For example, in a 24 June 1991 conversation between KERTES_(JCE) and KARADŽIĆ_(JCE), KERTES stated, “Slobo has given Jovica and me *carte blanche*”.⁵²¹ With such *carte blanche* from the President of Serbia STANIŠIĆ was in fact the most powerful figure in the SMUP-DB at this time. STANIŠIĆ confirmed this in his 1998 statement when he said he was SMUP-DB Chief, “from 1991 to 1998”.⁵²²

185. STANIŠIĆ’s tasks and responsibilities as SMUP-DB Assistant Chief and Chief were of the highest level and dealt with all aspects of the DB’s work and personnel.⁵²³ As Chief, he was responsible for co-ordination and co-operation between the SMUP-DB and “other defence and security organisations”.⁵²⁴

⁵¹⁷ KOVAČEVIĆ:P0053, para.4-5 (public); T.2145-7 (27-Aug-2009) (public).

⁵¹⁸ P2397, p.1 (confidential).

⁵¹⁹ P1055, p.4 (public).

⁵²⁰ [REDACTED] P2372, p.1 (confidential).

⁵²¹ P0630, p.1-3 (public).

⁵²² P2644 (public).

⁵²³ D0115, p.2-4 (confidential).

⁵²⁴ D0115, p.2 (confidential).

186. STANIŠIĆ was a well-informed, active, and involved leader of the DB. He often personally verified subordinates' reports by visiting the field and meeting with subordinates several levels below him.⁵²⁵

187. STANIŠIĆ shared the JCE objective⁵²⁶ and contributed to its achievement throughout the Indictment period. Specifically, he contributed to the JCE by:

- supplying arms and equipment to Serb Forces that committed crimes, including forces in the SAO-Krajina, the SBWS, and BiH;⁵²⁷
- forming, training, financing and providing logistical support to special police units and other Serb Forces, including the Unit; the SDG; the Scorpions; MARTIĆ's_(JCE) Police; other Serb Forces in the SAO-Krajina, including SAO-Krajina TO units; SAO-SBWS police units; the Bosanski Šamac Red Berets unit; and the Doboj Red Berets unit.⁵²⁸
- deploying SMUP-DB special units, including the Unit; the Bosanski Šamac Red Berets; the Doboj Red Berets; the SDG; and the Scorpions into the areas where they committed crimes.⁵²⁹
- serving as a channel of communication, facilitating the JCE members' pursuit of their common criminal purpose. Specifically, (among other things) he served as a channel of communication between MILOŠEVIĆ and MARTIĆ; between MILOŠEVIĆ and BABIĆ; between MILOŠEVIĆ and HADŽIĆ and the RSK

⁵²⁵ ČORBIĆ:T.14423-6 (13-Oct-2011) (public).

⁵²⁶ Cross-reference, "STANIŠIĆ demonstrated his intent through his own words and actions" on page 285.

⁵²⁷ Cross-reference, "The Accused contributed to the JCE by supplying arms and equipment to Serb Forces that committed crimes" on page 250; "The Accused armed Serb Forces in SAO-Krajina" on page 253; "The Accused armed Serb Forces in SBWS" on page 257; "The Accused armed Serb Forces in BiH" on page 259; and "The Accused continued to supply arms through to 1995" on page 262.

⁵²⁸ Cross-reference, "The Accused contributed to the JCE by forming, training, financing and providing logistical support to special police units and other Serb Forces that committed crimes" on page 263. *Note*, that the Prosecution does not allege every kind of contribution (forming, training, financing, etc.) for every one of these units.

⁵²⁹ Cross-reference, The Accused contributed to the JCE by deploying SMUP-DB special units into the areas where they committed crimes on page 265, *et seq.*

government; between MILOŠEVIĆ and KARADŽIĆ; and between MARTIĆ and BABIĆ when their relationship was strained.⁵³⁰

188. STANIŠIĆ's interaction with multiple JCE members in multiple geographic areas over multiple years regarding multiple operational and management considerations shows he was involved in nearly every aspect of the JCE.

189. In addition to these contributions to the JCE, STANIŠIĆ also took other actions that demonstrated his intent to further the JCE, his co-operation with other JCE members, and his role in planning and ordering the charged crimes. Among other things, STANIŠIĆ:

- Served as a co-ordinator and guide on political matters for KARADŽIĆ,⁵³¹
- Intervened personally in military operations in SAO-SBWS to ensure the capture of Vukovar,⁵³²
- Instructed and assisted—along with MILOŠEVIĆ—HADŽIĆ, BABIĆ and MARTIĆ to establish SAO-SBWS and SAO-Krajina governments,⁵³³
- Hosted a meeting of the most important JCE members from BiH and Serbia regarding the achievement of the JCE goals in BiH;⁵³⁴
- Facilitated—through RAIĆ_(DB)—the Scorpions' movement across borders;⁵³⁵
- Co-ordinated—through MIJOVIĆ—the Scorpions and SDG during the Trnovo operation, placing them under the operational control of the RSMUP.⁵³⁶

Franko SIMATOVIĆ aka FRENKI

“The Serbia State Security is in charge now, “FRENKI”, Jovica”.

-SVK Intelligence Report, October 1995⁵³⁷

⁵³⁰ Cross-reference, “The Accused contributed to the JCE by serving as channels of communication, facilitating the JCE members' pursuit of their common criminal purpose” on page 278.

⁵³¹ Cross-reference, paras. 91-98, 104, 109-17.

⁵³² Cross-reference, paras. 73, 690-93.

⁵³³ Cross-reference, paras. 18-30, 36-37, 44-59.

⁵³⁴ P2532, p.1-10 (public). Cross-reference, paras. 138-40.

⁵³⁵ Cross-reference, para. 349.

⁵³⁶ Cross-reference, paras. 355-56.

⁵³⁷ P2360 (confidential).

190. Franko SIMATOVIĆ aka FRENKI was STANIŠIĆ's subordinate. He served as a Senior Inspector in the 2nd Administration of the Belgrade DB Centre from the beginning of the Indictment period until 29 April 1992. He was then appointed Deputy Chief of the 2nd Administration of the DB,⁵³⁸ a position he held until at least 27 June 1994.⁵³⁹

191. The tasks of the Chief and Deputy Chief of the 2nd Administration related to, *inter alia*, defence matters during a state of emergency or imminent threat of war, information-gathering regarding threats to Serbs living outside Serbia, and co-ordination with other organisational units in the SMUP-DB and MUP.⁵⁴⁰

192. Like STANIŠIĆ, SIMATOVIĆ shared the objective of the JCE⁵⁴¹ and contributed to its achievement in a variety of ways. Specifically, he contributed to the JCE by:

- supplying arms and equipment to Serb Forces that committed crimes, including forces in the SAO-Krajina and BiH;⁵⁴²
- forming, training, financing and providing logistical support to special police units and other Serb Forces, including the Unit; the SDG; MARTIĆ's_(JCE) Police; other Serb Forces in the SAO-Krajina, including SAO-Krajina TO units; the Bosanski Šamac Red Berets unit; and the Dobož Red Berets unit.⁵⁴³
- deploying SMUP-DB special units, including the Unit; the Bosanski Šamac Red Berets; the Dobož Red Berets; and the SDG into the areas where they committed crimes.⁵⁴⁴

⁵³⁸ P2398, p.1 (confidential); D0846, p.1 (public); P2367, p.5 (confidential).

⁵³⁹ P2420, p.2 (public).

⁵⁴⁰ D0115, p.7-9 (confidential).

⁵⁴¹ Cross-reference, "SIMATOVIĆ demonstrated his intent through his own words and actions" on page 288.

⁵⁴² Cross-reference, "The Accused armed Serb Forces in SAO-Krajina" on page 253; and "The Accused armed Serb Forces in BiH: Posavina Corridor operations" on page 261.

⁵⁴³ Cross-reference, "The Accused contributed to the JCE by forming, training, financing and providing logistical support to special police units and other Serb Forces that committed crimes." on page 263. Note that the Prosecution does not allege every kind of contribution (forming, training, financing, etc.) for every one of these units.

⁵⁴⁴ Cross-reference, "The Accused contributed to the JCE by deploying SMUP-DB special units into the areas where they committed crimes" on page 265 et seq.

- serving as a channel of communication, facilitating the JCE members' pursuit of their common criminal purpose. Specifically, (among other things) he served as a channel of communication among JCE members in the SAO-Krajina and Belgrade as well as among MILOŠEVIĆ, KARADŽIĆ, and Mićo STANIŠIĆ.⁵⁴⁵

193. In addition to these contributions to the JCE, SIMATOVIĆ also took other actions that demonstrated his intent to further the JCE, his co-operation with other JCE members, and his role in planning and ordering the charged crimes. Among other things, SIMATOVIĆ:

- Participated directly in military matters in all three regions, taking part in the fighting in Lovinac in SAO-Krajina;⁵⁴⁶
- Commanded special units of the Serbian DB;⁵⁴⁷
- Commanded his men in the fighting for Vukovar;⁵⁴⁸
- Planned—with MLADIĆ_(JCE)—military operations in eastern BiH.⁵⁴⁹

⁵⁴⁵ Cross-reference, “The Accused contributed to the JCE by serving as channels of communication, facilitating the JCE members’ pursuit of their common criminal purpose” on page 278 and “SIMATOVIĆ served as a channel of communication between and among JCE members” on page 283.

⁵⁴⁶ Cross-reference, para. 402-05

⁵⁴⁷ Cross-reference, para. 208-11, 217, 221, 251, 259, 271.

⁵⁴⁸ Cross-reference, para. 697

⁵⁴⁹ Cross-reference, para. 133-37

The Special Units of the SMUP-DB⁵⁵⁰

“Further engagement and formation of new police forces is to follow, and the government was tasked with preparing appropriate formations to guarantee our security and make us capable of defending the interests of our republic, and also the interests of the Serbian people outside Serbia”.

-Slobodan MILOŠEVIĆ, addressing members of local Councils in Serbia on 16 March 1991.⁵⁵¹

“On 13 April 1991 a meeting was held with Daniel SNEDDEN [CAPTAIN DRAGAN] in order to discuss the possibilities of his further engagement pursuant to the plan which was presented to him during the last meeting.”

-Franko SIMATOVIĆ – Text from SIMATOVIĆ’s report dated 13 April 1991.⁵⁵²

“Mr. President [MILOŠEVIĆ], we thank you for accepting the invitation to attend the ceremony marking the anniversary of the formation of the Special Operations Unit of the State Security Service. It was constituted on 4 May 1991.”

Franko SIMATOVIĆ, in a speech given at the dedication of the Rade Kostić Centre in 1997.⁵⁵³

194. Throughout the Indictment period, the Accused formed, trained and controlled SMUP-DB special units, through which they made significant contributions to the common purpose of the JCE. The SMUP-DB secretly trained volunteers and conscripts at centres in Croatia, BiH and Serbia to engage in military operations targeting non-Serb civilians in Croatia and BiH. Some members then became instructors or commanders for other Serb Forces. These SMUP-DB special units included:⁵⁵⁴

⁵⁵⁰ This section contains a detailed chronology of the special units of the SMUP-DB. Over the course of the Indictment period these units evolved and underwent several incarnations in form. A clear understanding of its history and members is essential and a prerequisite to a correct understanding of the role the Accused played in the crimes charged in the Indictment and described more fully in Section 3 below.

⁵⁵¹ P0975 (confidential) (emphasis added).

⁵⁵² P3251, p.1 (public) (emphasis added).

⁵⁵³ P0061 (public) (emphasis added).

⁵⁵⁴ Indictment, para.4.

- The JPN of the MUP Serbia/JATD/JSO (commonly known as the “Red Berets”, and referred to in this brief as the “Unit”),
- The Serbian Volunteer Guard (*Srpska Dobrovoljačka Garda*, commonly known as “ARKAN’s Tigers” and hereinafter “SDG”), and
- The Scorpions.

195. These units often operated in co-ordination with each other and other Serb Forces, including the JNA; VJ; SVK; VRS; RSK and RS MUP; and local TO units.⁵⁵⁵

The “Unit”

“The Unit existed at all times—formally or informally, whether with 15 people in it or 300 at the end. I commanded the Unit in one period, FRENKI in another, Legija in yet another... But the Unit existed at all times.”

-Dragan VASILJKOVIĆ aka “CAPTAIN DRAGAN”^(DB)⁵⁵⁶

“

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196. The Accused contributed to the common purpose by establishing and directing a SMUP-DB Unit, often referred to as the “Red Berets”. The Unit existed in one form or another, under the Accused’s control, throughout the Indictment period: from its formation in May 1991, when it was known as the JPN of the MUP Serbia, through its formalisation as the JATD in August 1993 and on to its reincarnation as the JSO in 1996.⁵⁵⁸

197. Through the Unit, the Accused extended their reach across the Indictment area. They used the Unit to establish camps to train and arm Serb Forces across SAO-Krajina, SAO-SBWS, Serbia and BiH. Once trained, many of these forces fought under the command of the Accused and other Unit members in co-ordination with local Serb Forces. Other soldiers trained at Unit camps returned to their hometowns to establish and train other Serb units for

⁵⁵⁵ Indictment, para.4, 5.

⁵⁵⁶ P2976, p.17 (public).

⁵⁵⁷ ----- (confidential).

⁵⁵⁸ P2976, p.17 (public).

combat. The Unit also trained many Serb army, TO, police and paramilitary units and coordinated with these groups during combat.

198. From the beginning, it was clear that the Unit's purpose was to help drive non-Serbs from their homes in Croatia and BiH. In the 16 March 1991 order that led to the Unit's formation and was reported in *Nin* (see above on page 88) MILOŠEVIĆ "ordered a mobilisation of the reserve police forces." These forces included the "formation of new police forces" to defend "the interests of the Serbian people outside Serbia".⁵⁵⁹

199. The Accused, who formed the Unit, considered their project a success. At the 1997 ceremony in Kula celebrating the Unit and its achievements ("Kula Ceremony"), SIMATOVIĆ said the Unit "constantly worked to protect national security in circumstances where the existence of the Serbian people was directly jeopardised throughout its entire ethnic area."⁵⁶⁰ He praised the Unit for its success in training Serb Forces and undertaking operations across the Indictment area from 1991 through to 1995. STANIŠIĆ and MILOŠEVIĆ personally recognised and awarded Unit members for their "successes".⁵⁶¹ The activities that both Accused praised at Kula involved committing the crimes required to advance the JCE's common criminal purpose.

200. The story of the Unit as an active formation begins with the SMUP-DB training camp at Golubić, where the SMUP-DB trained some of its first members. Its evolution can be traced through the establishment and formation of other camps and through the movements and activities of its core members.

Golubić Training

201. In January 1991, STANIŠIĆ and SIMATOVIĆ began working with MARTIĆ_(JCE) to establish a training centre in Golubić, in SAO-Krajina, where the SMUP-DB would provide combat training for the Serb police, TO and other Serb Forces.⁵⁶² They recruited CAPTAIN DRAGAN_(DB) and sent him⁵⁶³ to Golubić to lead the training.⁵⁶⁴ Other instructors included

⁵⁵⁹ P0975 (confidential).

⁵⁶⁰ P0061, p.9 (public).

⁵⁶¹ P0061, p.26, 27 (public).

⁵⁶² See, **BABIĆ**:P1878, p.58-59 (PriorT.12932-33) (public). [REDACTED] (confidential). See also, "Implementation of the JCE in SAO-Krajina" on page 25.

⁵⁶³ P1062 (confidential); [REDACTED] (confidential) ([REDACTED]).

⁵⁶⁴ [REDACTED] (confidential); P1069, p.8 (public); P1178 (public); P1601, p.1 (public).

Dragan FILIPOVIĆ aka FIĆA⁵⁶⁵ aka MAJOR FIĆA_(DB)⁵⁶⁶ and Milan RADONJIĆ aka MEDA_(DB),⁵⁶⁷ officials of the SMUP-DB⁵⁶⁸ who were subordinate to SIMATOVIĆ.⁵⁶⁹ STANIŠIĆ and SIMATOVIĆ were in the Krajina when training began in April.⁵⁷⁰

202. To disguise their participation in training units in Golubić—which was outside of Serbia and therefore beyond the SMUP-DB’s lawful area of responsibility—STANIŠIĆ retroactively signed documents “officially” deploying SIMATOVIĆ, FILIPOVIĆ_(DB) and RADONJIĆ_(DB) to Kosovo during the period they were actually involved in training in Golubić.⁵⁷¹ In this way, the SMUP-DB was able to fund the Accused’s projects in Croatia, which were not authorised under the Law on Internal Affairs or Serbian DB regulations.⁵⁷² This also helped the Accused keep the Unit’s actions secret even within the DB.

203. Beginning around April 1991,⁵⁷³ the instructors at Golubić trained 3,000 to 5,000 men; between 100 and 300 men were present at any given time.⁵⁷⁴ Serb volunteers, TO members, and local police from across the entire SAO-Krajina area⁵⁷⁵ received combat training, uniforms and weapons.⁵⁷⁶ The training was predominantly military in character and included drill practice, ambush training, ideological training, weapons and landmine training, physical exercise, training in the securing of persons, self-protection and

See, P3251 (public). “Implementation of the JCE in SAO-Krajina” on page 25.

⁵⁶⁵ ██████████ (confidential) (██████████). ██████████ (confidential).

⁵⁶⁶ ██████████ (confidential). ██████████ (confidential).

⁵⁶⁷ **PLAHUTA**:T.19349 (14-May-2012) (public).

⁵⁶⁸ P2742, p.1 (confidential); P0474, p.2-3 (confidential).

⁵⁶⁹ ██████████ (confidential).

⁵⁷⁰ **BABIĆ**:P1878, p.164 (PriorT.13118) (public).

⁵⁷¹ P2487, p.1-2 (confidential); P0474, p.6 (confidential); P2723 (confidential); P2403 (confidential).

⁵⁷² **MILOŠEVIĆ**:T.19122-24 (08-May2012) (public). ██████████ (confidential). ██████████ (confidential).

⁵⁷³ ██████████ (confidential); ██████████ (confidential). ██████████ (confidential).

⁵⁷⁴ ██████████ (confidential).

⁵⁷⁵ **JF-039**:T.7244-46 (14-Sep-2010) (public).

⁵⁷⁶ **BABIĆ**:P1878, p.167 (PriorT.13121)(public). See, P3251, p.2 (public) (during a discussion with Captain Dragan_(DB) in April 1991, SIMATOVIĆ deduced that Captain Dragan_(DB) could secure weapons transfers for the SMUP-DB). ██████████. ██████████.

abseiling.⁵⁷⁷ On average, the training lasted for approximately 20 days.⁵⁷⁸ Units trained by CAPTAIN DRAGAN_(DB) were covert⁵⁷⁹ and referred to as “Knindžas” in 1991.⁵⁸⁰

204. SIMATOVIĆ established an officer structure for the units training at Golubić. The recruits were divided into five or six platoons. Among the first platoon commanders were Dragan KARNA_(DB) and Goran OPAČIĆ_(DB).⁵⁸¹ SIMATOVIĆ and MARTIĆ were superior to KARNA.⁵⁸²

205. Upon completing training, many individuals returned to their localities⁵⁸³ to participate in operations as “a new police force”⁵⁸⁴ in SAO-Krajina known as MARTIĆ’s Police.⁵⁸⁵ Goran OPAČIĆ_(DB), for example, trained at Golubić and returned to the special police unit in Benkovac.⁵⁸⁶ Similarly, Predrag BAKLAIĆ_(DB) trained at Golubić before commanding a special unit in Krajina operations under MARTIĆ_(JCE).⁵⁸⁷ At least one individual who trained at Golubić joined the SDG in the 1991 operations in SBWS.⁵⁸⁸ Evidence also suggests that two Serbs from Sanski Most, Rade MARTIĆ and Milenko SKODRIĆ, trained in Golubić under CAPTAIN DRAGAN_(DB).⁵⁸⁹

206. On 14 June 1991, SIMATOVIĆ, CAPTAIN DRAGAN_(DB), KARNA, and JNA officers met to discuss further work in Golubić and the assignment of units to bordering areas.⁵⁹⁰ The meeting minutes reflect the areas from where people came to Golubić for

⁵⁷⁷ [REDACTED] (confidential). P1009, p.2 (public).

⁵⁷⁸ SecondAFD-no.55.

⁵⁷⁹ [REDACTED] (confidential); P1000, p.45 (confidential).

⁵⁸⁰ [REDACTED] (confidential).

⁵⁸¹ [REDACTED] (confidential); [REDACTED] (confidential).

⁵⁸² [REDACTED] (confidential).

⁵⁸³ See e.g., P1009, p.1 (public).

⁵⁸⁴ BOSNIĆ:D0313, p.9 (public).

⁵⁸⁵ [REDACTED] (confidential). BABIĆ:P1877, p.114 (PriorT.1543) (public).

[REDACTED] (confidential). See, [REDACTED] (confidential)

[REDACTED] (confidential).

⁵⁸⁶ JF-039:T.7251 (14-Sep-2010) (public). See also, “Implementation of the JCE in SAO-Krajina” on page 25.

⁵⁸⁷ P3008, p.1-2 (confidential).

⁵⁸⁸ P2657, p.2 (public).

⁵⁸⁹ [REDACTED] (confidential).

⁵⁹⁰ P1009, p. 1 (public).

training and then returned.⁵⁹¹ The minutes describe planned actions in specific areas of the Krajina, including special training for mining, destruction of roads, ambushes, and using a rifle grenade launcher.⁵⁹²

207. On 23 June 1991, CAPTAIN DRAGAN_(DB) reported to the SMUP-DB⁵⁹³ that the main objective was for men to return to their homes after completing their training, and form mini-training grounds wherever possible, which would produce new formations to combat the rise of “Ustashahood” in Croatia. He suggested that he, MARTIĆ, SIMATOVIĆ and prominent Unit members tour the field to “give advice on the formation of units in the field.”⁵⁹⁴ Throughout the Indictment period in Croatia and BiH, the Unit would repeatedly follow this model, established at Golubić, of training local Serbs and then sending them home to participate in combat operations as special units. These operations were not limited to lawful combat, but instead involved terrorising the non-Serb civilian population to force them out of the JCE’s targeted territory.⁵⁹⁵

Founding of the Unit

208. Of the many trainers and trainees at Golubić, a smaller group comprising “[REDACTED]” were selected for “FRENKI’s Unit”; a combat unit for the SMUP-DB.⁵⁹⁶ Although the Unit was not formed in a day, the SMUP-DB and its Unit members deemed 4 May 1991 to be the Unit’s founding date.⁵⁹⁷ Among the original members who would become the Unit’s core were Radojica BOŽOVIĆ_(DB) aka “Raja”,⁵⁹⁸ Živojin IVANOVIĆ aka Žika CRNOGORAC_(DB),⁵⁹⁹ Davor SUBOTIĆ aka RIKI_(DB),⁶⁰⁰ Nikola

⁵⁹¹ [REDACTED] (confidential); P1009, p.1 (public).

⁵⁹² P1009, p.2 (public).

⁵⁹³ **THEUNENS**:T.8090-91(26-Oct-2010) (public); P1575, p.210 (public); P1179 (public).

⁵⁹⁴ P1179 (p.1-2).

⁵⁹⁵ Cross-reference, The Crimes in SAO-Krajina on page 174.

⁵⁹⁶ [REDACTED] (confidential).

⁵⁹⁷ P0061, p.9 (public); P3009, p.2 (confidential); P1655, p.62 (confidential); P1075, p.5 (public).

JF-005:T.2804 (20-Jan-2010) (public).

⁵⁹⁸ **JF-005**:[REDACTED] (confidential) T.2811 (20-Jan-2010) (public).

⁵⁹⁹ [REDACTED] (confidential).

⁶⁰⁰ D0457, p.9, 10 (confidential); P0138 (confidential); D0423 (public). **OPAČIĆ**:T.18253 (13-Mar-2012) (public). **JF-005**:T.2811 (20-Jan-2010) (public).

PUPOVAC aka PUPE_(DB),⁶⁰¹ Ilija VUČKOVIĆ aka RAMBO_(DB),⁶⁰² Borjan VUČKOVIĆ aka BOKI_(DB),⁶⁰³ Saša MEDAKOVIĆ_(DB),⁶⁰⁴ Nevin LAKA_(DB),⁶⁰⁵ Slobodan MAJSTOROVIĆ_(DB),⁶⁰⁶ Dragan OLUIĆ_(DB),⁶⁰⁷ Nikola PILIPOVIĆ_(DB)⁶⁰⁸ and Nikola SIMIĆ aka CIGA_(DB).⁶⁰⁹ Zoran RAIĆ_(DB) dealt with supplies and the transport of equipment from the inception of the Unit.⁶¹⁰ The individuals present with CAPTAIN DRAGAN_(DB) in 1991 earned SIMATOVIĆ's trust from this point onward.⁶¹¹

209. Although the Unit existed from May 1991, the original members did not immediately know that they would be distinct from others trained at Golubić, or that they were a special unit of the SMUP-DB.⁶¹² However, personnel files reflect that the SMUP-DB considered their membership in the Unit to commence from their training at Golubić, with the earliest members joining on the Unit's official founding date of 4 May 1991.⁶¹³

Training at the Knin Fortress and Korenica

210. After the Golubić camp was established, the Accused broadened the scope of the Unit's training activities in SAO-Krajina by setting up additional camps. By July 1991, SIMATOVIĆ, CAPTAIN DRAGAN_(DB) and their main command, comprising 20-30 men

⁶⁰¹ ██████████ (confidential); P1001, p.2 (confidential); ██████████ (confidential).

⁶⁰² ██████████ (confidential).

⁶⁰³ ██████████ (confidential).

⁶⁰⁴ ██████████ (confidential) (██████████).

⁶⁰⁵ ██████████ (confidential); P1001, p.2 (confidential).

⁶⁰⁶ P3009, p.1-2 (confidential).

⁶⁰⁷ P3178, p.5,11 (confidential).

⁶⁰⁸ P3195, p.13 (confidential).

⁶⁰⁹ **BOSNIĆ**:D0313, para.59 (public); P02997, p.1. **BABIĆ**:P1878, (PriorT.13123) (public).

⁶¹⁰ ██████████ (confidential); ██████████ (confidential).

⁶¹¹ ██████████ (confidential).

⁶¹² *E.g.*, ██████████ (confidential).

⁶¹³ *E.g.*, P3009 (confidential); P3038, p.13 (confidential).

referred to as “veterans”,⁶¹⁴ moved to the Knin Fortress.⁶¹⁵ As at Golubić, they continued to provide training for forces that became known as “Knindžas”.⁶¹⁶

211. SIMATOVIĆ subsequently established another command centre in Korenica municipality.⁶¹⁷ He sent approximately 20 men from Golubić to establish the new Korenica “large-scale” camp.⁶¹⁸ FILIPOVIĆ_(DB), who was SIMATOVIĆ’s deputy,⁶¹⁹ along with Ilija VUČKOVIĆ_(DB) and MEDAKOVIĆ_(DB), operated the camp.⁶²⁰ At the end of August 1991,⁶²¹ SIMATOVIĆ and the Unit members who remained at the Knin fortress joined the others at the Korenica camp.⁶²² BABIĆ met with SIMATOVIĆ at the Korenica camp.⁶²³

The Unit’s Early Operations in SAO-Krajina

212. The Golubić-trained Unit took part in its first combat operations while based at the Knin fortress. In a pattern they would repeat throughout the Indictment period, they commanded Serb Forces from other organs. One of the early operations involved attacks on Glina and Struga in SAO-Krajina in July 1991 under the direct command of CAPTAIN DRAGAN_(DB),⁶²⁴ in co-ordination with the Serb police, TO and to some extent the JNA.⁶²⁵ On 19 July 1991, a week before the attacks, CAPTAIN DRAGAN_(DB) reported to SIMATOVIĆ, FILIPOVIĆ_(DB) and MARTIĆ that he was co-ordinating “Chetniks” and

⁶¹⁴ **JF-039**:T.7258-59 (14-Sep-2010) (public).

⁶¹⁵ [REDACTED] (confidential); T.7246-47 (14-Sep-2010) (public). See [REDACTED] (confidential); P0426 (public). **MAKSIĆ**:T.6846-48 (6-Sep-2010) (public) (meeting with SIMATOVIĆ at the Knin fortress).

⁶¹⁶ **JF-039**:T.7258-59 (14-Sep-2010) (public).

⁶¹⁷ **BABIĆ**:P1878, p.385 (PriorT.13397) (public). [REDACTED] (confidential).

MAKSIĆ:T.6849-50 (6-Sep-2010) (saw STANIŠIĆ and SIMATOVIĆ in Korenica on one occasion) (public).

⁶¹⁸ **JF-039**:T.7246-47, 76. (14,15-Sept-2010) (public).

⁶¹⁹ [REDACTED] (confidential).

⁶²⁰ [REDACTED] (confidential); P1001, p.3 (confidential).

⁶²¹ [REDACTED] (confidential). **BABIĆ**:P1877, p.44 (PriorT.1432) (public).

⁶²² [REDACTED] (confidential).

⁶²³ **BABIĆ**:P1878, p.335 (PriorT.13397) (public)

⁶²⁴ SecondAFD-no.145.

⁶²⁵ SecondAFD-no.45; P2658, p.1-3 (public); P2879 (public).

“regular police and reserve forces” in preparation for the attack. He also reported on the “setting up of headquarters and the enlisting of soldiers for training”.⁶²⁶

213. Core Unit members commanded squads from other formations during the attacks on 26 July 1991.⁶²⁷ It appears that Živojin IVANOVIĆ_(DB) commanded men during the attack,⁶²⁸ and MEDAKOVIĆ_(DB),⁶²⁹ Ilija VUČKOVIĆ_(DB),⁶³⁰ Borjan VUČKOVIĆ_(DB)⁶³¹ and SIMIĆ_(DB)⁶³² also commanded groups. Other Unit members who participated in the action included PUPOVAC_(DB),⁶³³ and Milan ANDIĆ_(DB), who was wounded during the operation.⁶³⁴

214. During this period, Unit members under CAPTAIN DRAGAN_(DB) were a discrete and special unit, although their name was still evolving. The headers on their reports after the Glina/Struga operation refer to the Unit as either the Special Purpose Unit (JPN)⁶³⁵ or Special Operations Unit⁶³⁶ of both the Republic of Serbia and SAO-Krajina. The reports contain references to “our special unit member”⁶³⁷ and “the special unit”.⁶³⁸ On 31 July 1991, after the Glina/Struga attack, CAPTAIN DRAGAN_(DB) held a press conference at the Knin SUP, describing the Unit as “[t]hose volunteers who have been with us from the very first day, they are the same men who fought in Glina”, “commandos from here, from Knin, so-called *Knindža*. Those are your boys, from Knin, there were exactly 21 of us”.⁶³⁹

⁶²⁶ P1186 (public).

⁶²⁷ P1001 (public); P2658 (public); P2872 (public); P2873 (public); P2874 (public); P2875 (public); P2876 (public); P2877 (public); P2878 (public); P2879 (public); P2880 (public); P2881 (public); P2882 (public); P2883 (public); P2884 (public); P2885 (public).

⁶²⁸ P2879 (public) (reference to “Montenegrin men”). P2876, p.1 (public) (reference to “CRNOGORAC squad”); P2874, p.1 (public); P2659, p.3 (public); *see* P2659, p.3 (public).

⁶²⁹ P2877 (public); P2873 (public).

⁶³⁰ P2879 (public); P2885 (public).

⁶³¹ P2878 (public).

⁶³² P2875 (public).

⁶³³ P2872 (public).

⁶³⁴ P2659, p.7 (public); P2670, p.2 (public).

⁶³⁵ P2872 (public); P2874 (public); P2875 (public); P2879 (public); P2880 (public); P2881 (public); P2885 (public).

⁶³⁶ P2882 (public); P2883 (public).

⁶³⁷ P2658, p.2 (public).

⁶³⁸ P2875 (public).

⁶³⁹ P2659, p.1,3 (public).

215. Unit members' reports following the Glina/Struga attack describe acts targeting the non-Serb civilian population, observing that "[w]e destroyed around 30 houses there"⁶⁴⁰ and documenting instructions to "fire at the church and school".⁶⁴¹ SIMATOVIĆ reported after the attack that "[t]actical tasks are mostly fulfilled and SAO Krajina formations go to their defence positions of the ethnical region. A part of the special unit from Glina has returned and we are writing a report that will be later on presented."⁶⁴² This report reveals SIMATOVIĆ's involvement in these operations and his approval for the Unit's targets. Years later, SIMATOVIĆ reaffirmed his approval of the Unit's operations in Glina during his Kula Ceremony speech.⁶⁴³

216. In addition to the Glina operation, the Unit was active during the summer/autumn of 1991 in the areas of Lovinac,⁶⁴⁴ Plitvice⁶⁴⁵ and Kijevo,⁶⁴⁶ among others.

217. CAPTAIN DRAGAN_(DB) left SAO-Krajina in August 1991, leaving SIMATOVIĆ as the Unit's direct commander.⁶⁴⁷ Members of the Unit became more aware of their connection to the SMUP-DB and SIMATOVIĆ as their "_____".⁶⁴⁸ Around this time, the Unit became more commonly known as the "Red Berets" because of their customary use of red berets with the SMUP-DB insignia.⁶⁴⁹

Tikveš Camp

218. Around early August 1991, part of the Unit with CAPTAIN DRAGAN_(DB) arrived in Tikveš, in SAO-SBWS, with SMUP-DB representatives to establish a training camp in one of Tito's castles.⁶⁵⁰ While at this camp the Unit wore red berets, and were called "Red

⁶⁴⁰ P2873 (public).

⁶⁴¹ P2875, p.1 (public).

⁶⁴² P2577 (public).

⁶⁴³ P0061, p.10 (public).

⁶⁴⁴ **JF-039:** T.7201,52,59-60 (14-Sep-2010) (public); D0117, p.3 (public).

⁶⁴⁵ _____ (confidential); _____ (confidential); _____ (confidential); D0457, p.4-5 (confidential).

⁶⁴⁶ _____ (confidential) (_____).

⁶⁴⁷ _____ (confidential). **BABIĆ:**P1877, p.40 (public).

_____ (confidential).

⁶⁴⁸ _____ (confidential).

⁶⁴⁹ _____ (confidential).

⁶⁵⁰ **JF-036:** _____ (confidential); T.4189 (12-April-2010) (public).

Berets”.⁶⁵¹ Vasilje MIJOVIĆ_(DB) aka “Vaso” was in charge of the camp, and co-ordinated with SMUP-DB official KOSTIĆ_(DB).⁶⁵² The Unit conducted combat operations in and around Tikveš in 1991.⁶⁵³ Unit members were at this camp until the summer of 1992.⁶⁵⁴ In June 1992, the camp issued supplies to the Ilok camp.⁶⁵⁵ The Unit at Tikveš was responsible for the abduction of five villagers from Grabovac.⁶⁵⁶

SIMATOVIĆ Briefed the Unit at SMUP-DB Headquarters

219. In September 1991,⁶⁵⁷ SIMATOVIĆ took a portion of the Unit to be briefed at the SMUP-DB headquarters in Belgrade. From the Korenica camp, SIMATOVIĆ and the Unit members went to the Udbina airstrip—referenced in SIMATOVIĆ’s Kula Ceremony speech.⁶⁵⁸ [REDACTED]⁶⁵⁹

[REDACTED]

[REDACTED]⁶⁶⁰

[REDACTED]⁶⁶¹ [REDACTED]⁶⁶²

Training at the Ležimir Camp (Fruška Gora)

220. As foreshadowed at the briefing, STANIŠIĆ and SIMATOVIĆ expanded the Unit’s operations in the autumn of 1991 by establishing its first camp in Serbia—a “base camp”⁶⁶³ on Mt. Fruška Gora that was briefly in the Letenka area before moving more permanently to Ležimir.⁶⁶⁴ At the Ležimir camp—located on Serbia’s border with Croatia⁶⁶⁵— the Unit

[REDACTED] (confidential).

⁶⁵¹ **JF-036:T.4189** (12-April-2010) (public).

⁶⁵² [REDACTED] (confidential).

⁶⁵³ D0423, p.1 (public); D0457, p.5 (confidential); [REDACTED] (confidential).

⁶⁵⁴ **JF-036:P0342**, p.13 (confidential).

⁶⁵⁵ D0033, p.1 (public) (issued by RSKMUP JPN, Tikveš 2 June 1992, confirming that a 3,000-litre tanker of petrol was issued for the needs of the unit in Ilok).

⁶⁵⁶ [REDACTED] (confidential).

⁶⁵⁷ [REDACTED] (confidential).

⁶⁵⁸ P0061, p.10 (public).

⁶⁵⁹ [REDACTED] (confidential); P0998, p.6 (confidential).

⁶⁶⁰ [REDACTED] (confidential).

⁶⁶¹ [REDACTED] (confidential); P0998, p.6-7 (confidential).

⁶⁶² [REDACTED] (confidential).

⁶⁶³ [REDACTED] (confidential).

⁶⁶⁴ [REDACTED] (confidential); P3252, p.1-2 (public).

would train people from Serbia and BiH. After training, these people would return to their towns with green camouflage uniforms and red berets to train others in their towns and villages,⁶⁶⁶ spreading the training programme initiated at Golubić. SIMATOVIĆ highlighted the Ležimir camp at the Kula ceremony in 1997.⁶⁶⁷

221. Several days after the Unit had arrived at Mt. Fruška Gora, SIMATOVIĆ visited with STANIŠIĆ, whom SIMATOVIĆ introduced as his chief.⁶⁶⁸ STANIŠIĆ said that “[REDACTED]
[REDACTED].”⁶⁶⁹ STANIŠIĆ and SIMATOVIĆ later informed the Unit that “[REDACTED].”⁶⁷⁰ Unit members understood that SIMATOVIĆ was their commander, STANIŠIĆ was his boss⁶⁷¹ and STANIŠIĆ was subordinated to MILOŠEVIĆ.⁶⁷² While at Ležimir, the Unit received combat and other instructions from the Unit’s headquarters, which was in Belgrade.⁶⁷³

222. IVANOVIĆ_(DB), who was “[REDACTED]”, commanded the Ležimir camp initially.⁶⁷⁴ A number of prominent Unit members who participated in the charged crimes were with the Unit in Ležimir in 1991, including members who had been at Golubić such as BOŽOVIĆ_(DB),⁶⁷⁵ SUBOTIĆ_(DB),⁶⁷⁶ PUPOVAC_(DB),⁶⁷⁷ and RAIĆ_(DB)⁶⁷⁸, and post-Golubić recruits such as Dragan ĐORĐEVIĆ aka CRNI_(DB),⁶⁷⁹ Nikola LONČAR_(DB)⁶⁸⁰ and Đurica

⁶⁶⁵ [REDACTED] (confidential); [REDACTED] (confidential); e.g., [REDACTED] (confidential).

⁶⁶⁶ [REDACTED] (confidential); [REDACTED] (confidential); [REDACTED] (confidential); [REDACTED] (confidential).

⁶⁶⁷ P0061, p.11 (public).

⁶⁶⁸ [REDACTED] (confidential).

⁶⁶⁹ [REDACTED] (confidential); P0998, p.6 (confidential).

⁶⁷⁰ [REDACTED] (confidential); [REDACTED] (confidential) ([REDACTED]).

⁶⁷¹ [REDACTED] (confidential).

⁶⁷² [REDACTED] (confidential).

⁶⁷³ P2984, p.16 (confidential).

⁶⁷⁴ [REDACTED] (confidential); P2984, p.3, 11, 17 (confidential); P2976, (public).

⁶⁷⁵ P2984 (confidential). [REDACTED] (confidential).

⁶⁷⁶ [REDACTED] (confidential); D0457, p.5 (confidential).

⁶⁷⁷ P2984, p.20 (confidential).

⁶⁷⁸ P2984, p.20 (confidential).

⁶⁷⁹ P2984, p.20 (confidential); P0179, p.16 (public).

⁶⁸⁰ P2984, p.10, 14 (confidential).

BANJAC_(DB).⁶⁸¹ Another wave of Unit members arrived at Ležimir in November, including FILIPOVIĆ_(DB), Ilija VUČKOVIĆ_(DB) and MEDAKOVIĆ_(DB),⁶⁸² and newer Unit members, such as Budimir ZEČEVIĆ_(DB)⁶⁸³ and Jovan KUJUNDŽIĆ_(DB).⁶⁸⁴

223. The Accused initially told the Unit that they would train units and provide personal security for politicians and other important people⁶⁸⁵ but would not be used for operations.⁶⁸⁶ However, STANIŠIĆ later told them that they were an anti-terrorist unit and would be used in anti-terrorist operations.⁶⁸⁷ While based at Ležimir, the Unit conducted operations across the Croatian border in SBWS,⁶⁸⁸ including in Vukovar⁶⁸⁹ and Ilok,⁶⁹⁰ under the Accused's command.⁶⁹¹

224. While at Ležimir the Unit received more training⁶⁹² and continued to train volunteers from BiH and Serbia for combat operations under the Unit's command. For example, in February or March 1992, a group of former SRS volunteers from Serbia that had been in the SBWS police under BADŽA_(JCE), went to Ležimir " [REDACTED] ⁶⁹³ [REDACTED]

[REDACTED] ⁶⁹⁴ They were incorporated into the Unit's command

⁶⁸¹ P2984, p.20 (confidential).

⁶⁸² [REDACTED] (confidential).

⁶⁸³ P3199, p.5; *see*, P2984, p.25 (confidential) ([REDACTED]).

⁶⁸⁴ P3041, p.4-5 (confidential). [REDACTED] (P3142, p.12 (confidential)); [REDACTED] (P2784 (confidential) ([REDACTED])); [REDACTED] (P3185, p.10 (confidential)); [REDACTED] (P3181, p.5, 8 (confidential)); [REDACTED] (P3198, p.2 (confidential)); [REDACTED] (D1623 (confidential); and [REDACTED] (P3186, p.13 (confidential)).

⁶⁸⁵ [REDACTED] (confidential); [REDACTED] (confidential).

⁶⁸⁶ [REDACTED] (confidential).

⁶⁸⁷ [REDACTED] (confidential).

⁶⁸⁸ [REDACTED] (confidential). D0457, p.5 (confidential). P0179, p.6 (public); P3179, p.3,11 (confidential); P3178, p.5 (confidential).

⁶⁸⁹ [REDACTED] (confidential); [REDACTED] (confidential).

⁶⁹⁰ [REDACTED] (confidential); [REDACTED] (confidential).

⁶⁹¹ [REDACTED] (confidential).

⁶⁹² D0457, p.5 (confidential); P2984, p.10, 16 (confidential) (reference to training junior members of the Unit).

⁶⁹³ [REDACTED] (confidential); T.7619-21 (4-Oct-2010) (public).

⁶⁹⁴ [REDACTED] (confidential) ([REDACTED]); *see* P1429p.2 (public) (SIMIĆ's statement - the unit was sent by the MUP of Serbia, and also trained 18 of the local men at Pajžoš).

and would go on to commit atrocities under the direct command of Unit member Dragan ĐORĐEVIĆ aka CRNI_(DB) in Bosanski Šamac, discussed below.⁶⁹⁵

225. The Accused ensured that the Unit at Ležimir was fully armed and equipped. STANIŠIĆ and SIMATOVIĆ gave each Unit member a bulletproof jacket and a pistol.⁶⁹⁶ They wore red berets and were known colloquially as the Red Berets.⁶⁹⁷ The Ležimir camp had a “supply dump” containing various kinds of equipment and weapons.⁶⁹⁸ On their initial trip to Ležimir from Belgrade, Unit members took two trucks bearing police number plates that were full of equipment.⁶⁹⁹ Subsequently, drivers from the SMUP-DB delivered equipment to Ležimir.⁷⁰⁰

226. The Unit generated numerous documents while based in Ležimir, evidence that it was establishing organisational procedures during this period. On 28 February 1992, STANIŠIĆ signed background check requests for candidates for the “Special Unit of the Serbian MUP”⁷⁰¹ —many of whom were already Unit members, such as SUBOTIĆ_(DB),⁷⁰² BOŽOVIĆ_(DB),⁷⁰³ Željko TORBICA_(DB),⁷⁰⁴ ZEČEVIĆ_(DB)⁷⁰⁵ and ĐORĐEVIĆ aka CRNI_(DB).⁷⁰⁶ Unit members at Ležimir submitted autobiographies and applications to the Unit.⁷⁰⁷ Trainees and Unit members signed receipts for weapons and equipment they were

⁶⁹⁵ *Cross-reference, Bosanski Šamac” on page 218.*

⁶⁹⁶ [REDACTED] (confidential); P0998, p.8 (confidential).

⁶⁹⁷ [REDACTED] (confidential).

⁶⁹⁸ P2984, p.16 (confidential).

⁶⁹⁹ [REDACTED] (confidential); [REDACTED] (confidential).

⁷⁰⁰ P2984, p.16 (confidential) ([REDACTED]). P3038, p.1 (confidential). [REDACTED] (confidential).

⁷⁰¹ P0473, p.1-2 (confidential); D0457, p.6 (confidential); P0179, p.1. (public); P3199, p.13-14 (confidential); P3183, p.1 (confidential); P3185, p.7 (confidential).

⁷⁰² D0457, p.6 (confidential).

⁷⁰³ P0473, p.1 (confidential).

⁷⁰⁴ P3183, p.18 (confidential).

⁷⁰⁵ P3199, p.13-14 (confidential).

⁷⁰⁶ P0179, p.1 (public).

⁷⁰⁷ P3142, p.11, 12, 17 (confidential); P3041, p.5 (confidential); P3038, p.14 (confidential); D0457, p.7-9 (confidential); D1623 (confidential), p.15-16 (confidential); P3009, p.1 (confidential); P2769 (confidential).

P3185, p.3-4,10 (confidential); P3717, p.5-7,9 (public); P3191, p.8-10, 26-27 (confidential); P3174, p.6,8,12-13 (coconfidential); P3176, p.12-13 (confidential); P3177, p.6,9,10 (confidential); P3193,

issued.⁷⁰⁸ The instructors, including BOŽOVIĆ_(DB), periodically evaluated the trainees.⁷⁰⁹ The Unit also implemented these documentation procedures at the Pajzoš camp.⁷¹⁰

Ilok Camp (Pajzoš)

227. In late 1991, the Unit expanded its training regime into SBWS and established an IKM in Pajzoš,⁷¹¹ on a hill overlooking Ilok.⁷¹² SIMATOVIĆ mentioned this Ilok camp, which was just across the border from Ležimir, in his Kula Ceremony speech.⁷¹³

228. The Unit set up the IKM in a winery and a villa formerly used by Tito.⁷¹⁴ CAPTAIN DRAGAN_(DB) placed mines around the camp.⁷¹⁵ Unit members and trainees also used a white house in Ilok town.⁷¹⁶ As in other places in which the Unit was based, they were commonly known in the community as the “Red Berets.”⁷¹⁷

229. SIMATOVIĆ visited the Pajzoš camp at various times throughout the Indictment period,⁷¹⁸ and STANIŠIĆ also made appearances in the area.⁷¹⁹ MARTIĆ referred to

p.2-3, 13-14 (confidential); P3195, p.2-3 (confidential); P3179, p.1-3, 25-26 (confidential); P3181, p.5,8 (confidential); P3198, p.2-3 (confidential); P3183, p.8-10, 16, 18 (confidential); P3184, p.1-2 (confidential); P3186, p.13-14,20-21 (confidential); P3199, p.5-7(confidential).

⁷⁰⁸ P3142, p.20 (confidential); P3153 (confidential); P3038, p.6, p.12 (confidential); D0457, p.10-11 (confidential); D1623, p.7-8, 17, 23-24, 31, 33 (public); P2771 (confidential); P2745 (confidential).

⁷⁰⁹ P3142, p.10 (confidential); D0457, p.18 (confidential).

⁷¹⁰ P3021, p.5-6, 8-9 (confidential); P3008, p.1-3 (confidential).

⁷¹¹ P2984, p.10, 14 (confidential).

BOGUNOVIĆ:P0553, para.24 (public); P0554, para.9, (public); T.5998 (28-Jun-10) (public) (toward the end of 1991 or beginning of 1992); see P0569, p.4 (public). (confidential). (confidential) (confidential).

⁷¹² **BOGUNOVIĆ:**P0554, para.9 (public); P0553, para.24 (public). **KNEŽEVIĆ:**T.13438 (22-Aug-2011) (public).

⁷¹³ P0061, p.11 (public).

⁷¹⁴ (confidential). (confidential).

⁷¹⁵ P2984, p.10, 14 (confidential); (confidential).

PLAHUTA:T.19521 (17-May-2012) (public).

⁷¹⁶ P3042, p.2 (confidential). **BOGUNOVIĆ:**P0553, para.24 (public); T.6074 (29-Jun-2010) (public); (confidential).

⁷¹⁷ **KNEŽEVIĆ:**T.13524 (23-Aug-2011) (public). **BOGUNOVIĆ:**T.5998 (28-Jun-2010) (public).

⁷¹⁸ (confidential).

(confidential); (confidential); D0371, para.66 (confidential).

JF-047:T.7623 (04-Oct-2010) (public).

STANIŠIĆ's control over the men in Pajzoš in an irate phone call to MILOŠEVIĆ in 1994.⁷²⁰ BADŽA_(JCE) and ZAVIŠIĆ also visited the Unit in Ilok.⁷²¹ From late 1991, BOŽOVIĆ_(DB) was IVANOVIĆ's_(DB) deputy and commanded the Pajzoš IKM,⁷²² while IVANOVIĆ_(DB) commanded Ležimir. The Unit's reconnaissance and combat intervention platoon, commanded by BOŽOVIĆ_(DB), was based in Pajzoš.⁷²³ SUBOTIĆ_(DB) was BOŽOVIĆ's_(DB) deputy at Pajzoš.⁷²⁴ After BOŽOVIĆ_(DB), several Unit members rotated through the position of Pajzoš IKM Commander in 1992, including BAKLAIĆ_(DB)⁷²⁵—who had trained in Golubić, commanded a Special Police unit in Korenica until February 1992, and then joined the Unit at Pajzoš as an instructor⁷²⁶—followed by KUJUNDŽIĆ_(DB).⁷²⁷ RAIĆ_(DB) was one of the security officers at Pajzoš.⁷²⁸

230. While at Pajzoš, unit members enjoyed “ ⁷²⁹

 ⁷³⁰

⁷³¹ the military command told KNEŽEVIĆ to leave them alone to do their work.⁷³² They committed crimes in Ilok, which went unpunished.⁷³³

⁷¹⁹ (confidential).

⁷²⁰ P1605, p.2 (public). *See*, P0987, p.3-4 (public).

⁷²¹ (confidential).

⁷²² P2984, p.15 (confidential).

⁷²³ P2984, p.10, 16 (confidential).

⁷²⁴ D0457, p.18 (confidential). **JF-047:T.7622** (04-Oct-2010) (public).

⁷²⁵ P3006 (public).

⁷²⁶ P3008, p.2 (confidential).

⁷²⁷ P3041, 1-2 (confidential).

⁷²⁸ P2984, p.3 (confidential).

⁷²⁹ P3042, p.3 (confidential). (confidential); D0371, para.56 (confidential).

BOGUNOVIĆ:T.6001 (28-Jun-2010) (public) (the Red Berets at Ilok informed the witness that SIMATOVIĆ was their commander); P0554, para.7 (public).

⁷³⁰ (confidential).

⁷³¹ (confidential).

⁷³² **KNEŽEVIĆ:T.13455** (22-Aug-2011) (public).

⁷³³ P0429, p.3 (confidential). (confidential); P1077, p.1-2 (confidential). *See also*, P0429, p.3 (confidential).

231. Although Ležimir and Pajzoš were on different sides of the Serbia/Croatia border, Unit members passed between them regularly and easily.⁷³⁴ [REDACTED]

[REDACTED]⁷³⁵ The instructors at Ležimir also conducted training at Pajzoš, and were able to go back and forth between the camps.⁷³⁶

232. As at Golubić and Ležimir, at Pajzoš the Unit trained potential recruits and others. Trainees received training on fitness, mopping-up techniques, military tactics, various kinds of shooting, scouting, and searching or taking over houses.⁷³⁷ The Unit trained Serbs from BiH,⁷³⁸ Croatia and Serbia before sending them back to their areas or other areas of strategic importance to put their new skills to use in combat or train other units.

233. In the case of Bosanski Šamac, the Unit trained a group of local Serbs from that municipality, and led them in a prominent role in taking it over. An operation that included various elements of Serb Forces including members of the local SDS.. In late February or early March 1992, Stevan TODOROVIĆ, who became Bosanski Šamac's police chief on 28 March,⁷³⁹ and Miloš BOGDANOVIĆ, head of the Bosanski Šamac municipal Secretariat for National Defence,⁷⁴⁰ met in Belgrade with, *inter alia*, Milan PRODANIĆ_(DB). Their aim was to procure men to assist Bosanski Šamac in operations.⁷⁴¹

⁷³⁴ E.g., P2984, p.16-17 (confidential) ([REDACTED]).

⁷³⁵ P2357, p.19 (confidential); *see* P2356, p.15 (confidential) ([REDACTED]).

⁷³⁶ [REDACTED] (confidential).

⁷³⁷ **JF-047:T.7623** (04-Oct-2010) (public); P2984, p.1-2 (confidential); D0457, p.5, 8-9 (confidential).

⁷³⁸ P3179, p.11 (confidential); P3138, p.3 (confidential); P2803, p.2 (confidential); P3238 (public); P3172, p.1 (confidential).

⁷³⁹ FirstAFD-no.314.

⁷⁴⁰ **TODOROVIĆ:P1576**, p.4 (PriorT.23426) (public) (Miloš BOGDANOVIĆ was head of the municipal Secretariat for National Defence, and duties included mobilisation and sending recruits to military service); P0178, p.12 (public) (Official Gazette for the municipality of Bosanski Šamac, lists the members of the Executive Council elected on 28 March 1992 by the Municipal Assembly, including Stevan TODOROVIĆ as chief of the Public Security Station and Miloš BOGDANOVIĆ as secretary of the Municipal Secretariat of National Defence); P0217, p.8 (public).

⁷⁴¹ **TODOROVIĆ:P1576**, p.9 (PriorT.23431) (public); P1579 (public) (list of terms and names connected to TODOROVIĆ's prior testimony, which was confidential in the previous case); *see* P1428, p.4 (public) (TODOROVIĆ was involved in requesting the unit to come assist Bosanski Šamac).

Following this meeting, PRODANIĆ_(DB) informed Miloš BOGDANOVIĆ that he would send men to provide military training at a Serbian MUP camp.⁷⁴² In late March 1992, the SMUP-DB arranged for the group of 20-30 former SRS volunteers under DEBELI_(DB)—after brief training in Ležimir—to go to Pajzoš for further training.⁷⁴³ Eighteen young Bosanski Šamac locals also went to Pajzoš for training, recruited by Miloš BOGDANOVIĆ and TODOROVIĆ.⁷⁴⁴ Once trained, these units received weapons and camouflage uniforms with a grey wolf patch on the sleeves.⁷⁴⁵ Early Unit members ĐORĐEVIĆ aka CRNI_(DB) and Aleksandar VUKOVIĆ aka VUK_(DB) were with this group at Pajzoš;⁷⁴⁶ upon completion of their training CRNI led this unit into combat in Bosanski Šamac as discussed below.⁷⁴⁷ In keeping with the secretive nature of the SMUP-DB Unit, the trainees at Pajzoš knew their instructors only by their nicknames.⁷⁴⁸

234. In addition to training the Bosanski Šamac Red Berets unit, the Unit at Pajzoš also trained individuals from Skelani (BiH) and Bajina Bašta (Serbia), sent for training by the

⁷⁴² **TODOROVIĆ**:P1576, p.10 (PriorT.23432) (public).

⁷⁴³ P1417, p.3 (confidential) [REDACTED]; P1428, p.4 (public); D1198, p.1-2 (public) (SRS report).

ĐUKIĆ:T.18076 (8-Mar-2012) (public) (he was aware that SRS members were sent along with CRNI and DEBELI as part of the training).

⁷⁴⁴ FirstAFD-no.295.

TODOROVIĆ:P1576, p.11 (PriorT.23433) (public); P1428, p.4 (public) (LUGAR's statement corroborates TODOROVIĆ's involvement); P1429 (public) (SIMIĆ's statement - the unit was sent by the MUP of Serbia, and also trained 18 of the local men at Pajzoš); P1417, p.3 (confidential) [REDACTED]

[REDACTED] (confidential); D1198, p.1 (public).

ĐUKIĆ:T.18076 (8-May-2012) (public).

⁷⁴⁵ [REDACTED] (confidential).

⁷⁴⁶ P0179, p.12, 16 (public); P3154 (public); P3185, p.3, 4 (confidential). **TODOROVIĆ**:P1576, p.16 (PriorT.23438) (public) (Aleksandar VUKOVIĆ aka VUK was one of the instructors that was with the special unit of the Serbian DB at Ilok, along with CRNI).

⁷⁴⁷ Cross-reference, "Bosanski Šamac", on page 108.

⁷⁴⁸ FirstAFD-no.296.

See, **TIHIĆ**:T.3122 (3-Feb-2010) (public) (“ Dragan DJORDJEVIĆ_(DB)Ć, CRNI, Captain CRNI, Kapetan CRNI. That's what he was called. He was the man who was issuing orders, and there were some others there as well who I got to know through these beatings. Zvezdan JOVANOVIĆ_(DB)Ć, for one, who later murdered ĐINĐIĆ. And then Slobodan MILJKOVIĆ, LUGAR_(DB)Ć and some Musa, Bokan. Laki_(DB)Ć, Beli, and so on. We knew their nicknames, mostly.”).

LUKAČ:P1836, p.162 (PriorT.1688) (public).

Skelani TO in May 1992.⁷⁴⁹ Milenko TRIFUNOVIĆ_(DB) was among these trainees who went on to join a SMUP-DB “Red Berets” special purpose unit in Skelani.⁷⁵⁰ As another example, Milan LUKIĆ and members of his paramilitary unit were trained by Red Berets whom he knew as “Zoran” and “Pupe” in Ilok before returning to Višegrad in the summer of 1992.⁷⁵¹ “Pupe” probably refers to Nikola PUPOVAC aka PUPE_(DB),⁷⁵² who was an instructor⁷⁵³ present in Ilok during that time.⁷⁵⁴

⁷⁴⁹ P3138, p.7 (confidential); P3127, p.3 (confidential). P3132, p.2 (confidential); P0399p.1, 3-5 (public).

⁷⁵⁰ P0399, p.1, 3 (public).

⁷⁵¹ P2448, p.2 (public); **NOVAKOVIĆ**:T.13983 (5-Oct-11) (public).

⁷⁵² ██████████ (confidential).

⁷⁵³ P2984, p.16 (confidential); **TEDOROVIĆ**:T.12064; (29-Jun-11) (public); P0399 (public).

⁷⁵⁴ P2448, p.2 (confidential).



Figure 3. Metallic wall map in the Rade KOSTIĆ Centre in Kula. It depicts the location of SMUP-DB Red Berets training camps and bases in the former Yugoslavia.
 Top: STANIŠIĆ showing MILOŠEVIĆ the map. LEGIJA is to MILOŠEVIĆ's right P0061 (public).
 Bottom: close-up photographs of the same map. P0162 (public).
 Left: (clockwise starting at 12:00 – i) "Doboj", ii) "Ozren", iii) "Vozuća", iv) "Teslić"
 Right: "Kula"

Continuity of the Unit in Ilok from June 1992

235. For a period beginning in June 1992, handwritten applications and some documents related to the Unit at Pajzoš began referring to the Unit as a JPN of the MUP Krajina.⁷⁵⁵ Despite this change in reference, this remained the same Unit, comprising the same individuals and subject to the same authority of the Accused. For example, Ilija

⁷⁵⁵ D1380 (confidential); D1382 (confidential); D1383 (confidential); D1384 (confidential); D1385 (confidential); D1386 (confidential); D1388 (confidential); D1390 (confidential); D1391 (confidential); D1397 (confidential); D1398 (confidential); D1399 (confidential); D1400

VUČKOVIĆ_(DB) signed documents as the commander of the Unit at Ležimir in February 1992,⁷⁵⁶ then as the commander of the MUP Krajina JPN in June and September 1992.⁷⁵⁷ In the latter, VUČKOVIĆ appointed KUJUNDŽIĆ_(DB) commander of the Pajzoš IKM of the MUP Krajina JPN, while KUJUNDŽIĆ_(DB)'s personnel file reveals that he was using a Serbian MUP car in June 1992.⁷⁵⁸ On 27 June 1992, IVANOVIĆ_(DB) signed a certificate as commander of the Serbian MUP JPN to support the KDF application of a Unit member who had been wounded in the same accident in which original Unit member Borjan VUČKOVIĆ_(DB) had been killed in December 1991.⁷⁵⁹ The certificates that IVANOVIĆ_(DB) and Ilija VUČKOVIĆ_(DB) signed—one as a SMUP-MUP unit, the other as a Krajina MUP unit—bear the same JPN stamp. This is the same JPN stamp used by SIMATOVIĆ himself in 1993.⁷⁶⁰ Periodic changes to the name of the Unit helped preserve its covert nature and disguise its operations.

236. Moreover, throughout this period the SMUP-DB considered Ilija VUČKOVIĆ a member of the same Unit. [REDACTED]

[REDACTED]⁷⁶¹ [REDACTED]

[REDACTED]⁷⁶² [REDACTED]

[REDACTED]⁷⁶³ [REDACTED]

[REDACTED]⁷⁶⁴

237. In the latter half 1992, most of the Unit members left the Pajzoš area. [REDACTED]

[REDACTED]⁷⁶⁵ In addition to

(confidential); D1402 (confidential); D1403 (confidential) D1405 (confidential); D1408 (confidential).

⁷⁵⁶ P3038, p.1 (confidential).

⁷⁵⁷ P3041, p.1-2 (confidential); P3170, p.9 (confidential).

⁷⁵⁸ P3041, p.3 (confidential).

⁷⁵⁹ P0569, p.4 (Eng), p.14 (BCS) (public) (KDF application fo Jovan VEJNOVIĆ); *see*, P2984, p.14 (confidential) [REDACTED]

⁷⁶⁰ *E.g.*, P1053, p.3-4 (BCS) (public).

⁷⁶¹ P3042, p.2 (confidential).

⁷⁶² P3038, p.15 (confidential).

⁷⁶³ P2653, p.4 (public); P3173, p.1 (confidential) ([REDACTED]).

⁷⁶⁴ P3038, p.14 (confidential).

⁷⁶⁵ P3042, p.2 (confidential).

VUČKOVIĆ_(DB), KUJUNDŽIĆ_(DB), BAKLAIĆ_(DB) and Ljubomir OBRADOVIĆ_(DB),⁷⁶⁶ who had joined the Unit in December 1991,⁷⁶⁷ remained during the period after the Unit in Pajzoš took on the Krajina MUP JPN nomenclature. [REDACTED]

[REDACTED]⁷⁶⁸

Deployment for Posavina Corridor Operations

238. From Pajzoš, Unit members were deployed to various operations to secure the Posavina Corridor, consistent with the Six Strategic Goals.⁷⁶⁹ They set up training camps along this Corridor, where they trained local units before leading them into combat and accompanying crimes. The Unit was involved in Bosanski Šamac, Brčko and Doboj, among other areas along the Posavina Corridor.

Bosanski Šamac

239. After they had trained together at Pajzoš in March 1992, SIMATOVIĆ ordered Unit members ĐORĐEVIĆ aka CRNI_(DB) and VUKOVIĆ aka VUK_(DB), DEBELI's group of former SRS volunteers, and the Bosanski Šamac locals recruited by TODORVIĆ to take over Bosanski Šamac, on the Posavina Corridor.⁷⁷⁰ When SIMATOVIĆ briefed this group on the upcoming attack at Pajzoš he wore a red beret and his uniform had a grey wolf patch.⁷⁷¹ Under CRNI_(DB)'s command,⁷⁷² this mixed unit played a pivotal role in taking over the municipality, and the accompanying crimes against non-Serb civilians, as discussed in detail below.⁷⁷³ In Bosanski Šamac they were known as the Grey Wolves and as the Red

⁷⁶⁶ P3006 (public).

⁷⁶⁷ P3040, p.1 (confidential).

⁷⁶⁸ [REDACTED] (confidential).

⁷⁶⁹ FirstAFD-no.155, 275. E.g., D0457, p.5 (confidential).

P3195, p.14 (confidential); P3196, p.17-18 (confidential); P3179, p.11 (confidential).

Cross-reference, "KARADŽIĆ promulgated the Bosnian Serb leadership's Six Strategic Goals" on page 65.

⁷⁷⁰ **JF-047**:T.7626 (04-Oct-2010) (public). **BOGUNOVIĆ**:P0554, para.7 (public); T.6001 (public).

⁷⁷¹ [REDACTED] (confidential).

⁷⁷² FirstAFD-no.300.

TODORVIĆ:P1576, p.31, 32 (PriorT.23425-26) (28-Jun-2010) (public); P1580 (public).

JF-047:T.7627, T.7630-31 (4-Oct-2010) (public). P1516, para.34 (confidential); P1417, p.3 (confidential).

⁷⁷³ See, "Bosanski Šamac" on page 218.

Berets.⁷⁷⁴ The non-Serb civilians whom they brutalised during and after the 16-17 April 1992 take-over knew them as the “Specials”.⁷⁷⁵ The SMUP paid the Bosanski Šamac Red Berets’ salaries during the Bosanski Šamac operations.⁷⁷⁶

240. The [REDACTED] of several Bosanski Šamac Red Berets⁷⁷⁷ are evidence of their relationship to the Accused. The files of LUGAR_(DB), CRNI_(DB), Saša ĆULIBRK_(DB), Nenad MITIĆ_(DB) and Goran KORF_(DB) contain the same form. LUGAR’s_(DB),⁷⁷⁸ CRNI’s_(DB)⁷⁷⁹ ĆULIBRK’s_(DB)⁷⁸⁰ and MITIĆ’s_(DB)⁷⁸¹ forms are dated 10 April 1992, the day before the Red Berets’ deployment from Pajzoš to Bosanski Šamac. Evidence of [REDACTED] [REDACTED] to Bosanski Šamac Red Berets, including LUGAR_(DB), Saša ĆULIBRK_(DB), Živomir AVRAMOVIĆ aka AVRAM_(DB) and others,⁷⁸² from 1993 through to 1995, reveals that the Accused continued their relationship with this unit even after the Bosanski Šamac operations.⁷⁸³

⁷⁷⁴ [REDACTED] (confidential). FirstAFD-no.305; P1516, para.30-31 (confidential). *See*, **TIHIĆ**:P0177, p.5 (PriorT.29883) (public) (testifying that the Red Berets arrived via helicopter in Batkuša 10-15 days before the attack on Bosanski Šamac).

⁷⁷⁵ **TIHIĆ**:T.3199-200 (4-Feb-2010) (public).

[REDACTED] (confidential). *See*, “Bosanski Šamac” on page 218.

⁷⁷⁶ D0256, p.1 (confidential); *See also*, [REDACTED] (confidential).

⁷⁷⁷ D0011 (confidential) [REDACTED]

⁷⁷⁸ P3189, p.1 (confidential).

⁷⁷⁹ P0179, p.8 (public).

⁷⁸⁰ P2980, p.19 (confidential).

⁷⁸¹ P2126, p.1 (confidential).

⁷⁸² *See*, P1485, p.3 (public) (payment list refers additionally to Goran SIMOVIĆ and Dragan SAVIĆ); D1207, p.2 (public) (Goran SIMOVIĆ was “TRALJA” and Dragan SAVIĆ was “MALI”);

STOPARIĆ:T.10356 (14-Dec-2010) (public) (identified Goran SIMOVIĆ on a payment list and testified that his nickname was TRALJA and he was in the same platoon as STOPARIĆ); **TODOROVIĆ**:P1576, p.21 (PriorT.23443) (public) (Bosanski Šamac Red Berets included CRNI, DEBELI, LUGAR, Aleksandar VUKOVIĆ aka VUK, AVRAM, LAKI, TRALJA, STUDENT, MALI); D0126, p.2 (public); D1207, p.2 (public) (listed with CRNI’s group after the VRS scout incident); D1209 (public); P1427 (confidential); D1210 (public); D1211 (public); D1212 (public).

[REDACTED] (confidential).

⁷⁸³ *Cross-reference, Annex B.1*

Brčko

241. The SMUP-DB established another training centre in Brčko to train local Serbs for the Posavina Corridor actions.⁷⁸⁴ In February 1992, five of CAPTAIN DRAGAN'S_(DB) instructors arrived in Brčko to train local Serbs and establish a special unit in Brčko.⁷⁸⁵ These instructors included original Unit members Rade and Božo BOŽIĆ_(DB).⁷⁸⁶ When the war started in BiH, the special unit in Brčko grew to about 70 people.⁷⁸⁷ SIMATOVIĆ mentioned the Brčko camp associated operations at the Kula Ceremony.⁷⁸⁸

242. Fighting in Brčko began on 30 April 1992, with the various Serb Forces taking over the city on 2 May 1992.⁷⁸⁹ Under Rade BOŽIĆ'S_(DB) command, the Brčko special unit participated in combat, which included an "attack on Ustasha's house".⁷⁹⁰ For the first month of operations in Brčko, this unit made a "significant contribution" to the JCE's cause.⁷⁹¹ CRNI'S_(DB) and DEBELI'S_(DB) Red Berets unit also participated in "the liberation of the corridor to Brčko" after the operations in Bosanski Šamac.⁷⁹² An SDG formation also contributed significantly to combat in Brčko during this period.⁷⁹³ After the initial month, these units committed many crimes, including looting, rapes, unauthorised interrogations, and theft of weapons, equipment, and vehicles that "crossed the Drina river and ended up in Serbia".⁷⁹⁴

243. After the take-over, around June 1992, IVANOVIĆ_(DB) brought around 40 Unit members to Brčko.⁷⁹⁵ They presented themselves as Serbian MUP officials,⁷⁹⁶ and

⁷⁸⁴ THEUNENS:P1575, p.266 (public). [REDACTED] (confidential).

⁷⁸⁵ P2356, p.15 (confidential); D0083, p.3 (public).

⁷⁸⁶ [REDACTED] (confidential).

⁷⁸⁷ D0083, p.3 (public).

⁷⁸⁸ P0061, p.11 (public).

⁷⁸⁹ D0083, p.2 (public).

⁷⁹⁰ D0202p.1-2 (public).

⁷⁹¹ D0083, p.3 (public). [REDACTED] (confidential).

⁷⁹² P1418, p.1 (public); see P1399p.1-6 (public) (discussing DEBELI'S actions).

⁷⁹³ D0083, p.4 (public).

⁷⁹⁴ D0083 (p.3, 5-6) (public); P3017, p.7-8 (public); P1406, p.2-3, 5 (public); P1418, p.2, 4 (public) (regarding CRNI'S unit).

⁷⁹⁵ ĐUKIĆ:T.17963-66 (6-Mar-2012) (public) (CRNOGORAC arrived in Brčko after it was captured, and after MAUZER left); P1085 (confidential); P0383, p.1, 10 (public) (IVANOVIĆ'S Unit was in Brčko by 28 July 1992). [REDACTED] (confidential) ([REDACTED])

IVANOVIĆ_(DB) stressed “ [REDACTED] ”⁷⁹⁷ They carried ID cards of MUP Krajina and MUP Serbia.⁷⁹⁸ IVANOVIĆ_(DB) took the position of Commander of a Brčko special purposes unit,⁷⁹⁹ assumed authority over the local police, and mistreated police, army and civilians alike.⁸⁰⁰

244. Unit member Željko TORBICA_(DB), who had been in the Unit since September 1991, died during armed operations in Brčko on 22 June 1992. The SMUP-DB subsequently made payments to TORBICA's_(DB) father.⁸⁰¹

[REDACTED]; T.7649 (04-Oct-2010)
(public).

⁷⁹⁶ P3017, p.7, 10 (public).

⁷⁹⁷ P3017, p.10 (public). [REDACTED] (confidential) ([REDACTED]).

⁷⁹⁸ P3017(public); *See* P2356, p.15 (confidential); P2357, p.19 (confidential).

⁷⁹⁹ P1085, p.1 (confidential).

⁸⁰⁰ P3017, p.7-8 (public); *see* P2356, p.15 (confidential). P2357, p.19 (confidential); P1432, p.1 (public).

⁸⁰¹ *See* Annexes A and B.

Doboj

“[M]ost men had to go through the training camps, both at Ozren and in Doboj”.

-JF-005.⁸⁰²

[REDACTED]

[REDACTED]⁸⁰³

245. By April 1992, BOŽOVIĆ and his deputy SUBOTIĆ aka RIKI_(DB)⁸⁰⁴ had left Pajzoš to establish another SMUP-DB training camp on Mt. Ozren,⁸⁰⁵ where the Unit trained Serbs from the Doboj area to participate in further actions along the Posavina Corridor, including the 3 May 1992 take-over of Doboj.⁸⁰⁶ SIMATOVIĆ paid several visits to the Ozren camp.⁸⁰⁷ In addition to the Ozren camp, the Unit established another training camp in the town of Vila in Doboj municipality,⁸⁰⁸ which supplied men to guard to the neighbouring detention centre at Perčin’s Disco.⁸⁰⁹ BOŽOVIĆ held overall command of these camps,⁸¹⁰ both of which featured in SIMATOVIĆ’s speech at the 1997 ceremony in Kula.⁸¹¹

⁸⁰² **JF-005:**T.3006-07 (26-Jan-2010) (public)

⁸⁰³ P3179, p.11 (confidential).

⁸⁰⁴ D0457, p.18 (confidential). *Cross-reference, “Doboj” on page 227.*

⁸⁰⁵ **JF-005:** [REDACTED] (confidential); T.2778-79 (20-Jan-2010) (public).

⁸⁰⁶ D0457, p.4-5 (confidential); P3179, p.11 (confidential).

⁸⁰⁷ **JF-005:**T.2780-81 (20-Jan-2010) (public).

⁸⁰⁸ **JF-008:** [REDACTED] (confidential), T.3580-81 (18-Feb-2010) (public). P1876, p.5 (confidential). P0061, p.11 (public).

JF-009:T.3511-12 (17-Feb-2010) (public); P0253 (public); P1876, p.5 (confidential).

⁸⁰⁹ *See,* D0027, p.8 (confidential); P0082, p.4 (public).

JF-009:T.3505-06 (public). These exhibits establish that the Red Berets were guarding the detainees at Perčin’s Disco.

⁸¹⁰ **JF-005:** [REDACTED] (confidential); T.2846 (21-Jan-2010) (public); P0137, para.29-30 (confidential)

⁸¹¹ P0061, p.11 (public).

246. As in Bosanski Šamac and Brčko, the SMUP-DB collaborated with local Serb police and military in Doboj to recruit and train local Serbs at the Ozren and Doboj camps. [REDACTED]

[REDACTED]⁸¹² [REDACTED]

[REDACTED]⁸¹³ Following the same pattern seen in Bosanski Šamac, Doboj's local Serb political and military leadership funnelled local recruits to Ozren for training.⁸¹⁴ Milan NINKOVIĆ, a trusted colleague of JCE member KARADŽIĆ⁸¹⁵ and President of the SDS Doboj Municipal Board (later RS Defence Minister),⁸¹⁶ was also active in recruiting. [REDACTED]

[REDACTED]⁸¹⁷

247. Upon completion of the training, the recruits trained under BOŽOVIĆ received camouflage uniforms and red berets with insignias stating "JSN", or Special Purpose Unit, with a wolf.⁸¹⁸ Doboj's local population knew them as the "Red Berets".⁸¹⁹

248. In addition to training those who would operate as part of BOŽOVIĆ's Red Berets unit in the Doboj operations, instructors from the SMUP-DB unit also trained other units: NINKOVIĆ and STANKOVIĆ ensured that the formations within the Doboj police,⁸²⁰ JNA, and volunteers were sent for training.⁸²¹ According to JF-005, "most men had to go through the training camps, both at Ozren and in Doboj".⁸²²

⁸¹² D0720, p.1-2 (public).

[REDACTED] (confidential) ([REDACTED]); see D0950 (public) (9 September 1992 document with RS BiH Operations Group Command Doboj heading, signed by STANKOVIĆ as commander, requesting weapons from the Serbian Ministry of Defence).

⁸¹³ [REDACTED] (confidential).

⁸¹⁴ **JF-005**: [REDACTED] (confidential); T.2778 (20-Jan-2010) (public); [REDACTED] (confidential) ([REDACTED]); [REDACTED] (confidential) ([REDACTED]).

⁸¹⁵ P0164, p.2 (public); P2950, p.28 (public).

See **HADŽOVIĆ**:P0083, p.2 (public).

⁸¹⁶ P0164, p.2 (public); D0888, p.3 (public); P0085 (public).

⁸¹⁷ [REDACTED] (confidential).

⁸¹⁸ [REDACTED] (confidential). See also P0141 (public).

⁸¹⁹ **JF-005**:T.2852 (21-Jan-2010) (public).

⁸²⁰ E.g., P2651, p.5 (public) (Mićo SAVIĆ trained at Mt. Ozren and then spent June-August 1992 in the special unit of the Doboj police station).

⁸²¹ **JF-005**:T.2868-69 (21-Jan-2010) (public).

⁸²² **JF-005**:T.3006-07 (26-Jan-2010) (public).

249. For example, Slobodan KARAGIĆ aka KARAGA_(DB),⁸²³ chief of the military police in Doboj,⁸²⁴ led one of the Red Berets groups that received training from the SMUP-DB Unit instructors at Ozren.⁸²⁵ NINKOVIĆ headed a paramilitary unit known as Miće's Group⁸²⁶ that was also trained by BOŽOVIĆ and his men.⁸²⁷ Another notorious paramilitary group called Preda's Wolves, led by Predrag KUJUNDŽIĆ_(DB),⁸²⁸ also received this training.⁸²⁹

250. [REDACTED]
[REDACTED]⁸³⁰ JF-005 testified that from April to early May 1992, 30 to 40 men were at the Ozren camp in JF-005's training group alone;⁸³¹ [REDACTED]⁸³² [REDACTED]
[REDACTED]⁸³³ [REDACTED]
[REDACTED]⁸³⁴ The evidence of this collaboration among the SMUP-DB and local political and military leaders demonstrates how the JCE unfolded in Doboj.

251. SIMATOVIĆ had direct control over BOŽOVIĆ_(DB) and the other Unit members, and through them directed the local Red Berets that they trained.⁸³⁵ BOŽOVIĆ_(DB) led his local

⁸²³ [REDACTED] (confidential).

⁸²⁴ D0027, p.8 (confidential).

⁸²⁵ **THEUNENS:P1575**, p.381 (public) (According to a report by TALIĆ on 30 June 1992, KARAGIĆ's group included members of the Red Berets). [REDACTED] (confidential).

⁸²⁶ P0164, p.4 (public). **JF-005**: [REDACTED] (confidential); T.2904 (25-Jan-2010) (public); T.2872 (21-Jan-2010) (public).

⁸²⁷ **JF-005**: [REDACTED] (confidential) ([REDACTED]); T.3006-07 (26-Jan-2010) (public).

⁸²⁸ D0027, p.6 (confidential).

⁸²⁹ P0164, p.4 (public).

⁸³⁰ P3179, p.11 (confidential).

⁸³¹ **JF-005**:T.2849 (21-Jan-2010) (public).

⁸³² **JF-005**: [REDACTED] (confidential); P0138, para. 8 (confidential).

⁸³³ **JF-008**: [REDACTED] (confidential); T.3580-81 (18-Feb-2010) (public).

⁸³⁴ [REDACTED] (confidential).

⁸³⁵ [REDACTED] (confidential) ([REDACTED]).

unit of Red Berets in taking over Doboj on 3 May 1992.⁸³⁶ During and following the take-over, the Unit members and the Red Berets they had trained committed atrocities against the non-Serb population.⁸³⁷ Their operations were so successful that a month later, on 2 June 1992, a SJB Captain discussing the situation in the neighbouring municipality of Teslić held Doboj up as a model take-over, saying “[h]e would bring in the leader of the Red Berets, a certain BOŽOVIĆ, who with his group would train army and police units specialised in mopping up the terrain of Ustashas and Green Berets”.⁸³⁸

252. The payment records for BOŽOVIĆ’s group during the Doboj operations list other Unit members, indicating that they participated with BOŽOVIĆ and RIKI in training Serbs from the Doboj area at Ozren or Doboj and subsequent operations.⁸³⁹ These included Njegoslav KUŠIĆ_(DB) aka NJEGOŠ, Milenko POPOVIĆ_(DB), Perica (Petar) ZBUĆNOVIĆ_(DB), Nedeljko KOVAČ_(DB), Nikola LONČAR_(DB), Đurica BANJAC_(DB), Nedeljko DRAČA_(DB), Milan DIMIĆ_(DB) and Miodrag LAZIĆ_(DB).⁸⁴⁰

1993 Eastern Bosnia Operations

253. Following the Posavina Corridor operations in April and May 1992, the Unit played a similar role in operations in eastern BiH that began later that summer and stretched into 1993. These operations aimed to establish a corridor in the Drina Valley, consistent with the Bosnian Serb leadership’s Six Strategic Goals.⁸⁴¹ As in the Posavina Corridor, the Unit established training camps in strategic locations in eastern BiH and along the border in Serbia to equip units for the eastern BiH operations. The Unit established camps on Mt. Tara (Serbia) and in Skelani (BiH), and a base across the Drina from Skelani in Bajina Bašta (Serbia). In February 1993, SIMATOVIĆ met with MLADIĆ and others to discuss a

(confidential)

(confidential) (

⁸³⁶

⁸³⁷ *Cross-reference*, “Doboj” on page 227.

⁸³⁸ P1435, p.3 (public); see D0027, p.7 (confidential)

⁸³⁹ P0089 (public); P0142 (public); P0143 (public).

⁸⁴⁰ See Annex A for a summary of the evidence establishing the relationship between these men and the DB.

⁸⁴¹ *Cross-reference*, “KARADŽIĆ promulgated the Bosnian Serb leadership’s Six Strategic Goals” on page 65.

plan for Operation *Udar*, which was to take place in eastern BiH in the spring of 1993.⁸⁴² In co-ordination with the VJ, VRS, and Serbian PJM units (public security special police), SIMATOVIĆ commanded the Unit in Operation *Udar* and other operations in eastern BiH.

Skelani Camp

254. In June or July 1992, SIMATOVIĆ held a meeting with Serb municipal leaders in eastern BiH. He told them “the highest level of military, political, and state circles of Republika Srpska and Serbia” had agreed that training camps would be set up in the municipalities, run by the Serbian special police units. The municipal leaders were to recruit 20 to 30 of their best young men for training, and the instructors would come from Serbia. SIMATOVIĆ explained that these training camps would have “a special structure, that he was in command of it, and that each camp would have its own commander”. Furthermore, the units trained at these camps “would naturally co-operate with the army of Republika Srpska”, but “the lower-level commands had no authorities over those units”.⁸⁴³

255. On 8 June 1992, veteran Unit member PUPOVAC_(DB) carried out SIMATOVIĆ’s instructions, setting up a training camp at Skelani’s elementary school⁸⁴⁴ with instructors from the Unit,⁸⁴⁵ and establishing a Skelani Red Berets unit.⁸⁴⁶ As overall commander of the Unit, SIMATOVIĆ commanded and “financed” the Skelani Red Berets.⁸⁴⁷ Military authorities in the area recognised SIMATOVIĆ’s command over the unit.⁸⁴⁸ Several members of the Skelani Red Berets had previously received training at Pajzoš, including Milenko TRIFUNOVIĆ_(DB).⁸⁴⁹

256. The Skelani Red Berets Unit briefly retreated to Mt. Tara after experiencing fatalities in an ABiH attack on 16 January 1993, but returned to Skelani in February 1993 with

⁸⁴² P0392, p.3 (public). *Cross-reference*, “The VRS under MLADIĆ, the VJ, and SIMATOVIĆ planned and conducted eastern Bosnia operations to further the common purpose” on page 66.

⁸⁴³ DERONJIĆ:P2511, para.136-38 (public).

⁸⁴⁴ P0399, p.1 (public); P0387, p.1 (public).

⁸⁴⁵ DERONJIĆ:P2511, para.132 (public) (SPASOJEVIĆ_(DB)); P1061, p.2 (public); P3040, p.2 (confidential); P3121, p.3 (public) (JOVANOVIĆ_(DB)).

⁸⁴⁶ P0399, p.1 (public); P2104, p.1 (public); P1061, p.2 (public); P0383, p.5 (public); P3182, p.4-5 (confidential). DERONJIĆ:P2511, para.132 (public).

⁸⁴⁷ P1441, p.2 (public); P0387, p.2 (public).

⁸⁴⁸ P0399, p.2 (public); P1441, p.2 (public); P2683, p.2 (public); P0387, p.1-2 (public).

⁸⁴⁹ P3138, p.7 (confidential); P3127, p.3 (confidential); P3132, p.1 (confidential).

BOŽOVIĆ_(DB) as their commander.⁸⁵⁰ As SIMATOVIĆ ordered, the Unit trained men selected from Skelani and Bajina Bašta at the Skelani camp.⁸⁵¹ In addition, the Unit recruited young men from Bratunac municipality to be trained in Skelani before the camp in Bratunac was established.⁸⁵² The Unit conducted military training for nearly all the recruits of the VRS's Skelani Independent Battalion.⁸⁵³ BOŽOVIĆ, as Commander, and JOVANOVIĆ_(DB) as Deputy Commander, led the Skelani Red Berets in combat operations in eastern BiH.⁸⁵⁴

257. SIMATOVIĆ used the Unit to control the bridge between Skelani and Bajina Bašta, controlling who and what could cross.⁸⁵⁵ The Unit transferred equipment, weapons, and “war bounty” comprising domestic appliances⁸⁵⁶ that were probably looted.

258. From mid-1993, the Skelani Red Berets listed in Exhibit P0399 appeared together in various combinations on JPN and then JATD payment lists. Several of them continued to receive payments from the SMUP-DB in 1994 and 1995.⁸⁵⁷

Training at Tara

259. In late 1992 or early 1993, due to an increasingly fragile security situation, the SMUP-MUP and VJ took measures to protect the border between eastern BiH and Serbia. The Unit, under SIMATOVIĆ, established its Command in the Drina Valley area on Mt. Tara, in the Omorika Hotel.⁸⁵⁸ BOŽOVIĆ_(DB) and Zvezdan JOVANOVIĆ_(DB) commanded the Tara training camp, and the instructors were other Unit members.⁸⁵⁹ MIJOVIĆ_(DB)⁸⁶⁰ and

⁸⁵⁰ P0399, p.1 (public).

⁸⁵¹ P0399, p.3-5 (public); P3126 (public); P3127 (public); P3128 (public); P3129 (public); P3130 (confidential); P3131 (public); P3132 (confidential); P3133 (confidential); P3134 (confidential); P3135 (confidential); P3136 (confidential); P3137 (confidential); P3138 (confidential); P3139 (confidential); P3140 (confidential).

⁸⁵² [REDACTED] (confidential). **DERONJIĆ**:P2511, para.139 (public).

⁸⁵³ P3119 (public); P2104, p.1 (public).

⁸⁵⁴ P3121, p.3 (public); P3122 (public); P0399, p.2 (public); P1442 (public).

⁸⁵⁵ P1442 (public); P3120, p.1 (public); P0387, p.2 (public).

⁸⁵⁶ P1442 (public); P3120, p.1 (public).

⁸⁵⁷ See, Annex B.

⁸⁵⁸ **DERONJIĆ**:P2511, para.150 (public).

⁸⁵⁹ [REDACTED] (confidential). P3196,p.18 (confidential); P3199, p.2 (confidential).

⁸⁶⁰ P0973, p.7 (confidential).

KUŠIĆ_(DB)⁸⁶¹ were also at this camp. The Unit “”⁸⁶². The Unit had another base by the Drina river in Bajina Bašta, Serbia, in the Hotel Europa.⁸⁶³

260. Obrad STEVANOVIĆ set up a MUP staff in Bajina Bašta,⁸⁶⁴ where he came into contact with SIMATOVIĆ and MIJOVIĆ_(DB).⁸⁶⁵ STEVANOVIĆ sent PJM members from each of the Secretariats of the Interior for SIMATOVIĆ’s Unit to train at Mt. Tara beginning in February and ending in March 1993.⁸⁶⁶ STEVANOVIĆ told the PJM members that they were “together” with the Unit.⁸⁶⁷

261. Continuing its established pattern, the Unit organised training for 20 local Serbs immediately after February 1993. This group then participated in combat, ⁸⁶⁸

262. The Tara camp continued to be used as a base for the Unit through to the end of the Indictment period.⁸⁶⁹ From Tara, the Unit deployed to SMUP-DB training camps and operations in eastern BiH, in which it co-ordinated with the VJ and the SMUP-MUP public security.⁸⁷⁰

Bratunac Camp

263. In early 1993,⁸⁷¹ the SMUP-DB sent MIJOVIĆ_(DB) and KUŠIĆ_(DB) to establish a camp for the Unit in the kindergarten in Bratunac.⁸⁷² Seven to eight instructors from the Unit

⁸⁶¹ (confidential).

⁸⁶² P0973, p.7 (confidential) (internal quotation omitted).

⁸⁶³ DERONJIĆ:P2511, para.150 (public).

⁸⁶⁴ PLAGUTA:T.19340 (14-May-2012) (public); P0973, p.6-7 (confidential).

⁸⁶⁵ P0973, p.7 (confidential).

⁸⁶⁶ (confidential); D0415 (public); P0973, p.7 (confidential)

See PLAGUTA:T.19340 (14-May-2012) (public).

⁸⁶⁷ (confidential). *Cross-reference*, “Training at Tara” on page 117.

⁸⁶⁸ P2816 (confidential)

⁸⁶⁹ E.g., (confidential). (confidential); P0399 (p.1-2) (public). P3197, p.28 (confidential); P3172, p.1 (confidential); P3179, p.11 (confidential).

⁸⁷⁰ (confidential).

⁸⁷¹ DERONJIĆ:P2511, para.145 (public); P0277, p.1 (public) (training commenced by 23 February 1993). P3199, p.1 (confidential); P3179, p.1 (confidential). P3196, p.17 (confidential); P3172, p.1 (confidential).

arrived to conduct training,⁸⁷³ including ZEČEVIĆ.⁸⁷⁴ The Serbian MUP financed the Bratunac Red Berets. The RS MUP and MLADIĆ fully backed the Unit's activities, as part of the JCE.⁸⁷⁵

264. At the time, Bratunac was in chaos. Bratunac had been attacked by the ABiH in mid-January 1993,⁸⁷⁶ [REDACTED]⁸⁷⁷ Under MIJOVIĆ_(DB), the Unit quickly established its authority. On the day they arrived, they beat a local policeman.⁸⁷⁸ Consistent with SIMATOVIĆ's mandate at the June/July 1992 meeting with the municipality leadership, MIJOVIĆ_(DB) was not subject to the authority of the lower military command; he "had so much power that he could do as he pleased". On different occasions MIJOVIĆ_(DB) beat the commander of the Bratunac Brigade⁸⁷⁹ [REDACTED]⁸⁸⁰

265. The Unit recruited around 100 Bratunac Serbs for training, which largely took place in a large stadium across from the kindergarten. This unit was called the Red Berets.⁸⁸¹ Among the trainees were military policemen below the age of 35.⁸⁸² Under MIJOVIĆ_(DB), the Bratunac Red Berets "participated in all combat operations" in the Bratunac area.⁸⁸³ The Unit brought ammunition, special weapons with night vision capability, vehicles with special weaponry and jeeps from Serbia.⁸⁸⁴

⁸⁷² DERONJIĆ:P2511, para.145 (public); P1585, p.14 (confidential); P3196, p.19 (confidential).

[REDACTED] (confidential).

⁸⁷³ DERONJIĆ:P2511, para.145 (public); P1585, p.14 (confidential).

⁸⁷⁴ D1224 (public); P3199, p.1 (confidential); P3172, p.1 (confidential); P3238 (public).

⁸⁷⁵ DERONJIĆ:P2511, para.145&150 (public).

⁸⁷⁶ P3124 p.1 (public).

⁸⁷⁷ [REDACTED] (confidential).

⁸⁷⁸ DERONJIĆ:P2511, para.145 (public).

⁸⁷⁹ DERONJIĆ:P2511, para.150 (public).

⁸⁸⁰ [REDACTED] (confidential).

⁸⁸¹ DERONJIĆ:P2511, para.145-149 (public).

⁸⁸² P0277, p.1 (public); P3238 (public).

⁸⁸³ DERONJIĆ:P2511, para.150 (public); P2966, p.6 (confidential); 3172, p.1 (confidential).

⁸⁸⁴ DERONJIĆ:P2511, para.146, 149 (public); P1585, p.4 (confidential).

266. MIJOVIĆ_(DB) signed his orders to the Bratunac Red Berets as Commander of the Special Unit of Republika Srpska⁸⁸⁵ and co-ordinated combat operations with the VRS, but the Bratunac Red Berets remained under the Accused.⁸⁸⁶ MLADIĆ_(JCE), the Drina Corps Command, and the Bratunac Brigade referred to MIJOVIĆ's Unit as a unit of the Serbian MUP.⁸⁸⁷

267. Exemplifying its impunity vis-à-vis the RS MUP and VRS, on 11 May 1993 the Unit attempted to take over the local police station by force.⁸⁸⁸ In response, "in order to calm down the conflicts...between the unit of MUP of Serbia and under command of Vasilije MIJOVIĆ_(DB) and the Bratunac Public Security Station", MLADIĆ_(JCE) issued an order on 13 May 1993 that all who had joined the Bratunac Red Berets from the Bratunac area, as well as those who had come with MIJOVIĆ_(DB) from Serbia, were to be resubordinated as a Sabotage Detachment to the 1st Bratunac Light Infantry Brigade ("BRLPBR").⁸⁸⁹ After this order, VRS authorities issued several orders to MIJOVIĆ's Unit as a Sabotage Detachment of the BRLPBR.⁸⁹⁰

268. Around August 1993, MIJOVIĆ_(DB) left the Bratunac area with the other instructors from the Unit.⁸⁹¹ Once the Bratunac Red Berets disbanded, one of its local members, Milenko PRODANOVIĆ aka MUNGOS_(DB),⁸⁹² formed a new unit, "Mungosi".⁸⁹³ PRODANOVIĆ_(DB) and his unit, which included former members of the Bratunac Red Berets,⁸⁹⁴ received payments from the JATD through to September 1993.⁸⁹⁵ Members of

⁸⁸⁵ D1224 (public).

⁸⁸⁶ See, P3239 (public).

⁸⁸⁷ P3123 (public); D0178, p.1 (public); P2683, p.1 (public); P1081 (public); P3238 (public); P3239 (public). This document is authored by MIJOVIĆ_(DB) and has a SMUP JPN header. It was stamped twice, once with an official JPN stamp and a second time with a VRS military post stamp from Bratunac.

P3239 (public) (document authored by MIJOVIĆ has a MUP Serbia JPN header, and received a JPN stamp and a Bratunac VRS military post stamp); P3238 (public).

⁸⁸⁸ P1082 (public)

⁸⁸⁹ P3123 (public); see D0178 (public) (implementing order of Drina Corps Command); P1081 (public) (implementing order of the Bratunac Brigade).

⁸⁹⁰ D0963 (public); D0188 (public).

⁸⁹¹ P3172, p.1 (confidential); P1082 (public); See, P3196, p.17 (confidential).

⁸⁹² D1224 (public).

⁸⁹³ P1082, p.1 (public).

⁸⁹⁴ D1224 (public).

MIJOVIĆ's Red Berets (on D1224)—later PRODANOVIĆ's_(DB) *Mungosi* (on P1082)—appeared on the same JATD payment lists as MIJOVIĆ_(DB) and other Unit members in 1995, exemplifying the Unit's continuing relationship with the local Red Berets units it founded.⁸⁹⁶

269. After MIJOVIĆ_(DB) left Bratunac, Boško NEŠKOVIĆ_(DB) commanded a BRLPBR platoon, which continued to be called the Red Berets.⁸⁹⁷ NEŠKOVIĆ had contact with Unit member SPASOJEVIĆ_(DB)⁸⁹⁸ and had apparently been trained recently by the Unit—his DB personnel file consists of a basic information form also found in other 1992 trainees' files,⁸⁹⁹ dated 2 June 1992, and Serbian MUP JPN form.⁹⁰⁰ His Red Beret platoon was an “extra-establishment unit”, which participated in combat under the VRS but was not part of the army's official wartime establishment.⁹⁰¹ NEŠKOVIĆ's_(DB) involvement as a commander of a unit in combat operations after being trained by the Unit exemplifies the Unit's training concept and impact on the formation of other special units.

Formalising the JATD

270. STANIŠIĆ formalised the Unit as the Unit for Anti-Terrorist Activities (“JATD”) around 4 August 1993.⁹⁰² As part of this process, in August 1993 the SMUP-DB requested background checks on many original and continuing Unit members, such as BOŽOVIĆ_(DB),⁹⁰³ SUBOTIĆ_(DB),⁹⁰⁴ PUPOVAC_(DB),⁹⁰⁵ RAIĆ_(DB),⁹⁰⁶ JOVANOVIĆ_(DB),⁹⁰⁷

⁸⁹⁵ See, Annex B.

⁸⁹⁶ See, Annex B.

⁸⁹⁷ P2104, p.1 (public). See, D0867, p.4 (public).

⁸⁹⁸ P2104, p.1 (public).

⁸⁹⁹ E.g., P0179, p.8 (public); P2126, p.1 (confidential); P2980, p.19 (confidential); P3021, p.7 (confidential); P3038, p.5 (confidential); P3127 (public); P3132 (p.1, 2, 12, 14) (confidential); P3138, p.2 (confidential); P3139, p.2 (confidential); D1623, p.33 (confidential).

⁹⁰⁰ P3125 (public).

⁹⁰¹ D0868, p.2-3 (public).

⁹⁰² P0972, p.6 (confidential). [REDACTED]

⁹⁰³ P2854, p.1 (confidential).

⁹⁰⁴ P2854, p.1 (confidential).

⁹⁰⁵ P3021, p.11 (confidential).

⁹⁰⁶ P2854, p.2 (confidential).

⁹⁰⁷ P3021, p.11 (confidential).

272. The Unit established another base in Lipovica, and also used offices of the SMUP-DB in Belgrade.⁹²² Candidates underwent training at Surčin Airport⁹²³ and shooting practice in Batajnica.⁹²⁴ Surčin Airport housed several helicopters belonging to the JATD. Additional instructors from the public security's SAJ under BADŽA came to the Unit to conduct training at Surčin Airport.⁹²⁵ BADŽA allowed them to leave the SAJ and formally join the JATD.⁹²⁶

273. JATD members received three uniforms: blue-black uniforms signifying that they were in a special police unit; black uniforms used when providing security for STANIŠIĆ, and NATO-style camouflage uniforms to use in combat. As in earlier phases, Unit members also received red berets, and were commonly called the "Red Berets".⁹²⁷

Active/Reserve Distinction

274. STANIŠIĆ formally recognised active members of the Unit with written decisions of employment.⁹²⁸ Reserve members were effectively members without contracts whom the Unit could call upon to participate in operations as needed.⁹²⁹ The reserve status did not equate to a lower level of command responsibility or involvement with the Unit. IVANOVIĆ_(DB), BOŽOVIĆ_(DB), MIJOVIĆ_(DB) and PUPOVAC_(DB), for example, maintained their reserve status in the JATD,⁹³⁰ but were trusted by SIMATOVIĆ,⁹³¹ held command positions,⁹³² and received regular payments from the Serbian DB.⁹³³ The Unit honoured each of these individuals at award ceremonies in 1996⁹³⁴ and 1997.⁹³⁵

⁹²² MIĆIĆ:T.19842 (29-May-2012) (public); [REDACTED] (confidential).

⁹²³ [REDACTED] (confidential).

⁹²⁴ SLIŠKOVIĆ:P0440, para.4 (public).

⁹²⁵ [REDACTED] (confidential).

⁹²⁶ [REDACTED] (confidential).

⁹²⁷ [REDACTED] (confidential). [REDACTED] (confidential).

⁹²⁸ E.g., P2753 (confidential) P2807 (confidential); P2805 (confidential); P2972 (confidential).

⁹²⁹ SLIŠKOVIĆ:T.5099 (18-May-2010) (public).

⁹³⁰ SLIŠKOVIĆ:P0441, para.41 (public). [REDACTED] (confidential).

⁹³¹ [REDACTED] (confidential).

⁹³² [REDACTED] (confidential).

⁹³³ See Annex B.

⁹³⁴ P1696, p.1 (public); P1075, p.8-9, 11 (public).

⁹³⁵ P0061, p.4-5, 27 (public).

Continuity from the JPN and the JATD

275. The Unit that was formalised as the JATD was the same Unit that had operated under the Accused since May 1991. Although the name and certain aspects of the JATD's organisational structure were new, the people were the same, as was the goal to pursue the JCE's common criminal purpose. As CAPTAIN DRAGAN_(DB) later remarked, "Many things changed in the Unit during those years, but its essence, as the DB's secret armed formation—that never would".⁹³⁶

276. Unit members did not consider themselves to be in a different unit once the JATD was formalised. [REDACTED]

.⁹³⁷ His reference to the same unit dating from May 1991 through December 1993 demonstrates the Unit's continuity.

277. As further evidence of the Unit's continuity, the Unit used the same JPN stamp on early JATD documents that it had used since 1992 (including the period when it was called the JPN MUP Krajina).⁹³⁸ SIMATOVIĆ initialled background check requests issued in August 1993, several weeks after the JATD's establishment, which were stamped with the JPN stamp.⁹³⁹ The same stamp appears on payment records generated after the JATD was formed.⁹⁴⁰ This JPN stamp is identical to the stamp on documents that the Unit generated in Ležimir and Pajzoš in 1992.⁹⁴¹

278. The Unit's ongoing recognition of Unit members who were killed before the Unit was formalised as the JATD is further evidence that this was the same Unit. The SMUP-DB posthumously honoured each of the following deceased Unit members at the Unit's anniversary ceremony on 4 May 1996,⁹⁴² and, for many, provided financial support to their relatives:

⁹³⁶ P2976, p.7 (public).

⁹³⁷ D0457, p.4 (confidential) (emphasis added).

⁹³⁸ Cross-reference, "Continuity of the Unit in Ilok from June 1992" on page 106.

⁹³⁹ P2772 (confidential); P2854 (confidential); P2855 (confidential); P2856 (confidential).

⁹⁴⁰ P1485, p.7; P1490, p.2; P1491, p.9-10; P0157, p.2; P1493 (all confidential).

⁹⁴¹ E.g., P0569, p.4 (Eng), p.14 (BCS) (public); P3041, p.3 (confidential).

⁹⁴² P1075, p.5, 13 (public).

- Borjan VUČKOVIĆ_(DB) died on 18 December 1991 in a landmine accident at Pajzoš.⁹⁴³ He was the first casualty of the Unit.⁹⁴⁴
- Aleksandar VUKOVIĆ_(DB) died in the Bosanski Šamac operations on 1 May 1992.⁹⁴⁵
- Željko TORBICA died participating in combat with the Unit in Brčko on 22 June 1992, [REDACTED]⁹⁴⁶
- Saša MEDAKOVIĆ_(DB) died participating in combat with the Unit in the Posavina Corridor on 23 June 1992,⁹⁴⁷ [REDACTED]⁹⁴⁸
- Milan DIMIĆ_(DB) died in Doboj on 13 July 1992,⁹⁴⁹ and [REDACTED] received JATD payments from 1993 through to 1995.⁹⁵⁰
- Predrag BAKLAIĆ_(DB) died in Zvornik in 1993;⁹⁵¹ the JATD sent payments to [REDACTED] throughout 1994.⁹⁵²
- [REDACTED] Žarko TEOFANOVIĆ_(DB) died in combat with the Unit in the Skelani area on 9 April 1993;⁹⁵³ [REDACTED]⁹⁵⁴

JATD Per Diem Payments

279. After the JATD was formalised, it distributed per diem payments regularly, recorded on payment lists.⁹⁵⁵ These payments demonstrate the continuity of the Unit through its various name changes and the DB's connection to the Unit and others who assisted it.

⁹⁴³ P2984 (confidential); [REDACTED] (confidential); P0998, p.6 (confidential). See, Annex B for payments to relatives.

⁹⁴⁴ [REDACTED] (confidential).

⁹⁴⁵ P3117, p.5 (public); [REDACTED] (confidential). LUKAČ:P1834, p.27 (public). See, Annex B for payments to relatives.

⁹⁴⁶ P3149 (confidential). See, Annex B for payments to relatives.

⁹⁴⁷ [REDACTED] (confidential). P1001, p.2 (confidential); P1075, p.13 (public); P3146 (public).

⁹⁴⁸ See Annexes A and B.

⁹⁴⁹ P1075, p.13 (public); P3150 (public).

⁹⁵⁰ See, Annex B.

⁹⁵¹ P1075, p.13 (public); P3152 (confidential).

⁹⁵² See, Annex B.

⁹⁵³ P3040, p.2 (confidential); P1075 (public), p.13; P3121, p.2 (public); P3122, p.1 (public).

280. The payment lists provide insight into which groups the Accused financed, when, and to some extent where. The lists were grouped geographically, according to where the members were operating.⁹⁵⁶ Someone—not necessarily the recipient—would sign the lists to indicate that the money was received from the DB.⁹⁵⁷ Members who were in Belgrade received money on the MUP premises.⁹⁵⁸ Often, a pilot or driver who delivered the money to the members where they were stationed outside Serbia and would sign for the entire list.⁹⁵⁹

281. Everyone in the Unit, active and reserve, received per diem payments.⁹⁶⁰ In addition to the Unit members and relatives of deceased Unit members, the JATD payment lists reflect payments to others “_____”.⁹⁶¹ Thus, the lists reflect that the SDG received payments from the SMUP-DB between 1994 and 1995.⁹⁶² The payment lists reveal a pattern of co-ordination among the DB’s special units—in which SIMATOVIĆ was involved, as demonstrated by his signature on many of the payment lists.⁹⁶³ Through this co-ordination these groups implemented the JCE’s common plan.

282. Twenty-five of the payment lists in evidence are either undated or have a date that omits the year. These lists relate to payments made in 1993 and 1994, up until the first dated payment list for the period from 16-31 May 1994. Seven of these, dating from 21 August to 11 October, have a JPN stamp.⁹⁶⁴ _____

_____ ⁹⁶⁵ _____

⁹⁵⁴ See, Annex B.

⁹⁵⁵ _____ (confidential).

⁹⁵⁶ _____ (confidential).

⁹⁵⁷ _____ (confidential).

⁹⁵⁸ _____ (confidential).

⁹⁵⁹ _____ (confidential); P1075, p.8 (public) (pilot MAJK was Milutin RADIVOJEVIĆ).

⁹⁶⁰ _____ (confidential); _____ (confidential).

⁹⁶¹ _____ (confidential).

⁹⁶² Cross-reference, “The SDG’s Links to the Accused” on page 137.

⁹⁶³ _____ (confidential); P3039 (public); P0454, p.24 (confidential); P0456, p.22 (confidential); P0457, p.23 (confidential); P0458, p.21 (confidential); P0465, p.25 (confidential).

⁹⁶⁴ P0157 (confidential); P1490 (confidential); P1493 (confidential); P1491 (confidential); P1494 (confidential); P1485 (confidential); P1496 (confidential).

⁹⁶⁵ _____ (confidential).

⁹⁶⁶ The remaining 18 lists have a JATD header and stamp. These are dated from 12 October through to 15 May, thus fitting into the time frame between the last JPN stamped list and the first dated list.

Joint Operations in 1994 and 1995

283. From late 1994 through to 1995, the SMUP-DB deployed the Unit to several joint operations with other SMUP-DB special units—the SDG and Scorpions. The joint *Pauk*, *Treskavica/Trnovo*, and *SBWS* operations are discussed below.

Poskok Detachment

284. Around June 1995, the Unit began assembling and training a special *Poskok* Detachment at a SMUP-DB camp called *Sova* near Knin.⁹⁶⁷ The members recruited to the *Sova* camp had extensive prior reconnaissance and sabotage experience. Most had either trained in Golubić or at CAPTAIN DRAGAN's *Alfa* camp in 1993, then joined RSK MUP reconnaissance units in the Krajina area.⁹⁶⁸

285. Before coming to *Sova* to join the *Poskok* Detachment, many were part of the Cigo Unit⁹⁶⁹ —established in 1994⁹⁷⁰ under veteran Unit member Nikola SIMIĆ_(DB) aka CIGO.⁹⁷¹ SIMIĆ's_(DB) career history was emblematic of the *Poskok* Detachment members: he had trained in Golubić and been an instructor at the *Alfa* camp⁹⁷² before joining the *Poskok* Detachment.⁹⁷³

⁹⁶⁶ (confidential)

⁹⁶⁷ P2832, p.2 (confidential); P2811 (confidential); P2826 (confidential); P2833, p.1 (confidential); P2825 (confidential). “*Sova*” means owl.

⁹⁶⁸ P2820 (confidential); P2825 (confidential); P2826 (confidential); P2829 (confidential); P2839, p.2 (confidential); P0523, p.6 (confidential); P2847; P2814 (confidential); P2810 (confidential); P2832, p.1 (confidential); P2823 (confidential); P2817 (confidential).

⁹⁶⁹ P2810 (confidential); P2818 (confidential); P2831, p.2 (confidential); P2826 (confidential); P2817 (confidential).

⁹⁷⁰ P2817 (confidential).

⁹⁷¹ P2997; **BABIĆ**:P1878, p.169 (PriorT.13123) (public); **BOSNIĆ**:D0313, para.59 (public); T.12836 (public).

⁹⁷² See, **BABIĆ**:P1878, p.169 (PriorT.13123) (public); **BOSNIĆ**:D0313, para.59 (public); T.12836 (public).

⁹⁷³ P2997 (confidential).

286. The *Poskok* Detachment received red berets and weapons.⁹⁷⁴ When Croatian forces took over the Krajina in Operation Storm, training at *Sova* came to a halt and the *Poskok* Detachment swiftly retreated to SBWS,⁹⁷⁵ engaging in operations with other groups from the Unit, the SDG, the Scorpions and public security in an effort to keep as much territory as possible under Serb control.⁹⁷⁶ *Poskok* members, including SIMIĆ_(DB) and the brothers Goran and Miloš OPAČIĆ_(DB),⁹⁷⁷ appear on SMUP-DB payment records during the second half of 1995.⁹⁷⁸

The CAPTAIN DRAGAN Fund

287. CAPTAIN DRAGAN_(DB) founded the KDF in the autumn of 1991,⁹⁷⁹ which SIMATOVIĆ referred to at the Kula Ceremony as one of “the unit’s humanitarian activities throughout the entire period”.⁹⁸⁰ The purpose of the KDF was to provide financial assistance to special unit members who were injured or killed during operations.⁹⁸¹

288. Many of the KDF applicants trained under CAPTAIN DRAGAN_(DB) in 1991⁹⁸² or participated in operations that entailed the Indictment crimes. Applicants included members of: the SDG under the command of ARKAN;⁹⁸³ the MUP Serbia JPN under the command

⁹⁷⁴ P2842 (confidential); P2741 (confidential); P2844 (confidential); P2837 (confidential); P2835 (confidential); P2830 (confidential); P2841 (confidential); P2845 (confidential); P2848 (confidential); P2843 (confidential); P2840 (confidential); P2828 (confidential).

⁹⁷⁵ P2815 (confidential).

⁹⁷⁶ Cross-reference, SBWS Operations” on page 161.

⁹⁷⁷ P2737 (confidential); P2738 (confidential); P2739 (confidential); P2740 (confidential); P2741 (confidential); P2823 (confidential); P2824 (confidential); P2845 (confidential); P2846 (confidential).

⁹⁷⁸ See, Annex B.1.

⁹⁷⁹ ██████████ (confidential).

⁹⁸⁰ P0061, p.11 (public).

⁹⁸¹ BOSNIĆ:T.12824-25 (14-Jul-2011) (public); T.12883 (14-Jul-2011) (public).

⁹⁸² P2652, p.5 (public); P2647, p.5, 7 (public); P2649, p.5 (public) (joined training in Knin on 23 May 1991, trained by CAPTAIN DRAGAN and other instructors CRNOGORAC and “IRAC”[“The IRISHMAN”Ć—probably in Golubić); P2655, p.2-3 (public) (joined the Krajina SUP JPN on 4 August 1991 at Knin fortress under IVANOVIĆ; wounded on 14 August 1991 in Golubić); P0569, p.3-4 (public) (joined as a *Knindža* under Žika CRNOGORAC on 8 August 1991 (mistakenly printed as 1992)—thus probably trained in Knin or Golubić).

⁹⁸³ P2657, p.2-4, 7-8 (public); P0337, p.2-5 (public); P2646, p.2-4 (public);

of SIMATOVIĆ and/or BOŽOVIĆ_(DB),⁹⁸⁴ Živojin IVANOVIĆ_(DB),⁹⁸⁵ and VUČKOVIĆ_(DB);⁹⁸⁶ special units under the command of Rade BOŽIĆ_(DB);⁹⁸⁷ the Grey Wolves (Serbian MUP) Unit under the command of Srećko RADOVANOVIĆ_(DB);⁹⁸⁸ a Zvornik unit commanded by Marko PAVLOVIĆ_(DB);⁹⁸⁹ a Krajina Special Police Unit under Dušan MOMČILOVIĆ_(DB);⁹⁹⁰ and other MUP Krajina units under MARTIĆ's authority;⁹⁹¹ SBWS TO under the command of BADŽA and his subordinates;⁹⁹² and other units.⁹⁹³

⁹⁸⁴ P0148, p.3 (public) (joined the “MUP Serbia” on 12 April 1992 under BOŽOVIĆ and FRENKI, as an instructor); P0145, p.5 (public) (joined the *Crvene Beretke* /Red Berets/ “special purposes battalion” at Bosansko Petrovo Selo on 3 May 1992, under the commander BOŽOVIĆ).

P0147, p.2 (public) (joined the unit on 4 April 1992 and was in the “Serbian police – *Crvene beretke* /Red Berets/”; his commander was BOŽOVIĆ); P0144, p.5 (public) (referring to “*Crvene Beretke*” special task unit).

P0146, p.5 (public) (joined Red Berets on Ozren Mountain on 30 May 1992 so probably part of the group trained under BOŽOVIĆ during that period). *Cross-reference*, “Doboj” on page 227.

⁹⁸⁵ P2655, p.2-3 (public) (joined the Krajina SUP JPN on 4 August 1991 at Knin fortress under IVANOVIĆ; wounded on 14 August 1991 in Golubić); P0569, p.3-4 (public) (joined as a *Knindža* under Žika CRNOGORAC on 8 August 1991 (mistakenly printed as 1992), then wounded near Pajzoš on 18 June 1992 while still in the Unit commanded by Živojin IVANOVIĆ).

⁹⁸⁶ P2653, p.2-4 (public) (referring to MUP Krajina JPN—which was the same Unit as the MUP Serbia JPN). *See*, P3173, p.1-2 (confidential).

⁹⁸⁷ D0202, p.2-5 (public) (joined Special Unit under BOŽIĆ in Brčko on 1 May 1992); P2610, p.2 (joined Special Unit under the command of CAPTAIN DRAGAN on 17 July 1991; wounded in June 1993 during the “liberation” of Škabrnja as part of RSK armed forces—with certificate of wounding signed by Commander Rade BOŽIĆ).

⁹⁸⁸ P1519, p.2-4 (public); P01518, p.2-4 (public); P1517, p.2, 4 (public) (refers to a Serbian MUP special unit with no commander listed, but states that he joined the unit in March, trained in Pajzoš, and was wounded in Bosanski Šamac, so was probably part of the Bosanski Šamac group under Dragan ĐORĐEVIĆ and RADOVANOVIĆ); P1518, p.2 (public) (refers to the “Grey Wolves” unit in Bosanski Šamac, commanded by DEBELI_(DB); KORF was a “a reservist of the MUP of the Republic of Serbia” and LUGAR_(DB) witnessed his wounding on 10 May 1992 while mopping up a village in Bosanski Šamac (Garevac)).

⁹⁸⁹ P2656, p.3-7 (public).

⁹⁹⁰ P2996, p.2-6 (public).

⁹⁹¹ P2647, p.5, 7 (public); P2652 (public) (joined “internal affairs organ”—likely a reference to MUP Krajina—JPN in Golubić, 15 April 1991).

⁹⁹² P2650 (public); P0323, p.2, 6, 12, 14 (public).

⁹⁹³ P2648 (public) (joined Red Berets on 18 April 1992 in village of Pobrde (Bratunac municipality); wounded on 25 July 1992 in Hranči); P2654 (public) (joined a volunteer unit of the SRS in 1991 mid-year, then wounded on 17 June 1993 near Goražde as a member of a Red Berets special purpose unit). *See also*, D1686, p.2 (public); D1687, p.2,6 (public); D1688, p.3 (public); D1689, p.5 (public).

289. The Unit also recruited members through the KDF.⁹⁹⁴

Kula Awards Ceremony

290. In 1997, STANIŠIĆ and SIMATOVIĆ gathered former and current members of the Unit for an awards ceremony at the Radoslav KOSTIĆ Centre in Kula.⁹⁹⁵ In praising the Unit for its accomplishments in Croatia and BiH between 1991 and 1995, SIMATOVIĆ confirmed both that the Unit existed from May 1991 and throughout the Indictment period, and that it was essential to executing the common criminal purpose of the JCE.

291. As MILOŠEVIĆ arrived at Kula, he individually greeted the Unit’s “veterans” as they were lined up at attention—including LEGIJA_(DB), IVANOVIĆ_(DB), BOŽOVIĆ_(DB), ORLOVIĆ_(DB), MIJOVIĆ_(DB), Goran OPAČIĆ_(DB), PRICA_(DB), JOVANOVIĆ_(DB), SUBOTIĆ_(DB), Nikola LONČAR_(DB), BANJAC_(DB) and MOMČILOVIĆ_(DB).

292. In a seven-minute speech that followed, SIMATOVIĆ began: “Mr. President, we thank you for accepting the invitation to attend the ceremony marking the anniversary of the formation of the Special Operations Unit of the State Security Service. It was constituted on 4 May 1991.”

293. SIMATOVIĆ then praised the Unit for its “enormous” contribution, noting that “[f]orty-seven soldiers were killed and 250 wounded in combat operations at 50 different locations”. Outlining “the unit’s history” and “combat record”⁹⁹⁶ SIMATOVIĆ highlighted the following:⁹⁹⁷

- The Unit’s original “core”, made up of SMUP-DB officials, RSK police and volunteers from Serbia;⁹⁹⁸
- The Unit’s participation in combat in SAO-Krajina in 1991;⁹⁹⁹

⁹⁹⁴ P3193, p.5 (confidential) ([REDACTED])

⁹⁹⁵ P0061, p.12 (public).

⁹⁹⁶ P0061, p.9-12 (public).

⁹⁹⁷ P0061, p.10-11 (public).

⁹⁹⁸ This portion of SIMATOVIĆ’s speech is corroborated by the evidence discussed in “Golubić Training” on page 89; “Founding of the Unit” on page 92 and “Training at the Knin Fortress and Korenica” on page 93.”

⁹⁹⁹ This portion of SIMATOVIĆ’s speech is corroborated by the evidence discussed in “The Unit’s Early Operatrions in SAO-Krajina” on page 94.

- The transfer of part of the Unit to Serbia in September 1991, where it organised training;¹⁰⁰⁰
- The establishment of “training camps” for “special police units” of the RSK and RS, including Golubić, Ležimir, Ilok, Doboј, Brčko, and Ozren;¹⁰⁰¹ and
- Joint operations in, *inter alia*, eastern Slavonia, the Corridor, the Drina, Sarajevo and western BiH.¹⁰⁰²

294. At the conclusion of SIMATOVIĆ’s speech, STANIŠIĆ showed MILOŠEVIĆ around the centre, showing him photos of deceased Unit members and a map.¹⁰⁰³ STANIŠIĆ then led the celebration by observing a communal minute of silence for BADŽA_(JCE) and then giving ceremonial gifts to MILOŠEVIĆ_(JCE), KERTES_(JCE), and the chief of Belgrade television. After a cocktail reception, a meal and a tour of the centre, MILOŠEVIĆ left the ceremony, saying “Good bye Jovica, good bye Milorad, FRENKI” to STANIŠIĆ, SIMATOVIĆ and LEGIJA_(DB); he said “Radojica, all the best” to BOŽOVIĆ_(DB).¹⁰⁰⁴

295. STANIŠIĆ then presided over a second awards ceremony. The diverse profiles of the Unit members STANIŠIĆ selected demonstrate the Unit’s comprehensive reach in furthering the JCE’s purpose. Award recipients included:¹⁰⁰⁵

- CAPTAIN DRAGAN_(DB), who assisted in launching the first camp at Golubić; he received a hug from STANIŠIĆ and SIMATOVIĆ;
- RAIĆ_(DB), who originated from near Knin, had been an operative of the Krajina DB, and led the *Poskok* Detachment in the 1995 SBWS operations;

¹⁰⁰⁰ This portion of SIMATOVIĆ’s speech is corroborated by the evidence discussed in “SIMATOVIĆ Briefed the Unit at SMUP-DB Headquarters” on page 97 and “Training at the Ležimir Camp (Fruška Gora)” on page 97.

¹⁰⁰¹ This portion of SIMATOVIĆ’s speech is corroborated by the evidence discussed in the “Golubić Training” on page 89; “Training at the Ležimir Camp (Fruška Gora)” on page 97; “Ilok Camp (Pajzoš)” on page 101; “Brčko” on page 110; and “Doboј” on page 112.

¹⁰⁰² This portion of SIMATOVIĆ’s speech is corroborated by the evidence discussed in “Deployment for Posavina Corridor Operations” on page 108; “1993 Eastern Bosnia Operations” on page 115; “Operation Pauk” on page 153; and “Trnovo/Treskavica” on page 158.

¹⁰⁰³ P0061 (timecode-00:19:30-00:20:50) (public).

¹⁰⁰⁴ P0061, p.25-26 (public).

¹⁰⁰⁵ P0061, p.27 (public); Cross-reference, Annex A for individual biographies.

- Goran OPAČIĆ_(DB), also from the Knin area, who was trained at Golubić before joining MARTIĆ's Police and commanding the Benkovac SJB in the 1991 attack on Škabrnja;
- PUPOVAC_(DB), who joined the Unit in Golubić from Bajina Bašta in Serbia, and later returned to establish a Skelani camp in 1992, just across the border from his hometown;
- BANJAC_(DB), who joined the Unit in 1991 from his hometown near Belgrade and was instrumental in the 1995 SBWS operations; and
- MOMČILOVIĆ_(DB), who was simultaneously an official of the SMUP-DB 4th Administration and head of a unit of MARTIĆ's Police in Glina from 1991 through to 1993.

296. After presenting the awards, STANIŠIĆ's closing remarks underscored his approval for the Unit's actions in areas where they had committed the JCE crimes during the Indictment period:

We have now actually given out the greatest, the highest awards that can be earned in work of this kind and these are awards for valour. Each of you that received this award, be it OPAČIĆ_(DB) in the Knin area or ĐURICA [BANJAC] in the Banija area, and even the story about us as men who tried to help their people ... Each one of them is the same, particularly the way it came about, but in essence it speaks of the heroism of our people and what we have put into our unit.¹⁰⁰⁶

¹⁰⁰⁶ P0061, p.27).



DB TRAINING CAMPS and EVOLUTION OF THE "UNIT"

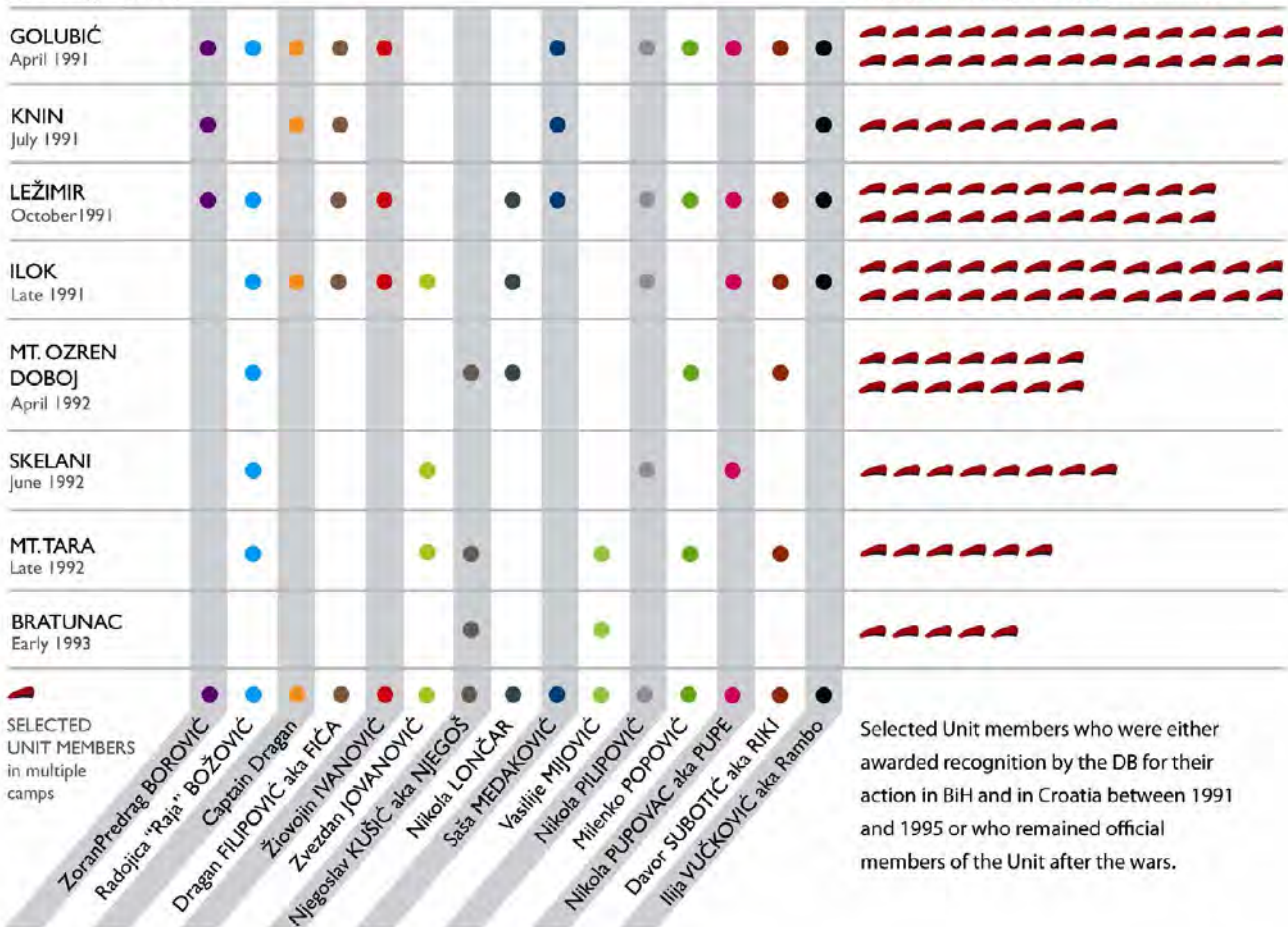
Selected Red Berets camps established by or associated with the SMUP-DB, 1991-1993

- Camp location
- RSK area
- Republika Srpska



NAME OF CAMP
(Chronological order)

NUMBER OF UNIT MEMBERS
associated with camp and discussed in this brief



Selected Unit members who were either awarded recognition by the DB for their action in BiH and in Croatia between 1991 and 1995 or who remained official members of the Unit after the wars.

Figure 5.

The Serbian Volunteer Guard (“SDG”)

“We don’t take any more prisoners. We are gonna kill every fascist soldier we catch. They have to know that.”

-ARKAN, in televised interview.¹⁰⁰⁷

“-----”.

------¹⁰⁰⁸

“There is a rumour among the JNA members located in the area, that ARKAN goes into the action only after the JNA units mop up the area and then ... commits crimes. They think ARKAN is doing it with a full support of the SDB [State Security Service] of Serbia”.

-Information Report of the Federal Secretariat for National Defence Security Administration, 1 October 1991¹⁰⁰⁹

297. The SDG, also known as ARKAN’s Tigers and *Arkanovci*, was a SMUP-DB special unit led by ARKAN between 1991 and 1995.¹⁰¹⁰ The Accused controlled ARKAN and the SDG and used them to further the common criminal purpose by committing crimes against non-Serbs and training other Serb Forces to do the same. The SDG complemented the other SMUP-DB special units—at times training and committing crimes in areas not covered by the Unit or the Scorpions, and at other times joining the other SMUP-DB special units in combat.

ARKAN as SDG Commander

298. ARKAN was the ideal commander for the SDG: a loyal subordinate of the Accused, an infamous criminal well-suited for the Indictment crimes, and a fervent JCE member with strong connections to fellow members.

299. ARKAN’s relationship to the SMUP-DB as a “subordinate to STANIŠIĆ and Franko SIMATOVIĆ”¹⁰¹¹ was evident from the beginning of the Indictment period. In May 1991,

¹⁰⁰⁷ P0326 (public).

¹⁰⁰⁸ P1080, p.4 (confidential).

¹⁰⁰⁹ P0327, p.2 (public).

¹⁰¹⁰ Indictment, para. 4; P1078, p.1 (public).

¹⁰¹¹ **SLIŠKOVIĆ**:P0441, para. 44-46 (public). **BOGUNOVIĆ**:P0554, para.22 (public).

when asked “who your boss is”, ARKAN replied: “Jovica STANIŠIĆ”.¹⁰¹² In the fall of 1991 during a dispute with JNA Lt. Colonel VASKOVIĆ, ARKAN threatened to contact “his boss in State Security”.¹⁰¹³ He had a SMUP or SMUP-DB membership card.¹⁰¹⁴ The SMUP-DB gave ARKAN a SMUP-DB code-name—“Kafa”—indicating that he served as an associate¹⁰¹⁵ or collaborator¹⁰¹⁶ of the service.¹⁰¹⁷

300. In 1991, ARKAN was a wealthy criminal who had influence within the criminal underworld of Belgrade and advocated creating a “Serbian Army”.¹⁰¹⁸ His criminal reputation was well-known in Serbia and across Europe.¹⁰¹⁹ Not only was his reputation generally known, his criminal file was kept at the Belgrade SUP as of November 1990, where “quite a few people” read it.¹⁰²⁰ A SMUP-DB report in January 1991 detailed ARKAN’s extensive record of crimes committed between 1966 and 1986, including several acts of violence, a smuggling channel to the Krajina, and crimes in other countries. He was “a lock-picker, burglar, robber and rapist”.¹⁰²¹ As SMUP member GREKULOVIĆ stated, “every police officer in Serbia” knew of ARKAN’s criminal history.¹⁰²² With this profile,

¹⁰¹² SAVIĆ:T.1811 (public).

¹⁰¹³ KOVAČEVIĆ:T.2146 (public).

¹⁰¹⁴ [REDACTED] (confidential); P2092, p.1 (confidential); P1077, p.3 (confidential).

¹⁰¹⁵ According to the Rules on the Work of the Serbian DB, an “associate” is a person who “in a conscious, secret, organised and continued manner collects data and information or carries out other tasks for the need of the service...The Service is obliged to train, prepare and instruct the associate to carry out tasks and to create appropriate work conditions for him” and “maintain reliable and efficient connections in the case of extraordinary circumstances, immediate threat of war or a war.” D0239, p.3-4 (public).

¹⁰¹⁶ According to the Defence MUP Expert, a “collaborator” is a person who “consciously collaborates with the State Security Service, helping the service to carry out the tasks in its purview” which is done in “an organised way, consciously and secretly.” MILOŠEVIĆ:T.18929 (2-May-2012) (public).

¹⁰¹⁷ DST-035:T.12312-13 (5-Jul-2011)(public) (code-names appearing in DB reports with quotation marks “were associates or collaborators of the service”); P1649, p.2 (public) (referring to the upcoming wedding between “Kafa” and folk singer Ceca VELIČKOVIĆ [ARKAN’s wife]). The word “Kafa” means “coffee” in BCS.

[REDACTED] (confidential).

¹⁰¹⁸ P1078, p.1-2 (public).

¹⁰¹⁹ [REDACTED] (confidential).

¹⁰²⁰ P1646, p.6 (public).

¹⁰²¹ P1646, p.6 (public).

¹⁰²² GREKULOVIĆ:T.15275 (29-Nov-2011) (public).

the Accused and their JCE associates knew they could further the common criminal purpose in the areas where they sent him and his SDG.

301. ARKAN_(JCE/DB) was in favour of resolving Yugoslavia's problems through armed violence. In an interview on 27 September 1991, when asked if war was avoidable, ARKAN responded: "No way! And do not kid yourself that there can be any truce so that Serb people would live through another genocide. There will not be another Jasenovac! We will not be sheep again! We will be wolves."¹⁰²³

302. ARKAN_(JCE/DB) had close connections with other JCE members, who acted in concert with STANIŠIĆ and SIMATOVIĆ. Describing his connection to MARTIĆ_(JCE), ARKAN said, "We really had a brotherly relationship. I have to say we were like two brothers. That's /a/ fact."¹⁰²⁴ BADŽA trusted ARKAN and they co-operated closely.¹⁰²⁵ MILOŠEVIĆ was able to exert his influence over HADŽIĆ_(JCE) through ARKAN and BADŽA_(JCE), while STANIŠIĆ was the link between MILOŠEVIĆ_(JCE), ARKAN_(JCE/DB) and BADŽA_(JCE).¹⁰²⁶ ARKAN had a close relationship with HADŽIĆ and was often seen with him.¹⁰²⁷ During the autumn of 1991, ARKAN and HADŽIĆ participated in crimes together in Dalj.¹⁰²⁸ In 1992 and 1995, ARKAN acted in co-ordination with RS authorities, notably PLAVŠIĆ_(JCE) and KARADŽIĆ_(JCE), who authorised the SDG presence in, *inter alia*, Bijeljina, Zvornik and Sanski Most.¹⁰²⁹

The SDG's Links to the Accused

303. The SMUP-DB armed, financed and equipped the SDG for special actions in Croatia and BiH.¹⁰³⁰ Although it was not officially part of the SMUP structure, STANIŠIĆ, SIMATOVIĆ, BADŽA and other members of the SMUP possessed *de facto* control over the SDG and acted with ARKAN to further the JCE objectives.

¹⁰²³ P2924, p.2 (public).

¹⁰²⁴ P1601, p.1 (public).

¹⁰²⁵ See, e.g., **N.BOGUNOVIĆ**:T.13304-5 (17-Aug-2011) (public); D0274, p.2 (confidential) (-----).

(-----) (confidential) (-----).

¹⁰²⁶ **BOGUNOVIĆ**:P0554, para.18) (public).

¹⁰²⁷ (-----) (confidential); (-----) (confidential); (-----) (confidential).

¹⁰²⁸ Cross-reference, "Murders in Dalj" on page 197.

¹⁰²⁹ Cross-reference, "Radovan KARADŽIĆ" on page 76; and "Biljana PLAVŠIĆ" on page 79.

¹⁰³⁰ **KOVAČEVIĆ**:P0053, p.1 (public).

304. Former JATD and SDG member Dejan SLIŠKOVIĆ explained that the SDG was “under the command of Jovica STANIŠIĆ and Franko SIMATOVIĆ”.¹⁰³¹ SLIŠKOVIĆ further explained, “ARKAN’s Tigers were not formally part of the Red Berets” and they “included a lot of convicts and people from the criminal milieu, so the SMUP-DB never wanted to formally recognise them as part of the Serbian DB.”¹⁰³² Despite the lack of a formalised relationship, SLIŠKOVIĆ stated “it was clear that they were commanded by the Serbian DB.”¹⁰³³

305. The SDG was among the strongest of the DB’s “satellite” units, along with the Scorpions.¹⁰³⁴ The SDG headquarters was in Belgrade, in ARKAN’s home, throughout the Indictment period.¹⁰³⁵ They maintained a base in SBWS in Erdut, with the Unit and Scorpions nearby in Ilok and Đeletovci, respectively.¹⁰³⁶ Unit commander IVANOVIĆ_(DB) visited ARKAN in Erdut.¹⁰³⁷ These SMUP-DB special units worked closely together along the border with Serbia,¹⁰³⁸ and engaged in operations together.¹⁰³⁹ The SDG and Scorpions received ammunition, food and supplies from the Unit’s camp in Pajzoš.¹⁰⁴⁰ The relationship between the SDG and the Unit “_____”.¹⁰⁴¹

306. The SDG would not participate in operations without the SMUP-DB’s approval and support.¹⁰⁴² In addition to the Scorpions and the Unit, the SDG participated in operations

¹⁰³¹ SLIŠKOVIĆ:P0441, para.45 (public).

¹⁰³² SLIŠKOVIĆ:P0441, para.39 (public).

¹⁰³³ SLIŠKOVIĆ:P0441, para.46 (public).

¹⁰³⁴ STOPARIĆ:P1702, para.70 (public). The witness referred to the SDG as a “sattelite” unit.

¹⁰³⁵ DIMITRIJEVIĆ:T.16055 (17-Jan-2012) (public); P3067, p.2 (public).

_____ (confidential). _____ (confidential). _____ (confidential).

¹⁰³⁶ STOPARIĆ:P1702, para.72) (public).

¹⁰³⁷ _____ (confidential).

¹⁰³⁸ STOPARIĆ:P1702, para.72 (public).

¹⁰³⁹ STOPARIĆ:P1702, para.72 (public).

¹⁰⁴⁰ _____ (confidential).

¹⁰⁴¹ _____ (confidential).

¹⁰⁴² _____ (confidential). P1616, p.12 (confidential).

with the JNA, VRS and SVK,¹⁰⁴³ and with forces under the MUPs of Serbia, RSK and RS.¹⁰⁴⁴

307. The SMUP-DB ensured that the SDG was equipped to remain in constant contact. ARKAN possessed a direct phone line to the SMUP-MUP.¹⁰⁴⁵ SDG staff in Belgrade possessed a duty service number for the SMUP-MUP, which they called when ARKAN wanted to cross the border from Serbia to RS.¹⁰⁴⁶ The SMUP-DB arranged a direct radio link between the SDG's Belgrade headquarters, Erdut and ARKAN's house in Belgrade. The SMUP-DB also arranged for a direct telephone line between the SDG headquarters and the Erdut camp.¹⁰⁴⁷

308. The SMUP-DB made it possible for ARKAN and his men to cross the border between Serbia and SBWS with weapons. Only people with a permit from the highest level would be allowed to cross the border with weapons.¹⁰⁴⁸ In July, ARKAN had such a permit for himself and seven or eight of his men, signed by JCE member BOGDANOVIĆ_(JCE),¹⁰⁴⁹ and SDG vehicles had civilian, Serbian MUP and Krajina MUP number plates in order to disguise their true origin.¹⁰⁵⁰ The border police were informed of their crossings when travelling between Erdut and Serbia.¹⁰⁵¹ In 1995, the SMUP-DB gave ARKAN additional Serbian MUP number plates to use for transporting weapons and uniforms.¹⁰⁵²

309. The SDG was armed similarly to the Unit,¹⁰⁵³ with better equipment and more modern weapons than VRS units.¹⁰⁵⁴ For example, JF-025 observed that during the Posavina

1043 [REDACTED] (confidential).

1044 [REDACTED] (confidential).

1045 [REDACTED] (confidential).

1046 [REDACTED] (confidential); P1635 (public); D0073, p.13 (confidential) ([REDACTED]).

1047 [REDACTED] (confidential).

1048 [REDACTED] (confidential).

1049 [REDACTED] (confidential).

1050 [REDACTED] (confidential); P1624, p.2 (public).

1051 [REDACTED] (confidential). [REDACTED] (confidential).

1052 [REDACTED].

1053 [REDACTED] (confidential).

1054 [REDACTED] (confidential).

Corridor operations in 1992, the SDG had the same equipment as the “Red Berets” in Brčko, with the only difference being the latter’s red berets.¹⁰⁵⁵

310. The SDG received finances from multiple sources between 1991 and 1995, including the SMUP-DB and private donations.¹⁰⁵⁶ SDG members received salaries in the field on a monthly basis.¹⁰⁵⁷ Cash was delivered to the SDG Belgrade headquarters in large bags. Sometimes, ARKAN arrived with cash that he said came from the DB.¹⁰⁵⁸ Financial receipts for transactions were kept at a SDG company in Belgrade—across the street from the SMUP building.¹⁰⁵⁹ The SDG received payments in a manner similar to the JATD,¹⁰⁶⁰ as confirmed by the SDG’s appearance on the JATD payment lists from 1994-1995.¹⁰⁶¹

SDG Operations from 1990-1991

311. Founded in Serbia on 11 October 1990 with 15 members,¹⁰⁶² the SDG was, according to ARKAN, “a Serbian army, not politically oriented but established to help in the fight of Serbs, wherever they might be.”¹⁰⁶³ In late 1990, ARKAN was arrested by the Croatian authorities while going to meet with Serbs in Knin to “help in their resistance to the Ustashoid [sic] government,” as ARKAN later stated.¹⁰⁶⁴ He was detained in Croatia until April 1991.¹⁰⁶⁵

312. Soon after ARKAN’s release, he went with the SDG to eastern Slavonia, establishing a base in the village of Tenja, which they occupied between May and August 1991.¹⁰⁶⁶ In

¹⁰⁵⁵ **JF-025**:T.6248 (8-July-2010) (public).

¹⁰⁵⁶ [REDACTED] (confidential). [REDACTED] (confidential).

¹⁰⁵⁷ [REDACTED] (confidential).

¹⁰⁵⁸ [REDACTED] (confidential).

¹⁰⁵⁹ [REDACTED] (confidential).

¹⁰⁶⁰ **SLIŠKOVIĆ**:P0441, para.46 (public).

¹⁰⁶¹ See Annex A and corresponding entries in Annex B.1 for: BUJOŠEVIĆ, Nenad; BULATOVIĆ, Srdan; ĐORĐEVIĆ, Nebojša; GOLUBOVIĆ, Srdan; PEJIĆ, Marko; PETROVIĆ, Dragan; RADNOV, Žavra; RAKONJAC, Rade; RISTIĆ, Momir; ŠARAC, Mladen, SIMIĆ, Jugoslav; STOJANOVIĆ, Slobodan; ULEMEK, Mihajlo; and ULEMEK, Milorad ala LEGIJA.

¹⁰⁶² [REDACTED] (confidential).

¹⁰⁶³ P2924, p.1 (public)

¹⁰⁶⁴ P2924, p.1 (public).

¹⁰⁶⁵ [REDACTED] (confidential); P1646, p.2 (public); D0276, p.4 (confidential).

¹⁰⁶⁶ **JF-029**:T.10034 (8-Dec-2010) (public); P1078, p.1 (public).

early August 1991, the SDG—consisting of 50 to 60 members—conducted combat operations in Tenja.¹⁰⁶⁷

313. During the summer and autumn of 1991, the SDG participated in operations with JNA units.¹⁰⁶⁸ The SDG's operational role was to quickly take over a location, hand it over to regular Serb Forces, and return to base.¹⁰⁶⁹ As JNA General Andrija BIORČEVIĆ described: "That was the greatest contribution of ARKAN's volunteers.... We surround a village, they enter it, kill those who refuse to surrender and we go on".¹⁰⁷⁰ A JNA report from 1 October 1991 confirms: "ARKAN goes into action only after the JNA units mop up the area... and commits crimes", for which JNA personnel believed he had "the full support of the SDB of Serbia."¹⁰⁷¹

314. A few days after the take-over of Dalj in August 1991, ARKAN_(JCE/DB) came to Borovo Selo with several SDG members. Presenting his SMUP identification card,¹⁰⁷² he told the Borovo Selo TO members that they were from the Serbian DB.¹⁰⁷³ Two SMUP members explained to the TO commanders that ARKAN was the SDG commander and would operate in the area.¹⁰⁷⁴ [REDACTED]¹⁰⁷⁵ KOJIĆ led the Borovo Selo TO at the time, but took his instructions from the SMUP-DB.¹⁰⁷⁶

315. In August or September 1991 the SDG relocated to Erdut.¹⁰⁷⁷ HADŽIĆ_(JCE) escorted them to the training centre, where HADŽIĆ's special police unit, the SNB were also

¹⁰⁶⁷ [REDACTED] P0337, p.2, 4 (public). See P2657, p.7 (public) (participated in Tenja operations under ARKAN in early September).

¹⁰⁶⁸ P0327 (public); P0337, p.4 (public).

¹⁰⁶⁹ [REDACTED] (confidential).

¹⁰⁷⁰ P1219 (public).

¹⁰⁷¹ P0327, p.2 (public).

¹⁰⁷² [REDACTED] (confidential); P2092, p.1 (confidential). Note that in P2092 on p.1 the witness clarifies that contrary to what it says in P2092, the ID card did not say "DB" on it but rather that it was a "MUP ID card."

¹⁰⁷³ [REDACTED] (confidential).

¹⁰⁷⁴ [REDACTED] (confidential).

¹⁰⁷⁵ [REDACTED] (confidential).

¹⁰⁷⁶ [REDACTED] (confidential).

¹⁰⁷⁷ [REDACTED] (confidential); [REDACTED] (confidential); [REDACTED] (confidential); [REDACTED] (confidential). KOVAČEVIĆ:P0051, para.36 (public); P0371 (public); [REDACTED] (confidential); P0334 (public).

See, [REDACTED] (confidential).

based.¹⁰⁷⁸ HADŽIĆ's first decision after becoming President of SBWS was to make ARKAN commander of the Erdut training centre on 21 September 1991.¹⁰⁷⁹

316. ARKAN provided logistical support and training to different units at the Erdut centre in Croatia.¹⁰⁸⁰ Erdut served as a collection centre for volunteers and a distribution point for sending them to different TO units in SBWS.¹⁰⁸¹

317. Between August and November 1991, meetings were held at the SAO-SBWS TO headquarters in Borovo Selo to discuss operations in eastern Slavonia. These co-ordination meetings were attended by ARKAN, Živojin IVANOVIĆ_(DB), KOJIĆ_(DB), JNA officers, local TO commanders and other personnel from the SMUP.¹⁰⁸² ARKAN and HADŽIĆ_(JCE) would meet at least twice a week in the Erdut centre;¹⁰⁸³ sometimes BADŽA_(JCE) would also meet with them.¹⁰⁸⁴

318. SIMATOVIĆ went to Erdut on multiple occasions during the autumn of 1991. In September 1991, SIMATOVIĆ met with ARKAN_(JCE/DB), BADŽA_(JCE), JNA Lt. Colonel VASKOVIĆ, and others at the headquarters in Erdut for discussions.¹⁰⁸⁵ After a four to five hour meeting, VASKOVIĆ left and said "that certain things were arranged."¹⁰⁸⁶ At the beginning of November before the fall of Vukovar, SIMATOVIĆ returned to Erdut for a meeting with JNA personnel and commanders.¹⁰⁸⁷

319. From this base, ARKAN deployed the SDG to commit crimes terrorising the non-Serb population, including the many charged murders in Dalj and Erdut committed from October 1991 through to June 1992. The SDG detained, tortured and killed non-Serbs at the Erdut

¹⁰⁷⁸ [REDACTED] (confidential).

¹⁰⁷⁹ D0339 (confidential). [REDACTED] (confidential).

¹⁰⁸⁰ P1188 (public); P1078 (public); P1079 (confidential); D0031 (public). *See KOVAČEVIĆ:P0051, para.36 (public).*

¹⁰⁸¹ **THEUNENS**:P1575, p.218-21 (Part II, p.75-78) (public); P0371, p.2 (public); P1079, p.2 (confidential); P1188, p.2 (public); and P1189, p.1 (public).

¹⁰⁸² [REDACTED] (confidential).

¹⁰⁸³ **BOGUNOVIĆ**:T.13295 (17-Aug-2011) (public).

¹⁰⁸⁴ [REDACTED] (confidential).

¹⁰⁸⁵ **KOVAČEVIĆ**:P0053, para.34 (public).

¹⁰⁸⁶ **KOVAČEVIĆ**:P0053, para.34 (public).

¹⁰⁸⁷ **KOVAČEVIĆ**:P0053, p.6 (public).

camp.¹⁰⁸⁸ ARKAN openly stated that the SDG would take no “Ustasha” prisoners in combat, meaning they would kill them.¹⁰⁸⁹ ARKAN’s crimes in villages of SBWS and in the Erdut training centre were the subject of numerous reports of the JNA/VJ security organ/administration,¹⁰⁹⁰ as well as the Vojvodina DB.¹⁰⁹¹ The JNA reported: “ARKAN is engaged in the slaughter of the prisoners sent by the local territorial units” and “Through the training process of each volunteer, they learn, when raiding into a Croatian house, to kill whomever they find in the house, no matter if those are children, old and frail people, women and similar.”¹⁰⁹² Moreover, the connections between the SDG’s criminal activity and the SMUP-DB was well-known to the military in 1991. [REDACTED]

[REDACTED]¹⁰⁹³

320. The SDG co-operated closely with other units committing crimes. In 1991 several nationalist political parties in Serbia formed volunteer units and dispatched them to Croatia.¹⁰⁹⁴ ŠEŠELJ’s Men were active in SBWS from May 1991 onwards¹⁰⁹⁵ and participated in joint actions with the SDG.¹⁰⁹⁶ The SDG also co-operated with HADŽIĆ’s SNB, and even goaded them to commit crimes, [REDACTED]¹⁰⁹⁷ SNB members had access to ARKAN’s training centre and took orders from Mihajlo ULEMEK_(DB) (ARKAN’s deputy),¹⁰⁹⁸ [REDACTED]

¹⁰⁸⁸ *Cross-reference, “Murders in Erdut” on page 199.*

¹⁰⁸⁹ P0326 (public) (In the September 1991 ARKAN in a televised interview openly advocated killing prisoners).

¹⁰⁹⁰ E.g., P0327 (public); P0329 (public); P01647 (public); P1078 (public).

¹⁰⁹¹ E.g., P0334, p.1-2 (public); P0335, p.1-2 (public).

¹⁰⁹² P1188, p.2-3 (public).

¹⁰⁹³ P1077, p.3 (confidential).

¹⁰⁹⁴ **THEUNENS**:P1575, p.108-14 (Part I, p.85-91) (public); **STOPARIĆ**:P1702, para.4-6 (public).

¹⁰⁹⁵ P1158, p.1-10 (public); P1173, p.1 (public); P1160, p.1-6 (public); P1161 (public); P1049, p.3-9 (public); P1162 (public); P1171 (public); P1172, p.1-2 (confidential); P1173, p.1-2 (public); P1156 (public); P1157, p.1-2 (public).

¹⁰⁹⁶ P1164, p.8, 9 (public).

¹⁰⁹⁷ [REDACTED] (confidential).

¹⁰⁹⁸ [REDACTED] (confidential); [REDACTED] (confidential); [REDACTED] (confidential).

¹⁰⁹⁹ Members of the SDG visited SNB commander BOGIĆ's office regularly.¹¹⁰⁰ Some SDG members were given SNB ID cards.¹¹⁰¹

321. From 1991 to 1993¹¹⁰² the Erdut training centre was financed by DP Dalj,¹¹⁰³ a large state-owned agricultural complex appropriated by the SAO-SBWS government.¹¹⁰⁴ In turn, DP Dalj invoiced these expenses to the SAO-SBWS MOD.¹¹⁰⁵ The SBWS government was itself heavily influenced and funded by Serbia.¹¹⁰⁶ The SBWS TO staff was also based in the training centre.¹¹⁰⁷

322. Dafina MILANOVIĆ provided funding for the apartments of the families of deceased or wounded SDG members in 1991 and 1992.¹¹⁰⁸ MILANOVIĆ's finances depended in part on the Serbian MUP: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]¹¹⁰⁹

SDG Operations in 1992

323. From early 1992, the Belgrade headquarters was used to recruit and send volunteers to Erdut.¹¹¹⁰ The SDG advertised its activities on TV in Serbia to recruit new members, showing ARKAN with a tiger and several soldiers.¹¹¹¹ Printed recruitment materials requested that volunteers apply at the SDG's Belgrade headquarters.¹¹¹²

¹⁰⁹⁹ [REDACTED] (confidential).

¹¹⁰⁰ [REDACTED] (confidential).

¹¹⁰¹ [REDACTED] (confidential).

¹¹⁰² See e.g. P1682, p.1-3 (public).

¹¹⁰³ P1187 (public); P1078, p.3-4 (public).

¹¹⁰⁴ [REDACTED]; P0330 (public).

¹¹⁰⁵ P0331, p.1-3 (public); P0332 (public); P0333, p.1, 4, 7 (public); P1187 (public).

¹¹⁰⁶ P0968, p.1-10 (public).

¹¹⁰⁷ [REDACTED] (confidential).

¹¹⁰⁸ [REDACTED] (confidential).

¹¹⁰⁹ P2439, p.1, 4 (confidential).

¹¹¹⁰ [REDACTED] (confidential); P3067, p.2-3 (confidential).

¹¹¹¹ **JF-025**:P0612, p.5 (PriorT.18022) (PPCE) .

¹¹¹² P3065 (public).

324. In early 1992, approximately 150 SDG members were billeted in Erdut.¹¹¹³ Between February and April 1992, they were trained to use all types of firearms and explosives.¹¹¹⁴ The commanders of the Erdut centre at the time were SDG member Marko PEJIĆ_(DB)¹¹¹⁵ and Milorad STRIČEVIĆ aka PUKI.¹¹¹⁶ The SMUP-DB recruited LEGIJA_(DB) as an instructor and he became a Deputy Commander of the SDG.¹¹¹⁷

325. The SDG was involved in the war in BiH from the beginning in March 1992. They travelled from Erdut through Serbia¹¹¹⁸ to lead the attack on Bijeljina on 1 April 1992¹¹¹⁹, followed quickly by the Zvornik take-over on 8 April 1992, terrorising and killing non-Serb civilians in the process.¹¹²⁰ In both Bijeljina and Zvornik, the SDG asserted its will. In Bijeljina they played a role in the operations of the local police and the newly established Serb parallel government.¹¹²¹ [REDACTED]¹¹²²

[REDACTED]¹¹²³

[REDACTED]¹¹²⁴

326. The SDG participated in the Posavina Corridor operations throughout April 1992 along with members of the Unit and MARTIĆ's Police.¹¹²⁵ From Bijeljina and Zvornik

¹¹¹³ **JF-025**:T.6241 (8-Jul-2010) (public).

¹¹¹⁴ **JF-025**:P0612, p.8-9 (PriorT.18025-6 (PPCE)).

¹¹¹⁵ **JF-025**:T.6242 (8-Jul-2010) (public).

[REDACTED] (confidential); P1622 (public); P1623 (public).

¹¹¹⁶ [REDACTED] (confidential). **JF-025**:T.6242 (8-Jul-2010) (public). [REDACTED] (confidential).

¹¹¹⁷ [REDACTED] (confidential).

¹¹¹⁸ **JF-025**:P00612, p.13 (PriorT.18030) (PPCE); P0604 (public).

¹¹¹⁹ [REDACTED]
(confidential). It is the Prosecution's case that ARKAN's men were there in preparation for the attack on the town.

¹¹²⁰ *Cross-reference*, "Bijeljina and Zvornik" on page 206.

¹¹²¹ P0607, p.1 (public); P3107, p.3 (public).

¹¹²² [REDACTED] (confidential); [REDACTED] (confidential).

¹¹²³ [REDACTED] (confidential).

¹¹²⁴ [REDACTED] (confidential), [REDACTED] (confidential).

¹¹²⁵ P3017, p.6 (public).

they continued on to Brčko.¹¹²⁶ They were known for “mistreating, terrorising, robbing and not infrequently killing innocent people.”¹¹²⁷

327. The SDG returned to Erdut following these operations around April or May 1992. After the JNA withdrew and the TO disbanded with the Vance Plan, JCE members coordinated the organs under their control to allow Serbia to continue supporting the RSK. The SDG in SBWS were designated members of Special Police Units (“PJM’s”), also known as “Blue Brigades” or “*Plavi*”,¹¹²⁸ until January 1993,¹¹²⁹ as were the Scorpions.¹¹³⁰ Throughout the remainder of 1992, the SDG co-operated with and supported the RSK MUP.¹¹³¹ The SDG in the RSK and Arkan himself were under the command of Ilija KOJIĆ_(DB),¹¹³² who was both RSK Assistant Minister of the Interior and a SMUP-DB member.¹¹³³ ARKAN’s training centre trained additional forces of the RSK MUP, and the Serbian MUP and MOD continued sending irregular forces.¹¹³⁴

SDG Operations in 1993

328. After the Croatian Army (“HV”) seized the Maslenica Bridge on 18 January 1993, the SDG went to the Krajina to join the fighting.¹¹³⁵ Between 21 January and 27 March 1993, the SDG operated near Knin and Benkovac.¹¹³⁶

329. Upon the SDG’s return to Erdut in March 1993, an order was issued to form a special unit—the “Super Tigers”.¹¹³⁷ Forty SDG members passed the selection and training process to become Super Tigers commanded by LEGIJA_(DB).¹¹³⁸ The Super Tigers trained from early April to late December 1993. This elite SDG sub-unit wore NATO-style green

1126 [REDACTED].

1127 P03017, p.6 (public).

1128 [REDACTED] (confidential).

1129 [REDACTED] (confidential).

1130 [REDACTED] (confidential).

1131 [REDACTED] (confidential).

1132 [REDACTED] (confidential).

1133 [REDACTED] (confidential).

1134 P1127, p.1-2 (public).

1135 [REDACTED] (confidential).

1136 [REDACTED] (confidential).

1137 [REDACTED] (confidential).

1138 [REDACTED] (confidential).

camouflage uniforms and red berets with a Serbian flag badge.¹¹³⁹ Between January and December 1993, SDG members were paid in cash and did not sign for their payments¹¹⁴⁰

330. From late-1993 to mid-1994, the SDG was not operational.¹¹⁴¹ SDG members returned to Belgade to provide security for ARKAN and work at his businesses.¹¹⁴² When the SDG became operational again the Erdut centre was re-opened.¹¹⁴³

SDG Operations in 1994-1995

331. The SMUP-DB directed three major SDG deployments into areas of BiH between 1994 and 1995: Operation *Pauk* in the Velika Kladuša area; the Treskavica/Trnovo operations; and the Banja Luka/Sanski Most operations. The SMUP-DB also deployed the SDG to operations in SBWS in 1995.

332. The *Pauk*, Treskavica/Trnovo and SBWS operations were joint operations that involved all three of the SMUP-DB special units—the Unit, SDG and Scorpions—in coordination with RSMUP and VRS forces.¹¹⁴⁴

333. During September and October 1995, 300 to 400 SDG members participated in operations in the area of Banja Luka, Sanski Most, Ključ, Mrkonjić Grad and Prijedor in an effort to bolster the frontline.¹¹⁴⁵ ARKAN received orders by phone from the SMUP during these operations.¹¹⁴⁶ When he was not in BiH, ARKAN met with SIMATOVIĆ almost every day.¹¹⁴⁷

334. For these operations the SDG was divided into a unit for breaking through the frontlines, a reconnaissance unit, a military police unit, a communications unit, a tank unit, and an artillery unit. SDG members wore NATO-style camouflage uniforms and officers wore red berets.¹¹⁴⁸

1139 [REDACTED] (confidential).

1140 [REDACTED] (confidential).

1141 [REDACTED] (confidential).

1142 [REDACTED] (confidential).

1143 [REDACTED] (confidential).

1144 Cross-reference, “The SMUP-DB Special Units’ Joint Operations” on page 153.

1145 [REDACTED] (confidential). [REDACTED] (confidential).

1146 [REDACTED] (confidential).

1147 [REDACTED] (confidential).

1148 [REDACTED] (confidential).

335. The SDG co-ordinated with forces from the RS and Serbian MUP and DB.¹¹⁴⁹ The SMUP-DB's Dragan FILIPOVIĆ_(DB) co-ordinated the SMUP forces¹¹⁵⁰ to make "sure that the units carried out their tasks for which they were deployed in the first place."¹¹⁵¹ BOŽOVIĆ_(DB) commanded a group from the Unit.¹¹⁵² The commander of the Banja Luka SMUP-DB forces, Ljuban EĆIM, visited both SIMATOVIĆ and ARKAN in Belgrade.¹¹⁵³

336. The SDG rounded up non-Serb civilians whom they detained, interrogated and abused, before bussing small groups of them to remote locations to murder them, including the charged murders in the Sanski Most villages of Trnova and Sasina from 19-22 September 1995.¹¹⁵⁴ On 23 September 1995, MLADIĆ_(JCE) sent a report to KARADŽIĆ_(JCE) stating that ARKAN_(JCE/DB), who "identified himself as a member of the MUP of Serbia and RS", had "upset the population at large after word got out that he arrested all the Muslims in Sanski Most and liquidated a certain number of loyal Muslim citizens".¹¹⁵⁵

337. On 13 September 1995, the SDG established a base in Manjača, near Mrkonjić Grad.¹¹⁵⁶ As VRS soldiers deserted the battlefield, Mihajlo ULEMEK_(DB), who commanded the SDG's military police unit, was responsible for their capture and arrest. After being arrested in actions involving the SDG military police, SMUP-PJP forces, and RSMUP forces,¹¹⁵⁷ VRS conscripts were taken to holding centres,¹¹⁵⁸ including the Manjača centre.¹¹⁵⁹ There, the SDG members conducted "training", physically and psychologically abusing the VRS soldiers before sending them to the frontlines near Mrkonjić

¹¹⁴⁹ P2546, p.1-2 (public). MILOVANOVIĆ:T.15522-27, 15557-58 (8-Dec-2011) (public).

¹¹⁵⁰ GREKULOVIĆ:T.15250 (29-Nov-2011) (public).

¹¹⁵¹ GREKULOVIĆ:T.15256 (29-Nov-2011) (public); P2941 (public).

¹¹⁵² [REDACTED] (confidential); [REDACTED] (confidential).

¹¹⁵³ [REDACTED] (confidential).

¹¹⁵⁴ Cross-reference, "Sanski Most" on page 238.

¹¹⁵⁵ P0289, p.2-3 (public).

¹¹⁵⁶ [REDACTED] (confidential).

¹¹⁵⁷ GREKULOVIĆ:D0522, p.4-5 (public); P2942 (public); P2943 (public); P2945 (public); D0526 (public); D0527 (public); D0528 (public); D0529 (public); D0530 (public); D0531 (public); D0532 (public).

¹¹⁵⁸ P2945 (public); P2942 (public); P2943 (public).

¹¹⁵⁹ P2943 (public); P2546 (public); P02942 (public).

Grad.¹¹⁶⁰ After two weeks, Mihajlo ULEMEK_(DB) was sent back to Erdut because his approach was deemed excessive.¹¹⁶¹

338. SDG members who participated in the Banja Luka/Sanski Most operations¹¹⁶² were on the SMUP-DB payroll in September and October 1995,¹¹⁶³ and received unemployment and health insurance payments from the SMUP.¹¹⁶⁴

¹¹⁶⁰ P1479, p.1-2 (public).

¹¹⁶¹ [REDACTED] (confidential); P1616, p.9 (confidential).

¹¹⁶² *E.g.*, D0649 (public) (certificate regarding the death of Aleksandar DRAŽOVIĆ signed by Mladen ŠARAC).

PELEVIĆ:T.16603 (26-Jan-2012) (public); P3069, p.2 (public); P3071 (public) (Aleksandar MANOJLOVIĆ died near Mrkonjić Grad in October 1995); P3070 (public) (Žavica RADNOV killed on 7 October 1995 in Ključ).

[REDACTED] (confidential) ([REDACTED]).

[REDACTED] (confidential) ([REDACTED]).

¹¹⁶³ P0543, p.9, 13 (confidential) ([REDACTED]); P0348, p.44, 45, 52, 54 (confidential) ([REDACTED]).

¹¹⁶⁴ P0289, p.2-3 (public). [REDACTED] (confidential).



Figure 6. Top row: Three uniform patches used by the SDG or Arkan's Tigers (See evidence of JF-025). Each has elements of the SMUP-DB units insignia. (L-R) P0582 (public); P0583 (public) and P0031 (public).

Bottom row: (L) P0585 (public) ARKAN; (R) P2152 (public) one of ARKAN's Tigers (photo taken at the Scorpion's headquarters in Đeletovci). See also, P2158 and accompanying testimony.

The Scorpions

“We gave 80 from Erdut [SDG base], we gave 80 from Đeletovci [Scorpion base]”

Ratko MLADIĆ_(JCE) recording statement made by Jovica STANIŠIĆ on 30 June 1995 in his military notebook.¹¹⁶⁵

339. The Scorpions were a SMUP-DB special unit that the Accused secretly controlled during the Indictment period for special operations in Croatia and BiH.¹¹⁶⁶ Although the Scorpions were not officially part of the SMUP structure, STANIŠIĆ and SIMATOVIĆ exercised *de facto* control over them, using them to further the JCE objectives and at times deploying them for use by other members of the JCE.

340. The Scorpions were based in Đeletovci, SBWS.¹¹⁶⁷ They guarded the oil fields in Đeletovci from late 1991 or early 1992,¹¹⁶⁸ a task sometimes shared with the SDG or the Unit.¹¹⁶⁹ The SMUP-DB considered this to be of strategic importance;¹¹⁷⁰ no one could visit these oil fields without the SMUP-DB’s permission.¹¹⁷¹ When the Vance Plan came into force, the Scorpions, like the SDG, were officially attached to the PJMs known as *Plavi* Brigades, under KOJIĆ_(DB)’s command,¹¹⁷² until 1993.¹¹⁷³

341. Slobodan MEDIĆ_(DB), the Scorpions’ commander, referred to STANIŠIĆ as his “boss” in the spring of 1992.¹¹⁷⁴ From 1994 MEDIĆ met with STANIŠIĆ at the Unit’s camp in Ilok, where he received orders that came from STANIŠIĆ and SIMATOVIĆ.¹¹⁷⁵ In 1995, after Operation Storm, SIMATOVIĆ came to Đeletovci for a meeting while Unit

¹¹⁶⁵ P0394, p.15 (public).

¹¹⁶⁶ Indictment, para. 4.

¹¹⁶⁷ ██████████ (confidential); ██████████ (confidential).

¹¹⁶⁸ ██████████ (confidential).

¹¹⁶⁹ ██████████ (confidential); ██████████ (confidential).

¹¹⁷⁰ **STOPARIĆ**:T.10461, 10546-47 (15-16-Dec-2010) (public).

¹¹⁷¹ ██████████ (confidential); ██████████ (confidential).

¹¹⁷² ██████████ (confidential).

¹¹⁷³ ██████████ (confidential).

¹¹⁷⁴ **SAVIĆ**:T.1804 (06-Jul-2009) (public).

¹¹⁷⁵ ██████████ (confidential).

members were in nearby Čakovci and Nijemci.¹¹⁷⁶ MEDIĆ also participated in meetings with ARKAN and LEGIJA_(DB).¹¹⁷⁷

342. At the DB's direction, the Scorpions participated in the *Pauk*, Treskavica/Trnovo and subsequent SBWS operations with the Unit and SDG in 1994 and 1995, discussed below. During combat operations such as *Pauk*, MEDIĆ_(DB) and the Scorpions were subordinated to the Unit's command.¹¹⁷⁸ In conjunction with the Trnovo operation, in July 1995 the Scorpions perpetrated the charged murders of Muslim men and boys who were captured after the Srebrenica enclave fell.¹¹⁷⁹ Some Scorpions later became official members of the JSO upon MEDIĆ's recommendation.¹¹⁸⁰



Figure 7. (L) P2152(p50) (confidential) Slobodan MEDIĆ aka "BOCA" at the Scorpions headquarters in Đeletovci. (R) P2157 (public) Insignia of the Scorpions. See also, P2158 and accompanying testimony.

¹¹⁷⁶ [REDACTED] (confidential).

¹¹⁷⁷ [REDACTED] (confidential).

¹¹⁷⁸ SLIŠKOVIĆ:T.5120 (18-May-2010) (public).

¹¹⁷⁹ Indictment, para.61. Cross-reference, "Trnovo/Treskavica" on page 158; "Trnovo" on page 235; and "Trnovo on page 311.

¹¹⁸⁰ [REDACTED] (confidential).

The SMUP-DB Special Units' Joint Operations

343. Starting in November 1994, the SMUP-DB deployed all three of their special units—the Unit, the SDG and the Scorpions—in joint operations at key fronts in north-western BiH, at Trnovo/Treskavica near Sarajevo, and finally in the SBWS. In Operation *Pauk*, the SMUP-DB special units joined Fikret ABDIĆ's army in fighting against the ABiH 5th Corps near Bihać. In the summer of 1995, coinciding with the fall of Srebrenica, the SMUP-DB deployed its special units to related operations at Trnovo/Treskavica—during which the Scorpions filmed themselves murdering six Bosnian Muslim males. In the summer and autumn of 1995, leading up to and following the Croatian take-over of the Krajina, the SMUP-DB deployed the special units to operations in the SBWS designed to halt the advancing Croatian Army.

Operation Pauk

344. The *Pauk*¹¹⁸¹ operation in 1994 and 1995 is significant for two principle reasons: 1) it exemplifies the close co-ordination between all JCE members in pursuing the common purpose during this period; and 2) it demonstrates the Accused's deployment of the special units (the Unit, SDG and Scorpions) in a series of co-ordinated actions through to the end of the Indictment period. These co-ordinated actions were agreed upon by MILOŠEVIĆ and KARADŽIĆ¹¹⁸² and planned by STANIŠIĆ, MILOŠEVIĆ and others.¹¹⁸³ From November 1994 to August 1995, the JCE leadership deployed forces to support Fikret ABDIĆ, President of the Autonomous Province of Western Bosnia in his fight against the ABiH 5th Corps.¹¹⁸⁴ JCE members assisted ABDIĆ in order to undermine the threat that the ABiH 5th Corps posed to Serb Forces in the area of the Una River,¹¹⁸⁵ which was the subject of the Bosnian Serb leadership's fourth Strategic Goal.¹¹⁸⁶ STANIŠIĆ and MILOŠEVIĆ_(JCE) met

¹¹⁸¹ "*Pauk*" means "Spider"

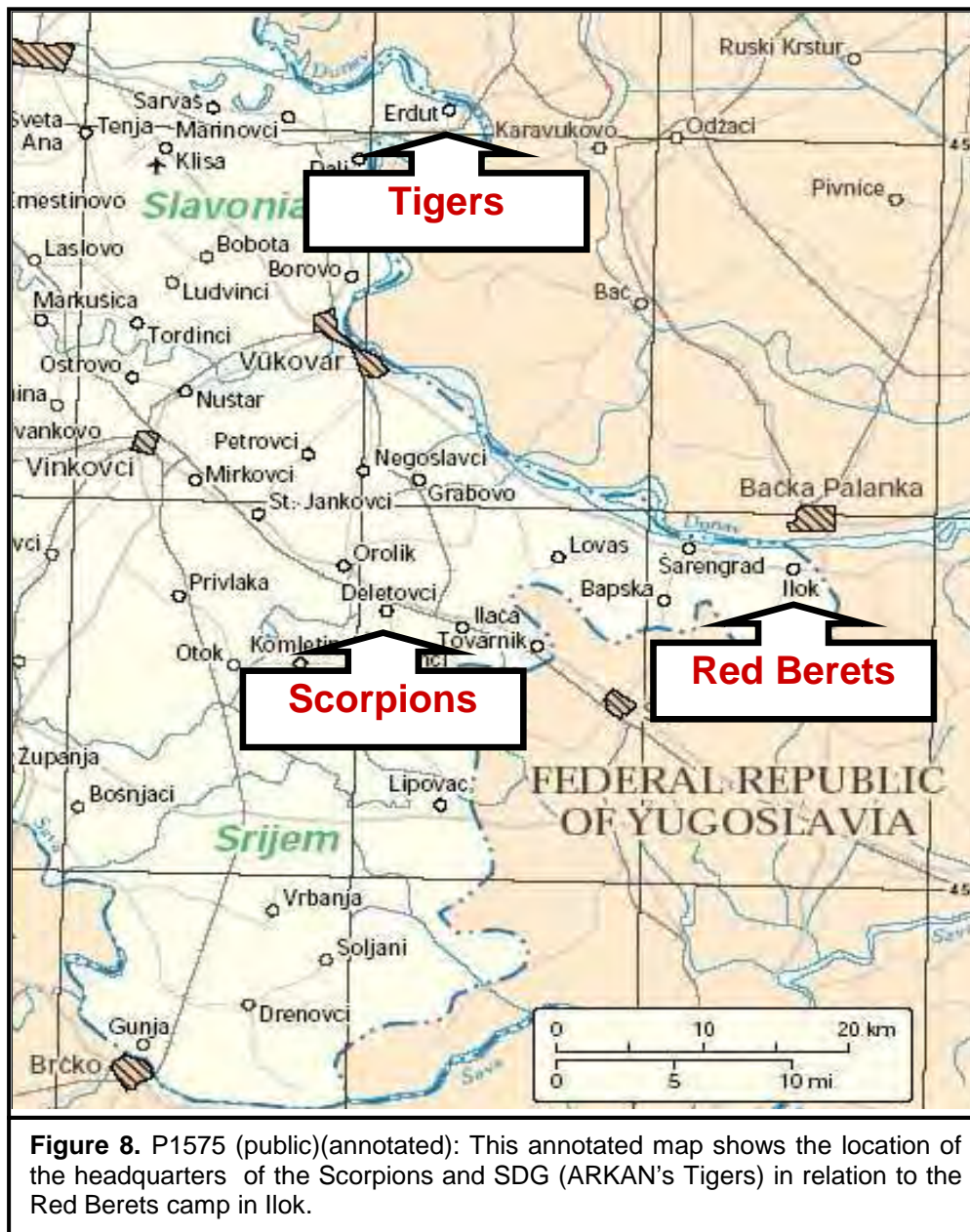
¹¹⁸² D0040 (public).

¹¹⁸³ P1285,p.4. *See also*, D0040 (public).

¹¹⁸⁴ THEUNENS:P1575, p.269-73 (public).

¹¹⁸⁵ P0381 (public).

¹¹⁸⁶ *Cross-reference*, "KARADŽIĆ promulgated the Bosnian Serb leadership's Six Strategic Goals" on page 65.



with senior military leaders in the SVK, VJ and ABDIĆ in June 1994 to plan how the Serbs would support ABDIĆ; MILOŠEVIĆ ordered that “ABDIĆ had to win”.¹¹⁸⁷

345. STANIŠIĆ was personally involved in establishing a distinct *Pauk* Command,¹¹⁸⁸ which co-ordinated the forces involved in the operations from November 1994,¹¹⁸⁹ commanded by SVK General Milenko NOVAKOVIĆ.¹¹⁹⁰ NOVAKOVIĆ reported

¹¹⁸⁷ P1285, p.4 (public).

¹¹⁸⁸ P0382 (public); P0380 (public);

¹¹⁸⁹ THEUNENS:P1575, p.274-77 (public); P0235 (public); P0382 (public).

to STANIŠIĆ for the duration of the operations.¹¹⁹¹ STANIŠIĆ and SIMATOVIĆ had an office and sleeping quarters¹¹⁹² at the *Pauk* headquarters in Petrova Gora; they were there “all the time”,¹¹⁹³ directing and participating in the operations.¹¹⁹⁴ The Accused had meetings with individuals central to the operations, including ABDIĆ, MARTIĆ_(JCE), MLADIĆ_(JCE), LEGIJA_(DB) and BOŽOVIĆ_(DB).¹¹⁹⁵

346. The Accused deployed and commanded all three of the SMUP-DB special units for Operation *Pauk*.¹¹⁹⁶ They discussed these deployments throughout the operations and later. On 8 November 1994, at a meeting both Accused attended, STANIŠIĆ said he “had provided forces strong enough to ensure the liberation of Velika Kladuša and Fikret ABDIĆ’s return there”.¹¹⁹⁷ STANIŠIĆ attended a meeting in Belgrade with MLADIĆ_(JCE), and General PERIŠIĆ among others on 6 April 1995,¹¹⁹⁸ the same day the Scorpions joined a round of Velika Kladuša operations.¹¹⁹⁹ MLADIĆ’s notebook records STANIŠIĆ stating, “I sent 150 men from Slavonia through ‘Pauk’, we are looking for volunteers who would join you - The crossing had to be done quietly”.¹²⁰⁰ MLADIĆ’s notes from a meeting with MLADIĆ and ABDIĆ in Belgrade on 30 June 1995, record STANIŠIĆ stating, “we gave 80 from Erdut, we gave 80 from Đeletovci”¹²⁰¹—references to the SDG and Scorpions,

¹¹⁹⁰ P0382 (public); P0380 (public);

¹¹⁹¹ P0235, p.17, 19, 20 (public); P1302 (public).

¹¹⁹² ██████████ (confidential).

¹¹⁹³ **SLIŠKOVIĆ**:P0440, para.7 (public) (“It was in Petrova Gora that I first met with Rajo BOŽOVIĆ. We were deployed to guard the facilities where Jovica STANIŠIĆ and Franko SIMATOVIĆ were located...They were there all the time...”); P0441, para.32 (confidential).

¹¹⁹⁴ **SLIŠKOVIĆ**:P0440, para.8 (public); P0235 (public). *See*, ██████████ (confidential).

¹¹⁹⁵ **SLIŠKOVIĆ**:P0440, para.8 (public); P0441, para. 49 (confidential); P0382 (public); P0380 (public); P0235, p.17, 53, 56 (NOVAKOVIĆ (“Pauk”) met with “Jovica”; NOVAKOVIĆ, ABDIĆ and TG commanders met with “FRENKI”; NOVAKOVIĆ, BOŽOVIĆ and LEGIJA went to Belgrade); P0394, p.3-4, 11-13. ██████████ (confidential). ██████████ (confidential); ██████████ (confidential).

¹¹⁹⁶ ██████████ (confidential). ██████████ (confidential) (██████████). ██████████ (confidential).

¹¹⁹⁷ P0380, p.2 (public).

¹¹⁹⁸ P0394, p.3 (Eng); p.3 (BCS) (public).

¹¹⁹⁹ ██████████ (confidential).

¹²⁰⁰ P0394, p.4 (Eng); p.4 (BCS) (public) (emphasis added).

¹²⁰¹ P0394, p.15 (public).

based in Erdut and Đeletovci, respectively. At the Kula Ceremony, SIMATOVIĆ described the Unit as “the backbone of Fikret ABDIĆ’s army”.¹²⁰²

347. Around 4 November 1994, SIMATOVIĆ asked ARKAN to assist in a mission, and ARKAN assembled a list of 40 men.¹²⁰³ The first SDG group assembled at the Belgrade headquarters that day. A second SDG group assembled at the Belgrade headquarters around 18 November 1994.¹²⁰⁴ SDG members who reported for Operation *Pauk* met with LEGIJA_(DB) and ARKAN and were told to prepare for departure that same evening without being informed why.¹²⁰⁵ They departed on buses with SMUP number plates¹²⁰⁶ for Mt. Tara, which they learned was a SMUP-DB base,¹²⁰⁷ and where they encountered BOŽOVIĆ_(DB) and SUBOTIĆ_(DB).¹²⁰⁸

348. After conducting drills at Mt. Tara in November 1994,¹²⁰⁹ the SDG unit joined members of the Unit and crossed into BiH at the border near Rača.¹²¹⁰

349. The Scorpions were deployed to participate in *Pauk* first in November 1994,¹²¹¹ then in April 1995.¹²¹² For the *Pauk* operations, STANIŠIĆ designated Unit member RAIĆ_(DB) to lead the Scorpions.¹²¹³ RAIĆ_(DB) escorted MEDIĆ_(DB) and the Scorpions, helping them cross from Slavonia to BiH during their deployment to *Pauk*.

350. The co-ordination in *Pauk* was achieved through mission-specific ad-hoc tactical groups comprising combined forces. LEGIJA and BOŽOVIĆ commanded TG-2 and TG-3,

¹²⁰² P0061, p.11 (public).

¹²⁰³ [REDACTED] (confidential).

¹²⁰⁴ [REDACTED] (confidential).

¹²⁰⁵ [REDACTED] (confidential).

¹²⁰⁶ [REDACTED] (confidential).

¹²⁰⁷ [REDACTED] (confidential).

¹²⁰⁸ [REDACTED] (confidential).

¹²⁰⁹ [REDACTED] (confidential).

¹²¹⁰ [REDACTED] (confidential).

¹²¹¹ [REDACTED] (confidential) ([REDACTED]); P0382, p.3 (public).

¹²¹² [REDACTED] (confidential) ([REDACTED]).

¹²¹³ SLIŠKOVIĆ:P0441, paras.38, 59 (public); P0440, para.19 (public); T.5111 (18-May-2010) (public); T.5198-9 (19-May-2010) (public).

respectively.¹²¹⁴ BOŽOVIĆ_(DB) commanded the Unit,¹²¹⁵ and his deputy was Davor SUBOTIĆ_(DB).¹²¹⁶ LEGIJA_(DB) commanded the SDG¹²¹⁷ and the Scorpions, who were resubordinated under TG-2.¹²¹⁸ Thus, the Unit, SDG and Scorpions conducted these operations “side by side in close co-operation”.¹²¹⁹

351. Under LEGIJA_(DB) and BOŽOVIĆ_(DB), TG-2 and TG-3 also incorporated several thousand soldiers from ABDIĆ’s army.¹²²⁰ The SDG provided basic infantry training for ABDIĆ’s forces,¹²²¹ which were not organised, equipped or armed when the SDG first arrived.¹²²² The Unit provided ABDIĆ’s army with full equipment and uniforms, which the SDG distributed.¹²²³

352. LEGIJA_(DB) and BOŽOVIĆ_(DB) met with STANIŠIĆ and SIMATOVIĆ for weekly, and sometimes daily, briefings in Petrova Gora; for these meetings they wore the Unit’s insignia.¹²²⁴ LEGIJA_(DB) and BOŽOVIĆ_(DB) also went to Belgrade on several occasions to meet with STANIŠIĆ and SIMATOVIĆ.¹²²⁵ After meetings with the Accused, LEGIJA_(DB) would say “he saw the boss”.¹²²⁶

353. The communications between the SDG headquarters in Belgrade and the Tigers in Velika Kladuša during Operation *Pauk* went through the SMUP-DB.¹²²⁷ The SDG

1214 [REDACTED] (confidential); P1596, para.19 (confidential). P1639, p.1 (public).

1215 [REDACTED] (confidential).

1216 [REDACTED] (confidential) ([REDACTED]).

1217 [REDACTED] (confidential).

1218 **THEUNENS:**P1575, p.275-76, 279-80; P2160 (timecode-00:28:29:22) (public). [REDACTED] P2149, para.9, 15 (confidential); P2153, p.1 (public) (Commenting on P2160); P1639, p.1 (public).

1219 [REDACTED] (confidential).

1220 [REDACTED] (confidential); [REDACTED] (confidential).

1221 [REDACTED] (confidential); [REDACTED] (confidential). [REDACTED] (confidential).

1222 [REDACTED] (confidential).

1223 [REDACTED] (confidential).

1224 **SLIŠKOVIĆ:**P0441, p.12 (public).

1225 [REDACTED] (confidential).

1226 [REDACTED] (confidential). [REDACTED] (confidential). [REDACTED] (confidential). *See also*, [REDACTED] (confidential).

1227 [REDACTED] (confidential).

headquarters would contact SIMATOVIĆ by either calling his secretary Sladana MILIVOJEVIĆ, or calling another number and stating: “Pauk”.¹²²⁸

354. The SMUP-DB special units’ involvement in *Pauk* was covert. These units, deployed under SIMATOVIĆ’s command, were not to publicly admit that they came from Serbia unless they were in trouble, in which case they should identify themselves only as special police from Serbia.¹²²⁹ ARKAN did not lead the SDG forces during this operation because he was well-known, immediately recognisable and his presence would reveal the involvement of the SMUP-DB.¹²³⁰ At the SMUP-DB’s request, ARKAN verified that SDG members left their identification¹²³¹ and personal belongings at the headquarters to ensure the secrecy of the operation.¹²³² After returning from Velika Kladuša, the SDG members would retrieve their belongings and leave a contact number so the SMUP-DB could notify them to return to duty.¹²³³ Mihajlo ULEMEK_(DB) evoked the anger of ARKAN and SIMATOVIĆ, who called him a “fool” after ULEMEK_(DB) told a Belgrade magazine about the *Pauk* operation and said, “we are in a war with Muslims but are training other Muslims”.¹²³⁴

Trnovo/Treskavica

355. In June and July 1995, while contingents of the Unit and SDG were still involved in *Pauk*, the SMUP-DB deployed the Scorpions and SDG, under MIJOVIĆ’s command, to joint operations with RSMUP and VRS around Trnovo and the Treskavica mountains, just outside Sarajevo.

356. In May or June 1995, ARKAN and MEDIĆ met at BADŽA’s office at the Serbian MUP with BADŽA_(JCE), KOJIĆ_(DB), Milan MILANOVIĆ aka MRGUD and Ljubo

¹²²⁸ [redacted] (confidential); P1635 (public); [redacted] (confidential); P01585, p.6. **SLIŠKOVIĆ**:T.5107 (18-May-2010) (public); P0441, para.19 (public). [redacted] (confidential); P1585, p.6 (confidential). [redacted] (confidential); P1635,p.1(public). [redacted]. P2970,p.1(confidential).

¹²²⁹ [redacted] (confidential).

¹²³⁰ [redacted] (confidential).

¹²³¹ [redacted] (confidential).

¹²³² [redacted] (confidential).

¹²³³ [redacted] (confidential).

¹²³⁴ [redacted] (confidential); P1616, p.5 (confidential).

MILOJEVIĆ, who represented the *Plavi* Brigades (Vukovar SUP).¹²³⁵ BADŽA instructed that the SDG, Scorpions and *Plavi* should be deployed to assist the VRS in Trnovo for a month.¹²³⁶

357. In June 1995, after SIMATOVIĆ contacted ARKAN to arrange the SDG's deployment,¹²³⁷ the SDG sent a group of 60-70 members directly from Erdut to the Treskavica mountains,¹²³⁸ parallel to the Jahorina mountains on the opposite side of Trnovo.¹²³⁹ The SDG arrived in the Trnovo area before the Scorpions. When the Scorpions arrived, they saw dead Muslim soldiers and [REDACTED]

[REDACTED].¹²⁴⁰ On 23 June 1995, MLADIĆ_(JCE) said in a meeting with KARADŽIĆ_(JCE) and others, "we must conduct an operation near Trnovo."¹²⁴¹

358. The Scorpions received new badges from the SMUP and began preparing for deployment to Trnovo¹²⁴² shortly after withdrawing from *Pauk* to Đeletovci around April/May 1995.¹²⁴³ The Scorpions left Đeletovci for Trnovo on 25 June 1995 at the latest.¹²⁴⁴ The Scorpions crossed into Serbia, where three SMUP-DB members escorted them over the border at Rača into BiH,¹²⁴⁵ as they had done when the Scorpions were deployed to *Pauk*.¹²⁴⁶ They arrived in the Serb-controlled area of Pale just outside Sarajevo on 26 June 1995¹²⁴⁷ and deployed to the Trnovo front the following day.¹²⁴⁸ The Scorpions

¹²³⁵ JF-029:P1666, p.6 (public); [REDACTED] (confidential), T.10130 (9-Dec-2010) (confidential), [REDACTED] (confidential).

¹²³⁶ [REDACTED] (confidential).

¹²³⁷ [REDACTED] (confidential).

¹²³⁸ [REDACTED] (confidential).

¹²³⁹ P0258, p.18-19 (public).

¹²⁴⁰ [REDACTED] (confidential).

¹²⁴¹ P0394, p.9-10 (public).

¹²⁴² [REDACTED] (confidential).

¹²⁴³ [REDACTED] (confidential). [REDACTED] (confidential).

¹²⁴⁴ P2161, 00:05:10 (public) (date on the video is 25 June 1995); P2153, p.3 (public).

See, [REDACTED] (confidential); P1670 (public) (video of the ceremony at Đeletovci preceding deployment to Trnovo).

¹²⁴⁵ [REDACTED] (confidential); [REDACTED] (confidential); P2155 (public).

¹²⁴⁶ [REDACTED] (confidential); P2146, p.10 (confidential).

¹²⁴⁷ P2161, (timestamp-00:11:20-00:11:57) (public) (The date on the video is 26 June 1995.)

¹²⁴⁸ P1450, p.2 (public).

reached the command centre on the Jahorina mountains on 27 June 1995¹²⁴⁹ and stayed for three or four days before arriving in Trnovo.¹²⁵⁰

359. On 30 June 1995, the JATD sent a telegram to MLADIĆ_(JCE) (number 4/95) and in response on 1 July 1995, MLADIĆ issued an urgent order that helicopters be provided for the evacuation of any men wounded at the Trnovo front, that any such injuries be reported formally and that the SMUP be notified of this decision.¹²⁵¹ On the same day the Scorpions climbed Mt. Treskavica.¹²⁵²

360. Senior Unit member MIJOVIĆ_(DB) accompanied the SDG to Treskavica,¹²⁵³ where he commanded the Scorpions, SDG and *Plavi* Brigade in operations together under the operational direction of Tomislav KOVAČ of the RSMUP.¹²⁵⁴ During the operations he went to the SDG headquarters to update ARKAN about the SDG groups in Treskavica.¹²⁵⁵ On the Trnovo front the Scorpions, SDG and *Plavi* were referred to as “Serbian MUP units”.¹²⁵⁶ Dispatches referring to the “*Kajman*” police detachment as part of the SMUP relate to the SDG group commanded by Dragan PETROVIĆ aka KAJMAN_(DB).¹²⁵⁷ The Scorpions and SDG members wore Red Berets.¹²⁵⁸

361. During the operation, MIJOVIĆ, the Scorpions and SDG communicated by radio. SDG member Jugoslav SIMIĆ_(DB) set up telephone lines in Treskavica which MIJOVIĆ

¹²⁴⁹ P2161, 00:15:19 (public) (date on the video is 27 June 1995); P2153, p.7 (public).

_____ (confidential).

¹²⁵⁰ _____ (confidential).

¹²⁵¹ P1454 (public).

¹²⁵² See P2146, p.14 (confidential).

¹²⁵³ _____ (confidential).

¹²⁵⁴ _____ (confidential), _____ (confidential), _____ (confidential); P2966, p.6 (public) (excerpt KOVAČ’s testimony during the Scorpions Trial in Belgrade); P1084, p.1 (public).

¹²⁵⁵ _____ (confidential).

¹²⁵⁶ P1626 (public); P1642 (public); P1643 (public); P1473 (public); P1453 (public); P1452 (public); P1451 (public); P1455 (public). See, P1466 (public) (Njego JANKOVIĆ of the SMUP sustained injuries during combat activities on the Trnovo-Kalinovik front).

_____ (confidential) (_____); _____; e.g. P0454-P0461; P0468; P0540; P0542 (all confidential).

¹²⁵⁷ _____ (confidential).

¹²⁵⁸ D0661 (public). PELEVIĆ:T.16423-24 (25-Jan-2012) (public); P01670 (public).

answered at a shared command post.¹²⁵⁹ While the Scorpions commander Slobodan MEDIC aka BOCA communicated with the VRS, members of the Scorpions mainly communicated with the SDG unit [REDACTED],¹²⁶⁰

362. On 10 July 1995, as further evidence of the co-ordination on the ground as a broader part of the Srebrenica offensive, MLADIĆ issued a dispatch to all SDBs and all RSMUP police stations on behalf of the “Supreme Commander of the Republika Srpska Armed Forces, and in order to crush the enemy offensive from the Srebrenica protected zone,” he ordered the singling out of a “mixed company of joined MUP forces of the RSK, Serbia and Republika Srpska” to send to the Srebrenica sector on 11 July 1995.”¹²⁶¹

363. Between 12 and 14 July 1995, MIJOVIĆ_(DB) was in Bratunac meeting with MLADIĆ_(JCE) after Srebrenica fell to the VRS.¹²⁶²

364. On 19 July 1995, MIJOVIĆ_(DB) informed RSMUP Authorities, in writing that the JATD of the SMUP had been ordered to pull back from the zone of combat operations in the Trnovo sector by 20 July 1995 “in order to undertake other assignments.”¹²⁶³

365. Other members of the Unit were also present around eastern BiH during this period, and also present later at the Kula Ceremony with MIJOVIĆ_(DB).¹²⁶⁴ Shortly thereafter, the Scorpions¹²⁶⁵ would participate in some of the killings in the aftermath of Srebrenica.¹²⁶⁶

SBWS Operations

366. Following the same pattern, the Accused again directed the SMUP-DB special units into joint operations with other Serb Forces in SBWS in 1995. After the Krajina fell in August, they sent the Unit, SDG and Scorpions into SBWS in a final effort to further the common purpose by protecting territorial gains in SBWS. Veteran Unit members played a

¹²⁵⁹ [REDACTED] (confidential).

¹²⁶⁰ [REDACTED] (confidential).

¹²⁶¹ P1462 (public). The joint operations between the Scorpions as a unit of the SMUP-DB, combined with the RSMUP, the RSKMUP and the VRS are further described in exhibits P1472 (public); P1469 (public); P1471 (public); P1470 (public); P1075 (public); P1061 (public).

¹²⁶² **DERONJIĆ**:P2511, para.207 (public) (“he was looking for MLADIĆ”).

¹²⁶³ P1084 (public).

¹²⁶⁴ P3169 (confidential); P0061 (public).

¹²⁶⁵ [REDACTED] (confidential).

¹²⁶⁶ [REDACTED] (confidential). *Cross-reference*, . “Trnovo” on page 235.

leading role in these joint operations with Serb Forces including SMUP public security, RSKMUP and SVK units.

367. As Croatian forces prepared to retake the Krajina in the summer of 1995, the SMUP-DB augmented its presence in the Krajina by setting up the *Sova* camp and creating the *Poskok* Detachment,¹²⁶⁷ and in SBWS by establishing the Unit in Baranja and reinforcing its numbers at Pajzoš. From April 1995, MIJOVIĆ_(DB) commanded the additional base in Bilje (Baranja), where the Unit was based while training recruits and SVK members in several locations in Baranja.¹²⁶⁸ The Unit in Bilje sent reports to RADONJIĆ_(DB)¹²⁶⁹ and relied on SIMATOVIĆ to approve its material and technical equipment, salaries and daily allowances.¹²⁷⁰ From at least May 1995, Unit members were posted to Pajzoš in larger numbers under Zvezdan JOVANOVIĆ's_(DB) command.¹²⁷¹ Police Academy graduates arrived to be trained¹²⁷² by Nikola PILIPOVIĆ_(DB).¹²⁷³ SIMATOVIĆ arrived at Pajzoš in a helicopter during this period, and trainees learned he was “the head of the Red Berets”.¹²⁷⁴ By August 1995, FILIPOVIĆ_(DB), BOŽOVIĆ_(DB) and SUBOTIĆ_(DB) were at Pajzoš with at least 50 other Unit members.¹²⁷⁵ After Operation Storm in early August, the *Poskok* Detachment left the Krajina for Pajzoš;¹²⁷⁶ by early September Pajzoš had around 100 Unit members.¹²⁷⁷ Obrad STEVANOVIĆ's PJP units were also stationed in Ilok.¹²⁷⁸

¹²⁶⁷ *Cross-reference, “Poskok Detachment” on page 127.*

¹²⁶⁸ **JF-036:T.4195** (12-Apr-2010) (public), P0342, p.15, 21 (confidential). P0355 (public) (video excerpts of training, MIJOVIĆ_(DB) addressing the journalist); P0346, p.4-5 (public); D1623, p.12-13 (public). *See also* P0345 (public); D0035 (public).

Compare P0355, Clip4 (timecode-00:01:27-00:02:33) (public) (video showing men in uniform and red berets inspecting an empty Croatian army vehicle on the same video as MIJOVIĆ's Unit training in SBWS in 1995) *with* P0163, p.2 (public) (stills from a video of the Kula camp showing the same license plate displayed in a display case).

¹²⁶⁹ D1623, p.12, 17 (public).

¹²⁷⁰ D1623, p.17 (public) (SIMATOVIĆ is referred to as “F” in the MUP Belgrade. The name of his secretary was Slada).

¹²⁷¹ P2898, p.2 (confidential). [REDACTED] (confidential).

[REDACTED] (confidential) [REDACTED]

¹²⁷² [REDACTED] (confidential).

¹²⁷³ P3195, p.12 (confidential).

¹²⁷⁴ **JF-048:T.5830-32, 5835-37** (16-Jun-2010) (public); [REDACTED] (confidential).

¹²⁷⁵ [REDACTED] (confidential).

¹²⁷⁶ P2737 (confidential); P2738 (confidential); P2812 (confidential); P2813 (confidential).

¹²⁷⁷ P1080, p.3, 6 (confidential); P2360 (confidential).

368. The SDG also reinforced its membership at Erdut in mid-1995 between Operation *Pauk* and the fall of the Krajina. New members were recruited, trained and prepared for potential combat actions¹²⁷⁹ along with SVK members.¹²⁸⁰ An SDG contingent was deployed to the Sanski Most/Banja Luka operations in September,¹²⁸¹ but by October they had returned to Erdut,¹²⁸² and the SDG in Erdut comprised around 1,500 members.¹²⁸³

369. MEDIĆ_(DB) and the Scorpions, having returned to Đeletovci with a small number of SDG members¹²⁸⁴ following the Trnovo/Treskavica operations, numbered around 400 men under Milan MILANOVIĆ aka MRGUD's authority.¹²⁸⁵

370. In addition, the Accused set up a surveillance centre in Dalj¹²⁸⁶ and embedded SMUP-DB members in strategic locations, following the pattern employed in SBWS since 1991.¹²⁸⁷

371. As the RSK leadership struggled with the Croatian threat, the Accused exercised their influence to promote the JCE's goal. Prior to Operation Storm, LEGIJA_(DB) and BOŽOVIĆ_(DB) prepared in the field for the potential Croatian attack on the Krajina.¹²⁸⁸ [REDACTED]
[REDACTED]¹²⁸⁹ FILIPOVIĆ_(DB) led the Unit from Belgrade while BOŽOVIĆ_(DB) remained a constant presence in the field,¹²⁹⁰ visiting the Unit in Pajzoš¹²⁹¹ and Bilje,¹²⁹² while meeting with and reporting to STANIŠIĆ and

¹²⁷⁸ [REDACTED] (confidential).

¹²⁷⁹ [REDACTED] (confidential).

¹²⁸⁰ P1194 (public) (entire document).

¹²⁸¹ Cross-reference, "Sanski Most" on page 238.

¹²⁸² [REDACTED] (confidential).

¹²⁸³ [REDACTED] (confidential).

¹²⁸⁴ [REDACTED] (confidential); P2158, p.2 [REDACTED] (public).

¹²⁸⁵ P1080, p.2 (confidential); [REDACTED] (confidential).

¹²⁸⁶ P1080, p. 3 (confidential) [REDACTED] See also, P3227, p. 3 (confidential) and P3236, p.1,3 (confidential).

¹²⁸⁷ Cross-reference, "STANIŠIĆ embedded SMUP-DB operatives in key positions in SAO-SBWS" on page 37.

¹²⁸⁸ [REDACTED] (confidential); see, P3219 (confidential).

¹²⁸⁹ [REDACTED] (confidential).

¹²⁹⁰ P1080, p.3 (confidential).

¹²⁹¹ [REDACTED] (confidential).

¹²⁹² D1623, p.12 (public).

SIMATOVIĆ.¹²⁹³ The SMUP-DB monitored the SBWS through MIJOVIĆ_(JCE) in Baranja, through Momir GAVRILOVIĆ aka GAVRA_(DB) in eastern Slavonia, and through Zvezdan JOVANOVIĆ_(JCE) in western Srem.¹²⁹⁴ By late August, BOŽOVIĆ_(DB) and GAVRILOVIĆ_(DB)¹²⁹⁵ took over command of the SVK Security Organs,¹²⁹⁶ and the Scorpions escorted the SVK officials out.¹²⁹⁷

372. By early September 1995, joint formations were formed of SMUP-DB special units and SVK units, which engaged in combat operations to defend the SBWS territory.¹²⁹⁸ OG-1 conducted operations in Baranja, OG-2 in Eastern Slavonia, and OG-3 in western Srem.¹²⁹⁹ MIJOVIĆ_(DB) co-operated with the OG-1 Baranja command¹³⁰⁰ and provided soldiers trained by the Unit;¹³⁰¹ LEGIJA_(DB) led OG-2,¹³⁰² leading around 250 SDG;¹³⁰³ and JOVANOVIĆ_(DB) was deputy commander of OG-3, which included members of the Unit and Scorpions.¹³⁰⁴ In addition to the SDB special units, the SMUP-PJP was present throughout the whole territory with around 1,500 men under the command of Obrad STEVANOVIĆ.¹³⁰⁵ ARKAN succinctly expressed his goal for these operations: “I want to kill 15000 Croats, and that’s why I am here”.¹³⁰⁶

373. During this period, the Accused met many times with members of organs controlled by JCE members. In September 1995 STANIŠIĆ met with various SVK officers at different

¹²⁹³ P1080, p.5 (confidential).

¹²⁹⁴ P1080, p.3 (confidential).

¹²⁹⁵ P3096, p.5 (public); **KARAN**:T.17885 (29-Feb-2012) (public).

¹²⁹⁶ P3096. **KARAN**:T.17881 (29-Feb-2012) (public).

¹²⁹⁷ P3096, p.9 (public). **KARAN**:T.17883 (29-Feb-2012) (public);

¹²⁹⁸ See P2156 (public). [REDACTED] (confidential). [REDACTED] (confidential); T.5725-26 (15-Jun-2010) (public), T.5794-96 (16-Jun-2010) (public). [REDACTED] (confidential); [REDACTED] (confidential). **SLIŠKOVIĆ**:T.5133 (public); P0440, para.22 (public). P1597, p.3 (confidential).

¹²⁹⁹ P1080, p.1 (confidential)

¹³⁰⁰ P1080, p.1 (confidential).

¹³⁰¹ D1623, p.13 (public).

¹³⁰² P1080, p.1 (confidential)

¹³⁰³ P1080, p.2 (confidential); [REDACTED] (confidential).

¹³⁰⁴ P1080, p.1-2 (confidential).

¹³⁰⁵ P1080, p.2 (confidential); See also [REDACTED] (confidential) ([REDACTED]).

¹³⁰⁶ P1080, p.4 (confidential).

times.¹³⁰⁷ SIMATOVIĆ met with SVK commander LONČAR and probably with MEDIĆ at Đeletovci sometime after Operation Storm.¹³⁰⁸ In November, SIMATOVIĆ met in Pajzoš with the highest level VJ and SVK generals, including PERIŠIĆ and LONČAR, as well as BADŽA, STEVANOVIĆ, KOJIĆ_(DB), and SBWS Defence Minister and Scorpions commander MILANOVIĆ.¹³⁰⁹

374. [REDACTED]

[REDACTED]

[REDACTED]

1310

375. The co-ordination among the Unit, SDG and Scorpions during the SBWS operations, in which the Accused played leading roles, demonstrates these units' link to the Accused. ARKAN and LEGIJA_(DB) occasionally went to Pajzoš¹³¹¹ and the Scorpions and SDG obtained ammunition and supplies from Pajzoš at least once during this period.¹³¹² In November 1995, MLADIĆ referred to ARKAN as "pure MUP of Serbia".¹³¹³ After the Erdut Agreement was signed ending the conflict, the SDG and Scorpions remained in Đeletovci until they left together in April 1996;¹³¹⁴ the Unit left SBWS by May 1996.¹³¹⁵

Insignia of the SMUP-DB Special Units

376. The insignia of each of the DB's special units (the Unit, the SDG and the Scorpions) contained a single, upward-facing sword and four cyrillic "S's", demonstrating their common nexus to the SMUP-DB and distinguishing them from other units without such a

¹³⁰⁷ P1080, p.5 (confidential).

¹³⁰⁸ [REDACTED] (confidential); [REDACTED] (confidential).

¹³⁰⁹ **JF-029**:P1666, p.6 (public); [REDACTED] (confidential).

¹³¹⁰ P2360, p.6 (confidential).



¹³¹¹ [REDACTED] (confidential)

¹³¹² [REDACTED] (confidential); **JF-048**:T.5722-23 (15-Jun-2010), 5806-07 (16-Jun-2010) (public). See P0538 (confidential).

¹³¹³ P2955 (p.5) (public).

¹³¹⁴ [REDACTED] (confidential).

¹³¹⁵ P2801, p.2 (confidential); [REDACTED] (confidential). See also **ĐUKIĆ**:T.18137 (8-Mar-2012) (public). [REDACTED] (confidential) ([REDACTED]).

direct connection.¹³¹⁶ The vertical sword signified the Serbian DB.¹³¹⁷ Just as the “ ” signalled their SMUP-DB connection to other forces in the field,¹³¹⁸ the insignia demonstrate the Accused’s position with respect to these forces. The Trial Chamber has heard evidence that no other units wore a similar insignia.¹³¹⁹

377. The insignia of the Unit consisted of a sword with four cyrillic “S’s”, a Serbian flag, and branches extending from below the sword. The Unit used the same insignia from the time it was known as the JPN through its formalisation as the JATD:¹³²⁰

378. Unit members wore a badge with a vertical sword on their red berets from at least the time it was formalised as the JATD.¹³²¹

379. The SDG emblem contained the sword insignia and the four Cyrillic “S’s” of the DB with the words “*Srpska Dobrovoljačka Garda*” around the sword. SDG members who participated in Bijeljina and Zvornik in 1992 wore an emblem with a tiger and an emblem of the SDG.¹³²² JF-025 identified the emblems below. The SDG wore these patches from at least 1992 onwards.¹³²³ The Super Tigers also wore the patch seen on ARKAN in **Figure 6** on page 154 above.¹³²⁴ The “official crest of the SDG”,¹³²⁵ containing the DB’s vertical sword, was used on SDG identification documents¹³²⁶ and recruiting advertisements.¹³²⁷ The Scorpions emblem, worn by *MEDIĆ_(DB)*,¹³²⁸ consisted of the DB’s sword insignia and a Serbian flag, underscored with the word “*Škorpioni*”:¹³²⁹


¹³¹⁶  (confidential).

¹³¹⁷  (confidential).

¹³¹⁸ P0227 (public). **LAZAREVIĆ**:T.3327-28 (8-Feb-2010) (public).

¹³¹⁹  (confidential). .

¹³²⁰  (confidential). **LAZAREVIĆ**:T.3327-28 (public); P0227 (public).

¹³²¹ **SLIŠKOVIĆ**:T.5094, 5106 (18-May-2010) (public); P0443 (public).  (confidential); P2158, p.3 (public).

¹³²² **JF-025**:P0612, p.11-12 (PriorT.18389-90) (PPCE); P0031 (public); P0583 (public).

¹³²³ **JF-050**:P0572, p.23 (PriorT.18389) (PPCE); P0582 (public); P0031 (public).

¹³²⁴ **JF-050**:P0572, p.23-24 (PriorT.18389-90) (PPCE).

¹³²⁵ **PELEVIĆ**:T.16508 (26-Jan-2012) (public).

¹³²⁶ P0498 (confidential).

¹³²⁷ P3065 (public).

¹³²⁸  (confidential); P2158, p.4 (public).

¹³²⁹  (confidential); P2157 (public).

380. The SMUP-DB special units also wore specialised unit insignia designating the particular unit, such as a tiger, grey wolf or scorpion.¹³³⁰ During some field operations, the units removed the insignia from their uniforms,¹³³¹ so as to keep their SMUP-DB affiliation secret.

381. During the Kula Ceremony commemorating the anniversary of the Unit's formation, STANIŠIĆ and SIMATOVIĆ stood before the same vertical sword found in the insignia of the DB's special units:¹³³²

¹³³⁰ **STOPARIĆ**:P1702, para.71 (public). **SLIŠKOVIĆ**:T.5104 (18-May-2010) (public).

¹³³¹ [REDACTED] (confidential).

¹³³² [REDACTED] (confidential); P2158., p.4 (public).



Section 3: The Charged Crimes Were Committed in Furtherance of the Common Criminal Purpose

382. Between 1991 and the end of 1995, JCE members used Serb Forces to murder hundreds of non-Serbs and persecute and forcibly eject thousands of others from territories in Croatia and BiH. Each of these crimes—in SAO-Krajina, SBWS and BiH—advanced the JCE’s common goal to forcibly and permanently remove the majority of non-Serbs from the targeted areas through persecution, murder, deportation and forcible transfer. These crimes meet the elements of murder, persecution, deportation and forcible transfer as crimes against humanity under Article 5 and of murder as a war crime under Article 3.

Elements of War Crimes (Article 3) and Crimes Against Humanity (Article 5)

Common Chapeau Element of Articles 3 and 5

383. The Prosecution and both Accused agree that an armed conflict existed in Croatia and BiH at all times relevant to the charged crimes, as required under Articles 3 and 5.¹³³³

Article 3 Chapeau Elements

There was a nexus between the acts of the Accused and the armed conflict

384. The Prosecution has demonstrated a nexus between the armed conflict and the crimes charged,¹³³⁴ and that the Accused were aware of this.¹³³⁵ The charged crimes were inextricably linked to the armed conflict. The perpetrators were members of armed units that existed because of the conflict, and their opportunity to commit crimes would not have existed in peacetime. The Accused’s contributions to the crimes and the armed conflict reveal that the Accused knew of this nexus.

Murder satisfies the Tadić Conditions

385. The crime of murder¹³³⁶—the only Article 3 crime charged¹³³⁷—satisfies the four additional jurisdictional conditions for Article 3 crimes set forth in the *Tadić* Jurisdiction Decision.¹³³⁸

¹³³³ T.18660-61 (28-Mar-2012) (public).

¹³³⁴ *Kunarac*AJ, para.58-59. *See also*, *Stakić*AJ, para.342. *Musema*TJ, para.274-75; *Rutaganda*AJ, para.570; *Akayesu*AJ, para.443-44 (*See also* para.433-445).

¹³³⁵ *Naletilić*AJ, para.118-121. *Kunarac*AJ, para. 58-59.

¹³³⁶ *Tadić*JD, para98, 134 and *Tadić*TJ, para408; *Čelebići*AJ, para.125 and *Čelebići*TJ, para.408.

¹³³⁷ Indictment, para.26-63.

The victims were taking no active part in the hostilities

386. Since murder is a Common Article 3 crime, the victims must have taken no active part in the hostilities at the time the crime was committed.¹³³⁹ Such victims include members of armed forces who have laid down their arms and those placed *hors de combat*.¹³⁴⁰ The Trial Chamber also must be satisfied that the perpetrator knew or should have known that the victim was taking no active part in hostilities.¹³⁴¹

387. As demonstrated elsewhere each of the murder victims in this case was either a civilian or *hors de combat* when killed. Most had been forcibly removed from their homes¹³⁴² or arrested and detained¹³⁴³ before being killed. The perpetrators knew the victims were not involved in the hostilities.

Article 5 Chapeau Elements

The Accused committed crimes against humanity in the geographic and temporal context of an armed conflict

388. Because the “committed in armed conflict” requirement is a jurisdictional prerequisite for crimes against humanity,¹³⁴⁴ the Prosecution must show that, objectively, the Accused’s acts are linked geographically and temporally with the armed conflict.¹³⁴⁵

389. The parties agree that the charged crimes took place during an armed conflict.¹³⁴⁶ The crimes occurred on territory controlled by one of the warring parties. The nexus between the armed conflict and the crimes required for war crimes under Article 3 also establishes the temporal and geographic relationship required under Article 5.

¹³³⁸ *Tadić* JurisdictionAJ, para.94, 143. *See also, e.g., Kunarac* AJ, para.66; *Aleksovski* AJ, para.20.

¹³³⁹ *Čelebići* AJ, para.420.

¹³⁴⁰ Common Article 3. *See also Čelebići* AJ, para.420.

¹³⁴¹ *Boškoski* AJ, para.66.

¹³⁴² *See, Indictment*, para.27 (SAO-Krajina).

¹³⁴³ *See, Indictment*, para.27 (SAO-Krajina), 36-39, 42 (SAO-SBWS), 50 (Bosanski Šamac), 54 (Doboj), 56-57 (Sanski Most), 61 (Trnovo) and 62 (Zvornik).

¹³⁴⁴ *Tadić* AJ, para. 249; *Kunarac* AJ, para. 83.

¹³⁴⁵ *Kunarac* AJ, para.83. *Cf. Tadić* AJ, para.249, 251.

¹³⁴⁶ T.18660-01 (28-Mar-2012) (public).

The Accused knew there was a widespread or systematic attack directed against the civilian population and that their conduct was part of this attack

390. The Prosecution must show that there was a widespread or systematic attack¹³⁴⁷ directed against a civilian population;¹³⁴⁸ that the Accused's conduct was part of that attack;¹³⁴⁹ and that the Accused knew of the attack and that their conduct formed a part of it.¹³⁵⁰

391. The charged crimes formed part of an attack that was both widespread—covering significant parts of Croatia and BiH—and systematic, as demonstrated by the Serb Forces' consistent and co-ordinated manner of taking over and ethnically cleansing targeted territories. The attack was primarily directed against a civilian population: it was characterised by military attacks on undefended non-Serb villages, systematic executions of non-Serb civilians, and destruction of mosques, churches and homes of non-Serbs and other civilian targets.

392. The Accused knew their crimes formed part of this attack. The Accused provided ongoing assistance to perpetrators in SAO-Krajina, SAO-SBWS and BiH. This assistance began before the attack commenced, by providing training and weapons to the perpetrators, and continued until the end of the conflict. The Accused knew (and intended) that their acts would further the criminal purpose of the attack—removing non-Serbs, including civilians, from the targeted territories. They also knew (and intended) that this would involve violence.

¹³⁴⁷ *Blaškić*AJ, para.98, 101; *Naletilić*TJ, para.233; *Kunarac*AJ, para.86, 96; *Nahimana*AJ, para.920 (citing *Kordić*AJ, para.94); *Tadić*TJ, para.644, 648 (citing International Law Commission Draft Code), 653; *Jelišić*TJ, para.53; *Tadić*AJ, fn.311.*Kordić*AJ, para.94; *Kordić*TJ, para.179.

¹³⁴⁸ *Mrkšić*AJ, para.25; *Kunarac*AJ, para.91-92; *see also Milutinović*TJ (Vol. 1), para.145, 149; *Mrkšić*AJ, para.30; *Stakić*AJ, para.247, (quoting *Kunarac*AJ, para.90); *Simić*TJ, para.42; *Naletilić*TJ, para.235; *Kunarac*AJ, para.87. The victims may include persons *hors de combat*:*Martić*AJ, para.313-314.

¹³⁴⁹ *Deronjić*SAJ, para.109; *Kunarac*AJ, para.99; *Tadić*AJ, para.251.

¹³⁵⁰ *Kordić*AJ, para.99; *Kunarac*AJ, para.102, 105; *Kordić*AJ, para.99;

The Crimes of Persecution, Murder, Deportation, and Other Inhumane Acts (Forcible Transfer)

Persecution (Count 1)

393. The crime of persecution requires an act of sufficient gravity¹³⁵¹ that is intended to discriminate against an individual on a prohibited ground; that does in fact so discriminate; and that infringes upon a fundamental right.¹³⁵²

394. The Accused are charged with persecution for the underlying acts of murder, forcible transfer and deportation committed against non-Serb civilians.¹³⁵³ These acts, which incorporate the underlying acts charged as deportation and forcible transfer¹³⁵⁴—including torture,¹³⁵⁵ arbitrary detention,¹³⁵⁶ and looting¹³⁵⁷—were sufficiently grave to constitute persecution.¹³⁵⁸ The descriptions of the crimes below demonstrate that the victims were denied their fundamental rights to life, bodily and mental integrity, liberty, property and security. As detailed elsewhere, these acts were discriminatory in intention and outcome because they were directed only against the non-Serb inhabitants of Croatia and BiH pursuant to a JCE that had, at its core, a shared criminal persecutory intent: to forcibly and

¹³⁵¹ *Kvočka*AJ, para.323; *Brdanin*AJ, paras.296-97. *See also* *Krnojelac*AJ, Separate Opinion of Judge Shahabuddeen, paras.6-7; *Nahimana*AJ, paras.985, 987; *Tadić*TJ, paras.704-10; *Blaškić*AJ, para.143, *Krnojelac*AJ, para.221-22; *Kupreškić*TJ, para.594, 601; *Kupreškić*TJ, paras. 610-13; *Krajišnik*TJ, paras.736, 741.

¹³⁵² *Kvočka*AJ, para.320; *Nahimana*AJ, para.985; *Kordić*AJ, paras.950-51; *Krnojelac*AJ, paras.47, 185 (an act is discriminatory when a victim is targeted because of his membership in one of the protected groups, as perceived by the perpetrator). *See also* *Naletilić*AJ, paras.131, 146; *Kvočka*AJ, paras.366, 460 (circumstances that may be taken into consideration when inferring discriminatory intent include “the systematic nature of the crimes committed against a racial or religious group and the general attitude of the alleged perpetrator as demonstrated by his behaviour”); *Kordić*AJ, para.110; *Blaškić*AJ, para.164; *Krnojelac*AJ, para.184.

¹³⁵³ Indictment, para.24.

¹³⁵⁴ Indictment, para.65.

¹³⁵⁵ *Blagojević*TJ, para.586, 605-10, 620; *Simić*TJ, paras.78, 83. *See also*, *Nikolić*SJ, para.31; *Todorović*SJ, para.12; *Naletilić*TJ, para.712; *Banović*SJ para.41; *Krnojelac*AJ, para.188.

¹³⁵⁶ *Kordić*AJ, para.116.

¹³⁵⁷ *Kordić*AJ, paras.81, 108; *Blaškić*AJ, paras.145, 149; *Martić*TJ, para.119, fn.226; *Blagojević*TJ, paras.593-94; *Naletilić*TJ, para.699 (and authorities cited therein); *Kvočka*TJ, paras.496, 731; *Kordić*TJ, para.514-20.

¹³⁵⁸ *Kvočka*TJ, para.185; *Kvočka*AJ, para.321 (as crimes specifically enumerated in Article 5 of the Statute, murder (Article 5(a)) and deportation (Article 5(d)) constitute persecution when committed with the requisite intent); *Kupreškić*TJ, para.631 (forcible transfer is a crime of the same gravity or severity as other enumerated crimes in Article 5); *Naletilić* AJ, para.154 (“[A]cts of forcible displacement are equally punishable as underlying acts of persecutions whether or not a border is crossed.”).

permanently remove the majority of non-Serbs from large areas of Croatia and BiH, through the crimes of persecution, murder, deportation and forcible transfer.

Murder (Counts 2 and 3)

395. The elements of murder as a crime against humanity (Count 2)¹³⁵⁹ and as a war crime (Count 3) are the same,¹³⁶⁰ and have been satisfied for each of the charged murders.

Forcible Displacement: Deportation (Count 4) and Other Inhumane Acts (Forcible Transfer) (Count 5)

396. Forcible transfer is the forcible displacement of persons which may take place within national boundaries.¹³⁶¹ Deportation is the forcible displacement of persons from the area in which they are lawfully present, across a *de jure* state border or a *de facto* border, without grounds permitted under international law.¹³⁶²

397. The *actus reus* of forcible displacement is the displacement of persons by physical expulsion or by “other coercive acts”.¹³⁶³ Acts that deprive the target group of any “genuine choice” about whether to leave their homes are unlawful,¹³⁶⁴ including the shelling of civilian objects, the burning of civilian property and the commission of or the threat to commit other crimes “calculated to terrify the population and make them flee the area with no hope of return.”¹³⁶⁵ Such acts can also include subjecting the target group to “intolerable living conditions” which make it “impossible for them to continue living there”, including movement restrictions, requiring them to pledge their loyalty to their oppressors, dismissing them from their jobs, and others.¹³⁶⁶

¹³⁵⁹ *Blagojević*TJ, para.556. *See also Orić*TJ, paras.345-48 (“The elements defining murder under Article 3 of the Statute are identical to those required for...murder as a crime against humanity under Article 5 of the Statute”); *Brdanin*TJ, para.380; *Krstić*TJ, para.485.

¹³⁶⁰ *Čelebići*AJ, paras.422-24; *Brdanin*TJ, paras.381-82; *Stakić*TJ, para.584; *Kvočka*TJ, para.132; *Krstić*TJ, para.485; *Blaškić*TJ, paras.153, 217; *Kupreškić*TJ, paras.560-61; *Jelisić*TJ, para.35; *Popović*TJ, paras.788-89; *Čelibić*TJ, paras.424, 437; *Milutinović*TJ, para.137, referring to *Martić*TJ, para.58; *Orić*TJ, para.347; *Kvočka*AJ, paras.260-61; *Galić*AJ, para.149; *Kordić*AJ, para.37; *Krnjelac*TJ, para.324; *Akayesu*TJ, para.589; *Strugar*TJ, para.236.

Conclusive proof of the victim’s death may be proved either directly or circumstantially. *Kvočka*AJ, para.260; *Krnjelac*TJ, paras.326-27. *See also Tadić*TJ, para.240.

¹³⁶¹ *Krnjelac*TJ para.474; *Krstić*TJ, para.521.

¹³⁶² *Stakić*AJ, para.278.

¹³⁶³ *Krnjelac*TJ, para.474.

¹³⁶⁴ *Krnjelac*AJ, para.229; *Blagojević*TJ, para. 596; *Brdanin*TJ, para.543; *Stakić*AJ, para.279.

¹³⁶⁵ *Simić*TJ, para.126.

¹³⁶⁶ *Brdanin*TJ, para.551; *Krajišnik*TJ, para.729.

398. As described below, during the Indictment period many non-Serbs were forced out of areas in which they were lawfully present, in some cases by physical expulsion but more frequently by acts that deprived them of a genuine choice about whether to remain in their homes. The evidence is clear that deportation and forcible transfer of non-Serbs occurred on a massive scale throughout SAO-Krajina, SAO-SBWS and the charged municipalities in BiH. Similarly, it is clear that this mass displacement was not justified by grounds permitted under international law.

The Crimes in SAO-Krajina

█¹³⁶⁷

“Practically all people who were caught in that area [Škabrnja] have been massacred or killed in the most savage way.”

-Witness Ivan JELIĆ¹³⁶⁸

“One of MARTIĆ’s police came ... and told me, “This Ustasha must be slaughtered”. [Bruška]

-Ante MARINOVIĆ, who heard this threat after MARTIĆ’s police shot him seven times in the Bruška attacks.¹³⁶⁹

Overview

399. Beginning in July 1991, the Unit, MARTIĆ’s Police, the Krajina TO and eventually the JNA conducted combat operations targeting the non-Serb civilian population in SAO-Krajina towns. From August through to December 1991, MARTIĆ’s Police, the Krajina TO and JNA murdered people in or near Dubica and Baćin, Vukovići, Saborsko, Škabrnja, and Bruška; the victims were almost entirely non-Serb civilians.¹³⁷⁰ These murders and other crimes so terrified non-Serbs throughout SAO-Krajina that a substantial portion fled over the course of the Indictment period,¹³⁷¹ thus furthering the JCE’s criminal purpose.

¹³⁶⁷ █ (confidential).

¹³⁶⁸ JELIĆ:P1746 (public) (01:25:24-01:45:20).

¹³⁶⁹ MARINOVIĆ:P0490, p.3-4 (public); P0491, p.19 (PriorT.2487) (public); T.5362 (26-May-2010) (public).

¹³⁷⁰ Indictment, para.27-35 (murder).

¹³⁷¹ Indictment, para.22-25 (persecution), 64-66 (deportation, forcible transfer).

Early Attacks

400. From July 1991, SIMATOVIĆ, CAPTAIN DRAGAN_(DB) and members of the Unit took a leading role in combat activities with MARTIĆ's Police and the Krajina TO. Early combat operations in Glina and Struga, Lovinac and Kijevo drew the JNA into the conflict in Croatia and forcibly removed much of SAO-Krajina's non-Serb population.¹³⁷² Contemporaneous with these attacks, the SAO-Krajina TO sent reports concerning Croat forces, casualties and use of SAO-Krajina forces to SIMATOVIĆ, BABIĆ_(JCE) and MARTIĆ_(JCE)¹³⁷³—people who needed this information to inform their decision-making and planning.¹³⁷⁴ Contemporaneous MLADIĆ notebook entries in July and August 1991 show that MLADIĆ_(JCE) received the same information.¹³⁷⁵ Through these attacks, the JCE members and forces they controlled furthered the common purpose in SAO-Krajina.

Glina/Struga attack

401. On 26 July 1991, under CAPTAIN DRAGAN's_(DB) command the Unit attacked the towns of Glina and Struga in SAO-Krajina.¹³⁷⁶ In addition to 50 members of the Unit, 50 policemen and 700 civilians participated in the operation. Afterwards, the JNA intervened, creating a buffer zone.¹³⁷⁷ The Serb Forces involved in the Glina/Struga attack destroyed civilian houses and targeted the church and school,¹³⁷⁸ driving Croat civilians to flee their homes towards Zagreb, Sisak and other places in August 1991.¹³⁷⁹ At the end of the summer, coinciding with attacks on Lovinac and Kijevo, the JNA became an active pro-Serb participant in the armed conflict in SAO-Krajina.¹³⁸⁰

¹³⁷² **BABIĆ**:P1879, p.18. (PriorT.3388) (public).

¹³⁷³ **THEUNENS**:T.8092-94 (26-Oct-2010) (public); P1121; P1122; P2670; P2671; P2672; P2673; P2674; P2675; P2676; P2677; P2678; P2679; P2680; P2681; P2682 (all public).

¹³⁷⁴ **THEUNENS**:T.8094 (26-Oct-2010) (public).

¹³⁷⁵ P3211, p.1 (*see*, P2682); P3212, p.2 (*see*, P2679, P2680); P3212, pp.7-8 (*see*, P2678); P3214, p.2-3 (*see*, P2678) (all public).

¹³⁷⁶ SecondAFD-no.45; *see* P1201, p.3 (public). *See*, "The Unit's Early Operations in SAO-Krajina" on page 94 *et seq.*

¹³⁷⁷ SecondAFD-no.45

¹³⁷⁸ P2873 (public); P2875, p.1 (public).

¹³⁷⁹ SecondAFD-no.207.

¹³⁸⁰ SecondAFD-no.35. **BABIĆ**:P1877 p.55 (PriorT.1448) (public).

Lovinac attack

402. On 5 August 1991, under MARTIĆ's^(JCE) command, MARTIĆ's Police attacked Lovinac, in Gračac municipality.¹³⁸¹ [REDACTED]
 [REDACTED]¹³⁸² [REDACTED]
 [REDACTED]¹³⁸³ [REDACTED]¹³⁸⁴ and MARTIĆ and SIMATOVIĆ directly participated in it.¹³⁸⁵

403. [REDACTED]
 [REDACTED]¹³⁸⁶ The villages in between “ [REDACTED]
 [REDACTED],”¹³⁸⁷

404. From at least 21 June 1991, SIMATOVIĆ had envisaged armoured trains, designed to attack Lovinac and other areas in the Krajina.¹³⁸⁸ [REDACTED]
 [REDACTED]¹³⁸⁹

405. The attack was carried out in the morning, from one side with mortars and from another with the armoured train. SIMATOVIĆ took the armoured train from Gračac to Lovinac [REDACTED]¹³⁹⁰ Although the armoured train did not drive all of the civilians out,¹³⁹¹ BABIĆ^(JCE) subsequently heard SIMATOVIĆ “bragging that they had razed it all”—referring to Lovinac.¹³⁹²

¹³⁸¹ **BABIĆ**:P1877, p.96 (PriorT.1520) (public). [REDACTED] (confidential) (pegging the month as June); P1201, p.3 (public); P1122, p.2 (public).

¹³⁸² [REDACTED] (confidential).

¹³⁸³ [REDACTED]; (confidential).

¹³⁸⁴ **BABIĆ**:P1878, p.386 (PriorT.14095) (public); P1877, p.44 (PriorT. 7201-02) (public).

¹³⁸⁵ **BABIĆ**:P1878, p.386 (PriorT.14095) (public). [REDACTED] (confidential). *See*, SecondAFD-no.42.

¹³⁸⁶ [REDACTED] (confidential).

¹³⁸⁷ [REDACTED] (confidential).

¹³⁸⁸ P2673, p.1-2 (public). [REDACTED] (confidential).

¹³⁸⁹ [REDACTED] (confidential).

¹³⁹⁰ [REDACTED] (confidential).

¹³⁹¹ [REDACTED] (confidential); P1123, p.2 (public).

¹³⁹² **BABIĆ**:P1877, p.44 (PriorT.1432) (public).

Kijevo attack

406. On 26 August 1991, the JNA, MARTIĆ's police and the Krajina TO¹³⁹³ attacked the Croat village of Kijevo, 15 kilometres east of Knin.¹³⁹⁴ Members of the Unit also participated in this operation.¹³⁹⁵

407. Two days before, MARTIĆ_(JCE) issued an ultimatum to the Split police administration and Kijevo's Croatian SJB, stating that "further co-existence in our Serbian territories of SAO-Krajina is impossible"¹³⁹⁶ and "advis[ing] the population of Kijevo to find safe shelters on time so that there should be no casualties among them."¹³⁹⁷ Between 23 and 25 August, the commander of the Croatian SJB evacuated almost the entire civilian population of Kijevo.¹³⁹⁸

408. The 26 August 1991 attack on Kijevo only lasted a few hours,¹³⁹⁹ [REDACTED]
[REDACTED]¹⁴⁰⁰ The result was a village destroyed, with civilian houses more severely damaged by shells than the police station.¹⁴⁰¹ MARTIĆ's forces broke into every non-Serb house, taking away everything they could and destroying everything else.¹⁴⁰² Subsequently, people from neighbouring villages and people in uniform further plundered and torched the houses.¹⁴⁰³ The Catholic church in Kijevo was damaged during the attack, and later destroyed.¹⁴⁰⁴ [REDACTED] Serb Forces deliberately fired on houses to force the non-Serb population to leave.¹⁴⁰⁵

¹³⁹³ **BABIĆ**:P1877, p.119 (PriorT.1558) (public). [REDACTED] (confidential).

¹³⁹⁴ **BABIĆ**:P1877, p.43 (PriorT.1431) (public). **JF-041**:P1548p.13 (PriorT.4383) (public).

¹³⁹⁵ P2984, p.14 (confidential).

¹³⁹⁶ SecondAFD-no.46; P1133, p.1 (confidential); [REDACTED] (confidential); [REDACTED] (confidential); P1133, p.1 (confidential). [REDACTED] (confidential).

¹³⁹⁷ SecondAFD-no.47.

¹³⁹⁸ SecondAFD-no.48; P1881, p.1 (public).

¹³⁹⁹ SecondAFD-no.49.

¹⁴⁰⁰ [REDACTED] (confidential).

¹⁴⁰¹ **BABIĆ**:P01877p.120 (PriorT.1559) (public).

¹⁴⁰² P1881, p.1 (public).

¹⁴⁰³ **BABIĆ**:P1877, p.120 (PriorT.1559) (public). [REDACTED] (confidential); *See*, [REDACTED] (confidential).

¹⁴⁰⁴ SecondAFD-no.50.

¹⁴⁰⁵ [REDACTED] (confidential).

409. MLADIĆ_(JCE) recalled the Kijevo attack during a speech at the 16th Session of the Republika Srpska Assembly:

Knin Corps was successful because under a single command in the zone of the Corps were the JNA, the Territorial Defence forces and MARTIĆ's police, isn't that right, MARTIĆ? And because he and I, I call him and say: give me 40 policemen here at Kijevo, and you took part in the fighting, isn't that right, Milan, and we did what we had planned... Good organisation, a single chain of command, striking and manoeuvring power are the starting points of success and favourable outcome of combat, battle and operation and war.¹⁴⁰⁶

410. MARTIĆ_(JCE) described the attack similarly in an interview:

Kijevo was a Croatian village, and Serb villages Cetinja, Civljane, Vrlika and Kosore behind it were isolated... in co-ordination with JNA we did it my way. We gave the infantry (police and civilian), and the logistics was provided by the JNA. We conquered Kijevo... *We didn't care about the victims*, we wanted to liberate our blocked villages... Colonel MLADIĆ was there as well, and he was pleased. It was the first JNA success.¹⁴⁰⁷

411. MARTIĆ and others laughed after the operation left Kijevo with no population— [REDACTED]

[REDACTED]¹⁴⁰⁸ [REDACTED]
[REDACTED],¹⁴⁰⁹

Charged Crimes

412. The co-ordination perfected during the Kijevo attack was a model for future combined attacks on villages throughout SAO-Krajina—attacks that included murder, forcible displacement and persecution of the non-Serbian population.

*Dubica, Cerovljani and Baćin*¹⁴¹⁰

413. MARTIĆ's Police, the JNA and TO targeted the non-Serb civilian population during and following the take-over of Kostajnica municipality in September 1991, forcibly displacing non-Serbs by physically expelling them or creating an environment of such fear that they quickly fled. On 21 October 1991, MARTIĆ's Police¹⁴¹¹ co-ordinated with the Krajina TO and the JNA to detain and then murder non-Serb civilians from the villages of

¹⁴⁰⁶ P1132, p.46,47 (public).

¹⁴⁰⁷ D0296, p.11-12 (public).

¹⁴⁰⁸ [REDACTED] (confidential).

¹⁴⁰⁹ [REDACTED] (confidential).

¹⁴¹⁰ Indictment, para.27.

¹⁴¹¹ SecondAFD-no.87.

Hrvatska Dubica (“Dubica”), Cerovljani and Baćin, in the Hrvatska Kostajnica municipality.¹⁴¹²

Deportation and forcible transfer

414. During August and September 1991, MARTIĆ_(JCE) and JNA Colonel Dušan SMILJANIĆ co-ordinated combat activities for the “liberation of Kostajnica”,¹⁴¹³ taking over the municipality by 12 or 13 September. A SAO-Krajina TO force and a police force, including 30 of MARTIĆ’s Police from the area, set up a shared command post at the school in Dubica.¹⁴¹⁴ Momčilo KOVAČEVIĆ, Veljko RADUNOVIĆ aka “VELJA” and his son Stevo RADUNOVIĆ were in charge of the unit of MARTIĆ’s Police.¹⁴¹⁵

415. On 15 September 1991, the JNA, the TO and the police surrounded Predore, approximately 8 kilometres from Dubica, searched houses, and rounded people up.¹⁴¹⁶ They killed one man and wounded his two sons, later placing the two sons in tyres and burning them alive.¹⁴¹⁷ They used six or seven people as human shields as they reconnoitred the Sava River area.¹⁴¹⁸

416. Non-Serbs from Dubica, Baćin and other areas were detained in the Dubica school where MARTIĆ’s Police beat and tortured them and forced them to sing Chetnik songs.¹⁴¹⁹ Veljko and Stevo RADUNOVIĆ issued orders at the school and shared in the violence.¹⁴²⁰ When two civilians forgot the words to a Chetnik song, men under KOVAČEVIĆ’s command slit their throats, then forced detainee Josip JOSIPOVIĆ and another detainee to lie on the corpses as they drove to the Una river to dispose of them.¹⁴²¹ JOSIPOVIĆ

¹⁴¹² [REDACTED] (confidential).

¹⁴¹³ SecondAFD-no.68. [REDACTED] (confidential).

¹⁴¹⁴ SecondAFD-no.75. [REDACTED] (confidential). [REDACTED] (confidential); [REDACTED] (confidential).

¹⁴¹⁵ [REDACTED] (confidential); P0073, p.2 (public); P0297, p.3 (confidential).

¹⁴¹⁶ SecondAFD-no.77-78; P0073, p.1 (public).

¹⁴¹⁷ P0073, p.1 (public).

¹⁴¹⁸ SecondAFD-no.77-78.

¹⁴¹⁹ SecondAFD-no.78. P0073, p.2 (public).

¹⁴²⁰ SecondAFD-no.78. **JOSIPOVIĆ**:P0073, p.2 (public).

¹⁴²¹ P0073, p.2 (public); SecondAFD-no.96-97.

understood from hearing conversations between soldiers that they received orders from MARTIĆ_(JCE).¹⁴²²

417. Between September and October 1991, the JNA, Krajina TO and MARTIĆ's Police looted and torched non-Serbs' houses and looted the homes, cars and other belongings of those who fled.¹⁴²³ On 13 and 21 September, armed Serb Forces burnt ten houses in Cerovljani.¹⁴²⁴ After shooting was heard on 24 September, three bodies were found. On the same date, these Serb Forces torched the houses of four civilians and fired rocket launchers at the Catholic church. Some of the armed Serbs also stole a civilian car.¹⁴²⁵

418. After the occupation, the ZNG and Croatian MUP withdrew from Dubica and the surrounding villages and the civilian inhabitants started to leave.¹⁴²⁶ After 13 September 1991, only about 60 Croats, mainly elderly¹⁴²⁷ and women, remained in Dubica,¹⁴²⁸ "-----",¹⁴²⁹ Following the take-over of Baćin, all the inhabitants left, with the exception of around thirty mostly elderly civilians.¹⁴³⁰ Likewise, following the advice of the Croatian police and ZNG, most of Cerovljani's residents left in August and early September 1991; only elderly people remained.¹⁴³¹

Murder

419. On 20 October 1991, Serb Forces including MARTIĆ's Police under Veljko RADUNOVIĆ rounded up and detained 53 unarmed civilians at the Dubica fire station.¹⁴³² They were mostly elderly and weak,¹⁴³³ with many in their 70s and others in their 80s or

¹⁴²² SecondAFD-no.78.

¹⁴²³ SecondAFD-no.79.

¹⁴²⁴ SecondAFD-no.89.

¹⁴²⁵ SecondAFD-no.90.

¹⁴²⁶ SecondAFD-no.73. ----- (confidential).

¹⁴²⁷ ----- (confidential).

¹⁴²⁸ SecondAFD-no.74.

¹⁴²⁹ ----- (confidential).

¹⁴³⁰ SecondAFD-no.94.

¹⁴³¹ SecondAFD-no.88.

¹⁴³² SecondAFD-no.80-83. ----- (confidential); ----- (confidential).

¹⁴³³ ----- (confidential); P0300, p.3 (confidential).

90s.¹⁴³⁴ KOVAČEVIĆ, Stevo RADUNOVIĆ and other armed men in JNA uniforms guarded the station.¹⁴³⁵ Even before detainees arrived the guards had a list with their names.¹⁴³⁶ Every two or three hours, they read out the detainees' names to ensure that everyone was present.¹⁴³⁷ The listed names were known to the SDS president, Mile MIŠLJENOVIĆ, who was a civilian authority together with Veljko RADUNOVIĆ.¹⁴³⁸ “ [REDACTED] ”¹⁴³⁹ Three Serbs and seven Croats managed to leave the fire station after their Serb neighbours or friends contacted the guards,¹⁴⁴⁰ leaving 43 in the fire station.

420. The following day, on 21 October, MARTIĆ's Police¹⁴⁴¹ took the 43 people to Krečane, near Baćin. Additional people from the neighbouring villages of Baćin and Cerovljani were also brought to Krečane. MARTIĆ's Police massacred the entire group with firearms.¹⁴⁴² The bodies remained decomposing for days but were eventually dumped in a mass grave in Baćin.¹⁴⁴³ Fifty-six bodies were found in this grave—54 Croats and two Serbs.¹⁴⁴⁴

*Vukovići and Saborsko*¹⁴⁴⁵

421. From around August 1991, MARTIĆ's police, the JNA and Krajina TO deliberately shelled and otherwise targeted the non-Serb civilian populations in the villages of Vukovići and Saborsko, leaving survivors no choice but to flee for their lives. On 7 and 12 November 1991, these forces committed murders in the course of operations in Vukovići and

¹⁴³⁴ P0516, p.1-5 (public); *See e.g.*, P0736, p.3-5 (public); P0734, p.4-6 (public); P0719, p.6-8 (public).

¹⁴³⁵ [REDACTED] (confidential).

¹⁴³⁶ [REDACTED] (confidential).

¹⁴³⁷ SecondAFD-no.83. [REDACTED] (confidential).

¹⁴³⁸ [REDACTED] (confidential).

¹⁴³⁹ [REDACTED] (confidential).

¹⁴⁴⁰ SecondAFD-no.84. [REDACTED] (confidential); P0297, p.4 (confidential).

¹⁴⁴¹ SecondAFD-no.85, 87. [REDACTED] (confidential).

¹⁴⁴² [REDACTED] (confidential).

¹⁴⁴³ [REDACTED] (confidential).

¹⁴⁴⁴ SecondAFD-no.86. The Prosecution charged 56 murders and identified 44 named and 10 unnamed victims. **STRINOVIĆ**:P0512, p.1-6 (public). **BILIĆ**:P0516, p.1-5 (public).

¹⁴⁴⁵ Indictment, para.28,30-31.

Saborsko, respectively, advancing the common goal of removing the non-Serb population from strategic areas.

422. For operations in this area, the JNA and Krajina TO—including MARTIĆ's Police units under one of the TO battalions¹⁴⁴⁶—operated as part of TG-2.¹⁴⁴⁷ The attack on Saborsko was meant to create a direct route to the Serb areas in Kordun and Banija.¹⁴⁴⁸

423. Prior to November, at least 20 locals from Saborsko, including Nikola MEDAKOVIĆ, had trained at Golubić and returned as members of MARTIĆ's Police.¹⁴⁴⁹ MEDAKOVIĆ commanded the unit of MARTIĆ's Police¹⁴⁵⁰ that attacked Saborsko.¹⁴⁵¹ MEDAKOVIĆ was part of the first group trained at Golubić, where he saw SIMATOVIĆ during training.¹⁴⁵²

424. In the months preceding the commission of the charged murders, there were several attacks on Vukovići, Saborsko, and the immediate surrounding areas which set the stage for mopping up,¹⁴⁵³ and the final removal of non-Serbs in early November 1991.¹⁴⁵⁴ Egregious examples of these attacks include the almost daily shelling of Saborsko that began on 5 August¹⁴⁵⁵ and the attack on 8 October by soldiers using infantry weapons and sub-machine guns against Croat civilians in Vukovići.¹⁴⁵⁶ On 11 October, Serb Forces torched houses in Vukovići and nearby villages.¹⁴⁵⁷ After these attacks on Vukovići and Saborsko, most of the villages' non-Serb inhabitants fled.¹⁴⁵⁸

¹⁴⁴⁶ P1141, p.1 (public); **THEUNENS:P1575**, p.193 (public).

¹⁴⁴⁷ P1138, p.1 (public); P0967, p.1,2 (confidential); P1139, p.5-6 (public); **THEUNENS:P1575**, p.193-94 (public); P1143, p.1 (public).

¹⁴⁴⁸ ██████████ (confidential).

¹⁴⁴⁹ ██████████ (confidential).

¹⁴⁵⁰ P2628, p.2 (public). **JF-006:T.2459** (9-Dec-2000) (public).

¹⁴⁵¹ ██████████ (confidential); D0008, p.2 (public).

¹⁴⁵² **BOSNIĆ:D0313**, p.16 (public).

¹⁴⁵³ P0106, p.1 (public); P0107, p.1 (public). *See*, ██████████ (confidential).

¹⁴⁵⁴ *E.g.*, ██████████ (confidential).

¹⁴⁵⁵ SecondAFD-no.122, 124.

¹⁴⁵⁶ ██████████ (confidential); ██████████ (confidential).

¹⁴⁵⁷ P0066, p.1 (confidential).

¹⁴⁵⁸ SecondAFD-no.123, 130. ██████████ (confidential) (██████████).
██████████).

Vukovići murders

425. On 7 November 1991, Serb Forces under the Krajina TO commander Milan CVJETČANIN and 40-60 soldiers from a unit from Niš (in Serbia) killed nine Croat civilians¹⁴⁵⁹ in Vukovići.¹⁴⁶⁰ [REDACTED]

[REDACTED]¹⁴⁶¹ In a village consisting of six or seven houses, only one house remained after the attacks.¹⁴⁶² [REDACTED]

[REDACTED]¹⁴⁶³

[REDACTED]¹⁴⁶⁴

Deportation and forcible transfer

426. Five days later, MARTIĆ's Police, the JNA and TO units attacked Saborsko mid-morning on 12 November 1991¹⁴⁶⁵ with excessive military force.¹⁴⁶⁶ Around 500 to 700 troops¹⁴⁶⁷ and 23 tanks stood ready for the attack.¹⁴⁶⁸ MEDAKOVIĆ read out an attack order that estimated a maximum of 30 people were expected to die.¹⁴⁶⁹ The attack commenced with aerial bombing followed by an artillery attack. Afterwards, ground units, including tanks and APCs, moved in on Saborsko from three axes.¹⁴⁷⁰

427. Two of MARTIĆ's men boasted about shooting eight people in front of the town Centre [sic] in Saborsko, with one claiming that he had done it because "he hated all

¹⁴⁵⁹ The Prosecution charged at least nine murders and identified eight named and one unnamed victim. See Victim Lists, p.5. [REDACTED] (confidential).

¹⁴⁶⁰ [REDACTED] (confidential); [REDACTED] (confidential); [REDACTED] (confidential); [REDACTED] (confidential); [REDACTED] (confidential).

¹⁴⁶¹ [REDACTED] (confidential); [REDACTED] (confidential).

¹⁴⁶² [REDACTED] (confidential).

¹⁴⁶³ [REDACTED] (confidential); [REDACTED] (confidential) ([REDACTED]).

¹⁴⁶⁴ [REDACTED] (confidential); [REDACTED]

See also, [REDACTED] (confidential).

¹⁴⁶⁵ P1138 (public); [REDACTED] (confidential). P0107, p.1 (public); SecondAFD-no.125, 132; P2628, p.4 (public); D0006, p.2 (public).

¹⁴⁶⁶ D0007, p.2 (public).

¹⁴⁶⁷ [REDACTED] (confidential).

¹⁴⁶⁸ P2628, p.4 (public).

¹⁴⁶⁹ P2628, p.4 (public); D0007, p.7 (public).

¹⁴⁷⁰ SecondAFD-no.126, 131. [REDACTED] (confidential). P0107, p.1 (public); P1140, p.2, 3, 4 (public); P1141, p.1 (public); P2628, p.4 (public); P0103, p.4 (confidential).

Ustahas”.¹⁴⁷¹ After the attack, MARTIĆ’s men¹⁴⁷² stole livestock,¹⁴⁷³ plundered and set houses on fire, and stole vehicles.¹⁴⁷⁴ One of them “went from house to house and hurled grenades into cellars and set hay stacks on fire. He burned around 20 houses”.¹⁴⁷⁵

428. On 13 November, MARTIĆ’s Police “continued mopping up the remaining terrain, villages and inhabitants”.¹⁴⁷⁶ Civilians were forced to set their own houses on fire, maltreated, and expelled into other areas of Croatia.¹⁴⁷⁷ Ultimately, the attack caused “fleeing of all inhabitants of Saborsko who survived”.¹⁴⁷⁸ The bodies of those killed in the Saborsko attack, including between 30 and 40 bodies of victims aged over 60, were not buried until four months later.¹⁴⁷⁹

429. MARTIĆ talked about the attack on Saborsko with pride, considering it a victory.¹⁴⁸⁰
 [REDACTED]¹⁴⁸¹ Addressing the Plaški Municipal Assembly, President Nikola MEDAKOVIĆ recalled the heinous attack, saying, “Now there is no Saborsko anymore and it is likely that it will never be there again”.¹⁴⁸²

Saborsko murders

430. During the aerial bombing, around 20 people had gathered in a basement in the hamlet of Varoš, including women and a young boy. When someone outside said, “give me the matches”, the people in hiding believed they would be burnt alive. To avoid this they waved a white undershirt through the basement door, shouting that they were civilians. The armed men ordered them out of the basement. [REDACTED] One of

¹⁴⁷¹ P2628, p.4 (public). Two weeks prior to the attack, street signs written in Cyrillic arrived from Belgrade. The name of Saborsko was changed to “Ravna Gora,” the home of the Chetnik movement. P2628, p.5 (public).

¹⁴⁷² D0007, p.8, 9 (public). [REDACTED] (confidential).

¹⁴⁷³ P2628, p.4 (public).

¹⁴⁷⁴ P2628, p.4 (public); *See* D0007, p.2-3 (public).

¹⁴⁷⁵ P2628, p.5 (public).

¹⁴⁷⁶ P0107, p.1 (public).

¹⁴⁷⁷ D0007, p.10 (public).

¹⁴⁷⁸ D0007, p.2, 10 (public).

¹⁴⁷⁹ SecondAFD-no.134-136. P2628, p.4 (public); D0007, p.9-10 (public).

¹⁴⁸⁰ [REDACTED] (confidential); P1145, p.1 (public).

¹⁴⁸¹ [REDACTED] (confidential). [REDACTED] (confidential).

¹⁴⁸² P0108 (public).

the soldiers threw a hand grenade into the empty basement.¹⁴⁸³ The soldiers separated the men from the women.¹⁴⁸⁴ They searched the men, confiscating money and valuables, and hitting two of them.¹⁴⁸⁵ After about 15 minutes, the seven men were taken around a corner and two soldiers shot and killed them.¹⁴⁸⁶ The soldiers returned to the group and told them that they had an hour to leave or they would be killed. As they ran away, the soldiers shot at them, [REDACTED]. She was never seen alive again.¹⁴⁸⁷ The bodies of six of the men, [REDACTED] and seven additional people were found in a mass grave in Saborsko.¹⁴⁸⁸ The fact that these bodies were all in the same mass grave leads to the inference that the additional seven victims were killed during the same period under similar circumstances.

431. Seven people who were too old to flee Saborsko were set on fire in their houses and killed in the hamlet of Biljevina.¹⁴⁸⁹

432. In total, 31 people have been identified as victims murdered in the wake of the Saborsko attack.¹⁴⁹⁰

*Škabrnja*¹⁴⁹¹

433. The JNA, TO and MARTIĆ's Police attacked Škabrnja, Nadin and their surrounding hamlets from the end of September to November 1991; these attacks culminated on 18 November with the murder of civilians and *hors de combat* Croatian civil defence members. The 18 November attack was part of a "strategic action"¹⁴⁹² to intimidate, kill and "show by way of example what would happen to others because Škabrnja was a purely

¹⁴⁸³ SecondAFD-no.133. [REDACTED] (confidential). [REDACTED] (confidential);

¹⁴⁸⁴ SecondAFD-no.133; D0007, p.9 (public).

¹⁴⁸⁵ SecondAFD-no.133.

¹⁴⁸⁶ SecondAFD-no.133. D0007, p.9 (public). [REDACTED] (confidential). [REDACTED] (confidential); P0512 (public).

¹⁴⁸⁷ SecondAFD-no.134; P0512, p.25 (public). [REDACTED] (confidential).

¹⁴⁸⁸ D0007, p.9 (public).

¹⁴⁸⁹ D0007, p.9 (public); P0512 (public). *See*, [REDACTED] (confidential).

¹⁴⁹⁰ The Prosecution charged at least 20 murders and identified 31 named victims. *See* Victim Lists, p.6; **STRINOVIĆ**:P0512, p.21-25 (public). [REDACTED] (confidential); P1772 (public).

¹⁴⁹¹ Indictment, para.32.

¹⁴⁹² **MILJANIĆ**:P0097, p.4 (public).

Croat village”.¹⁴⁹³ The strategic action was effective, causing Škabrnja’s non-Serb population to flee in terror.¹⁴⁹⁴

434. Škabrnja was strategically important because predominantly Serb villages were located to the north and north-east,¹⁴⁹⁵ and it was situated on a main road linking Benkovac to a JNA military base with an airport near Zadar.¹⁴⁹⁶

Deportation and forcible transfer

435. On 25 September, the JNA shelled Škabrnja for the first time,¹⁴⁹⁷ setting the forest aflame with incendiary bombs, then targeting the people who tried to extinguish the fire.¹⁴⁹⁸ The JNA continued to shell Škabrnja in the days that followed and into October, frightening the civilian population.¹⁴⁹⁹

436. On 1 October, Marko MILJANIĆ, who had been previously tasked with organising the village defence in Škabrnja,¹⁵⁰⁰ received an order from the Zadar Crisis Committee (ZCC) to evacuate the civilian population from Škabrnja. Out of 2,000 inhabitants, only 245 people remained in Škabrnja.¹⁵⁰¹ The following day, the JNA attacked the neighbouring towns of Nadin and Zemunik Gornji using tanks and infantry. When people fled from Nadin through Škabrnja, the JNA Air Force attacked Škabrnja again using cassette and napalm bombs.¹⁵⁰² They also used cluster bombs with messages attached to the casings, for example: “Greetings from the JNA for TUĐMAN’s rats.”¹⁵⁰³

437. On 5 November, many civilians returned to Škabrnja after a ceasefire agreement.¹⁵⁰⁴ Consequently, MILJANIĆ received a written and verbal order from the ZCC to strictly

¹⁴⁹³ MILJANIĆ:T. 2384-2385 (8-Dec-2009) (public). MILJANIĆ:P0097, p.2 (public).

¹⁴⁹⁴ SecondAFD-no.150-151.

¹⁴⁹⁵ SecondAFD-no.140.

¹⁴⁹⁶ DRAČA:T.16727-28 (31-Jan-2012) (public).

¹⁴⁹⁷ SecondAFD-no.141. MILJANIĆ:P0097, p.3 (public).

¹⁴⁹⁸ MILJANIĆ:P0097, p.3 (public).

¹⁴⁹⁹ SecondAFD-no.141. ██████████ (confidential).

¹⁵⁰⁰ MILJANIĆ:P0097, p.2 (public).

¹⁵⁰¹ MILJANIĆ:P0097, p.3 (public).

¹⁵⁰² MILJANIĆ:P0097, p.3 (public); T.2360 (1-Dec-2009) (public).

¹⁵⁰³ MILJANIĆ:T.2361-62 (public).

¹⁵⁰⁴ MILJANIĆ:P0097, p.4 (public).

avoid provoking Serb Forces.¹⁵⁰⁵ Villagers and civilian defence members went back to living a normal life.¹⁵⁰⁶

438. The ceasefire lasted only until the early morning of 18 November 1991, whereupon the JNA started to shell Škabrnja from several directions, and advance three tank columns and JNA trucks with at least 1,000 infantry soldiers towards the village.¹⁵⁰⁷ MLADIĆ pledged to Lt. Colonel ČEČOVIĆ all the ammunition and soldiers he needed and warned that if he withdrew “he would shoot him.”¹⁵⁰⁸ JNA tanks shot at the Catholic church in the centre of Škabrnja, then soldiers went inside and opened fire.¹⁵⁰⁹ Tanks and/or hand-held rocket launchers also targeted the school and private houses.¹⁵¹⁰ About half of Škabrnja was controlled by the Serb Forces by 14:00 hours, while fighting lasted until dusk.¹⁵¹¹ The JNA also shelled Nadin throughout the day.¹⁵¹²

439. The Benkovac SJB, as a unit of MARTIĆ’s police, was with the JNA¹⁵¹³ and under MARTIĆ’s command during the Škabrnja attack.¹⁵¹⁴ Goran OPAČIĆ_(DB), who had trained at Golubić and would later join the Unit,¹⁵¹⁵ was a member of the Benkovac SJB and in Škabrnja on the day of the attack.¹⁵¹⁶ The “credit” for the attack on Škabrnja was given to those who had undergone the special training course at Golubić.¹⁵¹⁷ MARTIĆ himself spoke considerably about OPAČIĆ_(DB) regarding Škabrnja,¹⁵¹⁸ [REDACTED]
[REDACTED]¹⁵¹⁹

¹⁵⁰⁵ MILJANIĆ:T.2364 (1-Dec-2009) (public); P0097, p.4 (public).

¹⁵⁰⁶ MILJANIĆ:P0097, p.3 (public); T.2335, 64-65, (1-Dec-2009) (public).

¹⁵⁰⁷ SecondAFD-no.147. MILJANIĆ:P0097, p.2, 4 (public).

¹⁵⁰⁸ MILJANIĆ:P0097, p.5 (public).

¹⁵⁰⁹ [REDACTED] (confidential).

¹⁵¹⁰ SecondAFD-no.148.

¹⁵¹¹ SecondAFD-no.152

¹⁵¹² SecondAFD-no.146

¹⁵¹³ [REDACTED] (confidential).

¹⁵¹⁴ [REDACTED] (confidential); [REDACTED] (confidential).

¹⁵¹⁵ [REDACTED] (confidential); [REDACTED] (confidential).

¹⁵¹⁶ SecondAFD-no.157.

¹⁵¹⁷ [REDACTED] (confidential).

¹⁵¹⁸ [REDACTED] (confidential).

¹⁵¹⁹ [REDACTED] (confidential); [REDACTED] (confidential); [REDACTED] (confidential).

440. During the attack, civilians fled south. JNA and TO forces also transported civilians out of Škabrnja.¹⁵²⁰ More than 1,500 civilians of Škabrnja withdrew in the direction of Zadar.¹⁵²¹

Murder

441. In the 18 November 1991 attacks, Serb Forces, including JNA, TO, MARTIĆ's police and volunteer units killed at least 39 civilians¹⁵²² and at least 11 *hors de combat*.¹⁵²³ From Škabrnja. Civilians were dragged out of their homes and cellars and killed on the street or used as human shields.¹⁵²⁴ One woman, unable to move because she had suffered a stroke, was killed in her bed.¹⁵²⁵ Many were killed by dumdum bullets shot into the backs of their heads, shattering their skulls.¹⁵²⁶ Witness Boško BRKIĆ's elderly parents were killed in this manner, his father while in his wheelchair.¹⁵²⁷ In some cases entire families were wiped out; in others, only the males were killed.¹⁵²⁸ In total, 55 murder victims have been

¹⁵²⁰ SecondAFD-no.150.

¹⁵²¹ SecondAFD-no.151. **B.BRKIĆ**:P0075, p.2 (public).

¹⁵²² SecondAFD-no.160 (1 victim, mentioned also in SecondAFD-no.172), 162 (3 victims), 164-66 (10 victims), 169 (1 victim, mentioned also in SecondAFD-no.172), 172-74 (24 victims excluding 2 already mentioned).

STRINOVIĆ:P0512, p.26-34 (public). P1788, p.3-5 (confidential). [REDACTED] (confidential). [REDACTED] (confidential). See also P0100 (confidential); P0101 (public). [REDACTED] (confidential); P01205, p.1 (public); P1208, p.5 (public).

¹⁵²³ The *Martić* Trial Chamber found that four of eleven individuals named in the SecondAFD and identified as "Croatian Soldiers" in P0099 who were killed on 18 or 19 November 1991, were *hors de combat*. See, SecondAFD-no.170, 171, 175.

MILJANIĆ provided evidence that all but one of the eleven were killed while not taking part in hostilities. See, **MILJANIĆ**:T.2387-91 (08 December 2009) (public).

[REDACTED]
[REDACTED] (confidential). See also **STRINOVIĆ**:P0512, p.26-34 (public) and [REDACTED] (confidential).

¹⁵²⁴ **MILJANIĆ**:P0097, p.4, 5 (public); P1208, p.5 (public); P1205, p.1 (public). [REDACTED] (confidential). **B.BRKIĆ**:P0075, p.2 (public).

¹⁵²⁵ **MILJANIĆ**:P0097, p.4 (public).

¹⁵²⁶ **JELIĆ**:P1746, p.1 (public) (01:25:24-01:45:20). [REDACTED] (confidential).

¹⁵²⁷ **B.BRKIĆ**:P0075, p.3 (public).

¹⁵²⁸ **JELIĆ**:P1746, p.4 (public) (01:25:24-01:45:20).

identified.¹⁵²⁹ Defence witness DRAČA agreed that there was a terrible massacre in Škabrnja, that the civilians were killed and that the village was more or less obliterated.¹⁵³⁰

*Bruška*¹⁵³¹

442. From September through to December 1991,¹⁵³² MARTIĆ's Police harassed and terrorised the predominantly Croat inhabitants of Bruška's small hamlet of Marinovići,¹⁵³³ near Benkovac.¹⁵³⁴ When MARTIĆ's Police arrived in Marinovići on 21 December, they attacked different homes, killing a total of nine Croat civilians and one Serb.¹⁵³⁵ Through this and similar attacks, MARTIĆ's Police left Bruška's Croat population no choice but to flee for their lives.

443. Prior to the charged crimes, from February 1991, barricades were erected and the villagers¹⁵³⁶ "would be stopped at the roadblocks, searched and harassed". Due to the roadblock, the villagers did not have access to a food supply and by December 1991, "it was getting real bad in the village."¹⁵³⁷ In addition, from September until December 1991,¹⁵³⁸ armed men identifying themselves as "MARTIĆ's men" or "MARTIĆ's Militia" came to Bruška almost every day to scare the inhabitants.¹⁵³⁹ According to one villager, the

¹⁵²⁹ The Prosecution charged at least 38 murders and identified 55 named victims. *See* Victim Lists, p.7-8. **STRINOVIĆ**:P0512, p.26-34 (public).

¹⁵³⁰ **DRAČA**:T.17021 (8-Feb-2012) (public).

¹⁵³¹ Indictment, para.35.

¹⁵³² SecondAFD-no.183. **MARINOVIĆ**:P0490, p.2, 3 (public); P0491, p.25, 29-30 (PriorT.2493, 2497-98) (public).

¹⁵³³ SecondAFD-no.182. **DENONA**:P0037, p.2 (public).

¹⁵³⁴ **MARINOVIĆ**:P0490, p.2 (public). *See* SecondAFD-no.180.

¹⁵³⁵ SecondAFD-no.182. **DENONA**:P0037, p.2 (public); P0038, p.2-3, 16 (PriorT.28199, 28212) (public). **MARINOVIĆ**:P0490, p.3 (public); P0046, p.2 (public); P0491, p.25, 30 (PriorT.2493, 2481-82, 2498) (public). **DRAČA**:T.16761 (01-Feb-2012) (public); P0045, p.1-2 (public) (Nine civilians were murdered and one Serbian JNA member who at the time of the attack was socialising with the civilian victims).

¹⁵³⁶ **MARINOVIĆ**:P0491, p.7 (PriorT.2475) (public);

¹⁵³⁷ **MARINOVIĆ**:P0490, p.2 (public).

¹⁵³⁸ **MARINOVIĆ**:P0490, p.3 (public).

¹⁵³⁹ SecondAFD-no.183. **MARINOVIĆ**:P0490, p.2, 3 (public); P0491, p.25, 30 (PriorT.2493, 2498) (public).

armed men called the villagers Ustashas, and would “shoot into the air and threaten to kill” the villagers, saying that “this was Serb country and that we should leave”.¹⁵⁴⁰

Murder

444. On the evening of 21 December 1991, MARTIĆ’s Police attacked several civilian homes in Marinovići at around 19:45 hours.¹⁵⁴¹ In the first household attacked, the inhabitants were not armed and were dressed in civilian clothes, except for a Serb member of the JNA who was wearing an olive-drab uniform and another who was a reserve police officer at the time but not on active duty that night.¹⁵⁴² The Serb had become a JNA member after being mobilised against his will.¹⁵⁴³ Three members of MARTIĆ’s Police barged into the house, took the men outside, lined them up against a wall and started shooting. They killed four civilians and shot witness Ante MARINOVIĆ seven times, though he survived.¹⁵⁴⁴

445. The same men, identifying themselves as the *Milicija Krajine* and as “MARTIĆ’s men”, then went to a neighbouring house¹⁵⁴⁵ and killed two more people.¹⁵⁴⁶ Three Croat women escaped unharmed but one Croat girl was shot twice.¹⁵⁴⁷ The following day, four more victims¹⁵⁴⁸ wearing civilian clothes were discovered¹⁵⁴⁹; their bodies were “bullet riddled”.¹⁵⁵⁰ One victim survived but was severely disabled.¹⁵⁵¹ In total, MARTIĆ’s men

¹⁵⁴⁰ SecondAFD-no.183. **MARINOVIĆ**:P0490, p.2, 3 (public); P0491, p.11, 12 (PriorT.2479, 2480) (public).

¹⁵⁴¹ **DENONA**:P0037, p.2-4 (public); P0039, p.3-4 (PriorT.1271) (public); P0045, p.3 (public). *See also* SecondAFD-no.184-192. **MARINOVIĆ**:P0490, p.3-4 (public); P0046, p.2 (public).

¹⁵⁴² SecondAFD-no.184. **MARINOVIĆ**:P0490, p.2 (public); P0491, p.13 (PriorT.2481) (public).

¹⁵⁴³ **DENONA**:P0038, p.18 (PriorT.28214) (public); P0037, p.2 (public).

¹⁵⁴⁴ SecondAFD-no.185-186. **MARINOVIĆ**:P0490, p.3 (public); P0491, p.15, 16, 31 (PriorT.2483-84, 2499) (public); T.5357-58 (26-May-2010) (public); P0045, p.3 (public).

See also, **DENONA**:P0038, p.8, 19 (PriorT.28204, 28275) (public). **STRINOVIĆ**:P0510, p.31-33 (PriorT.3683, 3684, 3685) (public).

¹⁵⁴⁵ SecondAFD-no.187. **DENONA**:P0037, p.3, 4 (public); P0038, p.8, 19 (PriorT.28204, 28295) (public); P0039, p.5 (PriorT.1272) (public).

¹⁵⁴⁶ **DENONA**:P0037, p.4 (public). *See also* SecondAFD-no.188-189; P0045, p.3 (public).

¹⁵⁴⁷ **DENONA**:P0037, p.3 (public); P0038, p.8 (PriorT.28204, 28295) (public).

¹⁵⁴⁸ SecondAFD-no.192. **DENONA**:P0037, p.4 (public); P0045, p.3 (public).

¹⁵⁴⁹ SecondAFD-no.190.

¹⁵⁵⁰ SecondAFD-no.189.

killed ten people that night, nine civilians and one JNA officer who had socialised with the victims.¹⁵⁵²

446. On 24 December, MLADIĆ_(JCE) recorded in his military notebook that there is a request “that 11 dead bodies of Bruška village inhabitants be delivered.”¹⁵⁵³ JNA report from 11 March 1992¹⁵⁵⁴ and 4 April 1992 confirm these killings in Bruška.¹⁵⁵⁵

Deportation and forcible transfer

447. Through targeted attacks on civilian residences, MARTIĆ’s police terrorised the civilian population of Bruška, leaving them no choice but to flee. The Red Cross evacuated around 120 frightened Croat villagers from Bruška.¹⁵⁵⁶ On 24 December, after the attacks, MLADIĆ recorded that there was a request to enable the evacuation of approximately “2,000 inhabitants – Croats from Bruška, Rodaljice and other villages.”¹⁵⁵⁷

*Deportation and forcible transfer from SAO-Krajina generally*¹⁵⁵⁸

448. In addition to the attacks and accompanying crimes described above, JCE members and their instrumentalities engaged in other acts to forcibly displace non-Serb civilians from the entire SAO-Krajina region. Starting in January 1991, BABIĆ used the Serb Radio Knin as well as other radio stations to spread war propaganda and fear amongst the people.¹⁵⁵⁹ From around April 1991, discriminatory policies were applied against Croats, and Croat houses in the Knin area were searched for weapons.¹⁵⁶⁰

DENONA:P0039, p.8 (PriorT.1275) (public). **DRAČA:T.17034** (08-Feb-2012) (public) (“a large number of casings were found and you could see that the fire came from different kinds of weapons.”).

¹⁵⁵¹ SecondAFD-no.191. **DENONA:P0037**, p.3, 4 (public); P0039, p.12 (PriorT.1279) (public)

¹⁵⁵² SecondAFD-no.182. **DENONA:P0037**, p.2 (public). **MARINOVIĆ:P0490**, p.3-4 (public); *See also* P2934, p.3 (public). The Prosecution charged 10 murders and named 10 victims. *See* Victim Lists, p.9; **STRINOVIĆ:P0512**, p.7-9 (public).

¹⁵⁵³ P2934, p.3 (public).

¹⁵⁵⁴ SecondAFD-no.193.

¹⁵⁵⁵ SecondAFD-no.193; P0046, p.1, 2 (public).

¹⁵⁵⁶ **DRAČA:T.16763-4** (01-Feb-2012) (public)

¹⁵⁵⁷ P2934, p.3 (public).

¹⁵⁵⁸ Indictment, para.64-66.

¹⁵⁵⁹ ██████████ (confidential).

¹⁵⁶⁰ SecondAFD-no.207.

449. Beginning in May 1991, forcible expulsions of Croat citizens were frequently reported in Knin, Benkovac, Obrovac and Gračac.¹⁵⁶¹ Between October and November 1991, at least 100 Croat civilians were imprisoned in Knin, where they were beaten and subjected to inhumane treatment, then exchanged to Croatia in November 1991.¹⁵⁶² Following attacks by Serb Forces in the Kostajnica, Knin and Glina areas in August 1991, Croat civilians began to leave their homes for Zagreb, Sisak and other places.¹⁵⁶³

450. Croats were killed, their property stolen, their houses burnt, their villages and towns—including churches and religious buildings—destroyed.¹⁵⁶⁴ The Crisis Staff of Northern and Central Dalmatia reported on 2 September 1991: “MARTIĆ’s terrorists and military reservists are breaking into every house, looting and taking away everything they can and destroying everything else.”¹⁵⁶⁵ Croats were arbitrarily dismissed from their jobs.¹⁵⁶⁶ The displacement of the Croat population as a result of harassment and intimidation occurred elsewhere in SAO-Krajina, and subsequently RSK, territory and continued until the end of 1994. Harassment and intimidation of the Croat population was carried out on a large scale by the police and by local Serbs in the territory.¹⁵⁶⁷

451. The scale of the displacements caused by these events was massive. In the four Croatian counties that roughly correspond to the territory of the SAO-Krajina¹⁵⁶⁸ more than 97,000 Croats were displaced.¹⁵⁶⁹

*Persecution*¹⁵⁷⁰

452. The crimes of murder, deportation and forcible transfer charged in SAO-Krajina amount to crimes of persecution because they were intended to, and did, in fact, discriminate against non-Serbs. As evidence of discriminatory intent, the Serb perpetrators

¹⁵⁶¹ **RADIĆ:P0551**, p.1 (public).

¹⁵⁶² [REDACTED] (confidential).

¹⁵⁶³ SecondAFD-no.207. [REDACTED] (confidential). [REDACTED] (confidential). [REDACTED] (confidential).

¹⁵⁶⁴ SecondAFD-no.211.

¹⁵⁶⁵ P1881 (public).

¹⁵⁶⁶ SecondAFD-no.211.

¹⁵⁶⁷ SecondAFD-no.210.

¹⁵⁶⁸ The four counties are: Šibenik-Knin, Zadar, Karlovac and Sisak-Moslavina. *See*, P0552, p.6 (public).

¹⁵⁶⁹ **RADIĆ:P0551**, p.80 (Table 9 of RADIĆ’s report) (public).

targeted predominantly Croat villages, deliberately destroyed Catholic churches and selected victims who were non-Serbs or, less commonly, Serbs who associated with non-Serbs. Highlighting this discriminatory intent, for example, the Karlovac police department's investigation into the Saborsko attacks concluded that "after the occupation there was deliberate and wilful destruction of houses, economy buildings, infrastructure, cultural and sacral objects that were a *part of national, cultural and religious identity of natives from Saborsko*".¹⁵⁷¹

¹⁵⁷⁰ Indictment, para.22-25.

¹⁵⁷¹ D0007, p.11 (public) (emphasis added).

The Crimes in SAO-SBWS

_____¹⁵⁷²

Overview

453. In early 1991, the SAO-SBWS villages of Dalj and Erdut were of mixed ethnicity.¹⁵⁷³ After their take-over by SBWS TO and JNA units in August 1991, the SDG, SNB and other forces under JCE members' command murdered, detained, beat, deported and subjected the non-Serb inhabitants of these villages and the surrounding area to other forms of persecution in order to achieve their physical removal from the region.¹⁵⁷⁴ These murders and other crimes so terrified non-Serbs throughout SAO-SBWS that a substantial portion fled over the course of the Indictment period,¹⁵⁷⁵ thus furthering the JCE's purpose.

454. ARKAN_(JCE/DB) played an integral role in these crimes, engaging his men in a widespread and systematic onslaught of violence and terror against non-Serbs in Dalj and Erdut. The Serb Forces' operations in the SAO-SBWS followed a pattern: the TO would attack first, after which the JNA would provide support;¹⁵⁷⁶ as a final step, ARKAN's men would commit any crimes necessary to remove the non-Serb population.¹⁵⁷⁷

Take-over of Dalj and Erdut

455. The take-over of Erdut and Dalj began with a breakdown in the relationship between the Serb and non-Serb population after the elections of 1990.¹⁵⁷⁸ As the tensions escalated in the spring of 1991,¹⁵⁷⁹ JCE members organised the arming of the local Serb population¹⁵⁸⁰ and an increasingly pro-Serbia JNA¹⁵⁸¹ strengthened its presence in the

¹⁵⁷² _____

¹⁵⁷³ ŠUTALO:P0301, p.3 (public). _____ (confidential); P0551, p.49 (public).

¹⁵⁷⁴ Indictment, para.36-42; P0403 (public).

¹⁵⁷⁵ Indictment, para.22-25 (persecution), 64-66 (deportation, forcible transfer).

¹⁵⁷⁶ _____(confidential); P0403 (public).

¹⁵⁷⁷ P1219 (public); P0327, p.2 (public).

¹⁵⁷⁸ _____ (confidential). ŠUTALO:P0301, para.3, 5 (public). _____ (confidential).

¹⁵⁷⁹ _____ (confidential). _____(confidential). _____ (confidential).

¹⁵⁸⁰ _____ (confidential). _____ (confidential).

¹⁵⁸¹ _____ (confidential).

region.¹⁵⁸² With the establishment of local Serb TOs,¹⁵⁸³ blockades preventing the movement of non-Serbs,¹⁵⁸⁴ and rallies¹⁵⁸⁵ to increase Serb armed paramilitaries, the aggression against the non-Serb population finally materialised in an open attack by the TO and the JNA on 1 August 1991.¹⁵⁸⁶

456. The JNA built up its military presence on the Serbian side of the Danube in Bogojevo, across from Erdut, in May¹⁵⁸⁷ and mid-July 1991.¹⁵⁸⁸ The JNA had begun its shift from neutral buffer to Serb protector. [REDACTED]

[REDACTED]¹⁵⁸⁹

457. At the end of July 1991, the JNA shelled the ZNG base in Erdut¹⁵⁹⁰ without provocation.¹⁵⁹¹ From Bogojevo, the JNA fired tracer bullets from machine guns¹⁵⁹² and missiles from a multiple-rocket launcher¹⁵⁹³ during the night and shelled the village with mortars.¹⁵⁹⁴

458. The roads out of Erdut were blocked by checkpoints near the Serb village of Bijelo Brdo¹⁵⁹⁵ manned by local Serb civilians, policemen, and men in camouflage uniform.¹⁵⁹⁶ Dalj was also completely cut off with barricades in the direction of Bijelo Brdo and Vukovar, preventing Croats from Dalj from going in either direction.¹⁵⁹⁷

¹⁵⁸² ŠUTALO:P0301, para.6 (public). [REDACTED] (confidential).

¹⁵⁸³ [REDACTED] (confidential). [REDACTED] (confidential).

¹⁵⁸⁴ [REDACTED] (confidential). [REDACTED] (confidential).

¹⁵⁸⁵ [REDACTED] (confidential). [REDACTED] (confidential).

¹⁵⁸⁶ ŠUTALO:P0301, para.8, 9, 10 (public). [REDACTED] (confidential). [REDACTED] (confidential).

¹⁵⁸⁷ ŠUTALO:P0301, para.6 (public).

¹⁵⁸⁸ [REDACTED] (confidential).

¹⁵⁸⁹ [REDACTED] (confidential).

¹⁵⁹⁰ [REDACTED] (confidential). ŠUTALO:P0301, para.7 (public). [REDACTED] (confidential). [REDACTED] (confidential).

¹⁵⁹¹ [REDACTED] (confidential).

¹⁵⁹² ŠUTALO:P0301, para.7 (public). [REDACTED] (confidential).

¹⁵⁹³ [REDACTED] (confidential).

¹⁵⁹⁴ ŠUTALO:P0301, para.7 (public). [REDACTED] (confidential).

¹⁵⁹⁵ [REDACTED] (confidential).

¹⁵⁹⁶ [REDACTED] (confidential).

¹⁵⁹⁷ [REDACTED] (confidential).

459. The attack on Dalj was organised in secret at a meeting at the Borovo Selo TO attended by KOJIĆ_(DB) and local TO commanders.¹⁵⁹⁸ TO units, one of which KOJIĆ_(DB) commanded, attacked Dalj on 1 August 1991.¹⁵⁹⁹ [REDACTED]

[REDACTED]¹⁶⁰⁰ JNA units provided support from the direction of Bogojevo bridge.¹⁶⁰¹ The JNA attacked Erdut on the same day. A hundred tanks shelled Erdut on their way to Dalj and 50 more tanks entered Erdut.¹⁶⁰² [REDACTED]

[REDACTED]¹⁶⁰³

460. On 5 August 1991, Marko LONČAREVIĆ— KOJIĆ_(DB)'s associate¹⁶⁰⁴ who had commanded one of the TO units in the attack¹⁶⁰⁵—announced that “this was not Croatia any more, it was now Serbia and the Croat people would not rule any more and no longer be a part of the government.”¹⁶⁰⁶

Charged Crimes

461. As in SAO-Krajina, following the take-over of Dalj and Erdut JCE members used forces under their control to establish a regime of terror aimed at driving out the non-Serb civilian population. In September and October 1991, ARKAN's SDG and TO members detained, beat and murdered non-Serbs at the Dalj police station before dumping their bodies in mass graves or in the Danube. The killings in Erdut followed the same pattern: between November 1991 and June 1992, ARKAN's men, SBWS TO, SNB and local police co-operated in rounding up Croat and ethnic Hungarian civilians in Erdut, Dalj and Klisa. They brought them to ARKAN's training centre in Erdut¹⁶⁰⁷ where they interrogated, beat,

¹⁵⁹⁸ P2091, p.5 (confidential). [REDACTED] (confidential).

¹⁵⁹⁹ P2091, p.5 (confidential). [REDACTED] (confidential). ŠUTALO:P0301, para.8 (public). [REDACTED] (confidential).

¹⁶⁰⁰ [REDACTED] (confidential).

¹⁶⁰¹ [REDACTED] (confidential).

¹⁶⁰² [REDACTED] ŠUTALO:P0301, para.9 (public).

[REDACTED] (confidential).

¹⁶⁰³ [REDACTED] (confidential).

¹⁶⁰⁴ [REDACTED] (confidential). *See also* P3062 (public) (LONČAREVIĆ said he was a DB member in 1993).

¹⁶⁰⁵ P2094 (confidential).

[REDACTED] (confidential).

¹⁶⁰⁶ ŠUTALO:P0301, para.20 (public).

¹⁶⁰⁷ [REDACTED] (confidential).

threatened, and ultimately murdered them.¹⁶⁰⁸ The perpetrators were ARKAN's men or members of the SNB, who were under HADŽIĆ's control and co-operated closely with ARKAN. They dumped the bodies in mass graves or in wells.¹⁶⁰⁹

462. In Dalj and Erdut, senior JNA and SAO-SBWS officials—HADŽIĆ_(JCE) included—were aware of and colluded in covering up the killings;¹⁶¹⁰ those who tried to investigate were intimidated into remaining silent.¹⁶¹¹

Murders in Dalj

*Murder of 11 non-Serb detainees*¹⁶¹²

463. On the night of 21 September 1991, ARKAN and HADŽIĆ arrived in the police building in Dalj. They removed two detainees who had connections to prominent Serbs, and ARKAN's men murdered the remaining 11 non-Serbs.¹⁶¹³

464. The men murdered were among a larger group of non-Serbs collected from various villages in Slavonia and Baranja, transferred to Borovo, and then to Dalj. They had been brought to Dalj, through Serbia, by members of the "Special Militia from Belgrade"¹⁶¹⁴ under the direct command of the SMUP¹⁶¹⁵—a reference to the special police forces under BADŽA's command who had arrived with him in the region.¹⁶¹⁶ HADŽIĆ was responsible for bringing them to Dalj prison,¹⁶¹⁷ and was aware that prisoners were being beaten.¹⁶¹⁸

¹⁶⁰⁸ [REDACTED] (confidential). **BILIĆ**:P0514, p.41-43 (public). **STRINOVIĆ**:P0512, p.17-20, 35-6 (public).

¹⁶⁰⁹ **BILIĆ**:P0514, p.41-2 (public).

¹⁶¹⁰ [REDACTED] (confidential). [REDACTED] (confidential).

¹⁶¹¹ [REDACTED] (confidential).

¹⁶¹² Indictment, para.36.

¹⁶¹³ The Prosecution charged 11 murders and identified 11 named victims. See Victim Lists, p.10; **STRINOVIĆ**:P0512, p.10-11 (public); **BILIĆ**:P0514, p.40 (public), P0516, p.6-7 (public). **ŠUTALO**:P0301, para.47 (public). [REDACTED] (confidential). [REDACTED] (confidential).

¹⁶¹⁴ [REDACTED] (confidential).

¹⁶¹⁵ [REDACTED] (confidential) [REDACTED].

See [REDACTED] (confidential); [REDACTED] (confidential).

¹⁶¹⁶ Cross-reference. "STANIŠIĆ and the Serbian MUP public and state security established police units in SAO-SBWS" on page 39.

¹⁶¹⁷ [REDACTED] (confidential).

¹⁶¹⁸ **ŠUTALO**:P0301, para.49 (public).

465. [REDACTED] 1619 [REDACTED]
[REDACTED] 1620

*Murder of 28 non-Serb detainees*¹⁶²¹

466. On the night of 4 October 1991, ARKAN and his men, including SBWS TO member Milorad STRIČEVIĆ,¹⁶²² shot around 28 civilians¹⁶²³ held in the Dalj police building and dumped the bodies in the Danube.¹⁶²⁴

467. The Dalj police commander again prepared a report, delivering it to BADŽA's deputy and other officials. STRIČEVIĆ signed a certificate stating that he had removed the prisoners.¹⁶²⁵ Yet the SAO-SBWS government again resisted efforts to hold STRIČEVIĆ and ARKAN responsible.¹⁶²⁶ [REDACTED]
1627

468. The local population demanded accountability for the killings, complaining in particular about bodies floating in the Danube.¹⁶²⁸ ARKAN claimed responsibility for the crimes in a speech, confirming the commonly held belief that ARKAN was confident that he would not be held accountable.¹⁶²⁹ He did agree to bury the bodies next time.¹⁶³⁰

¹⁶¹⁹ P0010 (public) (police report).

[REDACTED] (confidential); P0312 (confidential). **BOGUNOVIĆ**:P0553, para.89 (public).

[REDACTED] (confidential) [REDACTED].

¹⁶²⁰ [REDACTED] (confidential); [REDACTED] (confidential); [REDACTED] (confidential); P0405 (confidential).

¹⁶²¹ Indictment, para.37.

¹⁶²² [REDACTED] (confidential). [REDACTED] (confidential). [REDACTED] (confidential). [REDACTED] (confidential). [REDACTED] (confidential). See P0029 (public); P0030 (public); P0329 (public); P0334 (public); P0335 (public).

¹⁶²³ The Prosecution charged 26 murders and named 28 victims. See Victim Lists, p.11. **STRINOVIĆ**:P0512, p.12-16 (public); **BILIĆ**:P0516, p.8-11 (public).

¹⁶²⁴ [REDACTED] (confidential). [REDACTED] (confidential). [REDACTED] (confidential). **BILIĆ**:P0514, p.41 (public).

¹⁶²⁵ P0315 (public) (STRIČEVIĆ certificate).

¹⁶²⁶ [REDACTED] (confidential). [REDACTED] (confidential).

[REDACTED] (confidential); P0011 (public).

¹⁶²⁷ [REDACTED] (confidential).

¹⁶²⁸ [REDACTED] (confidential).

¹⁶²⁹ [REDACTED] (confidential); P0335 (public); P1076, p.2 (confidential); P1078, p.4 (public); P1192, p.2 (public). **BOGUNOVIĆ**:P0554, para26 (public).

Murders in Erdut

*Murder of 12 non-Serb detainees*¹⁶³¹

469. On 9 November 1991, soldiers dressed in JNA, police and ARKAN's uniforms rounded up at least nine ethnic Hungarians and Croats from the Erdut region and detained them at ARKAN's Erdut training centre.¹⁶³² ARKAN's men and SNB members repeatedly interrogated and beat them in ARKAN's presence; he participated by kicking one victim in the genitals. They shot the detainees the next day.¹⁶³³

470. Several days later SNB members murdered three Croat civilians who were immediate family members of an ethnic Hungarian father and son who had been taken on 9 November and executed (discussed above). [REDACTED]

[REDACTED]¹⁶³⁴ [REDACTED]
[REDACTED]¹⁶³⁵ SNB members told the three family members that if they paid money, they could see their loved ones—then drove them off and killed them, throwing their bodies in a well.¹⁶³⁶ Approximately 15 people were killed in total.¹⁶³⁷

471. [REDACTED]
[REDACTED]¹⁶³⁸ Nine of the bodies were found in mass graves in Čelije—a village sealed off by ARKAN's men¹⁶³⁹—and Daljski Atar.¹⁶⁴⁰

¹⁶³⁰ [REDACTED] (confidential).

¹⁶³¹ Indictment, para.38.

¹⁶³² [REDACTED] (confidential); [REDACTED] (confidential). [REDACTED] (confidential).

See [REDACTED] (confidential).

¹⁶³³ [REDACTED] (confidential); [REDACTED] (confidential).

¹⁶³⁴ [REDACTED] (confidential); [REDACTED] (confidential). [REDACTED] (confidential).

¹⁶³⁵ [REDACTED] (confidential).

¹⁶³⁶ [REDACTED] (confidential). *See also* [REDACTED] (confidential).

¹⁶³⁷ The Prosecution charged at least 12 murders in November 1991 plus the June 1992 murder of Marija SENAŠI, discussed below, in Indictment paragraph 38. The Prosecution identified 15 named victims aside from Marija SENAŠI. *See* Victim Lists, p.12. **STRINOVIĆ**:P0512, p.35-36 (public); **BILIĆ**:P0516, p.14-16 (public).

¹⁶³⁸ [REDACTED] (confidential); [REDACTED] (confidential).

¹⁶³⁹ [REDACTED] (confidential); P0002, p.8 (confidential).

¹⁶⁴⁰ **BILIĆ**:P0514, p.41-2 (public). **STRINOVIĆ**:P0512, p.35-6 (public).

*Murder of 5 Croat detainees*¹⁶⁴¹

472. On 11 November 1991, ARKAN's soldiers, wearing camouflage uniforms and black woollen caps, arrested six men in Klisa. Two other Croats arrested in Dalj and Bijelo Brdo joined them in detention. STRIČEVIĆ and his men detained and repeatedly beat them.¹⁶⁴² A Serb, and two Croats who had Serbs intervene on their behalf, were released.¹⁶⁴³ The remaining five detainees¹⁶⁴⁴ were murdered at ARKAN's centre shortly thereafter.¹⁶⁴⁵

473. [REDACTED]
[REDACTED]¹⁶⁴⁶, [REDACTED]¹⁶⁴⁷ The bodies were found in a mass grave in Čelije.

*Murder of 7 non-Serbs*¹⁶⁴⁸

474. Before Christmas 1991, men in military and camouflage uniforms including ARKAN's men and local Serb policeman controlled by BADŽA_(JCE) and HADŽIĆ_(JCE), rounded up a number of non-Serb civilians in Erdut, took them to ARKAN's centre, interrogated and beat them.¹⁶⁴⁹ The bodies of seven of them were buried in Daljski Atar.¹⁶⁵⁰ HADŽIĆ was aware of the murders [REDACTED]
[REDACTED].¹⁶⁵¹ Given where the seven victims¹⁶⁵² were detained before being killed, the perpetrators must have been ARKAN's men, SNB members or other instrumentalities of the JCE.

¹⁶⁴¹ Indictment, para.39.

¹⁶⁴² [REDACTED] (confidential). [REDACTED] (confidential). [REDACTED] (confidential); [REDACTED] (confidential).

¹⁶⁴³ [REDACTED] (confidential).

¹⁶⁴⁴ The Prosecution charged 5 murders and identified 5 named victims. *See* Victim Lists, p.13. **STRINOVIĆ**:P0512, p.17-18 (public). **BILIĆ**:P0516, p.12 (public).

¹⁶⁴⁵ [REDACTED] (confidential). [REDACTED] (confidential).

¹⁶⁴⁶ In Serbian culture, "kum" denotes a close relationship between two people. It is used to refer to a married couple's witness at their wedding ceremony or a godparent of their child.

¹⁶⁴⁷ [REDACTED] (confidential).

¹⁶⁴⁸ Indictment, para.42.

¹⁶⁴⁹ **ALBERT**:P0074, p.2-3 (public). [REDACTED] (confidential). **MIHAJLOVIĆ**:P1751, p.2-4 (public).

¹⁶⁵⁰ **BILIĆ**:P0514, p.42-3 (public). **STRINOVIĆ**:P0512, p.19-20 (public).

¹⁶⁵¹ [REDACTED] (confidential).

*Murder of Marija SENAŠI*¹⁶⁵³

475. On 3 June 1992, Marija SENAŠI, another relative of the ethnic Hungarians detained on 9 November and executed, was murdered and dumped in a well.¹⁶⁵⁴ Under orders from Mihajlo ULEMEK_(DB), two SNB members had detained her, and delivered her to ULEMEK_(DB). [REDACTED]¹⁶⁵⁵

*Deportation and forcible transfer from SAO-SBWS*¹⁶⁵⁶

476. Through the crimes that accompanied the take-overs of Dalj, Erdut, Ilok, Vukovar and other areas in SBWS, JCE members and the armed forces that they used as their instrumentalities forcibly displaced many non-Serb civilians from SAO-SBWS by physically removing them, or by creating an environment so terrifying that they fled.¹⁶⁵⁷ Non-Serbs suffered repeated detention and beating, and the murder of family, friends and neighbours perpetrated by ARKAN's men, the SNB, the *Plavi*, the TO, the JNA the Unit and other local Serbs working in co-ordination with these units.¹⁶⁵⁸

477. SBWS TO members expelled non-Serbs from their homes after Dalj fell.¹⁶⁵⁹ Some of the villagers who fled from the initial fighting returned, especially the small community of ethnic Hungarians from Dalj. However, subjected to the same terror as other non-Serbs, they fled again.¹⁶⁶⁰ [REDACTED]

[REDACTED]¹⁶⁶¹ In Ernestinovo, a village that was 90% Croat¹⁶⁶²

¹⁶⁵² The Prosecution charged seven murders and named seven victims. See Victim Lists, p.14. **STRINOVIĆ**:P0512, p.19-20 (public). **BILIĆ**:P0516, p.13 (public). See also, **MIHAJLOVIĆ**:P1751, p.4 (public) (heard two of the victims were killed by ARKAN's men).

¹⁶⁵³ Indictment, para.38.

¹⁶⁵⁴ [REDACTED] (confidential). **BILIĆ**:P0514:p.41-2 (public).

STRINOVIĆ:P0512, p.36 (public).

¹⁶⁵⁵ [REDACTED] (confidential). [REDACTED] (confidential).

¹⁶⁵⁶ Indictment, para.64-66.

¹⁶⁵⁷ **RADIĆ**:P0551, p.24-31, 53-4, 59-60, 63-4, 75-9 (public). [REDACTED] (confidential). [REDACTED] (confidential). [REDACTED] (confidential).

¹⁶⁵⁸ [REDACTED] (confidential). [REDACTED] (confidential). [REDACTED] (confidential). **ALBERT**:P0074, p.3-4 (public). **ŠUTALO**:T.3991 (5-Mar-2010) (public).

P0429, p.3 (confidential).

¹⁶⁵⁹ [REDACTED] (confidential).

¹⁶⁶⁰ [REDACTED] (confidential). [REDACTED] (confidential).

¹⁶⁶¹ [REDACTED] (confidential).

¹⁶⁶² [REDACTED] (confidential).

before the take-over,¹⁶⁶³ the ICRC interceded for two busloads of civilians to travel to Croatian-controlled territory.¹⁶⁶⁴

478. After the Ilok operations in October 1991, many Croats left the area in convoys.¹⁶⁶⁵ In September and October 1991, JNA units surrounding Ilok eventually gave an ultimatum, arranging for the majority of the people of Ilok to leave for Croatian-held territory in a column on 17 October.¹⁶⁶⁶ In early 1992, ARKAN_(JCE/DB) visited Ilok, together with HADŽIĆ and demanded that witness KNEŽEVIĆ, the police commander, drive out the Croats.¹⁶⁶⁷ Although KNEŽEVIĆ claims that he refused to do so,¹⁶⁶⁸ civilians reported that this occurred shortly thereafter. In March 1992, the police and TO ordered 120 Croat and ethnic Slovak families from Ilok and Bapska to leave within three days.¹⁶⁶⁹ Several non-Serb inhabitants of Ilok provided the Federal SUP with a detailed account of the pressure experienced since 17 October 1991.¹⁶⁷⁰ Before the war, the majority of the population in Ilok was Croat, but by November 1991, Croats comprised only 10%, while Serbs comprised 70% of the population.¹⁶⁷¹ In April 1992, ARKAN's men expelled approximately 90 mostly elderly non-Serbs who had remained in Erdut.¹⁶⁷²

479. In the summer of 1991, paramilitaries were already cleansing the small villages around Vukovar of non-Serbs.¹⁶⁷³ Following the Vukovar take-over, paramilitaries under JNA Major Milenko LUKIĆ's command loaded over 1,000 survivors from the Borovo Komerc shelter onto buses and transported them to Croatian-held territory.¹⁶⁷⁴

¹⁶⁶³ [REDACTED] (confidential).

¹⁶⁶⁴ [REDACTED] (confidential).

¹⁶⁶⁵ [REDACTED] (confidential).

¹⁶⁶⁶ [REDACTED] (confidential).

¹⁶⁶⁷ KNEŽEVIĆ:T.13518-19 (23-Aug-2011) (public).

¹⁶⁶⁸ [REDACTED] (confidential).

¹⁶⁶⁹ P0429, p.1 (confidential).

¹⁶⁷⁰ P0429, p.1 (confidential).

¹⁶⁷¹ [REDACTED] (confidential).

¹⁶⁷² ALBERT:P0074, p.4 (public). [REDACTED] (confidential); P1800, p.2 (confidential).

¹⁶⁷³ [REDACTED] (confidential). *See also*, P1219 (public).

¹⁶⁷⁴ [REDACTED] (confidential).

480. As in the SAO-Krajina, the scale of displacements in the SAO-SBWS was massive. A total; of more than 60,000 Croats and 4,500 ethnic Hungarians were displaced from Osijek-Baranja and Vukovar-Srijem counties.¹⁶⁷⁵

481. The JNA brought a large number of refugees from Vukovar to Dalj. Approximately 50-70 men were transferred to the TO. Some were bussed to Serbia while others were held in a TO prison under STRIČEVIĆ's command. [REDACTED]

[REDACTED]¹⁶⁷⁶

482. In Baranja, the Beli Manastir police arrested, detained and transferred non-Serbs, some ending up in Dalj and Borovo and disappearing from there.¹⁶⁷⁷ Members of the Unit participated in forcibly transferring the non-Serb civilians by abducting five civilians from Grabovac in May 1992, causing their family members to flee. A member of the Beli Manastir DB was told by his supervisor that it would be too dangerous to investigate the incident.¹⁶⁷⁸

483. Discriminatory legislation¹⁶⁷⁹ enacted by the SBWS government and implemented by HADŽIĆ_(JCE), and the crimes of the paramilitary forces were intended to ensure the removal of the remaining non-Serbs and prevent the return of others. Property was confiscated and travel restrictions were imposed.¹⁶⁸⁰ Croats who left the territory were forced to officially waive their ownership rights to their property.¹⁶⁸¹

484. Other acts that prompted non-Serbs to flee SAO-SBWS included the destruction of the Catholic church in Aljmaš by ARKAN's men¹⁶⁸², forced labour, looting, theft and acts of violence against civilians,¹⁶⁸³ targeting the non-Serb population.¹⁶⁸⁴

¹⁶⁷⁵ **RADIĆ**:P0551, p.80 (Table 9 of RADIĆ's report) (public). These two counties are the best available proxy for the territory controlled by the SAO-SBWS. *See*, P0552, p.6 (public). The figures cited include more than 21,000 Croats displaced from the town of Vukovar itself.

¹⁶⁷⁶ **C-1175**: [REDACTED] (confidential); [REDACTED]

¹⁶⁷⁷ [REDACTED] (confidential).

¹⁶⁷⁸ [REDACTED] (confidential).

¹⁶⁷⁹ P0563, p.2 (public).

¹⁶⁸⁰ [REDACTED] (confidential).

¹⁶⁸¹ **ŠUTALO**:P0303, p.43 (PriorT.25582) (public); P0429, p.1 (confidential).

¹⁶⁸² [REDACTED] (confidential). [REDACTED] (confidential).

¹⁶⁸³ [REDACTED] (confidential). [REDACTED] (confidential).

[REDACTED] (confidential). [REDACTED] (confidential). [REDACTED] (confidential).

*Persecution*¹⁶⁸⁵

485. The crimes of murder and forcible transfer/deportation described above constitute acts of persecution because they were committed with persecutory intent, deliberately discriminating against non-Serbs. The discriminatory intent of the perpetrators is evident.¹⁶⁸⁶

¹⁶⁸⁷

¹⁶⁸⁴ (confidential). (confidential).

¹⁶⁸⁵ Indictment para. 22-25.

¹⁶⁸⁶ (confidential). (confidential).

¹⁶⁸⁷ (confidential).

The Crimes in BiH

“We were most active in evicting the Muslims.”

- Marko PAVLOVIĆ^(DB) reporting to MLADIĆ^(JCE) and KARADŽIĆ^(JCE) about forcible transfers and deportations from Zvornik¹⁶⁸⁸

“The Doboj experience...[was] an example of how a Serbian state should be created”.

-Teslić SJB captain discussing how best to take-over Teslić municipality¹⁶⁸⁹

“It was key people of the State Security Service who thought it up, among them Franko SIMATOVIĆ, FRENKI. He was also one of the key executors.”

-Vojislav ŠEŠELJ^(JCE) describing who was behind the take-over of Zvornik during an interview for “The Death of Yugoslavia”¹⁶⁹⁰

486. From April 1992—when ARKAN’S^(JCE/DB) men and others took over Bijeljina municipality through to September 1995, when ARKAN’S men murdered at least 80 non-Serb civilians in Sanki Most shortly before the ABiH recaptured the municipality, Serb Forces in BiH executed a persecutory campaign of violence, terror and destruction targeting non-Serbs in the RS municipalities of Bijeljina, Zvornik, Bosanski Šamac, Doboj, Trnovo (targeting Muslim civilians from Srebrenica) and Sanski Most. Through murder, persecution and forcible displacement they pursued the JCE’S goal of permanently removing the majority of non-Serbs in BiH to create a Serb-dominated territory in BiH. Under the Accused, the Unit, SDG and Scorpions took leading roles in perpetrating the BiH crimes charged in the Indictment, each of which formed part of the JCE.

¹⁶⁸⁸ P2528, p.9 (public); *see*, P2499 (receipt for transportation that includes resettlement of refugees (presumably Serbs) in Zvornik, Šepak and Kozluk).

¹⁶⁸⁹ P1435, p.3 (public).

¹⁶⁹⁰ P0018, p.29 (public) (When asked during an interview who had masterminded the Zvornik takeover and prepared it in Belgrade, ŠEŠELJ said the quote above).

Bijeljina and Zvornik

“I gave them [the Bosniak police] an ultimatum to surrender the town by 0800 hours; otherwise I would destroy it. That’s how it was.”

-ARKAN in a public speech in 1996 describing how he took over Zvornik¹⁶⁹¹

Overview

487. Bijeljina and Zvornik were the first BiH municipalities to be taken over by Serb Forces, in late March and early April 1992.¹⁶⁹² Because of Bijeljina’s location in the Posavina corridor and Zvornik’s location in the Drina valley corridor, taking these two towns was strategically important to the JCE’s common criminal purpose—and the first three of the Bosnian Serb leadership’s Strategic Goals.

488. ARKAN_(JCE/DB) co-ordinated with other Serb Forces—including the JNA, local TOs, and Serb paramilitaries—to implement the common plan by murdering,¹⁶⁹³ forcibly displacing and persecuting Bosnian Muslim civilians during and following the take-overs.

489. Following the take-overs, SMUP-DB associate Marko PAVLOVIĆ_(DB), in his capacity as Zvornik TO commander, oversaw Serb Forces committing further acts of persecution, deportation and forcible transfer. PAVLOVIĆ_(DB) ultimately co-ordinated mass deportations of Bosniak civilians across multiple national borders to Hungary, which the SMUP facilitated.

Bijeljina Take-over and Crimes of Forcible Transfer and Deportation

490. At PAVŠIĆ’S_(JCE) invitation,¹⁶⁹⁴ on 31 March 1992, 60 SDG members arrived in Bijeljina from where they were encamped outside the town.¹⁶⁹⁵ On 1 April 1992, they co-ordinated with the Bijeljina TO, the SRS, the Serbian National Guard aka MAUZER’s

¹⁶⁹¹ P1601, p.3 (public). *See*, P1380. [REDACTED] (confidential); P1600 (public) (ARKAN’S campaign speech in 1996 discussing the Zvornik and Bijeljina takeovers). [REDACTED] (confidential).

¹⁶⁹² ThirdAFD-no.255.

¹⁶⁹³ Murder is charged in Zvornik but not Bijeljina. Murder was an underlying act of persecution, deportation and forcible transfer in both Bijeljina and Zvornik.

¹⁶⁹⁴ [REDACTED] (confidential). **DIMITRIJEVIĆ**:T.16099 (17-Jan-2012) (public).

¹⁶⁹⁵ **DIMITRIJEVIĆ**:T.16100 (17-Jan-2012) (PPCE). *See also*, [REDACTED] (confidential).

Panthers,¹⁶⁹⁶ and other Serb Forces to take control of the town.¹⁶⁹⁷ ARKAN characterised the fighting as “merciless”.¹⁶⁹⁸

491. Serb Forces began a persecutory campaign of violence targeting Bosnian Muslim civilians.¹⁶⁹⁹ General MILOVANOVIĆ testified that “ARKAN personally together with his group of Tigers...started cleansing Bijeljina...In addition to looting, they also started killing.”¹⁷⁰⁰ The bodies of 45 non-Serb victims were collected from the town’s streets and houses. None wore uniforms and most had been shot in the chest, mouth, temple, or back of the head.¹⁷⁰¹ Serb Forces took over the Catholic church.¹⁷⁰² On 2 April they mounted a Serbian flag on a tall building in the city centre, signifying that the Serbs controlled the municipality.¹⁷⁰³ On 3 April 1992, a JNA report noted that “absolute chaos, anarchy and panic still reign in the town...Rumours are spreading that Muslims are being slaughtered in Bijeljina and piled in mosques”.¹⁷⁰⁴ Serb Forces ordered that the bodies be removed from the streets in anticipation of a political delegation which visited on 4 April 1992.¹⁷⁰⁵ In this context, Muslim civilians evacuated Bijeljina ¹⁷⁰⁶

¹⁶⁹⁶ (confidential); P0609 (public) (MAUZER’s Panthers patch).

¹⁶⁹⁷ ThirdAFD-no.257-60. (confidential); P0607, p.2 (public), P1371, p.1 (public) (Bijeljina was controlled by ARKAN’s men); P1368, p.1-2 (public); P01370, p.1 (public). (confidential); P1376, p.1 (public); P1600 (public). **DIMITRIJEVIĆ**:T.16200 (18-Jan-2012) (PPCE) (also T.16201 – **DIMITRIJEVIĆ** was not in Bijeljina until after the operation); T.16100 (17-Jan-2012) (PPCE); *see* P3017, p.1-2 (public).

¹⁶⁹⁸ D0644, p.1 (public).

¹⁶⁹⁹ *See*, P1370, p.3; P0605 (public). **DIMITRIJEVIĆ**:T.16210 (19-Jan-2012) (public).

¹⁷⁰⁰ **MILOVANOVIĆ**:T.4372 (23-Apr-2010) (public).

¹⁷⁰¹ ThirdAFD-no.255, 263.

¹⁷⁰² P1376, p.1 (public).

¹⁷⁰³ P1376, p.3 (public).

¹⁷⁰⁴ P1370, p.2-3 (public).

¹⁷⁰⁵ ThirdAFD-no.264.

¹⁷⁰⁶ ThirdAFD-no.255. (confidential).

492. Defence witness DIMITRIJEVIĆ, a former SDG member, identified fellow member GOLUBOVIĆ_(DB) in a photograph depicting him kicking civilians on the ground just after the Bijeljina take-over.¹⁷⁰⁷



Figure 10. A member of ARKAN's Tigers kicking a civilian they have just killed. P0605 (public). Photo was taken by photojournalist Ron Haviv.

493. By the time JCE member PLAVŠIĆ_(JCE) came to Bijeljina with a delegation of high-ranking BiH officials on 4 April 1992,¹⁷⁰⁸ Serb flags had been hoisted on two mosques.¹⁷⁰⁹ ARKAN and the SDS appeared to be in control of the town.¹⁷¹⁰ ARKAN took the delegation on a tour of the town,¹⁷¹¹ after which PLAVŠIĆ publicly kissed him.¹⁷¹² PLAVŠIĆ made public statements downplaying or denying the scale of the atrocities committed in Bijeljina,¹⁷¹³ repeatedly praising the good job ARKAN had done in saving

¹⁷⁰⁷ P0605 (public). DIMITRIJEVIĆ:T.16209-10 (19-Jan-2012) (public).

¹⁷⁰⁸ ThirdAFD-no.264.

¹⁷⁰⁹ ThirdAFD-no.259.

¹⁷¹⁰ ThirdAFD-no.269.

¹⁷¹¹ ThirdAFD-no.267.

¹⁷¹² ThirdAFD-no.271.

¹⁷¹³ D0052, p.3 (public).

local Serbs from the Muslim threat.¹⁷¹⁴ During this visit, the roads to Bijeljina town were blocked by checkpoints maintained by Serb soldiers; journalists and European monitors were prevented from entering.¹⁷¹⁵

494. When PLAVŠIĆ_(JCE) asked ARKAN to hand over control of Bijeljina to the JNA on 4 April 1992, he replied that he had not yet finished “business” there.¹⁷¹⁶ ARKAN’s men accompanied the police on patrol and helped arrest members of Bijeljina’s SDA presidency.¹⁷¹⁷ The SMUP sent the local Serb police force berets and badges, which they began wearing on 4 April 1992.¹⁷¹⁸

495. In subsequent months witnesses TIHIĆ and LUKAČ, among many other non-Serbs from different parts of BiH, were transferred to detention centres in Bijeljina, where JNA soldiers beat them and imposed forced labour, including at Batković camp.¹⁷¹⁹ Non-Serbs detained in Bijeljina were sometimes transferred to other detention sites in BiH and Serbia.¹⁷²⁰ Rumours of crimes in Bijeljina created fear amongst non-Serbs in BiH.¹⁷²¹

496. The demographic shift in Bijeljina municipality reveals that the Accused and fellow JCE members were successful in their efforts to forcibly displace the non-Serb population. In 1991 Bijeljina was 39.2% non-Serb,¹⁷²² but by 1997 it was only 8.9% non-Serb.¹⁷²³ During this period 24,533 non-Serbs were displaced or fled from Bijeljina municipality, resulting in a 77.3% decrease in the non-Serb population.¹⁷²⁴

¹⁷¹⁴ ThirdAFD-no.270.

¹⁷¹⁵ ThirdAFD-no.265.

¹⁷¹⁶ ThirdAFD-no.270.

¹⁷¹⁷ ThirdAFD-no.260. D0657 (confidential); P0607, p.1 (public); P3107, p.3 (public).

¹⁷¹⁸ P1368, p.2 (public).

¹⁷¹⁹ FirstAFD-no.364, 371, 390; ThirdAFD-no.274, 276, 278, 345. **TIHIĆ**:P0173, p.15-16 (public); T.3124,28-29 (3-Feb-2010) (public).

¹⁷²⁰ FirstAFD-no.360. **TIHIĆ**:P0173, p.16-17 (public).

¹⁷²¹ See, ThirdAFD-no.299.

¹⁷²² **TABEAU**:P1657, p.40 (public).

¹⁷²³ **TABEAU**:P1657, p.7-8, 40 (public).

¹⁷²⁴ **TABEAU**:P1657, p.14, 40, 50 (public).

Zvornik Take-over and Crimes

The Accused Sent Marko PAVLOVIĆ to Zvornik

497. DB member Marko PAVLOVIĆ_(DB) arrived in Zvornik in March 1992 “”,¹⁷²⁵ brought by KOSTIĆ_(DB).¹⁷²⁶ He was put in charge of the local Serb TO by the SDS. On 7 April 1992, the day before the take-over, Zvornik’s police (composed primarily of Muslim officers after Serb police officers left) arrested and detained LEGIJA_(DB) with Vojin VUČKOVIĆ aka ŽUĆA and his brother Dušan VUČKOVIĆ (who would later form the paramilitary unit the Yellow Wasps).¹⁷²⁷ ŽUĆA had “gone to talks at the Serbian MUP” before going to Zvornik.¹⁷²⁸ The next morning, PAVLOVIĆ_(DB) demanded that the Muslim police chief hand the men over to the army.
¹⁷²⁹ After the police chief dropped the detainees off with PAVLOVIĆ_(DB),¹⁷³⁰ PAVLOVIĆ_(DB) detained him at the Mali Zvornik police station (in Serbia) for five days.¹⁷³¹ The fact that PAVLOVIĆ_(DB) was informed about the arrest and then played the “key role” in securing the release demonstrates his authority in the Zvornik area.¹⁷³²

498. PAVLOVIĆ_(DB) was appointed head of the TO in Zvornik on 28 April 1992.¹⁷³³ As TO Commander, he co-ordinated all of the armed forces and paramilitaries operating in Zvornik.¹⁷³⁴ On 17 June 1992, the President of the SDS in Zvornik, Branko GRUJIĆ¹⁷³⁵

¹⁷²⁵ (confidential). See (confidential).

¹⁷²⁶ (confidential); (confidential); see P2668, p.3 (public).

¹⁷²⁷ (confidential); (confidential) ().

(confidential) ().

P1403, p.2 (public) (At about 1415 on 8 April 1992, Muslims captured Miroslav BOGDANOVIĆ, Ulemek “who was a member of Željko RAŽNATOVIĆ’s volunteer guard”, and the VUČKOVIĆ brothers. A police chief named Fadil told them that he would exchange them on condition that he and his family were allowed to cross to Mali Zvornik first.); D0162, p.9 (confidential); D0160, p.2 (public); P1411, p.1-2 (public); P2987, p.1 (confidential).

¹⁷²⁸ P3017, p.10 (public).

¹⁷²⁹ (confidential).

¹⁷³⁰ (confidential); (confidential).

¹⁷³¹ (confidential).

¹⁷³² (confidential).

¹⁷³³ P2501, p.1 (public); P1392, p.2 (public).

¹⁷³⁴ (confidential); (confidential); P1384, p.11 (public).

appointed PAVLOVIĆ_(DB) head of the Military Territorial Command, with responsibility for proposing people for the highest positions within Zvornik's government.¹⁷³⁶ He had influence among "some of the most senior [JNA] officers, including generals", which he used to rapidly procure weapons, ammunition and uniforms.¹⁷³⁷ [REDACTED]

[REDACTED]¹⁷³⁸

Zvornik Take-over

499. The SMUP-DB orchestrated the Zvornik take-over.¹⁷³⁹ Soon after the take-over of Bijeljina, during a meeting of the Zvornik Crisis Staff attended by ARKAN's deputy Major Marko PEJIĆ_(DB),¹⁷⁴⁰ PLAVŠIĆ_(JCE) asked that ARKAN_(JCE/DB) be called to assist in taking over Zvornik.¹⁷⁴¹ Through Radmilo BOGDANOVIĆ and KOSTIĆ_(DB) the Zvornik police chief arranged to meet with ARKAN_(DB),¹⁷⁴² [REDACTED]¹⁷⁴³ ARKAN immediately sent PEJIĆ_(DB) and some twenty SDG members to Zvornik.¹⁷⁴⁴

500. GRUJIĆ invited Serb paramilitaries to Zvornik before the take-over,¹⁷⁴⁵ who began arriving as the Serb TO was mobilised on 5 April 1992.¹⁷⁴⁶ The SDG and other units based themselves in the Alhos factory with the Zvornik TO, Crisis Staff and Serb police force.¹⁷⁴⁷

[REDACTED] (confidential); P2498 (public) (ŽUČA's unit); D0154, p.15 (public) (ŽUČA's unit); P2504 (public) (Zvornik TO volunteers); P2505 (public) (PIVARŠKI's unit); P1385 (public) (Zvornik TO volunteers); P1398, p.1 (public) (GOGIĆ's unit); P1397 (public) (GOGIĆ's unit); P2496 (public) (JNA); P2506 (public) (*Ekonomija* unit).

¹⁷³⁵ [REDACTED] (confidential); *see* D0162 (public).

¹⁷³⁶ P1393, p.1 (public).

¹⁷³⁷ **JF-026:T.9737** (2-Dec-2010) (public); [REDACTED] (confidential); [REDACTED] (confidential); [REDACTED] (confidential); *see* P0593 (confidential).

¹⁷³⁸ [REDACTED] (confidential).

¹⁷³⁹ P0018, p.29 (public).

¹⁷⁴⁰ [REDACTED] (confidential) ([REDACTED]).

¹⁷⁴¹ [REDACTED] (confidential).

¹⁷⁴² [REDACTED] (confidential).

¹⁷⁴³ [REDACTED] (confidential).

¹⁷⁴⁴ [REDACTED] (confidential); [REDACTED] (confidential).

[REDACTED] (confidential). [REDACTED] (confidential).

¹⁷⁴⁵ ThirdAFD-no.313.

¹⁷⁴⁶ ThirdAFD-no.312. [REDACTED] (confidential); [REDACTED] (confidential).

¹⁷⁴⁷ [REDACTED] (confidential). [REDACTED] (confidential).

501. Around 7 April, ARKAN_(JCE/DB) met with the head of the Muslim police in Zvornik. Upon learning that local Serb leaders were attempting to negotiate a truce, ARKAN became furious. [REDACTED]¹⁷⁴⁸

502. ARKAN and the SDG attacked Zvornik on 8 April 1992.¹⁷⁴⁹ They co-ordinated this attack with JNA units, the Zvornik TO, and numerous Serb paramilitary groups, among them the SRS volunteers including ŽUĆA's group (later to become the Yellow Wasps).¹⁷⁵⁰ The JNA provided the SDG with tanks, artillery and mortars, and assistance to the paramilitaries.¹⁷⁵¹ Within a day they had taken Zvornik town and hoisted a Serbian flag on the main town mosque.¹⁷⁵²

503. Prior to the attack, JNA General JANKOVIĆ received a letter from a private citizen describing ARKAN's ultimatum (see above), and foretelling "unprecedented massacre of the unprotected and innocent population and...horrible environmental consequences as a result of suicidal action by the desperate population." The letter pleaded with the JNA not to align its forces with those who were threatening the civilian population, but instead to "station them at the approaches to the town where they will defend the endangered population from the oppressors."¹⁷⁵³ The JNA disregarded this plea, instead combining with the SDG and other paramilitaries to crush Zvornik's Muslim population. During and following the take-over, the SDG, Serb Crisis Staff, and JNA [REDACTED]

[REDACTED]¹⁷⁵⁴

504. As in Bijeljina, PLAVŠIĆ_(JCE) arrived in Zvornik following the take-over, and greeted PEJIĆ_(DB) with a kiss of recognition.¹⁷⁵⁵ ARKAN_(JCE/DB) then left the area, safe in the knowledge that "Serbs are in control of Zvornik".¹⁷⁵⁶

¹⁷⁴⁸ [REDACTED] (confidential). [REDACTED] (PriorT.21025) (confidential).

¹⁷⁴⁹ DIMITRIJEVIĆ:T.16288 (19-Jan-2012)(public). [REDACTED] (confidential).

¹⁷⁵⁰ P1400, p.6 (public). [REDACTED] (confidential); P1382, p.5 (public). *See*, P2497 (public); ThirdAFD-no.316.

¹⁷⁵¹ [REDACTED] (confidential); D0155 (public).

¹⁷⁵² ThirdAFD-no.316, 317.

¹⁷⁵³ P1380, p.1 (public).

¹⁷⁵⁴ [REDACTED] (confidential).

¹⁷⁵⁵ [REDACTED] (confidential) ([REDACTED]).

¹⁷⁵⁶ P0694, p.4 (public).

Charged Crimes

*Murder during the Zvornik take-over*¹⁷⁵⁷

505. ARKAN's men committed approximately 20 murders during the Zvornik attack.¹⁷⁵⁸ [REDACTED]

[REDACTED]¹⁷⁵⁹ [REDACTED]

[REDACTED] ARKAN's men ordered the men outside. As the soldiers marched the women and children out of the cellar, the women heard gunshots.¹⁷⁶⁰ Outside, the women passed the corpses of several more men whom they knew personally.¹⁷⁶¹

506. Witness JF-007 recognised that the men who stormed her apartment were wearing masks identical to the men appearing in the photo in evidence as P0117, p.9.¹⁷⁶² Defence witness PELEVIĆ [REDACTED] identified SDG member Nebojša ĐORĐEVIĆ aka ŠUCA_(DB) as the individual in the forefront of this photograph.¹⁷⁶³ PELEVIĆ additionally recognised that ŠUCA_(DB) was wearing a Motorola on his vest, which was used by the SDG to communicate during combat operations.¹⁷⁶⁴

*Deportation and forcible transfer during the Zvornik take-over*¹⁷⁶⁵

507. Through the killings and other violence that ARKAN's men and other Serb Forces inflicted upon Zvornik's non-Serb population during and immediately following the take-over, they forcibly displaced many of Zvornik's Muslim civilians. The SDG herded Bosniak women and children discussed above (about 20 people) onto buses to Serbia after killing the men.¹⁷⁶⁶ That day many civilians, particularly women and children, fled towards

¹⁷⁵⁷ Indictment, para.62.

¹⁷⁵⁸ The Prosecution charged approximately 20 murders and identified 18 named victims. The Prosecution also identified unnamed victims, which may be the eight individuals named in **TABEAU:P1658**, Annex4, p.40-43 (chart, p.34-37) (public). See Victim Lists, p.21, Additional Victims Submission, fn.4 and para.11; Additional Victims Decision.

¹⁷⁵⁹ [REDACTED] (confidential).

¹⁷⁶⁰ [REDACTED] (confidential).

¹⁷⁶¹ [REDACTED] (confidential).

¹⁷⁶² **JF-007:T.2566-68** (14-Dec-2009) (public).

¹⁷⁶³ **PELEVIĆ:T.16537-38** (26-Jan-2012) (public). [REDACTED] (confidential).

¹⁷⁶⁴ **PELEVIĆ:T.16537-38** (26-Jan-2012) (public)

¹⁷⁶⁵ Indictment, para.64-66.

¹⁷⁶⁶ [REDACTED] (confidential).

the Serbian border [REDACTED]¹⁷⁶⁷ On 10 April, ARKAN's men piled dozens of dead bodies—including the bodies of women, children and elderly persons—onto trucks.¹⁷⁶⁸ More corpses lay in the streets and outside houses.¹⁷⁶⁹ Many non-Serbs left the town in the direction of Tuzla,¹⁷⁷⁰ Kula Grad,¹⁷⁷¹ and Jošanica. When some attempted to return from Jošanica later in May, they were turned back.¹⁷⁷²

*Deportation and forcible transfer in the aftermath of the Zvornik take-over*¹⁷⁷³

508. In the months that followed the take-over, under PAVLOVIĆ_(DB), the Serb Forces continued to make life in Zvornik unsustainable for the Muslim civilian population. This effectively forced many of them to leave, and finally culminated in several mass deportations facilitated by the SMUP.

509. Many Muslims were detained, and brutally beaten or killed by the SDG, GRUJIĆ, the Yellow Wasps, and other Serb Forces.¹⁷⁷⁴ In total, Serb Forces killed approximately 507 Muslim civilians in Zvornik municipality from April to June 1992.¹⁷⁷⁵

510. On 10 April 1992, Duško VUČKOVIĆ of the Yellow Wasps cut off the ear of a prisoner and nailed it to the wall in an interrogation room at the Alhos factory, where many prisoners were detained, as a warning.¹⁷⁷⁶ PEJIĆ_(DB) and other SDG members then took Muslim prisoners to a gravel pit, forced them to perform oral sex on each other, killed them, and buried them. As Vojin VUČKOVIĆ of the Yellow Wasps told the RSMUP-DB, “Aware of the genocidal act he had committed with his unit or perhaps at the order of the SDG Commander, PEJIĆ_(DB) returned to Bijeljina”.¹⁷⁷⁷

¹⁷⁶⁷ [REDACTED] (confidential); [REDACTED] (confidential); [REDACTED] (confidential).

¹⁷⁶⁸ ThirdAF-no.318. P1539 (confidential).

¹⁷⁶⁹ ThirdAFD-no.319.

¹⁷⁷⁰ ThirdAFD-no.348.

¹⁷⁷¹ ThirdAFD-no.320. [REDACTED] (confidential).

¹⁷⁷² ThirdAFD-no.326.

¹⁷⁷³ Indictment, para.64-66.

¹⁷⁷⁴ ThirdAFD-no.337-38, 341-44, 346-48, 351.

[REDACTED] (confidential); D0160 (public); P1190 (public) (same as P2987 (public)); P1384, p.3-7 (public); P2987 (confidential).

¹⁷⁷⁵ ThirdAFD-no.347.

¹⁷⁷⁶ D0160, p.2 (public); P2987, p.2 (confidential); P1403, p.2 (public); P1411, p.2 (public).

¹⁷⁷⁷ P2987, p.2 (confidential); D0162, p.3-4 (confidential); P1403, p.2 (public).

511. [REDACTED]

[REDACTED] 1778 [REDACTED]

[REDACTED] 1779 [REDACTED]

[REDACTED] 1780 [REDACTED]

[REDACTED] 1781

512. In addition to killings and arbitrary detention, the Serb paramilitary units looted private property¹⁷⁸² and destroyed Muslim monuments.¹⁷⁸³ The Zvornik TO erected barricades to isolate certain Muslim villages in Zvornik municipality.¹⁷⁸⁴ The town of Kozluk in particular was surrounded by heavily armed Serb Forces and movement was restricted.¹⁷⁸⁵

513. The local Serb leadership also took administrative measures to marginalise non-Serb civilians. On 15 March 1992, the Assembly of the Serbian Municipality of Zvornik adopted a decision that Serb property could not be traded to other ethnic groups.¹⁷⁸⁶ Pensions were withheld from non-Serbs after 9 April 1992.¹⁷⁸⁷ Countless Muslim civilians were forced to leave their jobs.¹⁷⁸⁸ In order to remain employed, Muslims had to sign a pledge of loyalty to the Serb authorities.¹⁷⁸⁹ Through these discriminatory policies the local Serb leadership in Zvornik and Bijeljina demonstrated that they shared the Accused's intent to discriminate against non-Serbs, with the common plan to forcibly remove the non-Serb population.

514. In this context, in June 1992 400-500 Muslims living in the town of Đulići requested to be transferred out of the area. [REDACTED] The Zvornik TO and police separated the men from women and children, and put the women

¹⁷⁷⁸ See generally, [REDACTED] (confidential); [REDACTED] (confidential).

¹⁷⁷⁹ [REDACTED] (confidential).

¹⁷⁸⁰ [REDACTED] (confidential); [REDACTED] (confidential).

¹⁷⁸¹ [REDACTED] (confidential); [REDACTED] (confidential); [REDACTED] (confidential).

¹⁷⁸² [REDACTED] (confidential); P2528, p.9 (public).

¹⁷⁸³ ThirdAFD-no.335.

¹⁷⁸⁴ ThirdAFD-no.331. [REDACTED] (confidential).

¹⁷⁸⁵ [REDACTED] (confidential).

¹⁷⁸⁶ P2144 (public). [REDACTED] (confidential). See, ThirdAFD-no.321-322.

¹⁷⁸⁷ [REDACTED] (confidential); see, P2500 (confidential).

¹⁷⁸⁸ [REDACTED] (confidential).

¹⁷⁸⁹ ThirdAFD-no.324.

and children onto buses.¹⁷⁹⁰ PAVLOVIĆ_(DB) detained the men at Karakaj Technical School so that they could be exchanged.¹⁷⁹¹ Several days later, the men were taken from the school, robbed and killed. [REDACTED]

[REDACTED]¹⁷⁹²

Deportation through physical expulsion

515. In May and June 1992, PAVLOVIĆ_(DB) and the Serb Forces under his command, in co-ordination with other components of the JCE, further advanced the common criminal plan through mass deportations of Muslim civilians from Zvornik municipality.

516. On 28 May 1992, the Yellow Wasps—under PAVLOVIĆ’s TO command¹⁷⁹³—forced 400 to 500 Muslims from Divič village onto buses, including women, children, and elderly persons, saying they would be taken to Muslim territory.¹⁷⁹⁴ That day the Zvornik TO received an order from a JNA commander that “[t]he moving out of the Muslim population must be organised and co-ordinated with the municipalities through which the moving is carried out.”¹⁷⁹⁵ In June, more than 20,000 Serb refugees came to Zvornik, prompting Zvornik’s Serb leadership to push the Muslim civilians out so that the Serb refugees could move into the Muslim’s homes.¹⁷⁹⁶ GRUJIĆ considered that “Zvornik had to be fully cleansed so as it could be populated with Serbs who were expelled by Muslim extremists from the other regions of the Republic of BH”.¹⁷⁹⁷

517. On the night of 20 June, under PAVLOVIĆ’s command, the TO attacked Kozluk.¹⁷⁹⁸ On 26 June 1992, PAVLOVIĆ_(DB), GRUJIĆ and other local Serb political leaders, and a large number of Serb Forces under the Zvornik TO, entered Kozluk in tanks and other

¹⁷⁹⁰ [REDACTED] (confidential).

¹⁷⁹¹ [REDACTED] (confidential).

¹⁷⁹² [REDACTED] (confidential).

¹⁷⁹³ [REDACTED] (confidential) ([REDACTED]) (confidential) ([REDACTED]). P2498, p.7 (public) (List of members of ŽUĆA’s unit). D0154, p.1, 8 (public) (ŽUĆA’s unit).

See P1400, p.6 (public) (ŠEŠELJ said ŽUĆA and the Yellow Wasps were “under the control of the MUP... They were first directly controlled by the Ministry of the Interior of Serbia”).

¹⁷⁹⁴ ThirdAFD-no.327.

¹⁷⁹⁵ ThirdAFD-no.328. P2143 (public).

¹⁷⁹⁶ ThirdAFD-no.330. [REDACTED].

¹⁷⁹⁷ D0162, p.3 (confidential).

¹⁷⁹⁸ ThirdAFD-no.332.

military vehicles. They informed the Bosniak population that they had one hour to sign statements surrendering their personal property and leave, or they would be killed.¹⁷⁹⁹ A convoy of 17 buses, three trucks with trailers, and two cars organised by the local Serb leadership transported approximately 1,800 Muslim civilians from Kozluk and neighbouring Skočić into Serbia.¹⁸⁰⁰ PAVLOVIĆ_(DB) signed deportation orders coordinating their transport through Serbia to Hungary, which claimed that they left voluntarily.¹⁸⁰¹

518. The Bosnian Serb police transported the refugees under armed guard over the BiH border into Serbia, and the Serbian police guarded their transport through Serbia to the Hungarian border.¹⁸⁰² There, the SMUP supplied the convoy with passports to enter Hungary.¹⁸⁰³ The population of the nearby village of Šepak was similarly expelled a week later.¹⁸⁰⁴

519. As PAVLOVIĆ_(DB) later reported to MLADIĆ_(JCE) and KARADŽIĆ_(JCE): “we 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. We had to evict some of the people also for the sake of our “heroes” who fled from Kovačevići.”¹⁸⁰⁵

Demographic evidence of forcible displacement

520. The demographic shift in Zvornik municipality reveals that the Accused and fellow JCE members were successful in their efforts to forcibly displace the non-Serb population. In 1997, the part of this municipality that remained in the RS was only 3.3% non-Serb, down from 58.1% in 1991.¹⁸⁰⁶ After 30,371 non-Serbs were displaced or fled from this part

¹⁷⁹⁹ ThirdAFD-no.333. [REDACTED].

¹⁸⁰⁰ ThirdAFD-no.334. [REDACTED].

¹⁸⁰¹ P2138 (public); P2139 (public).

¹⁸⁰² [REDACTED] (confidential).

¹⁸⁰³ [REDACTED] (confidential). P2141 (public) (passports supplied to Kozluk residents; the SMUP stamps indicate that they supplied the passports).

¹⁸⁰⁴ [REDACTED] (confidential).

¹⁸⁰⁵ P2528, p.9 (public). *See*, P2499 (public) (receipt for transportation that includes resettlement of refugees (presumably Serbs) in Zvornik, Šepak and Kozluk).

¹⁸⁰⁶ **TABEAU**:P1657, p.7-8, 40 (public)

of Zvornik municipality between 1991 and 1997, the non-Serb population decreased by 94.3%.¹⁸⁰⁷

Persecution

521. The crimes committed by ARKAN's SDG, PAVLOVIĆ's_(DB) Zvornik TO and other Serb Forces were acts of persecution committed with the intent to discriminate against the non-Serb civilian population.¹⁸⁰⁸ Recognising the ethnic basis for these crimes, a [REDACTED]

[REDACTED] SMUP in July 1992 characterised the situation in Zvornik as "[REDACTED]

[REDACTED]

[REDACTED].¹⁸⁰⁹

522. PAVLOVIĆ_(DB) demonstrated this persecutory intent at a meeting on 30 June 1992 with JCE members MLADIĆ_(JCE) and KARADŽIĆ_(JCE), and representatives of several municipalities. He reported that ARKAN's and ŠEŠELJ's formations had "enjoyed exceptional success" in Zvornik.¹⁸¹⁰ GRUJIĆ stated, "we have successfully implemented the President's decision to settle Divič and Kozluk with our children."¹⁸¹¹ PAVLOVIĆ's_(DB) favourable report to MLADIĆ and KARADŽIĆ, two prominent JCE members, about the successful contributions of two other JCE members to the operations that a SMUP-DB operative termed "genocide" indicates that the large-scale killing and forcible displacement of non-Serb civilians in Zvornik and Bijeljina had intentionally targeted non-Serbs, exactly as the JCE members had envisioned.

Bosanski Šamac

"The operation to seize the town [Bosanski Šamac] was completed in a record time of 37 minutes...After cleansing the town, operations to cleanse the surrounding localities followed".

-Slobodan MILJKOVIĆ aka LUGAR¹⁸¹²

¹⁸⁰⁷ **TABEAU**:P1657.p.14, 40, 50 (public).

¹⁸⁰⁸ Indictment, para.22-25.

¹⁸⁰⁹ D0162, p.14 (confidential).

¹⁸¹⁰ P2528, p.7 (public).

¹⁸¹¹ P2528, p.4-5 (public).

¹⁸¹² P1425, p.1 (public).

Overview

523. In mid-April 1992, SIMATOVIĆ ordered the take-over of Bosanski Šamac, located strategically along the Posavina Corridor, to further the JCE's common goal and the aims that KARADŽIĆ_(JCE) would soon articulate as the first and second of the Bosnian Serb leadership's Strategic Goals.¹⁸¹³ The take-over and crimes directly resulted from the DB's collaboration with the local Serb authorities. As detailed in relation to the Unit's activities in Pajzoš and in the Posavina Corridor operations at paragraphs 233 and 239 above, SIMATOVIĆ personally ordered the Pajzoš-trained SMUP-DB special unit, comprising former SRS volunteers recruited by PRODANIĆ_(DB) and Bosanski Šamac locals recruited by the municipal leadership, to attack Bosanski Šamac, commanded by CRNI_(DB), a veteran Unit member. This Bosanski Šamac Red Berets unit furthered the common purpose of the JCE, as it murdered, forcibly transferred, deported, and persecuted the municipality's non-Serb population, in co-ordination with other Serb Forces such as the JNA and local TO.

Bosanski Šamac Take-over

524. Prior to the Bosanski Šamac take-over, many meetings between the sides were held to discuss the increase in tensions.¹⁸¹⁴ However, in the second week of April, less than a week before the take-over, the SDS vice president for Bosanski Šamac, Blagoje SIMIĆ, gave non-Serb municipality representatives an ultimatum—the northern BiH municipalities would be divided by ethnicity; Bosanski Šamac was to be Serb. This required the municipality's 9,500 Croats and 2,500 Muslims to move out.¹⁸¹⁵ A Serb TO was established in the week before the take-over, and a Serbian Crisis Staff was established on 15 April 1992 to co-ordinate TO units.¹⁸¹⁶

525. On 11 April 1992, the Pajzoš-trained Red Berets unit under CRNI_(DB) arrived by helicopter in Batkuša,¹⁸¹⁷ a village in the municipality.¹⁸¹⁸ Police chief Stevan

¹⁸¹³ **THEUNENS**:P1575, p.356-57, 380 (Part III, p.75, 99) (public). Cross-reference, "KARADŽIĆ promulgated the Bosnian Serb leadership's Six Strategic Goals" on page 65.

¹⁸¹⁴ FirstAFD-no.281.

¹⁸¹⁵ **TIHIĆ**:P0174, p.3 (public); P0176, p.56-57 (PriorT.1303-04) (public). **LUKAČ**:P1834, p.13 (public).

¹⁸¹⁶ FirstAFD-no.307, 316; P0178, p.2 (public).

¹⁸¹⁷ FirstAFD-no.299-300. **DUKIĆ**:T.17942 (6-Mar-2012) (public); [REDACTED] (confidential); T.18081 (public); P3117, p.4-5 (public). **TODOROVIĆ**:P1576, p.19 (PriorT.23441) (public).

[REDACTED] (confidential).

¹⁸¹⁸ **DUKIĆ**:T.17923 (6-Mar-2012) (public).

TODOROVIĆ and JNA officers were present for their arrival.¹⁸¹⁹ On 12 April, TODOROVIĆ, 17th Tactical Group (TG-17) commander Lieutenant Colonel NIKOLIĆ aka KRIGER,¹⁸²⁰ Crisis Staff president SIMIĆ, and others met with CRNI_(DB) and DEBELI_(DB) in Donji Žabar to discuss their upcoming activities.¹⁸²¹ CRNI_(DB) described the purpose of being sent to assist Bosanski Šamac: “We went for patriotic reasons, to help the Serbian people in the fight”.¹⁸²²

526. On 15 April 1992, just two days prior to the take-over, CRNI_(DB) attended a meeting with TODOROVIĆ, Miloš BOGDANOVIĆ (head of the municipal Secretariat of National Defence), SIMIĆ and local leaders. They discussed incorporating the Pajzoš unit into the existing TG-17 (which later became the 2nd Posavina Brigade of the VRS).¹⁸²³ CRNI_(DB) unit agreed to be operationally resubordinated to TG-17, under NIKOLIĆ.¹⁸²⁴ CRNI_(DB) and LUGAR_(DB) each commanded TG-17 units.¹⁸²⁵

527. On the night between 16 and 17 April, this mixed Serbian and local unit from the Pajzoš camp, co-operating with the local police¹⁸²⁶ and TO,¹⁸²⁷ secured the key facilities in the town.¹⁸²⁸ They completed the operation quickly,¹⁸²⁹ without any significant resistance.¹⁸³⁰ With TODOROVIĆ, CRNI_(DB) unit took over and restructured the public

¹⁸¹⁹ FirstAFD-no.299.

¹⁸²⁰ ĐUKIĆ:T.17921 (6-Mar-2012) (“KRIGER” was NIKOLIĆ’s nickname).

¹⁸²¹ FirstAFD-no.302; (public); ĐUKIĆ:T.17956 (6-Mar-2012) (public); T.18061 (7-Mar-2012) (public).

¹⁸²² P1417, p.3 (public).

¹⁸²³ TODOROVIĆ:P1576, p.32 (PriorT.23454) (public).

¹⁸²⁴ ĐUKIĆ:T.17921 (6-Mar-2012) (public); T.18080-81 (8-Mar-2012) (public); P1413 (public); T.17949-50 (6-Mar-2012) (public); P1417, p.3 (confidential).

TODOROVIĆ:P1576, p.35 (PriorT.23457) (public).

THEUNENS:T.8110 (26-Oct-2010) (public); T.8697 (2-Nov-2010) (PPCE); P1417, p.1 (public).

██████████ (confidential); T.7632 (4-Oct-2010) (public), ██████████ (confidential).

¹⁸²⁵ P1413 (public).

¹⁸²⁶ P1382, p.2 (public).

¹⁸²⁷ ĐUKIĆ:T.17943-44 (public).

¹⁸²⁸ FirstAFD-no.326; D0124 (public); D0018 (public). ĐUKIĆ:T.17945 (6-Mar-2012) (public).

¹⁸²⁹ P1425, p.1 (public). JF-047:T.7631 (4-Oct-2010) (public).

¹⁸³⁰ FirstAFD-no.330.

security station, placing it fully under Serb control.¹⁸³¹ Once the Bosanski Šamac Red Berets had secured the important structures, including the police station, the silo, the bridge near the harbour and the other key locations, they handed physical control over these structures to JNA units while the Red Berets assumed other duties.¹⁸³² Although coordinating with other forces, the Red Berets were receiving orders from CRNI and DEBELI. Police and JNA¹⁸³³ collected weapons by force,¹⁸³⁴ predominantly from Muslim and Croat civilians.¹⁸³⁵ Within days, the Serb Forces controlled most of the municipality of Bosanski Šamac.¹⁸³⁶

Charged Crimes

528. During and following the take-over, the Bosanski Šamac Red Berets and other Serb Forces terrorised the non-Serb civilian population through plundering, arrests, detentions, killings and other abuse. They physically expelled many through forced prisoner exchanges. Meanwhile, the leadership enacted discriminatory legislation, making non-Serbs' lives unbearable. The combined effect was an environment of fear, causing non-Serbs to flee Bosanski Šamac and furthering the JCE's criminal plan.

*Deportation and Forcible Transfer*¹⁸³⁷

529. The crimes described below and numerous other crimes found in the evidence constitute underlying acts of deportation and/or forcible transfer because they drove the non-Serb population from Bosanski Šamac. The demographic shift in the municipality reveals that the Accused and fellow JCE members were successful in their efforts to forcibly displace the non-Serb population. By 1997 only 8.5% of the part of this municipality that eventually remained in the RS was non-Serb,¹⁸³⁸ down from 46.2% in

¹⁸³¹ ĐUKIĆ:T.18081 (8-Mar-2012) (public). *See*, FirstAFD-no.331.

¹⁸³² JF-047:T.7631-32 (4-Oct-2010) (public). *See*, First AFD-no.331-32.

¹⁸³³ FirstAFD-no.333-34. JF-047:T.7632 (4-Oct-2010) (public); FirstAFD-no.333.

See ĐUKIĆ:T.17944 (6-Mar-2012) (public).

¹⁸³⁴ FirstAFD-no.331-36. JF-047:T.7631-32 (4-Oct-2010) (public). ĐUKIĆ:T.17944 (6-Mar-2012) (public).

¹⁸³⁵ FirstAFD-no.337.

¹⁸³⁶ FirstAFD-no.338.

¹⁸³⁷ Indictment, para.64-66.

¹⁸³⁸ TABEAU:P1657, p.7-8, 40 (public).

1991.¹⁸³⁹ In total, the non-Serb population declined by 81.6% in this part of Bosanski Šamac between 1991 and 1997, as 8,326 non-Serbs were displaced or fled.¹⁸⁴⁰

Arbitrary arrest and detention

530. The Red Berets, JNA (later the VRS), local police, and other Serb paramilitaries conducted large-scale arrests of the municipality's Bosnian Muslims and Bosnian Croats following the take-over and continuing throughout 1992.¹⁸⁴¹ Hundreds of Bosanski Šamac's non-Serbs were arrested and detained, arbitrarily and unlawfully,¹⁸⁴² at the SUP, TO, the primary and secondary school gymnasiums, and facilities in Zasavića and Crkvina.¹⁸⁴³ Detainees were also transferred to Bosanski Šamac detention centres from the JNA barracks in Bijeljina.¹⁸⁴⁴

Torture, harassment and inhumane treatment

531. On 17 April 1992 and in the following months, the Red Berets and other Serb Forces abused Bosanski Šamac's non-Serb civilians in the detention facilities in Bosanski Šamac and in Crkvina, Brčko and Bijeljina.¹⁸⁴⁵ Miloš BOGDANOVIĆ and TODORVIĆ, among other members of the municipal leadership, were present at the detention centres for many of the beatings and other abuse, and often participated.¹⁸⁴⁶ Blagoje SIMIĆ was aware of the mistreatment and beatings.¹⁸⁴⁷ The local Serb leadership's participation in these crimes with CRNI_(DB) and the Red Berets is further evidence of their shared criminal intent to achieve the JCE's common purpose at any cost.¹⁸⁴⁸

¹⁸³⁹ **TABEAU:P1657**, p.40 (public).

¹⁸⁴⁰ **TABEAU:P1657**, p.14, 40, 50 (public).

¹⁸⁴¹ FirstAFD-no.349. *E.g.*, **TIHIĆ:P0173**, p.6-7 (public). [REDACTED] (confidential); D0010, p.1 (public). [REDACTED] (confidential).

¹⁸⁴² FirstAFD-no.351-354, 365, 367-370.

¹⁸⁴³ FirstAFD-no.349, 355-360, 362-363. P1416, p.7 (public). [REDACTED] (confidential).

¹⁸⁴⁴ FirstAFD-no.360.

¹⁸⁴⁵ **LUKAČ:P1836**, p.152 (PriorT.1678) (public). [REDACTED] (confidential). [REDACTED] (confidential).

¹⁸⁴⁶ **TIHIĆ:P0173**, p.11, 12 (public); P0192, p.27 (public); P0175, p.3 (public).

LUKAČ:P1834, p.20 (public); P1836, p.217 (PriorT.1743) (public). [REDACTED] (confidential).

¹⁸⁴⁷ **TIHIĆ:P0174**, p.5 (public).

¹⁸⁴⁸ FirstAFD-no.320, 323.

532. Serb Forces punched, kicked and beat the detainees with police batons¹⁸⁴⁹ and forced them to sing Chetnik songs.¹⁸⁵⁰ Victims detained at the Bosanski Šamac TO¹⁸⁵¹ and SUP¹⁸⁵² identified members of the Red Beret group, including CRNI_(DB), DEBELI_(DB), LUGAR_(DB), LAKI_(DB), AVRAM_(DB), MUSA_(DB) and BELI_(DB), as their abusers. At different times LUGAR_(DB) beat LUKAČ on the back of his head with a police truncheon,¹⁸⁵³ beat witness TIHIĆ with a baton,¹⁸⁵⁴ jumped on TIHIĆ's chest,¹⁸⁵⁵ nearly strangled the Catholic priest,¹⁸⁵⁶ and hit the Catholic priest from behind, breaking the bone under his eye.¹⁸⁵⁷

533. The Red Berets and other Serb Forces committed many more heinous acts, forcing detainees to consume their own urine or excrement¹⁸⁵⁸ and lick blood from furniture,¹⁸⁵⁹ extracting teeth,¹⁸⁶⁰ committing sexual assault, threatening execution, and others.¹⁸⁶¹ They were forced to perform various kinds of labour.¹⁸⁶² The Catholic priest was forced to pray in an Orthodox fashion.¹⁸⁶³

Plunder of private property

534. Raiding of non-Serb homes and looting was widespread. Non-Serbs' cars, money and jewellery were stolen.¹⁸⁶⁴

¹⁸⁴⁹ [REDACTED] (confidential).

¹⁸⁵⁰ TIHIĆ:P0173, p.10 (public). LUKAČ:P1836, p.162 (PriorT.1688) (public).

[REDACTED] (confidential).

¹⁸⁵¹ FirstAFD-no.376. LUKAČ:P1836, p.152 (PriorT.1688) (public); [REDACTED] (confidential). [REDACTED] (confidential).

¹⁸⁵² [REDACTED] (confidential).

¹⁸⁵³ FirstAFD-no.378.

¹⁸⁵⁴ TIHIĆ:P0173, p.9 (public).

¹⁸⁵⁵ TIHIĆ:P1073, p.11 (public).

¹⁸⁵⁶ [REDACTED] (confidential).

¹⁸⁵⁷ [REDACTED] (confidential).

¹⁸⁵⁸ [REDACTED] (confidential).

¹⁸⁵⁹ [REDACTED] (confidential).

¹⁸⁶⁰ [REDACTED] (confidential). [REDACTED] (confidential).

¹⁸⁶¹ FirstAFD-no.381. [REDACTED] (confidential).

¹⁸⁶² FirstAFD-no.386-390.

¹⁸⁶³ [REDACTED] (confidential).

¹⁸⁶⁴ FirstAFD-no.340, 389. P1418, p.2 (public); P1425, p.1 (public). [REDACTED] (confidential).

Discriminatory policies

535. In addition, the local Serb leadership enacted administrative measures that discriminated against non-Serbs. On 21 May 1992, citizens were barred from leaving Bosanski Šamac without a permit.¹⁸⁶⁵ On 4 August, TODORVIĆ issued an order forbidding three or more Muslims or Croats from gathering.¹⁸⁶⁶ On 2 October 1992, the War Presidency renamed the Municipality of Bosanski Šamac to “Šamac”, stating its goal as “the expungement of all undesirable and imposed symbols and values.”¹⁸⁶⁷ In 1993 street names and the municipal coat of arms were changed to reflect exclusively Serb cultural ideals.¹⁸⁶⁸ By instituting and enforcing these policies, the local Serb authorities in Bosanski Šamac demonstrated they shared the Accused’s intent to forcibly remove non-Serbs.

Killings

536. In addition to the charged murders resulting from the Crkvina Massacre, the Red Berets and other Serb units murdered other non-Serbs, causing many others to flee. For example, at the TO building, between 22 and 29 April 1992, LUGAR_(DB) hit Anto BRANDIĆ aka DIKAN, a 60-year-old Croat, with a wooden table leg. DIKAN moaned and begged, “don’t do this, you’ll kill me”. LUGAR_(DB) kept hitting him on the head, and DIKAN fell over a jerrycan of water. His body remained motionless and blood gushed from his mouth. LUGAR_(DB) dragged him out into the courtyard of the TO, and then the prisoners heard shots. Then LUGAR_(DB) said, “throw this dog into the Sava River”.¹⁸⁶⁹

Physical expulsion

537. Many non-Serb detainees were forcibly displaced during forced exchanges to Croatia or other places within Bosnia.¹⁸⁷⁰ There were seven exchanges from Bosanski Šamac and Batković to Croatia.¹⁸⁷¹

¹⁸⁶⁵ P0180, p.1 (public).

¹⁸⁶⁶ P0183 (public); FirstAFD-no.348.

¹⁸⁶⁷ FirstAFD-no.344.

¹⁸⁶⁸ FirstAFD-no.345, 346.

¹⁸⁶⁹ FirstAFD-no.383. **LUKAČ**:P1836, p.172 (PriorT.1698) (public). *See*, [REDACTED] (confidential).

¹⁸⁷⁰ [REDACTED] (confidential). [REDACTED] (confidential). **LUKAČ**:P1836, p.273 (PriorT.1800) (public). **TIHIĆ**:P173, p.20, 25 (public).

¹⁸⁷¹ FirstAFD-no.401. **LUKAČ**:P1834, p.37-38 (public). [REDACTED] (confidential). **TIHIĆ**:P0173, p.26 (public).

538. Many people were transferred numerous times, passing through detention centres in several municipalities. A group of approximately 47 Bosnian Muslim and Bosnian Croat detainees, who were held in the TO in Bosanski Šamac, were transferred to the JNA barracks in Brčko at the end of April 1992. When Brčko was taken over at the beginning of May 1992, they were transferred to Bijeljina.¹⁸⁷² After Bijeljina, they were transferred by helicopter to Batajnica Airport in Serbia proper.¹⁸⁷³ TIHIĆ remained in Batajnica until he was exchanged.¹⁸⁷⁴

*Murder: Crkvina Massacre*¹⁸⁷⁵

539. The Accused are charged with the murders of at least sixteen non-Serb civilians at the Crkvina detention facility, committed on 7 May.¹⁸⁷⁶ [REDACTED]
[REDACTED]¹⁸⁷⁷ When he arrived, LUGAR_(DB) and other Red Berets entered a room where 30-35 Croat and Muslim civilians were being detained.¹⁸⁷⁸ They went on a violent rampage, stomping on, shooting and killing prisoners at random.¹⁸⁷⁹ After murdering several people, LUGAR_(DB) and the other Red Berets forced the survivors to line up against a wall, questioned them, then shot several more in the head.¹⁸⁸⁰ When they had finished, they forced the remaining prisoners to arrange the dead bodies in a line across the room where they were being held.¹⁸⁸¹

¹⁸⁷² FirstAFD-no.364.

¹⁸⁷³ LUKAČ:P1836, p.184-86 (PriorT.1710-12) (public).

¹⁸⁷⁴ TIHIĆ:P0175, p.2 (public); P0173, p.26 (public).

¹⁸⁷⁵ Indictment, para.50.

¹⁸⁷⁶ The Prosecution charged at least 16 murders and identified 16 named victims. *See* Victim Lists, p.15; TABEAU:P1658, Annex4, p.7-9 (chart, p.1-3) (public).

¹⁸⁷⁷ [REDACTED] (confidential).

¹⁸⁷⁸ JF-047:T.7646-47 (4-Oct-2010) (PPCE) (refers to LUGAR and TRALJA and DEBELI MUSA, who is different from DEBELI).

[REDACTED] (confidential) ([REDACTED]).

¹⁸⁷⁹ [REDACTED] (confidential). [REDACTED] (confidential) ([REDACTED]). *See*, FirstAFD-no.324.

¹⁸⁸⁰ [REDACTED] (confidential).

¹⁸⁸¹ [REDACTED] (confidential); P0123, p.1 (confidential); P1416, p.2 (public); P1582 (public); P1416, p.2.

*Persecution*¹⁸⁸²

540. CRNI_(DB) and the Red Berets under his command, in co-ordination with other Serb Forces and the Serb political leadership, intentionally discriminated against non-Serb civilians in Bosanski Šamac because of their ethnicity when perpetrating the crimes described above.¹⁸⁸³ Persecutory intent was particularly evident in their targeting of prominent non-Serb community leaders such as TIHIĆ and a Catholic priest, whom they forced to pray in an Orthodox fashion.

¹⁸⁸² Indictment, para.22-25.

¹⁸⁸³ FirstAFD-no.381. [REDACTED] (confidential). [REDACTED] (confidential).

Doboj

“Nobody would have remained there alive. Even if you had been insane, you would not have stayed there.”

JF-009 describing the terror people experienced in Doboj before they fled.¹⁸⁸⁴

Overview

541. The Doboj take-over on 3 May 1992 mirrored the Bosanski Šamac take-over in execution and strategic importance for the JCE. Doboj was also along the Posavina Corridor, and important for the first two of the Six Strategic Goals.¹⁸⁸⁵ Mirroring Bosanski Šamac, as detailed at paragraph 245, a SMUP-DB special unit comprising Unit members and local Serbs, recruited by municipal leaders and trained at SMUP-DB camps, took over Doboj under veteran Unit member BOŽOVIĆ_{S(DB)} command. Through BOŽOVIĆ_(DB), the Accused ordered this unit to attack Doboj, where they murdered, forcibly transferred, deported, and otherwise persecuted the municipality’s non-Serb population, implementing the JCE’s common plan in co-ordination with other Serb Forces including the JNA, local TO, and local police.

Doboj Take-over

542. The take-over of Doboj was preceded by dismissing Muslims from work and setting up barricades.¹⁸⁸⁶ By 3 May 1992, “[a]ll Muslims and Croats had been fired from the police...and it was exclusively Serb”.¹⁸⁸⁷ The JNA set up checkpoints in Doboj town in March and April 1992.¹⁸⁸⁸ Muslims were required to deliver their weapons to the closest police station.¹⁸⁸⁹ Meanwhile, the Serbs armed themselves.¹⁸⁹⁰

¹⁸⁸⁴T3520 (JF-009) (public).

¹⁸⁸⁵ See, “KARADŽIĆ promulgated the Bosnian Serb leadership’s Six Strategic Goals” on page 65.

¹⁸⁸⁶ [REDACTED] (confidential); D0027, p.6 (confidential). **HADŽOVIĆ:P0083**, p.3 (public).

¹⁸⁸⁷ **HADŽOVIĆ:P0083**, p.4 (public).

¹⁸⁸⁸ ThirdAFD-no.292.

¹⁸⁸⁹ ThirdAFD-no.296. **HADŽOVIĆ:P0083**, p.4 (public).

¹⁸⁹⁰ ThirdAFD-no.44.

543. On 3 May 1992,¹⁸⁹¹ at around 20:00 hours,¹⁸⁹² approximately 300 men in the Doboj Red Berets unit,¹⁸⁹³ under BOŽOVIĆ's command¹⁸⁹⁴ and on BOŽOVIĆ's order,¹⁸⁹⁵ coordinated with the JNA, TO, RSMUP and Serb paramilitary formations to take over Doboj by force.¹⁸⁹⁶ The Red Berets secured important structures to prevent Muslims from entering them. They took anyone in the buildings to the MUP, and did not allow them to leave until they had signed declarations of loyalty to the Serbs.¹⁸⁹⁷ BOŽOVIĆ and Doboj TO commander STANKOVIĆ had overall command of the Doboj operation.¹⁸⁹⁸

544. After taking over Doboj town, Red Berets units under BOŽOVIĆ_(DB) and SUBOTIĆ_(DB) conducted operations in the surrounding villages.¹⁸⁹⁹ [REDACTED]
[REDACTED]¹⁹⁰⁰ Over the next few weeks Serb Forces attacked different towns and villages in the municipality, including a shelling attack on the Muslim village of Gornja Grapska on 10 May 1992.¹⁹⁰¹

545. KARADŽIĆ reported during the 12 May Assembly session that the conflict in Doboj "lasted a short time and ended successfully for the Serbian side".¹⁹⁰²

Charged Crimes

546. The Doboj Red Berets and other Serb police, military and paramilitary units terrorised Doboj's non-Serb population through arrests, detentions, forced labour, torture, killings, mass expulsions and other abuse. The local leadership also took official measures that

¹⁸⁹¹ ThirdAFD-no.306.

¹⁸⁹² [REDACTED] (confidential).

¹⁸⁹³ [REDACTED] (confidential).

¹⁸⁹⁴ JF-005:T.2851-52 (21-Jan-2010) (public).

¹⁸⁹⁵ [REDACTED] (confidential).

¹⁸⁹⁶ See ThirdAFD-no.295. D0027, p.7 (confidential) ([REDACTED]
[REDACTED]); P0082, p.4.

[REDACTED] (confidential); P1382, p.2 (public).

¹⁸⁹⁷ [REDACTED] (confidential).

¹⁸⁹⁸ [REDACTED] (confidential). [REDACTED] (confidential).

¹⁸⁹⁹ [REDACTED] (confidential).

¹⁹⁰⁰ [REDACTED] (confidential).

¹⁹⁰¹ [REDACTED] (confidential). [REDACTED] (confidential).

¹⁹⁰² P1132, p.12 (public).

discriminated against non-Serbs. These acts created an environment so terrifying that many non-Serbs fled the area, furthering the JCE's common goal.¹⁹⁰³

*Deportation and Forcible Transfer*¹⁹⁰⁴

547. The crimes described below, and the numerous additional crimes in the evidence, constitute underlying acts of deportation and/or forcible transfer. The demographic shift in Doboj municipality reveals that the Accused and fellow JCE members successfully displaced the non-Serb population. Thousands of Muslims and Croats left Doboj town for Tešanj, a Muslim-majority town south of Doboj.¹⁹⁰⁵ HADŽOVIĆ testified that up to 70% of the non-Serbs in Čaršija fled, mainly towards Tešanj, on 3 May 1992.¹⁹⁰⁶ HADŽOVIĆ himself escaped the human shield incident (discussed below) and crawled upriver along the Usora, eventually swimming to freedom.¹⁹⁰⁷ By 1997, only 7.5% of the population in the part of Doboj that remained in the RS was non-Serb,¹⁹⁰⁸ down from 50% in 1991.¹⁹⁰⁹ In total, 33,898 non-Serbs were displaced or fled from this part of Doboj municipality during this period, decreasing the non-Serb population by 84.9%.¹⁹¹⁰

Arbitrary arrest and detention

548. Beginning in May 1992, the Doboj Red Berets and other Serb police, military and paramilitary units rounded up and detained hundreds of Muslims and Croats in 33 detention centres,¹⁹¹¹ most notably Spreča (Doboj central prison),¹⁹¹² the JNA hangars near the Bosanka Factory in Usora ("Usora Camp" or "Bosanka Camp"),¹⁹¹³ and a discotheque in Vila called Perčin's Disco.¹⁹¹⁴

¹⁹⁰³ See, ThirdAFD-no.307-09.

¹⁹⁰⁴ Indictment, para.64-66.

¹⁹⁰⁵ ThirdAFD-no.299, 309. [REDACTED] (confidential).

¹⁹⁰⁶ HADŽOVIĆ:P0083, p.4 (public).

¹⁹⁰⁷ D0004, p.3 (public); D0027, p.12 (confidential); P0082, p.6 (public).

¹⁹⁰⁸ TABEAU:P1657, p.7-8, 40 (public)

¹⁹⁰⁹ TABEAU:P1657, p.40 (public)

¹⁹¹⁰ TABEAU:P1657.p.14, 40, 50 (public).

¹⁹¹¹ ThirdAFD-no.305, 306.

¹⁹¹² ThirdAFD-no.302.

¹⁹¹³ P0087, p.1, 3, 19-36 (public).

¹⁹¹⁴ ThirdAFD-no.304. P0087 (public).

549. Arrests were brutal.¹⁹¹⁵ In June 1992, men wearing camouflage uniforms and red berets with the 4-S insignia broke into witness HADŽOVIĆ's home, forced him outside, forced him and his Muslim neighbours to lie on the asphalt, beat them with bats, then forced them into the luggage compartment of a bus so that they would not be seen as the bus transported them to Usora camp.¹⁹¹⁶

Torture, harrassment and inhumane treatment

550. At the detention centres, non-Serb detainees suffered various forms of cruelty at the hands of the Red Berets, including BOŽOVIĆ_(DB) himself, and other Serb units.

551. At Spreča, the prisoners were given minimal food and a bucket for a toilet.¹⁹¹⁷ The guards let Red Berets and other units into cells to kick prisoners and kicked and beat them with shod feet, rifle butts, truncheons and baseball bats.¹⁹¹⁸ Often on Sundays, BOŽOVIĆ_(DB) forced the prisoners to sing Chetnik songs while holding three fingers in the air, verbally abused them, and threatened to slit their throats.¹⁹¹⁹ BOŽOVIĆ once ordered a prisoner to choose ten prisoners to be executed; when the prisoner refused, BOŽOVIĆ passed a knife over his face and neck, cutting his shirt and threatening to "kill him and throw him with a Serbian flag to float down the river Bosna".¹⁹²⁰ Another time, BOŽOVIĆ beat a man with a rifle butt until it broke.¹⁹²¹ Prisoners at Spreča Prison recognised BOŽOVIĆ as the commander of the Red Berets.¹⁹²² BOŽOVIĆ had a "privileged position and could always come into the camp". He slapped members of other Serb units, demonstrating his "superior position". The guards would threaten the prisoners with BOŽOVIĆ, revealing the fear that BOŽOVIĆ inspired.¹⁹²³

¹⁹¹⁵ ThirdAFD-no.302.

¹⁹¹⁶ D0004, p.1 (public); D0027, p.7 (confidential) (says this happened on 9 June 1992). HADŽOVIĆ:P0083, p.6 (public).

¹⁹¹⁷ HADŽOVIĆ:P0083, p.5 (public).

¹⁹¹⁸ ThirdAFD-no.303. AHMETOVIĆ:P0517, para.9, 19-21 (public). See HADŽOVIĆ:P0083, p.5 (public). ██████████ (confidential).

¹⁹¹⁹ AHMETOVIĆ:P0517, para.26 (public).

¹⁹²⁰ AHMETOVIĆ:P0517, para.27 (public).

¹⁹²¹ AHMETOVIĆ:P0517, para.9 (public);

¹⁹²² AHMETOVIĆ:P0517, para.26-28 (public).

¹⁹²³ AHMETOVIĆ:P0517, para.28 (public).

552. At Usora camp, where KARAGA's_(DB) unit provided security,¹⁹²⁴ prisoners were starved and lived in crowded conditions without a toilet.¹⁹²⁵ Red Berets with a Serbian accent¹⁹²⁶ and another unit beat the prisoners with baseball bats, wooden planks, rifle butts and other objects.¹⁹²⁷ They forced detainees to stand for long periods of time with their arms in the air¹⁹²⁸ and pulled out their gold teeth.¹⁹²⁹

553. At Perčin's Disco, the guards seemed to be from different units, including the Red Berets.¹⁹³⁰ They beat the prisoners daily with their fists, chains, batons and shovels, and made the prisoners beat each other or jump on each other's heads from a balcony.¹⁹³¹ They targeted elderly detainees.¹⁹³² Members of the Serbian SUP also questioned and beat the detainees, beating some with shovels.¹⁹³³ The Red Berets' Dobojski Camp was near the Disco, and detainees could see them training daily through the windows.¹⁹³⁴

Forced labour

554. Spreča detainees were subject to forced labour, including clearing the corpses from the Dobojski area and burning them.¹⁹³⁵ Detainees at Usora were forced to collect and bury the bodies of cattle and of villagers in Muslim villages.¹⁹³⁶ At Perčin's Disco, the detainees were required to dig graves for cattle and people and make coffins for deceased Serb soldiers.¹⁹³⁷

¹⁹²⁴ D0027, p.8 (confidential).

¹⁹²⁵ AHMETOVIĆ:P0517, para.7 (public); D0004, p.1 (public); D0027, p.8 (confidential). HADŽOVIĆ:P0083, p.6-7 (public). ██████████ (confidential). ██████████ (confidential).

¹⁹²⁶ AHMETOVIĆ:P0517, para.8 (public).

¹⁹²⁷ AHMETOVIĆ:P0517, para.8 (public); see ██████████ (confidential).

¹⁹²⁸ D0027, p.7-8 (confidential). HADŽOVIĆ:P0083, p.6 (public).

¹⁹²⁹ ██████████ (confidential).

¹⁹³⁰ ██████████ (confidential). HADŽOVIĆ:T.2297 (1-Dec-2009) (public); P0082, p.4 (public); D0027, p.2, 8 (confidential).

¹⁹³¹ ██████████ (confidential). HADŽOVIĆ:P0083, p.7-8 (public); D0004, p.2 (public).

¹⁹³² D0004, p.2 (public).

¹⁹³³ D0004, p.2 (public); D0027, p.9 (confidential); P0082, p.5 (public).

¹⁹³⁴ JF-009:T.3505-06 (17-Feb-2010) (public). See HADŽOVIĆ:T.2297 (1-Dec-2009) (public).

¹⁹³⁵ AHMETOVIĆ:P0517, para.24-25 (public). ██████████ (confidential).

¹⁹³⁶ HADŽOVIĆ:P0083, p.8 (public).

¹⁹³⁷ D0004, p.2 (public); D0027, p.8 (confidential); P0082, p.4 (public).

Killings

555. In addition to the charged murders resulting from the human shield incident,¹⁹³⁸ the Red Berets and other Serb units murdered many other non-Serbs.

556. The Red Berets followed BOŽOVIĆ's_(DB) orders to kill non-Serb civilians and enemy combatants that they had captured or the inhabitants of non-Serb villages that they had seized.¹⁹³⁹ Part of the task of the Red Berets units who attacked the village of Johovac was to kill the village's inhabitants.¹⁹⁴⁰ [REDACTED]

[REDACTED]¹⁹⁴¹

557. The Red Berets and other Serb units murdered many non-Serb detainees, including but not limited to the following examples:

- On 24 May 1992, KARAGA_(DB) and others entered cells in Spreča wearing red berets. They called out ten people, who were never seen again.¹⁹⁴² [REDACTED]

[REDACTED]¹⁹⁴³

- In June 1992, at Perčin's Disco, the guards—a mixed group that included Red Berets¹⁹⁴⁴—beat a prisoner so badly that he died several days later; the guards left his body in the room for five days.¹⁹⁴⁵
- In October 1992, at Spreča, eight Red Berets hit an elderly disabled detainee with a baseball bat. He died instantly.¹⁹⁴⁶

558. As further evidence of the murders under BOŽOVIĆ's_(DB) command, JF-005 testified that he observed Red Berets burying bodies¹⁹⁴⁷ while BOŽOVIĆ was present.¹⁹⁴⁸ He gave [REDACTED]

¹⁹³⁸ *Cross-reference*, "Murder: Human Shield Massacre at Perčin's Disco" on page 234.

¹⁹³⁹ [REDACTED] (confidential); P0139, p.1 (public).

¹⁹⁴⁰ [REDACTED] (confidential).

¹⁹⁴¹ [REDACTED] (confidential).

¹⁹⁴² P1876, p.4 (confidential).

¹⁹⁴³ P1876, p.5.

¹⁹⁴⁴ [REDACTED] (confidential). **HADŽOVIĆ**:T.2297 (1-Dec-2009) (public); P0082 (public), p.4; D0027, p.2, 8 (confidential).

¹⁹⁴⁵ See ThirdAFD-no.304; **HADŽOVIĆ**:P0083, p.7 (public); D0004, p.2 (public); D0027, p.9 (confidential); P0082, p.4-5 (public).

1949

Looting and destruction of private property

559. Following the Doboju take-over, BOŽOVIĆ^(DB), the Red Beret units and other Serb units looted the homes of many non-Serb citizens.¹⁹⁵⁰ They used non-Serb detainees to load household items onto trucks in villages that had been cleansed.¹⁹⁵¹ Many Muslim and Croatian homes were destroyed.¹⁹⁵²

Destruction of mosques and Catholic churches

560. During May and June 1992, 21 Muslim and Catholic monuments in Doboju municipality, including mosques and Catholic churches, were deliberately damaged¹⁹⁵³ or completely destroyed through shelling, explosives, or both.¹⁹⁵⁴

Discriminatory policies

561. The local Serb leadership imposed discriminatory policies to marginalise non-Serbs. In April, Muslims were dismissed from work.¹⁹⁵⁵ In May, a curfew was imposed, allowing Muslims to leave their homes only between 8 and 11 am.¹⁹⁵⁶

¹⁹⁴⁶ AHMETOVIĆ:P0517, para.21 (public);

¹⁹⁴⁷ JF-005:P0139, p.1 (public).

¹⁹⁴⁸ ██████████ (confidential).

¹⁹⁴⁹ ██████████ (confidential).

¹⁹⁵⁰ HADŽOVIĆ:P0083, p.4-6 (public).

██████████ (confidential); P0518, p.1 (public) (A large number of private houses owned mainly by Muslim and Croatian citizens suffered more serious damage. Many flats in Doboju were searched; many Muslim and Croatian citizens were arrested. During searches and arrests there was incorrect behaviour by so-called "Special Forces of the Serbian Armed Formations". Apart from visible injuries suffered by the arrested persons, those carrying out the searches appropriated private property. Special forces from Banja Luka and "special forces organised by a man called BOŽOVIĆ" perpetrated this behaviour).

██████████ (confidential).

¹⁹⁵¹ ██████████ (confidential).

¹⁹⁵² P0518, p.1 (public). ██████████ P0252, p.7 (confidential);T.3517 (17-Feb-2010) (public).

¹⁹⁵³ ThirdAFD-no.308.

¹⁹⁵⁴ ThirdAFD-no.300. HADŽOVIĆ:P0083, p.9 (public); D0027, p.6 (confidential); P0082, p.3 (public); P1817 (public).

¹⁹⁵⁵ HADŽOVIĆ:P0083, p.3 (public).

¹⁹⁵⁶ ThirdAFD-no.297.

HADŽOVIĆ:P0083, p.3 (public); D0027, p.7 (confidential).

Physical expulsion

562. Hundreds of Doboj's Muslim and Croat residents were exchanged for Serb prisoners or otherwise physically removed from Doboj.¹⁹⁵⁷ Shortly after the take-over, BOŽOVIĆ_(DB) ordered the Red Berets to expel everyone in the predominantly Muslim village of Bukovačke Čivčije.¹⁹⁵⁸ The Red Berets loaded seven buses with civilians to take to the RS border. The Red Berets first exchanged four buses of civilians for Serb prisoners, and the women and children in the remaining three buses were exchanged later. BOŽOVIĆ_(DB) and SUBOTIĆ_(DB) brought the men in the three buses to Ozren, where they killed.¹⁹⁵⁹

563. Many detainees were exchanged between 1993 and 1995.¹⁹⁶⁰ JF-009 testified about an exchange in July 1993, when Muslim villagers were forced by police onto 12 buses and transported out of Doboj to Travnik.¹⁹⁶¹

564. The remaining Muslim population of Doboj was expelled by force during 10 days in 1995. Witness AHMETOVIĆ testified about an exchange in September 1995, when 12 buses left Doboj for Croatia to be expelled across the frontlines.¹⁹⁶²

*Murder: Human Shield Massacre at Perčin's Disco*¹⁹⁶³

565. On 12 July 1992, the Red Berets and other forces killed approximately 27 non-Serb civilians who had been detained in Perčin's Disco.¹⁹⁶⁴ Armed Red Berets burst into Perčin's Disco¹⁹⁶⁵ and forced 50 detainees out.¹⁹⁶⁶ Near the frontline they forced detainees to remove

¹⁹⁵⁷ [REDACTED] (confidential). AHMETOVIĆ:P0517, para.40-41 (public); P0093 (public); P1816 (public); P0094 (public).

HADŽOVIĆ:T.2263 (30-Nov-2009) (public).

¹⁹⁵⁸ [REDACTED] (confidential); T2906-07 (25-Jan-2010) (25-Jan-2010) (public).

[REDACTED] (confidential).

¹⁹⁵⁹ **JF-005:** [REDACTED] (confidential); T2906-07 (25-Jan-2010) (public); P0138, para.20-21 (confidential).

¹⁹⁶⁰ [REDACTED] (confidential).

¹⁹⁶¹ **JF-009:**T3516-18 (17-Feb-2010) (public).

¹⁹⁶² [REDACTED] (confidential).

¹⁹⁶³ Indictment, para.54.

¹⁹⁶⁴ The Prosecution charged approximately 27 murders and identified 21 named victims. *See* Victim Lists, p.16; Additional Victims Submission, para.10; Additional Victims Decision; **TABEAU:**P1658, Annex4, p.10-15 (chart, p.4-9) (public).

¹⁹⁶⁵ *See* P0087, p.7, 9, 10, 11 (public).

their shirts, form several files, and walk towards the frontline, forming a human shield for the Red Berets and other Serb units that were advancing towards the BiH forces.¹⁹⁶⁷ Members of various paramilitary organisations and Doboj's public and state security were present.¹⁹⁶⁸ A Montenegrin shot a Croat detainee¹⁹⁶⁹ in the head, as a warning to the others not to attempt escape.¹⁹⁷⁰ As the Serb Forces behind them began shooting, the detainees were caught between shooting from the BiH forces in front of them and the Serb soldiers behind them.¹⁹⁷¹ After the shooting stopped, the Red Berets ordered survivors to dump the body of one of the killed detainees into the river Bosna.¹⁹⁷² The bodies of the approximately 27 Muslims and Croats who died¹⁹⁷³ were buried in a mass grave in Matuzići.¹⁹⁷⁴

*Persecution*¹⁹⁷⁵

566. BOŽOVIĆ_(DB), the Red Berets under his command, other Serb Forces and the Serb political leadership intentionally targeted non-Serb civilians in Doboj when perpetrating crimes. Aside from the fact that the victims were non-Serbs, BOŽOVIĆ and the other Serb Forces demonstrated their persecutory intent by forcing these victims to sing songs extolling Serb values and history, hold up three fingers in a Serb salute, and insult Muslim political figures.¹⁹⁷⁶

Trnovo

“They stink, motherfuckers! Like skunks. They shat themselves...Here, here and sit there! Quickly! Do your Muslim

¹⁹⁶⁶ **JF-008**:T.3565 (17-Feb-2010) (public); P0257, para.17 (confidential). **JF-009**:T.3506-07 (17-Feb-2010) (public). **HADŽOVIĆ**:T.2302 (1-Dec-2009) (public); D0027, p.10 (confidential); P0082, p.5 (public).

¹⁹⁶⁷ **JF-009**:T3507 (17-Feb-2010) (public); [REDACTED] (confidential); D0004, p.2-3 (public).

¹⁹⁶⁸ D0027, p.10 (confidential) ([REDACTED]).

¹⁹⁶⁹ [REDACTED] (confidential). **HADŽOVIĆ**:P0083, p.8 (public). T.2302 (1-Dec-2009) (public); P0082, p.5 (public).

¹⁹⁷⁰ **JF-009**:T.3507 (17-Feb-2010) (public); D0004, p.2-3 (public); D0027, p.11 (confidential); P0082, p.5 (public).

¹⁹⁷¹ [REDACTED] (confidential).

¹⁹⁷² **JF-009**:T3508 (17-Feb-2010) (public); [REDACTED] (confidential).

¹⁹⁷³ See P0254 (confidential); P0092 (public).

¹⁹⁷⁴ **HADŽOVIĆ**:P0083, p.8 (public); P0091 (public); T.2251 (30-Nov-2009) (public).

¹⁹⁷⁵ Indictment, para.22-25.

¹⁹⁷⁶ E.g., **AHMETOVIĆ**:P0517, para.26 (public); D0027, p.7-8 (confidential). **HADŽOVIĆ**:P0083, p.6 (public).

prayer like this, motherfuckers! ...No way, no talking, silence, come on! No water, fuck water!”

- Members of the Scorpion units shouting at: Azmir ALISPAHIĆ (17); Safet FEJZIĆ (17); Dino SALIHOVIĆ (16); Juso DELIĆ (25); Smail IBRAHIMOVIĆ (34); Sidik SALKIĆ (36) before killing them – they recorded their abuse and murder of the three men and three boys on video.¹⁹⁷⁷

“Every time I drink water I think of him, because the last thing he said – he said, give us some water and then kill us...And every time I drink water I think of him...and I always will. I’m getting used to living with that – I have no choice.”

- Saidin SALKIĆ, son of Sidik SALKIĆ – the man who begged for water – he saw the video on his local television news.¹⁹⁷⁸

Overview

567. After Srebrenica fell in July 1995, the Scorpions participated with other Serb Forces in executing Srebrenica’s Bosniak men, which furthered the JCE’s purpose. These executions related to operations in eastern BiH and Sarajevo and therefore to the third and fifth Strategic Goals.¹⁹⁷⁹ The Trnovo murders were part of the Scorpions’ assignment in the joint Treskavica/Trnovo operations in which they participated with the Unit and the SDG as well as the RSMUP and VRS.

Charged Crimes

*Murder of Six Bosniaks from Srebrenica*¹⁹⁸⁰

568. Following the take-over of Srebrenica on 11 July 1995, 10,000 to 15,000 Bosnian Muslim men and boys fled.¹⁹⁸¹ Bosnian Serb artillery targeted the column on 12 July

¹⁹⁷⁷ P2161 (timestamp-01:38:59-01:57:52) (public).

¹⁹⁷⁸ **S.SALKIĆ**:T.11216-21(9-Feb-2011)(public). He recounted the first time he saw the “Scorpion video.”

I just saw the news briefing on television and I saw men coming off the truck and I sensed my father. I couldn’t be sure first, in those few seconds, but I sensed it was him. And I ran home to tell mom about it. And then a few days later -- we kind of lived in hope that it wasn’t him, but a few days later it was confirmed. More video was shown. Yeah, it was my father.

¹⁹⁷⁹ **THEUNENS**:P1575, p.389, 401-2 (Part III, p.108, 120-1) (public).

¹⁹⁸⁰ Indictment, para.61.

¹⁹⁸¹ FirstAFD-no.434.

1995;¹⁹⁸² the VRS captured several thousand of those that survived.¹⁹⁸³ Serb Forces systematically slaughtered Bosnian Muslim prisoners in a murder operation commencing on 13 July 1995.¹⁹⁸⁴ They killed some individually or in smaller groups,¹⁹⁸⁵ and distributed others for summary execution outside the Srebrenica area.¹⁹⁸⁶ The Scorpions received a group of six prisoners for the purpose of being murdered by them.¹⁹⁸⁷

569. MEDIC_(DB) told his men that this package was for them.¹⁹⁸⁸ MEDIC singled out the men who should kill the prisoners and ordered that the prisoners be removed and killed.¹⁹⁸⁹ MEDIC picked his own bodyguards to commit the killing.¹⁹⁹⁰ Another member of the Scorpions went with them to videotape the massacre.¹⁹⁹¹ The resulting video, Exhibit P2161, shows the Scorpions killing the six Muslim men and boys.¹⁹⁹²

*Persecution*¹⁹⁹³

570. These murders amount to persecution, as they were committed with discriminatory intent. The Scorpions demonstrated their discriminatory intent by making clear to their

¹⁹⁸² FirstAFD-no.460.

¹⁹⁸³ FirstAFD-no.468.

¹⁹⁸⁴ FirstAFD-no.469.

¹⁹⁸⁵ FirstAFD-no.468.

¹⁹⁸⁶ FirstAFD-no.468.

¹⁹⁸⁷ [REDACTED] (confidential). *See*, correction to statement (0679-1852)

¹⁹⁸⁸ [REDACTED] (confidential).

¹⁹⁸⁹ [REDACTED] (confidential).

¹⁹⁹⁰ [REDACTED] (confidential).

¹⁹⁹¹ [REDACTED] (confidential).

¹⁹⁹² The Office of the Prosecutor received the video tape directly from a member of the Scorpions several months before the tape was made public by an NGO in Belgrade.

[REDACTED]

The Prosecution charged six murders and named six victims. *See* Victim Lists, p.20. *See also*, **IBRAHIMOVIĆ**:P1868, p.2 (public). [REDACTED] (confidential). **O.SALKIĆ**:P1793, p.4-5 (public).

TABEAU:P1658, Annex4, p.39 (chart, p.33) (public).

victims that they were chosen because they were Muslim. When they forced the victims to lie down they mocked Muslim prayer.¹⁹⁹⁴ As the Scorpions marched the victims towards the execution site, they yelled “come on, *jala jala* /hurry in Arabic/!”¹⁹⁹⁵, again mocking their Muslim heritage.¹⁹⁹⁶

Sanski Most

“

 _____”

- _____¹⁹⁹⁷

Overview

571. JCE members furthered their common goal in Sanski Most through crimes surrounding two sets of events: forcible displacement beginning with the April 1992 take-over by the SDS party of JCE members KARADŽIĆ_(JCE) and KRAJIŠNIK_(JCE); and murders by ARKAN’s SDG during joint operations in September 1995. The crimes against non-Serbs in Sanski Most were consistent with the Bosnian Serb leadership’s first Strategic Goal of separating the nationalities, which was also the goal of the JCE. During and following the 1992 take-over Serb Forces followed a pattern repeated in each of JCE’s target municipalities, murdering, forcibly displacing and persecuting non-Serbs. The SDG’s crimes in 1995 furthered the common goal.

Sanski Most Take-over

572. The SDS took control over Sanski Most in April and May 1992 through an armed attack conducted by the JNA and then VRS, TO and paramilitaries.¹⁹⁹⁸ This take-over followed the SDS leadership’s Variant A instructions.¹⁹⁹⁹

573. Vlado VRKEŠ was the president of the local SDS, and Nedeljko RAŠULA was the president of the Sanski Most municipal assembly.²⁰⁰⁰ As members of the Crisis Staff, they

¹⁹⁹³ Indictment, para.22-25.

¹⁹⁹⁴ P2161, p.7 (public).

¹⁹⁹⁵ P2161, p.12 (public).

¹⁹⁹⁶ P2161, p.12 (public)

¹⁹⁹⁷ _____ (confidential).

¹⁹⁹⁸ _____ (confidential). FirstAFD-no.527; see ThirdAFD-no.81&358.

¹⁹⁹⁹ ThirdAFD-no.359. P2512, p.2-4 (public). _____ (confidential).

were instrumental in the Sanski Most take-over.²⁰⁰¹ Throughout the end of 1991 and the beginning of 1992, RAŠULA met frequently with, and received orders from, the SDS leadership including JCE members KARADŽIĆ and KRAJIŠNIK, in Sarajevo and in Pale.²⁰⁰²

574. Starting in the summer of 1991, Serbs under SDS guidance distributed weapons to Serb paramilitaries from JNA warehouses in Sanski Most.²⁰⁰³ By the time of the take-over, Serb paramilitary units in the municipality were well-armed.²⁰⁰⁴ Beginning in March 1992, Serb Forces erected checkpoints in Sanski Most town and around non-Serb villages.²⁰⁰⁵

575. On 17 April 1992, the police divided along ethnic lines.²⁰⁰⁶ Police officers were ordered to wear the SerBiH insignia and sign a declaration recognising the Serb municipality's laws.²⁰⁰⁷ Two days later, 12 non-Serb policemen who objected to this measure barricaded themselves inside the municipal building.²⁰⁰⁸ After an ultimatum from the Crisis Staff, the JNA, replenished with Serbs from Sanski Most,²⁰⁰⁹ attacked the building, forcing those inside to flee and launching the Crisis Staff's take-over of the municipality.²⁰¹⁰

576. [REDACTED] 2011 [REDACTED] 2012 [REDACTED]
[REDACTED] 2013 [REDACTED]
[REDACTED] 2014 [REDACTED] 2015

²⁰⁰⁰ ThirdAFD-no.358.

²⁰⁰¹ ThirdAFD-no.365. [REDACTED] (confidential).

²⁰⁰² [REDACTED] (confidential).

²⁰⁰³ [REDACTED] (confidential); *see also* T.3797 (22-Feb-2010) (confidential).

²⁰⁰⁴ [REDACTED] (confidential); *see* P0264, p.28 (public).

²⁰⁰⁵ ThirdAFD-no.367.

²⁰⁰⁶ ThirdAFD-no.364. This is another step spelled out in the Instructions. *See* P2512, p.4 (public) (Variant A, Second Level, no.2).

²⁰⁰⁷ ThirdAFD-no.364. *See also*, P0264, p.13 (public).

²⁰⁰⁸ ThirdAFD-no.364a. [REDACTED] (confidential).

²⁰⁰⁹ *See* [REDACTED] (confidential); P0267, p.2 (public).

²⁰¹⁰ ThirdAFD-no.365, 366.

²⁰¹¹ [REDACTED] (confidential).

²⁰¹² [REDACTED] (confidential).

²⁰¹³ ThirdAFD-no.366.

577. On 26 May 1992,²⁰¹⁶ after requiring Muslims to surrender their weapons,²⁰¹⁷ the VRS, Serbian TO and other Serb units launched a co-ordinated attack on Muslim neighbourhoods across Sanski Most.²⁰¹⁸ After the attacks, Serb Forces controlled the entire territory of the municipality²⁰¹⁹ [REDACTED]²⁰²⁰ The violence continued throughout 1992, including incidents of “bombs and explosives” being thrown “on houses where Muslims and Croats live, causing wounding and material damage”.²⁰²¹

578. The army, TO and municipal Crisis Staff²⁰²² [REDACTED]²⁰²³ JNA commanders regularly attended Crisis Staff meetings in the weeks leading up to the take-over, discussing, *inter alia*, the mobilisation of Serbs and the disarmament of non-Serbs.²⁰²⁴ On the day of the attacks, the Crisis Staff noted under “future work” that “prisoners of war are to be taken over from MUP, held overnight, and the most extreme among them isolated and punished so as to not walk this earth”.²⁰²⁵

Charged Crimes

*Deportation and Forcible Transfer*²⁰²⁶

579. Between April 1992 and October 1995, the non-Serbs of Sanski Most were murdered, expelled from their homes, forced into slave labour and subjected to discriminatory and

²⁰¹⁴ [REDACTED] (confidential).

²⁰¹⁵ [REDACTED] (confidential)

²⁰¹⁶ [REDACTED] (confidential).

²⁰¹⁷ ThirdAFD-no.370. [REDACTED] (confidential) [REDACTED]

²⁰¹⁸ FirstAFD-no.528. ThirdAFD-no.372, 373, 374. P0267, p.3 (public). *See generally* P0270, p.1-3 (public).

²⁰¹⁹ [REDACTED] (confidential).

²⁰²⁰ [REDACTED] (confidential).

²⁰²¹ P0166, p.1 (public).

²⁰²² *See* P0270, p.1 (public).

²⁰²³ [REDACTED] (confidential); P0264, p.34, 37-38 (public).

²⁰²⁴ P0264, p.14-15, 21, 34, 37-38 (public); P0267, p.1 (public). **MILOVANOVIĆ**:T.15371 (6-Dec-2011) (public).

[REDACTED] (confidential); P0264, p.15 (public) (item 4 on the “agenda”: “Appointment of the acting commander of the Territorial Defence of the Serbian Municipality of Sanki Most (Col. Nedeljko ANIČIĆ”).

²⁰²⁵ P0264, p.39 (public).

²⁰²⁶ Indictment, para.64-66.

punitive legal measures designed to render their continued existence in Sanski Most unbearable and leave them no choice but to flee. The crimes described below and others found in the evidence constitute underlying acts of deportation and/or forcible transfer against the non-Serb civilian population of Sanski Most.²⁰²⁷

580. The demographic shift in the Sanski Most municipality reveals that the Accused and fellow JCE contributors were successful in displacing non-Serbs. By 1997, only 5.2 percent of the population in the part of Sanski Most that remained in the RS was non-Serb,²⁰²⁸ down from 38.6 percent in 1991.²⁰²⁹ In total, the non-Serb population declined by 86.4 percent between 1991 and 1997, with 1,784 non-Serbs having been displaced or having fled.²⁰³⁰ By the Serbs' own estimates, the Serb population of Sanski Most increased from 42.2 percent in 1991 to 88.42 percent in 1995.²⁰³¹

Killings

581. Heavy shelling from outside the targeted areas took lives and caused severe damage, forcing the inhabitants of these villages to flee.²⁰³² Serb Forces subsequently killed some of those who had not fled.²⁰³³ They looted houses and confiscated the valuables which villagers were carrying as they fled.²⁰³⁴

582. During the attack on Begiči hamlet, VRS soldiers took 20-30 Bosniak men to the Vrhpolje bridge, ordered them to jump off, and fired on them once they had jumped, killing at least 28.²⁰³⁵

Arbitrary arrest and detention

583. Serb Forces arrested and detained non-Serbs in several camps in Sanski Most. In Krings Hall hygiene was poor, and Serb police beat detainees with batons and rifles.²⁰³⁶ In

²⁰²⁷ *Stakić*AJ, para. 279, citing *Krnojelac*AJ, para. 229; *Brdanin*TJ, para. 543; *Milošević* Decision on Motion for Judgement of Acquittal, para. 60, 73; *Simić*TJ, para. 125.

²⁰²⁸ **TABEAU:P1657**, p.7-8, 40 (public).

²⁰²⁹ **TABEAU:P1657**, p.40 (public).

²⁰³⁰ **TABEAU:P1657**, p.14, 40, 50 (public).

²⁰³¹ P1656, p.8 (public).

²⁰³² FirstAFD-no.529.

²⁰³³ FirstAFD-no.529.

²⁰³⁴ FirstAFD-no.529.

²⁰³⁵ FirstAFD-no.529.

²⁰³⁶ ThirdAFD-no.386-387.

Betonirka camp and the Sanski Most police station, detainees were given insufficient food or space to lie down, and no access to showers. Police officers, soldiers and ordinary citizens beat the prisoners on a daily basis. Prisoners were denied medical treatment.²⁰³⁷ [REDACTED]

[REDACTED]²⁰³⁸

584. Around the end of May 1992, Serb Forces began to arrest and detain Croat and Muslim leaders. The Muslim president of the executive board of the municipal assembly was detained first in the police station with fourteen prominent Muslim and Croat civilians, then in Betonirka.²⁰³⁹ Some non-Serb leaders, including the secretary of the SDA municipal board, a Muslim judge and the municipal police chief, were killed.²⁰⁴⁰

Destruction of mosques and private property

585. During and following the attacks, the Serb TO destroyed 14 mosques on the orders of the SDS.²⁰⁴¹ By September 1992, not one of the municipality's 18 mosques was standing.²⁰⁴² [REDACTED]

2043

Forced labour

586. The Serb authorities forced all non-Serbs to perform "slave labour",²⁰⁴⁴ including cutting firewood, digging trenches and carrying ammunition on the frontlines.²⁰⁴⁵

Discriminatory policies

587. In addition to physical attacks, Serb authorities enacted a series of measures designed to render non-Serbs' continued existence in Sanski Most unbearable. After 3 April, the Crisis Staff dismissed many Muslims and Croats from their jobs.²⁰⁴⁶ Others were put off

²⁰³⁷ ThirdAFD-no.382, 384.

²⁰³⁸ [REDACTED] (confidential).

²⁰³⁹ ThirdAFD-no.383. *See also* P264, p.38 (public) (noting that Mirzet KARABEG, among others, was to be arrested).

²⁰⁴⁰ ThirdAFD-no.381.

²⁰⁴¹ [REDACTED] (confidential).

²⁰⁴² [REDACTED] (confidential).

²⁰⁴³ [REDACTED] (confidential).

²⁰⁴⁴ P1797 (confidential), p.3.

²⁰⁴⁵ [REDACTED] (confidential).

²⁰⁴⁶ ThirdAFD-no.360.

from going to work by the treatment they received there and were replaced by Serbs.²⁰⁴⁷ Serb managers who allowed Croats and Muslims to work in their companies were dismissed.²⁰⁴⁸ On 14 July 1992, the War Presidency declared that “Croatian and Muslim pensioners who do not have a certificate from the competent organ confirming their permanent residence in Sanski Most will not receive their pensions until further notice”.²⁰⁴⁹ On 22 June 1992, the ARK Crisis Staff decided that “[o]nly personnel of Serbian ethnicity may hold executive posts, posts where the information flow is possible and /posts involving/ the protection of socially-owned property, that is, all posts of importance for the functioning of economic entities”.²⁰⁵⁰

Coercion

588. On 2 July, the Crisis Staff issued a decision that allowed “[v]oluntary departures from Sanski Most” for anybody willing to “give a statement to the authorised municipal administration organ [...] that they are permanently leaving the municipality and that they are leaving their real property to Sanski Most municipality.”²⁰⁵¹ This was part of a programme of “selective ethnic cleansing” that placed the confiscated property “at the disposal of the authorities, specifically the leadership of the SDS in the municipality”.²⁰⁵²

Physical expulsion

589. In addition to fostering an environment of terror to force the civilian population to flee, the local Serb leadership and armed forces physically expelled non-Serbs.

590. On 27 May 1992, Serb soldiers surrounded the majority-Muslim village of Lukavica and ordered the village to be evacuated so they could search the houses for weapons.²⁰⁵³

591. On 31 May 1992, Serb Forces forced 21 households to leave Jelečevići, a Muslim hamlet in the area of Hrustovo.²⁰⁵⁴ Serb soldiers detained them and around 200 inhabitants

²⁰⁴⁷ ThirdAFD-no.360.

²⁰⁴⁸ ThirdAFD-no.361.

²⁰⁴⁹ P0268 (public).

²⁰⁵⁰ P0269 (public).

²⁰⁵¹ P0273 (public). *See also* P0264 (public), p.32.

²⁰⁵² [REDACTED] (confidential).

²⁰⁵³ ThirdAFD-no.374.

²⁰⁵⁴ ThirdAFD-no.377.

of neighbouring villages at various locations before transporting them to Doboj, where they were ordered to find their way to Muslim-held territory.²⁰⁵⁵

592. In early June 1992, a Serb paramilitary formation went to the village of Pobrježje with instructions from a JNA commander²⁰⁵⁶ to remove the Muslims who had fled from other villages that had been attacked in May.²⁰⁵⁷ The soldiers entered every house, identified all the internal Muslim refugees and loaded them onto waiting buses.²⁰⁵⁸ The next day, these Muslims were “taken in the direction of Bihać,” which was under ABiH control.²⁰⁵⁹

593. On 6 June, the Crisis Staff ordered police to “evacuate 150 prisoners” to the Manjača camp.²⁰⁶⁰ The next day, a meeting of “political representatives” of ARK municipalities concluded that “Muslims and Croats should move out of our municipalities until a level is reached where Serb authority can be maintained” threatening to “take all Muslims and Croats under military escort from our municipalities to the centre of Banja Luka” if the ARK government did not act to deport them to “Alija’s independent state of BH”.²⁰⁶¹

594. In early August, Serb authorities organised a convoy of approximately 2,000 Muslims to Travnik.²⁰⁶² Again on 2-3 September 1992, Serb police escorted a Travnik-bound convoy of approximately 2,500 Muslims.²⁰⁶³

Murder

595. In 1995, as the ABiH threatened to re-take Sanski Most from Serb control, STANIŠIĆ sent ARKAN_(JCE/DB) to the municipality to participate in joint operations aimed at maintaining Serb control,²⁰⁶⁴ at the request of the SDS in Sanski Most.²⁰⁶⁵ ARKAN and

²⁰⁵⁵ ThirdAFD-no.378.

²⁰⁵⁶ [REDACTED] (confidential).

²⁰⁵⁷ [REDACTED] (confidential).

²⁰⁵⁸ [REDACTED] (confidential).

²⁰⁵⁹ [REDACTED] (confidential).

²⁰⁶⁰ P0272 (public).

²⁰⁶¹ P0290 (public).

²⁰⁶² FirstAFD-no.531.

²⁰⁶³ FirstAFD-no.532.

²⁰⁶⁴ P2545 (public).

²⁰⁶⁵ [REDACTED] (confidential); P1797, p.3 (confidential).

SDG members on the SMUP-DB's payroll massacred two groups of non-Serbs in September 1995, before fleeing Sanski Most ahead of the ABiH advance.

*Sasina massacre*²⁰⁶⁶

596. The SDG murdered approximately 65 non-Serbs at Sasina, in Sanski Most, on 22 September 1995.²⁰⁶⁷

597. Around 19 or 20 September 1995, Serb Forces rounded up non-Serbs, loaded them onto buses, then beat them as they travelled to Poljak village. [REDACTED]

[REDACTED]²⁰⁶⁸

598. On 21 September 1995, armed SDG members forced the men onto buses [REDACTED]

²⁰⁶⁹ The buses went to the Sanus hotel in Sanski Most, where other Muslim civilians were loaded onto them.²⁰⁷⁰ Early in the morning of 22 September 1995, [REDACTED] Nevka or

Munevera ALAGIĆ, the only woman,²⁰⁷¹ boarded the same overcrowded bus [REDACTED].²⁰⁷²

Several SDG members raped ALAGIĆ on the bus one by one over the course of ten or 15 minutes,²⁰⁷³ while forcing the other passengers to sing "Chetnik songs".²⁰⁷⁴

599. When the soldiers finished raping ALAGIĆ, the bus drove 20-30 minutes, then stopped.²⁰⁷⁵ The SDG members took people off the buses in small groups.²⁰⁷⁶ As [REDACTED] left

the bus, a soldier held him by his jacket. After watching a soldier slit a prisoner's throat and shoot another in the back of the head, [REDACTED] slipped out of his jacket and dashed into the darkness. He tripped and fell into a hole, lying still. The soldier from whom he had escaped

²⁰⁶⁶ Indictment, para.57.

²⁰⁶⁷ The Prosecution charged approximately 65 murders and identified 67 named victims. The Prosecution does not rely on the evidence with respect to two individuals, Ratko MATOŠ and Munerva RESIĆ, named in **TABEAU:P1658**, Annex4, p.38 (chart, p.32). See, Victim Lists, p.18-19; Additional Victims Submission, fn.4 and para.10-11; Additional Victims Decision. **TABEAU:P1658**, Annex4, p.19-38 (chart, p.13-32).

²⁰⁶⁸ [REDACTED] (confidential).

²⁰⁶⁹ [REDACTED] (confidential) ([REDACTED]).

²⁰⁷⁰ [REDACTED] (confidential). See also P1797, p.6 (confidential).

²⁰⁷¹ P1797, p.5 (confidential).

²⁰⁷² P1797, p.5 (confidential). [REDACTED] (confidential).

²⁰⁷³ P1797, p.6 (confidential). [REDACTED] (confidential).

²⁰⁷⁴ P1797, p.6 (confidential).

²⁰⁷⁵ P1797, p.6 (confidential). [REDACTED] (confidential).

²⁰⁷⁶ P1797, p.6 (confidential). [REDACTED] (confidential).

fired a few rounds from his automatic weapon, piercing [REDACTED]'s thigh. Nonetheless, he survived.²⁰⁷⁷

600. [REDACTED]

[REDACTED]²⁰⁷⁸

601. In 1996, investigators excavated two mass graves containing 65²⁰⁷⁹ bodies at Sasina.²⁰⁸⁰ [REDACTED]²⁰⁸¹ [REDACTED] present during the exhumations,²⁰⁸² and [REDACTED] recognised his jacket among the bodies.²⁰⁸³

*Trnova massacre*²⁰⁸⁴

602. SDG members committed another massacre of approximately 11 non-Serbs on 20 September 1995 in Trnova, Sanski Most.²⁰⁸⁵ That day, JF-064 was among a group of men ordered by ARKAN's soldiers²⁰⁸⁶ to transfer weapons and ammunition from a truck and into the Sanus hotel.²⁰⁸⁷ The witness was a Muslim whom the Serbs had forced into a work detail after the 1992 take-over.²⁰⁸⁸ ARKAN, without whose approval nothing was done at

²⁰⁷⁷ P1797, p.6-8 (confidential).

²⁰⁷⁸ [REDACTED] (confidential).

²⁰⁷⁹ P2165, p.3 (public).

²⁰⁸⁰ P2165, p.1-2 (public); *see also* P2167, p.10 (public); P2165 (public). *See also* P0168 (public) (in which B-1048 identifies from a list of Sasina victims the names of the people he knew had been on the bus with him); P2166 (public); P2167 (public).

²⁰⁸¹ P2165, p.8 (public); P2166, p.43-44 (public); P2167, p.46-47 (public) (photos 108 and 109). *See also* P0278 (public) (Mihajlo ULEMEK_(DB) of ARKAN's Tigers handed over to the "town of Sanski Most" a number of valuables described as objects "confiscated" from "the enemy").

[REDACTED] (confidential). [REDACTED].

²⁰⁸² P1797, p.8 (confidential). [REDACTED] (confidential).

²⁰⁸³ P1797, p.8 (confidential).

²⁰⁸⁴ Indictment, para.56.

²⁰⁸⁵ The Prosecution charged 11 murders and named 11 victims. *See* Victim Lists, p.17; **TABEAU**:P1658, Annex4, p.16-18 (chart, p.10-12).

²⁰⁸⁶ **JF-064**:T.10849 (1-Feb-2011) (public).

²⁰⁸⁷ P2112 (confidential), p.4.

JF-064:P2111, p.11 (PriorT.22496) (public); T.10846, (public). *See also* P2114 (confidential).

²⁰⁸⁸ P2112, p.2 (confidential).

the hotel,²⁰⁸⁹ personally ordered them to wait for further assignments in the lobby, guarded by his men.²⁰⁹⁰ RAŠULA, a Crisis Staff member who had been instrumental in the 1992 take-over, was present at the hotel.²⁰⁹¹

603. Early the following morning, ARKAN's men²⁰⁹² handcuffed JF-064 to a Muslim from Sanski Most and forced them onto a truck along with around 12 other men, including four of his neighbours from Ključ.²⁰⁹³ After 15 minutes of driving, SDG members unloaded them from the truck in pairs. JF-064 heard gunshots a short time after each pair departed.²⁰⁹⁴ Before leaving the truck, JF-064's friend Mehmed ŠEHIĆ kissed JF-064 on the cheek and said good-bye.²⁰⁹⁵

604. After three pairs had left the truck, SDG members escorted JF-064 and the man to whom he was handcuffed from the truck to a nearby garage.²⁰⁹⁶ [REDACTED]

[REDACTED]²⁰⁹⁷ An SDG soldier removed the handcuffs and ordered JF-064 and the other man into the garage.²⁰⁹⁸ [REDACTED]²⁰⁹⁹ [REDACTED]

[REDACTED]²¹⁰⁰ When he reached Poljak the next day, a soldier told him the place where he had been shot was Trnova.²¹⁰¹

²⁰⁸⁹ **JF-064**:T.10864 (1-Feb-2011) (public).

²⁰⁹⁰ **JF-064**:P2111, p.13 (PriorT.22498) (public); P2112, p.4-6 (confidential).

²⁰⁹¹ **JF-064**:P2111, p.10 (PriorT.22495) (public).

²⁰⁹² See **JF-064**:P2111, p.39 (PriorT.22524) (public).

²⁰⁹³ P2112, p.6-7 (confidential). **JF-064**:P2111, p.17 (PriorT.22502) (public); T.10864 (1-Feb-2011) (public).

²⁰⁹⁴ P2112, p.6-7 (confidential).

²⁰⁹⁵ P2112, p.7 (confidential). See also **JF-064**:P2111, p.23 (PriorT.22508) (public).

²⁰⁹⁶ See P2115 (public); P2116 (confidential).

JF-064:P2111, p.38 (PriorT.22523) (public).

²⁰⁹⁷ P2112, p.7 (confidential).

²⁰⁹⁸ **JF-064**:T.10863 (1-Feb-2011) (public).

²⁰⁹⁹ **JF-064**:P2111, p.39 (PriorT.22524) (public).

²¹⁰⁰ [REDACTED] (confidential).

²¹⁰¹ **JF-064**:P2111, p.22 (PriorT.22507) (public); [REDACTED] (confidential).

605. On 18 October 1995, ABiH soldiers discovered 11 bodies in Trnova.²¹⁰² In video footage of the corpses, JF-064 recognised the distinctive sweater worn by Mehmed ŠEHIĆ.²¹⁰³

*Persecution*²¹⁰⁴

606. The acts described amount to crimes of persecution because the Serb Forces and Serb leadership perpetrating these acts targeted non-Serbs deliberately with the intention to discriminate against them on ethnic grounds. Their discriminatory intent is evident in the exclusive selection of non-Serb victims and in the blatantly anti-Croat and anti-Bosniak rhetoric in promulgated official policies. SDG members demonstrated discriminatory intent during the Trnova and Sasina massacres by hurling ethnic slurs at their Bosniak victims.

²¹⁰² P2262 (public), P2120 (public). See P170 (public), P2121 (public), See P2263 (public), P2264 (public), P2265 (public), P2266 (public), P2267 (public), P2268 (public).

²¹⁰³ **JF-064**:P2111, p.23, 40, 51 (Prior T.22508,25,36) (public). P2121 (timecode-00:02:17-00:02:53) (public); P0170 (timecode-00:03:47) (public).

²¹⁰⁴ Indictment, para.22-25.

Section 4: The Accused Are Criminally Responsible for the Charged Crimes under Article 7(1) of the Statute

The Accused Are Liable for the Commission of Charged Crimes as JCE Members

607. The Accused are responsible under Article 7(1) for committing the Indictment crimes, through their membership in the JCE. They are liable under JCE I, which requires that the following elements be established: a plurality of persons;²¹⁰⁵ the existence of a common purpose which amounts to or involves the commission of a crime;²¹⁰⁶ the Accused's participation in the JCE, amounting to a significant contribution to the common purpose;²¹⁰⁷ the Accused's shared intent for the common purpose,²¹⁰⁸ and for the commission of the crime;²¹⁰⁹ and the commission of a crime within the common purpose.²¹¹⁰ The Accused are liable for all charged crimes under JCE I because the JCE's common purpose encompassed the crimes of murder, persecution, forcible transfer and deportation.²¹¹¹

608. In the alternative, the Accused are liable under JCE III. Under this mode of liability, the JCE's common purpose included the crimes of forcible transfer and deportation, but it was foreseeable to the Accused that a JCE member or JCE member's tool²¹¹² might perpetrate persecution and murder in the execution of the JCE.²¹¹³ Aware of this possibility, the Accused participated in the JCE.²¹¹⁴

²¹⁰⁵ *Milutinović*TJ (Vol. 1), para. 97; *Brdanin*AJ, para. 364; *Stakić*AJ para. 64; *Tadić*AJ, para. 227.

²¹⁰⁶ *Milutinović*TJ (Vol. 1), para.97; *Tadić*AJ, para.227; *Stakić*AJ, para.64. *See also* *Brdanin*AJ, para. 364, 418; *Kvočka*AJ, para.115-119.

²¹⁰⁷ *Milutinović*TJ (Vol. 1), para.97; *Brdanin*AJ, para.364, 430; *Stakić*AJpara.64; *Tadić*AJ, para.227; *Krajišnik*AJ, para.675.

²¹⁰⁸ *Brdanin*AJ, para.365; *Kvočka*AJ, para.82 (requiring "intent to effect the common purpose"). *See also* *Blaškić*AppealJudgement, para. 33.

²¹⁰⁹ *Tadić*AJ, para. 227; *Brdanin*AJ, para.365; *Vasiljević*AJ, para.97, 101.

²¹¹⁰ *Brdanin*AJ, para.410-413, 430.

²¹¹¹ Indictment, para.14.

²¹¹² *Karadžić*, JCE III Decision; *Brdanin* AJ, para.365; *Kvočka* AJ, para.86; *Martić* AJ, para.168; *Stakić* AJ, para.65; *Vasiljević* AJ, para.101; *Krnojelac* AJ, para.32.

²¹¹³ The "possibility" standard is not satisfied by implausibly remote scenarios but requires that the possibility of the crime being committed be sufficiently substantial to be foreseeable to an accused. However, it need not be probable that the deviatory crime would be committed. *See*, *Karadžić*, JCE III Decision, para.18.

²¹¹⁴ Indictment, para.14.

609. This Section first enumerates the Accused's significant contributions to the common purpose; and demonstrates that the Accused shared the *mens rea* for the JCE's common criminal purpose, and the intent for the charged crimes. The plurality of persons in the JCE and the existence of a common purpose were developed in Section 1 above.²¹¹⁵ The commission of crimes as part of the common purpose was developed in Section 3 above.²¹¹⁶

The Accused Participated in Achieving the JCE's Common Criminal Purpose

610. STANIŠIĆ and SIMATOVIĆ, each contributed significantly to the commission of the Indictment crimes.²¹¹⁷ Their contributions fell into the following principle categories, each of which on its own was significant in furthering the JCE's common purpose:

- The Accused supplied arms and equipment to Serb Forces that committed crimes in furtherance of the common criminal purpose;
- The Accused formed, trained, financed and provided logistical support to special police units and other Serb Forces that committed crimes;
- The Accused deployed SMUP-DB special units, including the Unit, SDG and Scorpions into areas where they committed JCE crimes;
- The Accused provided channels of communication between and among JCE members, facilitating their collective pursuit of the common criminal purpose.

*The Accused contributed to the JCE by supplying arms and equipment to Serb Forces that committed crimes*²¹¹⁸

- 2119

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²¹¹⁵ *Cross-reference, “Section 1: The Accused Were Part of a JCE to Forcibly and Permanently Remove the Majority of Non-Serbs from Parts of Croatia and BiH” on page 23.*

²¹¹⁶ *Cross-reference, “Section 3” on page 168.*

²¹¹⁷ Indictment, para.15.

²¹¹⁸ Indictment, para.15(C); Prosecution Pre-Trial Brief, e.g., para. 19(iii)-(iv) and 84-91.

²¹¹⁹ ----- (confidential).

611. The Accused in conjunction with JCE members KERTES, BOGDANOVIĆ and MILOŠEVIĆ, used the SMUP (including the SMUP-DB) and the Association for Serbian Émigrés (“the Association”) to covertly supply military equipment to Serb TOs²¹²⁰ in the RSK and RS from at least 1991 through to 1993.²¹²¹ By providing such logistical support to local JCE members, the Accused demonstrated their commitment to the common criminal plan and significantly contributed to the crimes committed.

612. From at least 1991 through to 1993, STANIŠIĆ and his SMUP-DB deputies TEPAVČEVIĆ_(DB) and Milan PRODANIĆ_(DB) met regularly, sometimes with KERTES_(JCE) and Brana CRNČEVIĆ, the President of the Association,²¹²² to assess the military equipment and supply requirements of Serb Forces.²¹²³ MILOŠEVIĆ_(JCE) received briefings and information from these meetings.²¹²⁴ JCE members KARADŽIĆ, HADŽIĆ, PLAVŠIĆ and KRAJIŠNIK and SMUP-DB affiliates CAPTAIN DRAGAN_(DB) and KOJIĆ_(DB) regularly visited the Association’s offices.²¹²⁵ The Association had a special telephone linking them directly to the battlefields and the SMUP-DB, allowing them to keep abreast of military developments.²¹²⁶ Requests for weapons were also made to the Association in writing: for example, a letter dated 17 June 1992 from an SJB in the RSK requested material and weapons for combat operations, including 10 machine guns, 15 sniper rifles and 50 automatic rifles.²¹²⁷

613. The SMUP did not have large storage facilities or enough weapons to supply Serb Forces in Croatia and BiH, so the weapons and ammunition came primarily from the Bujanj Potok warehouse facility near Belgrade,²¹²⁸ one of the largest weapons and ammunition warehouses in the former Yugoslavia.²¹²⁹ Other weapons came from facilities

²¹²⁰ [REDACTED] (confidential).

²¹²¹ **B-179:P0408**, p.7-28 (PriorT.26594-615) (PPCE).

²¹²² **JF-029:P1666**, p.2 (public). D1097, p.2 (public).

²¹²³ **B-179:P0408**, p.7, 19-21, 71 (PriorT.26594, 26606-08) (PPCE).

²¹²⁴ **B-179:P0408**, p.19, 22 (PriorT.26606, 26609) (PPCE).

²¹²⁵ **B-179:P0408**, p.5-7 (PriorT.26592-94) (PPCE).

²¹²⁶ **B-179:P0408**, p.8 (PriorT.29595) (PPCE).

²¹²⁷ P0416 (public). **B-179:P0408**, p.5-7, 17-18, 86-87 (PriorT.26592-94, 26604-05, 26693-94) (PPCE). P0417 (public).

²¹²⁸ **B-179:P0408**, p.9, 19 (PriorT.26596, 26606) (PPCE).

²¹²⁹ **B-179:P0408**, p.9 (PriorT.26596) (PPCE).

belonging to the SMUP, including the Ostružnica warehouse and later the Lipovica warehouse.²¹³⁰ The Unit transported weapons from the Ostružnica warehouse in December 1991.²¹³¹ The SMUP-DB paid private manufacturers for weapons not available in military warehouses, such as silencers.²¹³²

614. STANIŠIĆ would dispatch PRODANIĆ_(DB) to Bubanj Potok where he would order Borivoje STANIŠIĆ aka “BORA”, the JNA officer in charge, to load and dispatch convoys containing a mixture of military and humanitarian supplies to battlefronts in Croatia and BiH.²¹³³ Later on, the meetings between PRODANIĆ and Bora STANIŠIĆ took place at the Association of Serbs’ Hall at the Belgrade fairgrounds.²¹³⁴ PRODANIĆ_(DB) contacted police checkpoints along the delivery routes to ensure the convoys would not be searched.²¹³⁵ The Association used its influence to requisition vehicles and fuel.²¹³⁶ [REDACTED]
[REDACTED]²¹³⁷ MILOŠEVIĆ ordered that he be kept informed of all supplies dispatched.²¹³⁸

615. Association convoys normally consisted of 10 to 15 military trucks and sometimes additional vehicles provided by the SMUP-DB; B-179 estimated that 1,200 truckloads of arms were transferred from Bubanj Potok from 1991 through to 1993.²¹³⁹ Convoys were dispatched weekly to the SAO-SBWS and SAO-Krajina.²¹⁴⁰ Before the conflict in BiH, one Association truck took weaponry from Bubanj Potok to Sarajevo. After that, convoys went

²¹³⁰ **B-179:P0408**, p.14 (PriorT.26601) (PPCE).

²¹³¹ P2984, p.16 (confidential).

²¹³² **B-179:P0408**, p.11 (PriorT.26598) (PPCE).

²¹³³ [REDACTED] (confidential); P0416 (public); P0412 (confidential); P0418 (public); P0414 (public); P0411 (confidential); P0410 (confidential); P2669, p.2 (confidential). [REDACTED] (confidential). [REDACTED] (confidential).

²¹³⁴ [REDACTED] (confidential).

²¹³⁵ P0409, p.4 (confidential); **B-179:P0408**, p.24, 30-31 (PriorT.26611, 26617-18) (PPCE).

²¹³⁶ P0414 (public); P0411 (confidential); P0410 (confidential); P0409, p.4 (confidential).

[REDACTED] (PPCE).

²¹³⁷ [REDACTED] (confidential).

²¹³⁸ **B-179:P0408**, p.19-25 (PriorT.26606-12) (PPCE).

²¹³⁹ **B-179:P0408**, p.8-10 (PriorT.26595-97) (PPCE).

²¹⁴⁰ **B-179:P0408**, p.9-10,26-27,30 (PriorT. 26596-97, 22613-17) (PPCE); P0410 (confidential); P0414 (public).

practically on a daily basis to BiH.²¹⁴¹ The weapons and ammunition were received by liaison persons designated by the SMUP.²¹⁴²

616. By arming Serb Forces from the military depot at Bubanj Potok, STANIŠIĆ bypassed some elements of the JNA and Yugoslav MOD chain of command²¹⁴³ to limit the number of people who knew of the weapons shipments.²¹⁴⁴ STANIŠIĆ stressed that the “smallest possible number of people should be involved in this”.²¹⁴⁵ He and fellow JCE members stressed on numerous occasions that the operation must be covert.²¹⁴⁶ The Association used a parking lot next to the Belgrade fairgrounds to temporarily store supplies, to avoid suspicion.²¹⁴⁷ The SMUP-DB used the same parking lot when BOGDANOVIĆ_(JCE) and KOSTIĆ_(DB) arranged a weapons transfer to Zvornik, as discussed below.²¹⁴⁸

The Accused armed Serb Forces in SAO-Krajina

617. STANIŠIĆ began covertly arming Serbs in Croatia while the JNA was a neutral force.²¹⁴⁹ He played a role in a weapons distribution that a group of policemen from the Knin police station,²¹⁵⁰ including MARTIĆ_(JCE) and ORLOVIĆ_(DB), carried out on 17 August 1990²¹⁵¹ in Golubić.²¹⁵² The weapons were distributed to “trusted” reserve police

²¹⁴¹ **B-179**:P0408, p.25-27 (PriorT.26612-14) (PPCE).

²¹⁴² **B-179**:P0408, p.24 (PriorT.26613) (PPCE).

²¹⁴³ **B-179**:P0408, p.10, 19-25 (PriorT.26597, 26606-12) (PPCE); **DERONJIĆ**:P2509, p.118-19 (PriorT.29746-47) (public). *See also*, P0416 (public); P0409, p.9-14, 18 (confidential).

²¹⁴⁴ **B-179**:P0408, p.24 (PriorT.26611) (PPCE).

²¹⁴⁵ P2522, p.41 (public).

²¹⁴⁶ P2522, p.41 (public); [REDACTED] (confidential). **DERONJIĆ**:P2511, para.21 (public).

[REDACTED] (confidential). [REDACTED]
[REDACTED]. *See*, P2357, p.6, 8, 19 (confidential) ([REDACTED]).

²¹⁴⁷ **B-179**:P0408, p.13, 55 (PriorT.26600, 42) (PPCE).

²¹⁴⁸ *Cross-reference*, “The Accused armed Serb Forces in BiH: Zvornik” on page 260.

²¹⁴⁹ [REDACTED] (confidential).

²¹⁵⁰ **BABIĆ**:P1878, (PriorT.12912) (public). **JF-039**:P0977 (PriorT.1961) (PPCE)

²¹⁵¹ **BABIĆ**:P1878 (PriorT.12912) (public). [REDACTED] (confidential)

²¹⁵² [REDACTED] (confidential); P0977, p.6-8 (PriorT.1961-63) (PPCE).

officers from areas around Knin.²¹⁵³ These armed local Serbs then manned the barricades between August and December 1990.²¹⁵⁴

618. In November 1990, SIMATOVIĆ accompanied a covert convoy of special-purpose SMUP vehicles delivering weapons to the Knin police station, the first weapons distribution organised through STANIŠIĆ directly.²¹⁵⁵ In late January 1991, MUP trucks escorted by SMUP police began transporting weapons to forces under MARTIĆ_(JCE) in the Knin area.²¹⁵⁶ During one of these deliveries, a truck went off the road and weapons poured out. When SIMATOVIĆ arrived at the scene he was angry because this incident could expose the arming operation; he arranged for a second truck to load up the weapons and continue to Knin.²¹⁵⁷

619. At a meeting with BOGDANOVIĆ_(JCE), STANIŠIĆ and BABIĆ_(JCE) in March 1991, MILOŠEVIĆ_(JCE) declared his intention to arm Serbs in SAO-Krajina and BOGDANOVIĆ responded, “we have already sent 500 pieces to Banija”.²¹⁵⁸ When BABIĆ claimed he did not know about these earlier deliveries, BOGDANOVIĆ responded, “Well, you’re not supposed to know everything”.²¹⁵⁹ This exchange highlights the degree of secrecy involved.

620. In April 1991, on BOGDANOVIĆ’s_(JCE) orders, TEPAVČEVIĆ_(DB) sent two further convoys to Knin—containing 1,450 weapons and 60,000 rounds, 180 rifle grenades and three boxes of hand grenades.²¹⁶⁰ During the same month, CAPTAIN DRAGAN_(DB) informed SIMATOVIĆ that he could also assist in obtaining weapons.²¹⁶¹

621. BABIĆ_(JCE) confirmed the arrival of weapons, rifles, and mortars to Knin. Milenko ZELENBABA (SJB Chief of Knin) informed BABIĆ that these weapons came from a TO

²¹⁵³ [REDACTED] (confidential).

²¹⁵⁴ [REDACTED] (confidential). *Cross-reference*, “The Accused began supporting the Krajina Serbs by at least August 1990” on page 25.

²¹⁵⁵ [REDACTED] (confidential).

²¹⁵⁶ **JF-039:P0977**, p.34 (PriorT.1989) (PPCE).

See, [REDACTED] (confidential) ([REDACTED]).

²¹⁵⁷ **JF-039:P0977**, p.34-36 (PriorT.1989-91) (PPCE).

²¹⁵⁸ **BABIĆ:P1878**, p.153-56 (PriorT.13103-06) (public); P1877, p.101-05 (PriorT.1526-31) (public).

²¹⁵⁹ **BABIĆ:P1877**, p.1-2 (PriorT.1526-27).

²¹⁶⁰ P2990 (public). **N.BOGUNOVIĆ:T.13188-89** (16-Aug-2011) (public) (recognised BOGDANOVIĆ’s signature).

²¹⁶¹ P3251, p.2 (public).

Serbia warehouse.²¹⁶² ZELENBABA was among the few informed about Serbia's weapons delivery besides MARTIĆ_(JCE) and ORLOVIĆ_(DB).²¹⁶³ In May, BABIĆ was shown weapons supplied by KERTES in a warehouse near Knin, and STANIŠIĆ organised further deliveries to this region in July and August.²¹⁶⁴

622. Serb Forces in SAO-Krajina used the weapons from Serbia during combat in the summer and autumn of 1991.²¹⁶⁵ Those trained at Golubić were given weapons, including M-70 automatic rifles, which they took with them as they joined units of MARTIĆ's Police and SAO-Krajina TO.²¹⁶⁶ After the SMUP-DB delivered weapons to Knin,²¹⁶⁷ they were distributed from depots in Knin.²¹⁶⁸ SIMATOVIĆ's 16 June 1991 order instructing that "All weapons and armament should retreat from the fortress to Golubić"²¹⁶⁹ demonstrates SIMATOVIĆ's control over the weapons at the Knin fortress and Golubić.

²¹⁶² BABIĆ:P1878, p.154 (PriorT.13104) (public).

²¹⁶³ [REDACTED] (confidential).

²¹⁶⁴ BABIĆ:P1878, p.153-56 (PriorT.13103-6) (public); P1877, p.101-05 (PriorT.1526-31) (public).

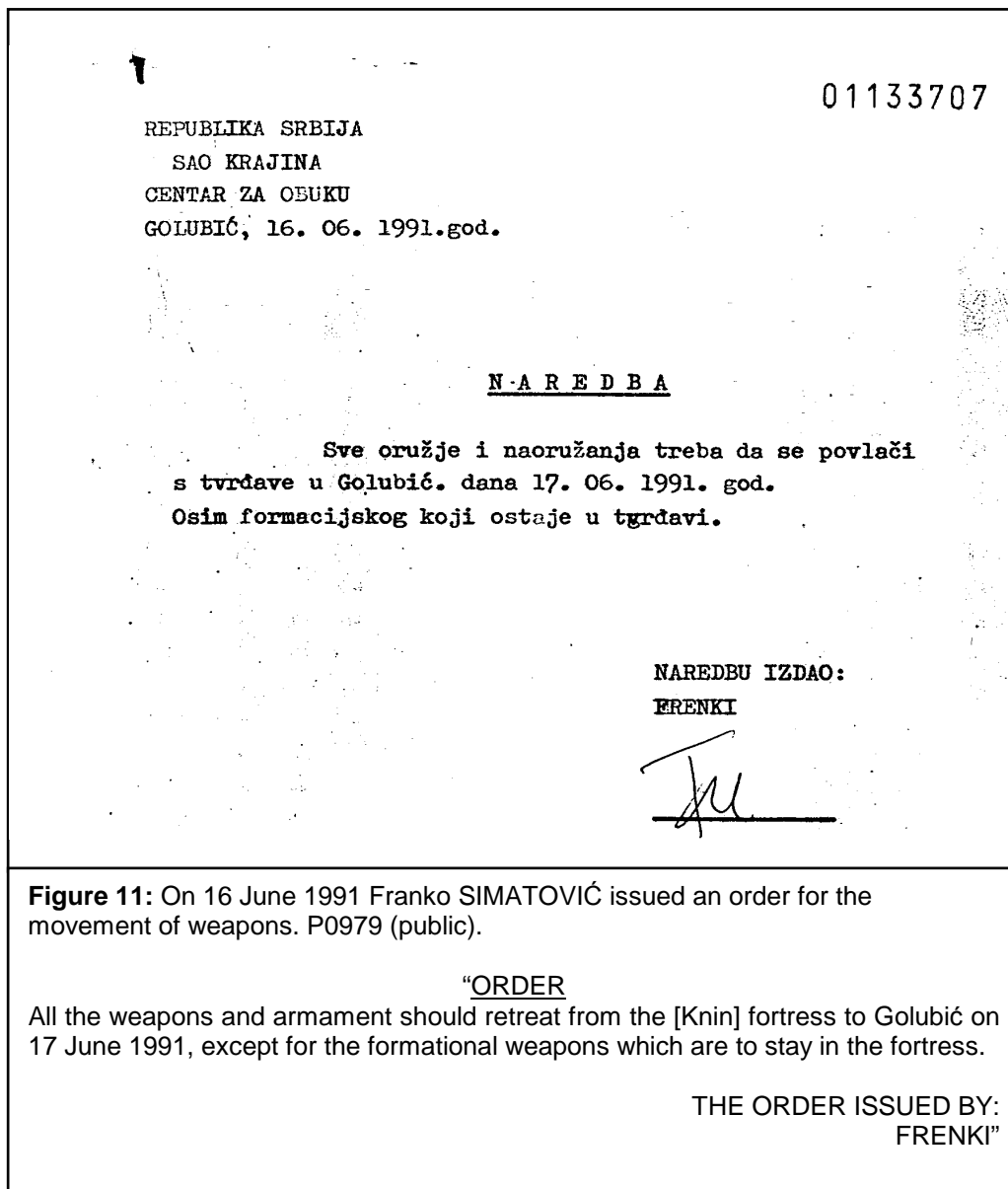
²¹⁶⁵ JF-039:P0977, p.258 (PriorT.2213) (PPCE).

²¹⁶⁶ [REDACTED] (confidential).

²¹⁶⁷ P2990 (public).

²¹⁶⁸ [REDACTED] (confidential).

²¹⁶⁹ P0979 (public).



623. While the SMUP-DB participated in the initial arming, Krajina Serb Forces also received weapons from the JNA in July and August 1991.²¹⁷⁰ A report from SIMATOVIĆ on 28 July 1991 discusses the JNA sending weapons and oil to SAO-Krajina pursuant to an agreement between BABIĆ and the JNA. SIMATOVIĆ cautioned, “We think that such unco-ordinated distribution can lead to a split in the so far compact defence of Krajina ... If such a situation causes disorder in the defence, we will react and stop such activities on time.”²¹⁷¹ The fact that the SMUP-DB could influence the JNA’s arming activities demonstrates the depth of its involvement in arming SAO-Krajina’s Serb Forces.

²¹⁷⁰ P2057, p.16-17 (public).

²¹⁷¹ P2577 (public).

The Accused armed Serb Forces in SBWS

624. STANIŠIĆ was directly involved²¹⁷² with the SMUP-DB²¹⁷³ in financing and equipping police and military structures of SAO-SBWS and the RSK, through KOSTIĆ_(DB), KOJIĆ_(DB),²¹⁷⁴ the Ministry of Defence²¹⁷⁵ and the Association.²¹⁷⁶

625. SMUP officer KERTES and SMUP-DB operative KOSTIĆ oversaw the arming and financing of SAO-SBWS TO units.²¹⁷⁷ The weapons came from a SMUP warehouse in Novi Sad and from the Bubanj Potok warehouse,²¹⁷⁸ and were transported across the Danube to Borovo Selo.²¹⁷⁹ KOSTIĆ_(DB) and Lazar ŠARAC_(DB) co-ordinated the transfers.²¹⁸⁰ The weapons were stored in Borovo Selo and then distributed prior to the Dalj take-over as early as April 1991.²¹⁸¹ [REDACTED]

²¹⁷² [REDACTED] (confidential). **BOGUNOVIĆ**:P0554, para.14 (public).

SAVIĆ:T.1758-59 (06-Jul-2009) (public) (KOJIĆ told him he had received weapons from STANIŠIĆ).

KOVAČEVIĆ:T2169-70 (27-Aug-2009) (public) (STANIŠIĆ present at the organisation of a supply convoy).

²¹⁷³ **KOVAČEVIĆ**:T.2129-31 (27-Aug-2009) (public).

²¹⁷⁴ [REDACTED] (confidential); [REDACTED] (confidential).

²¹⁷⁵ P0968 (public).

²¹⁷⁶ **B-179**:P0408, p.3 (PriorT.26590) (PPCE); P1889 (public). **BOGUNOVIĆ**:T.5974-75 (discussion of salaries for police), T.5995 (28-Jun-2010) (public) (discussed matters concerning the uniforms, weapons, communications means and vehicles that would be used by police); P0554, para.14, 19 (public) (uniforms) (see para.10 regarding KOSTIĆ_(DB) and another DB operative).

²¹⁷⁷ **JF-032**:P0402, p.4-6, 15 (PriorT.15122-24, 4, 33;) (PPCE); T.4645-47. (public).

See also **BABIĆ**, P1879, p.102 (PriorT.1527) (public). [REDACTED] (confidential).

²¹⁷⁸ [REDACTED] (confidential).

²¹⁷⁹ [REDACTED] (confidential) ([REDACTED]); [REDACTED] (confidential). [REDACTED] (confidential).

[REDACTED] (confidential). **KOVAČEVIĆ**:P0051, para.17-23 (public); T.6782-85 (2-Sep-2010) (public).

²¹⁸⁰ **JF-032**:P0402, p.4-6 (PriorT.15122-24) (PPCE); T.4645-46 (3-May-2010) (public).

SAVIĆ:T.1803-04 (6-Jul-2009) (public) (ŠARAC with HADŽIĆ_(JCE) on the Danube riverbank across from Borovo Selo in May 1991, ŠARAC_(DB) said he was SMUP-DB).

²¹⁸¹ **JF-035**:T.5396-97 (26-May-2010) (public).

[REDACTED] (confidential); [REDACTED] (confidential); T.4645-6 (3-May-2010) (public); [REDACTED] (confidential) ([REDACTED]).

SAVIĆ:T.1803-04 (6-Jul-2009) (public).

2182 [REDACTED] 2183

KERTES_(JCE) and KOJIĆ_(DB) arranged for several deliveries of arms—consisting of thousands of pieces of weapons and ammunition—to the SBWS TO around July 1991.²¹⁸⁴

With the SMUP-DB’s assistance “huge quantities of weapons” from Serbia were distributed to Serbs in villages in SAO-SBWS.²¹⁸⁵ ARKAN also distributed weapons, ammunition, mines and explosives from the SMUP and Serbian defence organs to local SBWS TO units.²¹⁸⁶ [REDACTED]

[REDACTED]²¹⁸⁷ KERTES regularly supplied weapons to TO forces during the battle for Vukovar in the autumn of 1991.²¹⁸⁸ Throughout this period, in particular after Vukovar fell, the weapons went to Serb Forces who were cleansing the region of non-Serbs.²¹⁸⁹

626. The SMUP also provided weapons for the SAO-SBWS police force. Around July 1991,²¹⁹⁰ BOGDANOVIĆ_(JCE), in STANIŠIĆ’s presence, indicated that all its needs would be met.²¹⁹¹ [REDACTED]²¹⁹²

[REDACTED]²¹⁹³

BOGUNOVIĆ:T6018-23 (28-Jun-2010) (public); P0553, para.72 (public) (Crisis Staff received arms from Serbia).

²¹⁸² P0325, p.3, 5-6 (confidential) ([REDACTED]).

²¹⁸³ [REDACTED] (confidential).

²¹⁸⁴ [REDACTED] (confidential).

²¹⁸⁵ [REDACTED] (confidential); [REDACTED] (confidential).

²¹⁸⁶ D0031, p.1 (public); P1078 (public); P1076, p.2 (confidential).

KNEŽEVIĆ:T.13505 (23-Aug-2011) (public) (When asked about the close co-operation between BADŽA_(JCE) and ARKAN_(JCE/DB) apparent from D0274, KNEŽEVIĆ stated, in relation to a later period:“ARKAN did have his people, and there were always transports of some weapons there”).

²¹⁸⁷ [REDACTED] (confidential).

²¹⁸⁸ [REDACTED] (confidential).

²¹⁸⁹ Cross-reference, “The Crimes in SAO-SBWS” on page 194.

²¹⁹⁰ **JF-032:**P0402, p.15, 21 (PriorT.15133, 15139) (PPCE) (10-15 days after a meeting in mid-July).

²¹⁹¹ [REDACTED] (confidential).

²¹⁹² [REDACTED] (confidential).

²¹⁹³ [REDACTED] (confidential).

██²¹⁹⁴ In addition, equipment for a new police force arrived from Serbia.²¹⁹⁵

The Accused armed Serb Forces in BiH

627. The SMUP-DB, through KERTES_(JCE) and others, also supplied weapons to Serb Forces in BiH. In April 1991, KARADŽIĆ_(JCE) said that he had persuaded MILOŠEVIĆ_(JCE) to begin supplying the Bosnian Serbs with weapons²¹⁹⁶ and, accordingly, KERTES told KARADŽIĆ in June that “Slobo” had given him and STANIŠIĆ “carte blanche”, and that they intended to send 50 pieces of “furniture” to BiH per day.²¹⁹⁷

628. KERTES also met SDS officials to arrange convoys to Bratunac and Srebrenica.²¹⁹⁸ KERTES told them that he had been “in charge” of arming in Croatia and Kosovo. When one of the officials asked what the political design was for the region and whether Serbia could give any concrete aid to the Serbs there, KERTES_(JCE) replied that within 50 kilometres of the Drina River would be exclusively Serb, and told the officials to go to Bubanj Potok to arrange a weapons transfer.²¹⁹⁹ This statement clearly demonstrates that the purpose of providing arms to the Serb Forces in BiH was connected to the JCE’s goals. The first convoy organised by KERTES to Srebrenica, containing thousands of rifles and several boxes of hand grenades and ammunition, arrived in May 1991.²²⁰⁰ Weapons were brought through the same channels from Bubanj Potok to the Bratunac area.²²⁰¹

629. In July 1991, STANIŠIĆ met Petar JANKOVIĆ, president of the SDS in north-eastern Bosnia,²²⁰² at the SMUP-DB offices to approve a weapons transfer of around 3,600 weapons.²²⁰³ At a meeting with the same SDS officials later in September for the same

²¹⁹⁴ ██████████ (confidential); ██████████ (confidential).

²¹⁹⁵ ██████████ (confidential).

²¹⁹⁶ DERONJIĆ:P2510, p.87-88 (PriorT.947-48) (public); P2511, para.8 (public).

²¹⁹⁷ P0630, p.2-3 (public). DERONJIĆ:P2510, p.92-98 (PriorT.952-58) (public).

²¹⁹⁸ DERONJIĆ:P2511, para.11-28 (public).

²¹⁹⁹ DERONJIĆ:P2510, p.91-92 (PriorT.951-52) (public); P2511, para.15, 17, 19 (public); P2509, p.117-19 (PriorT.29745-57) (public).

²²⁰⁰ DERONJIĆ:P2511, para.23, 25 (public); P2510, p.103-04 (PriorT.963-64) (public).

²²⁰¹ DERONJIĆ:P2511, para.28 (public); P2510, p.104 (PriorT.964) (public).

²²⁰² DERONJIĆ:P2510, p.111-12 (PriorT.971-72) (public); P2522, p.1 (public).

²²⁰³ P2522, p.35-36 (public).

purpose, BOGDANOVIĆ_(JCE) said to STANIŠIĆ: “Jovica, let’s make a deal with these people”.²²⁰⁴

630. A JNA report of early 1992 noted that 17,298 weapons had been distributed by the SDS.²²⁰⁵

Zvornik

631. The SMUP-DB first sent arms to Zvornik municipality in November 1991, in arrangement with the president of the SDS in Zvornik, Branko GRUJIĆ.²²⁰⁶ BOGDANOVIĆ_(JCE) organised deliveries of weapons from Belgrade to Zvornik later that year and in 1992,²²⁰⁷ through KOSTIĆ_(DB).²²⁰⁸ Having successfully armed Serb Forces in SBWS, KOSTIĆ organised transfers of 200-300 weapons from Croatia and Serbia to Zvornik [REDACTED]²²⁰⁹

632. [REDACTED]
[REDACTED]²²¹⁰ [REDACTED]
[REDACTED]²²¹¹ [REDACTED]
[REDACTED]²²¹²

633. Marko PAVLOVIĆ_(DB), a subordinate of KOSTIĆ_(DB) in the SMUP-DB, also participated in KOSTIĆ’s weapons transfers.²²¹³ [REDACTED]
[REDACTED]²²¹⁴ The SMUP-DB regional chief, based across the river from Zvornik in Loznica (Serbia), co-ordinated with

²²⁰⁴ P2522, p.41 (public) (references to BOGDANOVIĆ and STANIŠIĆ). **DERONJIĆ**:P2510, p.113-4, 117 (PriorT.973-74, 77) (public).

²²⁰⁵ P1307, p.5 (public). **DERONJIĆ**:P2510, p.145 (PriorT.1005) (public).

²²⁰⁶ [REDACTED] (confidential). *See*, D0162 (public).

²²⁰⁷ [REDACTED] (confidential); [REDACTED] (confidential); [REDACTED] (confidential).

²²⁰⁸ [REDACTED] (confidential) ([REDACTED]).

²²⁰⁹ [REDACTED] (confidential).

²²¹⁰ [REDACTED] (confidential).

²²¹¹ [REDACTED] (confidential).

²²¹² [REDACTED] (confidential) ([REDACTED]). [REDACTED]
[REDACTED] (confidential).

²²¹³ **JF-062**:D0215, p.91-93 (PriorT.14911-13) (PPCE).

²²¹⁴ [REDACTED] (confidential).

PAVLOVIĆ to distribute weapons to Zvornik.²²¹⁵ PAVLOVIĆ also procured weapons for the Zvornik TO from Croatia and Serbia through his close connections to the JNA.²²¹⁶ Units under the umbrella of the Zvornik TO used these weapons to commit atrocities against non-Serbs during and following the Zvornik take-over.²²¹⁷

Posavina Corridor operations

634. Consistent with the SMUP-DB's pattern of contribution in other areas of BiH and Croatia, the SMUP-DB provided the various armed forces in the Posavina Corridor operations with equipment, fuel and ammunition. Unit member MIJOVIĆ_(DB)²²¹⁸ brought four to six truckloads of ammunition from Belgrade to Brčko on an approximately weekly basis, giving a few cases to the Red Berets unit and storing the rest in VRS hangars, for VRS use.²²¹⁹ The SMUP also lent equipment to the VRS, to be used by the 2nd Posavina Brigade.²²²⁰ [REDACTED]

[REDACTED]²²²¹

635. "MILOŠ", an agent used by the SMUP-DB since the end of 1991,²²²² submitted a report on 24 April 1992, just before the Doboje take-over, stating, "our group was engaged on securing a transport of weapons and equipment which arrived from the MUP of Serbia for the needs of the newly-founded SM /police station/ in Bosansko Petrovo Selo",²²²³ —

²²¹⁵ [REDACTED] (confidential).

²²¹⁶ D0162, p.2 (confidential). [REDACTED] (confidential). [REDACTED] (confidential); [REDACTED] (confidential); D0215, p.93 (PriorT.14913) (PPCE). **B-161**:P0589, p.36 (PriorT.21025) (PPCE).

²²¹⁷ Cross-reference, Zvornik Take-over and Crimes on page 210.

²²¹⁸ MIČIĆ:T.19907 (30-May-2012) (public) (at least in 1994 and 1995 MIJOVIĆ held himself out to be "Franko's assistant for logistics"); P3165, p.1 (confidential) (RDB report dated 25 January 1995, states that MIJOVIĆ held himself out to an American journalist as "Frank's Logistics Assistant"); P1585, p.6 (confidential) (MIJOVIĆ's SMUP-DB personnel file, describing him as a "veteran");

P1585, p.39 (Eng), p.38 (BCS) (confidential) (SIMATOVIĆ's initials are on this document certifying that MIJOVIĆ was a member of the JATD in 1994).

²²¹⁹ **JF-047**:T.7650 (4-Oct-2010) (public).

²²²⁰ P1523 (public).

²²²¹ [REDACTED] (confidential).

²²²² P2463, p.1 (confidential); P2609 (public).

²²²³ P2608 (public).

located on Mt. Ozren, near Doboj.²²²⁴

²²²⁵ The weapons distributed to the Bosanski Šamac, Brčko and Doboj areas were used to persecute non-Serbs during and following the Posavina Corridor operations.²²²⁶

The Accused continued to supply arms through to 1995

636. Entries in MLADIĆ's military notebook reflect that the SMUP-DB continued to transfer weapons through to 1995. An entry dated 7 October 1994 notes that at a meeting with MILOŠEVIĆ, VJ General Momčilo PERIŠIĆ and MLADIĆ, STANIŠIĆ stated, "In August we sent 7 trailer trucks of ammunition."²²²⁷ An entry dated 13 October 1994 states: "Weapons were issued by Colonel Borivoje STANIŠIĆ, Milan PRODANIĆ (Chief of Administration at the MUP of Serbia – in DB)".²²²⁸ The entry further states: "No one knows where this went. It is 4,000 rifles, 20,000,000 bullets, and this was taken in the second half of 1993, no one knows where it went, documentation through the MUP of Serbia is closed."²²²⁹

637. MILOŠEVIĆ gave a sense of the scale of the arming effort when he stated at a meeting with STANIŠIĆ, MLADIĆ, MARTIĆ, PERIŠIĆ and others in July 1994 that: "We have spent around USD 1,000,000,000 on ammunition and military equipment for the war in RS and RSK."²²³⁰

638. Another MLADIĆ notebook entry dated 6 April 1995 reflects a Belgrade meeting among STANIŠIĆ, PERIŠIĆ and MLADIĆ, illustrating the SMUP-DB's prominent role in the arming of other Serb Forces. During the meeting, STANIŠIĆ stated:

They got the 207 mm missile and they want to throw it in Bihać. They are going to produce 15 of them but they need rocket fuel. The stuff planned for PRETIS we transported all in 14 trailer-trucks. It went through Colonel

²²²⁴ See P3049, p.1 (public) (referring to Doboj and Petrovo as within the Ozren theatre of war); P1320, p.290 (public) (referring to Ozren, near the monastery at Petrovo, which indicates that Petrovo was on Mt. Ozren).

²²²⁵ (confidential).

²²²⁶ See, "Deployment for Posavina Corridor Operations: Bosanski Šamac" on page 108; "The Crimes in BiH: Bosanski Šamac" on page 218 and "Doboj" on page 227.

²²²⁷ P2536, p.18 (public).

²²²⁸ P2537, p.1-2 (public).

²²²⁹ P2537, p.1-2 (public).

²²³⁰ P2535, p.7 (public).

BRKIĆ. There were also two cisterns with fuel. Everything went to ĐOGIĆ (FAB) in two trailer-trucks. We transported everything for MARTIĆ.²²³¹

639. The Serb Forces who were armed, in part, by the Accused were among the forces implementing the common purpose and were among the perpetrators of a number of charged crimes. By organising weapons transfers in conjunction with other JCE members throughout the Indictment period, the Accused demonstrated their commitment to this plan and made a significant contribution to it and the crimes that it entailed.

By contributing to the JCE through arming Serb Forces, the Accused demonstrated their JCE intent (JCE I and/or JCE III)

640. By furthering the JCE through arming Serb Forces, knowing that by early in the Indictment period these forces had already committed crimes and would not limit their use of the weapons to legitimate military actions,²²³² the Accused demonstrated that they shared the other JCE members' intent to further the common purpose through the Indictment crimes. The fact that the Accused and other JCE members provided lethal weapons to their instrumentalities throughout the Indictment area on the large scale discussed above demonstrates that they intended that their instrumentalities commit murder, in addition to the other crimes, to achieve their goal. Alternatively, having provided deadly weapons and ammunition on a massive scale to the Serb Forces that JCE members were intentionally using to deport and forcibly transfer the non-Serb population, it was foreseeable that the Serb Forces might use these weapons to murder and persecute non-Serbs in the process.

*The Accused contributed to the JCE by forming, training, financing and providing logistical support to special police units and other Serb Forces that committed crimes*²²³³

641. Throughout the Indictment period, the Accused continuously contributed to the JCE by forming, training, financing and/or providing logistical support and other substantial assistance to special police units and other Serb Forces in the SAO-Krajina, SAO-SBWS, BiH and Serbia. This contribution was particularly significant with respect to the following:

- The Accused formed, trained, financed and provided logistical support to the Unit. In addition, through the Unit, the Accused did the same for numerous people

²²³¹ P0394, p.4 (public).

²²³² Cross-reference, "The Accused were aware that crimes were being committed in Croatia and BiH, and demonstrated their intent by continuing to co-operate with the perpetrators" on page 289.

²²³³ Cross-reference, Indictment, para.3-5, 15(b)-(c); Prosecution Pre-Trial Brief, e.g., 19(ii)-(iii) and 66-91.

joining the Serb Forces from all over the Indictment area at the various camps described in The “Unit” section and others.²²³⁴

- The Accused financed and provided logistical support to the SDG.²²³⁵
- The Accused financed and provided logistical support to the Scorpions.²²³⁶
- The Accused formed, trained, financed and provided logistical support for MARTIĆ’s Police.²²³⁷
- The Accused trained other Serb Forces in SAO-Krajina at Golubić, including SAO-Krajina TO units.²²³⁸
- The Accused formed, financed and provided logistical support to SAO-SBWS police units.²²³⁹
- The Accused helped form the Zvornik TO under PAVLOVIĆ_(DB)²²⁴⁰ comprising the armed forces and paramilitaries in Zvornik after the take-over, which the Accused provided with logistical support.²²⁴¹
- The Accused formed, trained, financed and provided logistical support to the Bosanski Šamac Red Berets unit, which included former SRS volunteers and Bosanski Šamac local Serbs.²²⁴²
- The Accused formed, trained, financed and provided logistical support to the Doboj Red Berets unit, which included Doboj local Serbs.²²⁴³

²²³⁴ See, “The “Unit” on page 88.

²²³⁵ Cross-reference, “The Serbian Volunteer Guard (“SDG”)” on page 134.

²²³⁶ Cross-reference, “The Scorpions” on page 150.

²²³⁷ Cross-reference, “The Accused established, equipped and financed police structures and police stations in SAO-Krajina” on page 28; and “The Accused established the Golubić training camp” on page 31.

²²³⁸ Cross-reference, “The Accused established the Golubić training camp” on page 31 and “Golubić Training” on page 89.

²²³⁹ Cross-reference, “STANIŠIĆ and the Serbian MUP public and state security established police units in SAO-SBWS” on page 39.

²²⁴⁰ Cross-reference, “The Accused Sent Marko PAVLOVIĆ to Zvornik” on page 210.

²²⁴¹ Cross-reference, “The Accused armed Serb Forces in BiH: Zvornik” on page 260.

²²⁴² Cross-reference, “Training at the Ležimir Camp (Fruška Gora)” on page 97; and “Ilok Camp (Pajzoš)” on page 101.

²²⁴³ Cross-reference, “The “Unit”Doboj” on page 112; and “The Accused armed Serb Forces in BiH: Posavina Corridor operations” on page 261.

By contributing to the JCE through forming, training, financing and providing logistical support to Serb Forces, the Accused demonstrated their JCE intent (JCE I and/or JCE III)

642. The Accused's contribution to forming, training, financing and logistically supporting Serb Forces that were JCE members' tools demonstrates that the Accused shared the JCE intent to further the common purpose through murder, persecution, deportation and forcible transfer. These Serb Forces were formed to carry out the common criminal purpose, and trained to use deadly weapons and tactics—skills they employed against non-Serb civilians from the beginning of the Indictment period.²²⁴⁴ These facts reveal the Accused's intent for the JCE to be achieved through the Indictment crimes. Alternatively, deportation and forcible transfer were the intended JCE crimes. In the context of all of the evidence in this case, it was foreseeable to the Accused that the they had formed, trained, financed and supported would also commit murder and persecution—crimes their training by the Accused had equipped them to effectively carry out.

*The Accused contributed to the JCE by deploying SMUP-DB special units into the areas where they committed crimes*²²⁴⁵

[A] group of so-called "Serbian Commandos" led by, "Crni" and "Debeli" arrived in this area [Bosanski Šamac] in a military helicopter... [Their] arrival had been legalised through the official organs of government and the army both at the level of Šamac Municipality and at the highest level in Serbia and Yugoslavia".

- VRS Report dated 1 December 1992 containing information provided by Lieutenant Colonel NIKOLIĆ²²⁴⁶

643. The Accused contributed to the JCE by deploying the Unit (including Red Beret units under its command), SDG and Scorpions into their various operations to commit crimes. While the deployments and crimes are described above, this section sets out evidence showing the Accused's authority over the SMUP-DB special units during the periods when they were committing the Indictment crimes, demonstrating that in each instance the deployment was a contribution of the Accused to the JCE. By repeatedly deploying these units into the JCE's target areas after they had proved their propensity to commit the JCE

²²⁴⁴ *E.g.*, "The Crimes in SAO-Krajina: Glina/Struga attack" on page 175.

²²⁴⁵ *See*, Indictment, para. 4-5 and 15(c); Prosecution Pre-Trial Brief, *e.g.*, para. 19(v), 73-76 and 92-93.

²²⁴⁶ P1418, p.1 (public).

crimes, the Accused demonstrated approval for their past crimes, effectively directing them to do the same in subsequent operations.

The Unit

644. Throughout the Indictment period, the Accused repeatedly deployed Red Berets commanded by Unit members into the JCE's target areas to perpetrate the crimes necessary to further the JCE's common purpose.²²⁴⁷ The Unit's deployments to commit crimes against non-Serbs in Bosanski Šamac and Doboj are prime examples of this contribution to the common purpose.

The Accused deployed the Bosanski Šamac Red Berets to Bosanski Šamac to commit crimes

645. STANIŠIĆ and SIMATOVIĆ deployed a "special unit of the state security of Serbia"²²⁴⁸ trained at Pajžoš²²⁴⁹ to take over Bosanski Šamac and forcibly remove the non-Serb population through murder and other crimes.²²⁵⁰ The Bosanski Šamac Red Berets, led by Unit member CRNI_(DB), knew SIMATOVIĆ to be their commander.²²⁵¹

646. Deploying the Bosanski Šamac Red Berets was a contribution of the Accused notwithstanding their operational resubordination to TG-17 during the take-over and subsequent operations.²²⁵² This resubordination did not replace their chain of command up to SIMATOVIĆ, nor did it change the fact that they were sent to Bosanski Šamac by the Accused. Testifying about his experience as a Red Beret, JF-047 stated that during the Bosanski Šamac take-over and the operations that followed, CRNI_(DB) gave orders to DEBELI_(DB), who conveyed them to the Red Berets unit.²²⁵³ Instead of claiming them as his subordinates, TG-17 commander NIKOLIĆ acknowledged that the Red Berets under CRNI_(DB) and DEBELI_(DB) were "legal elite unit of Serbian commandos" who were sent by

²²⁴⁷ *Cross-reference*, "The "Unit"" on page 88.

²²⁴⁸ **TODOROVIĆ**:P1576, p.4 (PriorT.23426) (public) (referring to the group that LUGAR was in as a "special unit of the state security of Serbia").

²²⁴⁹ See, "Ilok Camp (Pajžoš)" on page 101.

²²⁵⁰ See, "The crimes in Bosnia and Herzegovina: Bosanski Šamac" on page 306.

²²⁵¹ [REDACTED] (confidential) ([REDACTED]) (confidential); P1516, para.34 (confidential).

²²⁵² *Cross-reference*, "Bosanski Šamac Take-over" on page 219 (regarding TG-17).

²²⁵³ FirstAFD-no.306. **JF-047**:T.7632 (4-Oct-2010) (public). See, **TODOROVIĆ**:P1580 (public).

the “highest level in Serbia and Yugoslavia”.²²⁵⁴ Victims of the Red Berets’ violence had no trouble discerning that the Red Berets in Bosanski Šamac were not military, but rather “attached to another command,” in the words of witness TIHIĆ.²²⁵⁵ The difference between the Red Berets and other units was apparent in the Red Berets’ uniform, behaviour, training, Serbian speech, and their “assertion of power”.²²⁵⁶

647. CRNI’s_(DB) status and authority in Bosanski Šamac, and his influence over the local Serb leadership is further evidence that the Accused were behind his presence in the area. CRNI_(DB) had broad power within Bosanski Šamac, even to the point of dismissing and appointing officers in the 2nd Posavina Brigade and members of the local government.²²⁵⁷ After the JNA pulled out of BiH on 19 May 1992, and TG-17 became the 2nd Posavina Brigade of the VRS,²²⁵⁸ top SDS and VRS leadership, including SIMIĆ, ensured that CRNI_(DB) became the commander of the 2nd Posavina Brigade.²²⁵⁹ DEBELI_(DB) became CRNI’s_(DB) Chief of Staff.²²⁶⁰ After taking commanding positions with the 2nd Posavina Brigade, CRNI_(DB) and DEBELI_(DB) remained commanders of the Red Berets, under the authority of the Accused.²²⁶¹ As an outsider from Serbia²²⁶² who had just arrived in Bosanski Šamac in April 1992, the only reason that CRNI_(DB) would have assumed such

²²⁵⁴ P1418, p.1 (public); P1582, p.1 (public) (P1418 and P1582 are the same document, except that P1582 is annotated by TODORVIĆ).

²²⁵⁵ TIHIĆ:T.3215 (4-Feb-2010) (public).

²²⁵⁶ TIHIĆ:T.3219-20 (4-Feb-2010) (public).

²²⁵⁷ P1418, p.2 (public).

²²⁵⁸ ĐUKIĆ:T.17950, 17958-59 (6-Mar-2012) (public) (NIKOLIĆ and the JNA pulled out of the Posavina Corridor on 19 May 1992; what had been TG-17 became the 2nd Posavina Brigade).

²²⁵⁹ ĐUKIĆ:T.17954 (6-Mar-2012) (public) (SIMIĆ and top SDS leadership nominated CRNI to be commander of the 2nd Posavina Brigade, and DENČIĆ, chief of the eastern Bosnian Corps, agreed to the nomination); T.18089 (8-Mar-2012) (public) (CRNI was appointed leader of the 2nd Posavina Brigade by the SDS, with the order issued by DENČIĆ at the insistence of the SDS). D1198, p.1 (public); FirstAFD-no.323 (The Crisis Staff influenced the removal of Colonel ĐURĐEVIĆ, the Commander of the 2nd Posavina Infantry Brigade, and his replacement by CRNI. The Crisis Staff and the War Presidency, had knowledge of the murders committed by LUGAR, CRNI and the other paramilitaries); P1418, p.2 (public).

²²⁶⁰ ĐUKIĆ:T.17954 (6-Mar-2012) (public). P1521 (public) (DEBELI signed a Posavina Brigade combat report as Chief of Staff on 9 July 1992); P1520 (public) (same from combat report as Chief of Staff on 7 July 1992); P1419 (public) (same, from 3 July 1992); P1420 (public) (same from 11 July 1992); D1205 (public) (1 July 1992); P0135 (confidential) (list of men who could not be exchanged during a prisoner exchange, signed by DEBELI as Chief of Staff, 25 July 1992).

²²⁶¹ (confidential)

authority among the local leadership is that he had the backing of “big bosses in Serbia”,²²⁶³ most notably the Accused.²²⁶⁴

648. An incident from the summer and autumn of 1992 further underscores the close relationship between CRNI and both Accused, and demonstrates their approval for his actions as the Red Berets’ leader. At the end of August 1992,²²⁶⁵ VRS military police units arrested CRNI.²²⁶⁶ CRNI asked police chief TODOROVIĆ to talk to “his [CRNI’s] people”—referring to the SMUP-DB—about effectuating his release. TODOROVIĆ went to the SMUP in Belgrade in search of SIMATOVIĆ, but he was instead directed to STANIŠIĆ. Upon learning of CRNI’s arrest, STANIŠIĆ told TODOROVIĆ that those responsible had “touched into a...hornet nest”; STANIŠIĆ said he would direct them to release CRNI immediately. Some ten days later CRNI was released,²²⁶⁷ evidence of STANIŠIĆ’s influence among the Bosnian Serb authorities, and his endorsement of CRNI’s actions in Bosanski Šamac.

The Accused deployed the Doboj Red Berets to Doboj to commit crimes

649. Aware of the Unit’s crimes in Bosanski Šamac,²²⁶⁸ STANIŠIĆ and SIMATOVIĆ deployed the Doboj Red Berets, trained at the Doboj and Ozren camps and commanded by Unit member BOŽOVIĆ, to take over Doboj and commit murder and other crimes to forcibly remove the non-Serb population.²²⁶⁹ As discussed above, BOŽOVIĆ took his orders directly from the Accused.²²⁷⁰

²²⁶² P0179, p.1 (public) (Vranje).

²²⁶³ See P1418, p.6 (public).

²²⁶⁴ See **TODOROVIĆ**:P1576 p.49-50 (PriorT.23471-73) (public). (The first stop of a delegation travelling to Belgrade for the purpose of speaking to “some people of influence from that area” about CRNI’s criminal behaviour was the MUP building.); P1579 (public).

²²⁶⁵ P1416, p.2 (public).

²²⁶⁶ **TODOROVIĆ**:P1576,p.53-55(PriorT.23475-77) (public). [REDACTED] (confidential).

[REDACTED] (confidential); [REDACTED] (confidential).

²²⁶⁷ **TODOROVIĆ**:P1576, p.53-55, 57 (PriorT.23475-77, 23479) (public). [REDACTED] (confidential)([REDACTED]). See, **TODOROVIĆ**:P1576,p.37-40,58-60, (PriorT.23480-82, 23459-62) (public) (providing additional evidence of CRNI’s subordination to the Accused).

²²⁶⁸ **TODOROVIĆ**:P1576, p.51 (PriorT.23473) (public). P1579, p.1 (public).

²²⁶⁹ Cross-reference, “Deployment for Posavina Corridor Operations: Doboj” on page 112; and “The Crimes in BiH: Doboj” on page 227.

²²⁷⁰ [REDACTED] (confidential) ([REDACTED]) [REDACTED] (confidential); P0998, p.10 (confidential) ([REDACTED])

650. As in Bosanski Šamac, the fact that the Doboj Red Berets were resubordinated to or affiliated with other organisational structures while in Doboj does not diminish the Accused's responsibility for deploying them as a contribution to the JCE. [REDACTED]

[REDACTED]²²⁷¹ While this is evidence of the co-ordination between the Accused and the RSMUP, the Red Berets nevertheless remained under BOŽOVIĆ_(DB) and SUBOTIĆ_(DB), who in turn were subordinate to the Accused, and not subject to the local police's control.²²⁷² [REDACTED]

[REDACTED]²²⁷³ He went on to testify:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]²²⁷⁴

651. Similarly, although in July 1992 many of the Doboj Red Berets were integrated into the military police,²²⁷⁵ they remained the Accused's Unit, which the Accused had deployed to further the JCE. TG-Ozren commander STANKOVIĆ, with whom BOŽOVIĆ_(DB) had commanded the operation,²²⁷⁶ continued to co-ordinate with BOŽOVIĆ_(DB) regarding the

[REDACTED] (confidential) ([REDACTED])
(confidential).

²²⁷¹ [REDACTED]; P0142 (public) (April 1992, listing BOŽOVIĆ's group as a "Special Group"); P0143 (public) (June 1992); P0089 (public) (undated).

²²⁷² See, P0151 (public) (Report from the CSB Doboj Police Chief dated 13 August 1992, detailing incidents when the Red Berets, and particularly RIKI, NJEGOŠ and DRAČA, stole cars in Doboj; from the report it is clear that the chief did not consider these individuals to fall under the CSB Doboj).

[REDACTED] (confidential) ([REDACTED])
[REDACTED]

P1439 (confidential) ([REDACTED])
[REDACTED]).

P1438, p.2 (public) (referring to BOŽOVIĆ as commander of the Red Berets in the context of the death of a police officer STEVILOVIĆ).

²²⁷³ [REDACTED] (confidential).

²²⁷⁴ [REDACTED] (confidential); see T.3564 (17-Feb-2010) (public) (police showed apprehension toward the Red Berets).

²²⁷⁵ [REDACTED] (confidential).

²²⁷⁶ Cross-reference, "Doboj Take-over" on page 227.

military police.²²⁷⁷ The Red Berets in the military police thus continued receiving orders from BOŽOVIĆ_(DB) and SUBOTIĆ_(DB); they were separated from their base unit and their commanders were not allowed to ask any questions.²²⁷⁸ The continued collaboration between the VRS and BOŽOVIĆ's_(DB) unit is evidence that the JCE was functioning as intended in Doboj, while the continued exclusive control that BOŽOVIĆ_(DB) maintained over the Doboj Red Berets reveals the Accused's pervasive authority.

652. [REDACTED]

[REDACTED]²²⁷⁹ [REDACTED]²²⁸⁰ While the Red Berets did not consider hospitalisation to signify a break in BOŽOVIĆ's_(DB) control over them²²⁸¹—and indeed, SUBOTIĆ_(DB) remained able to transmit commands from BOŽOVIĆ and the Accused to the units—the additional fact that the Accused sent MIJOVIĆ_(DB) indicates their close involvement in and ongoing contribution to the events on the ground. In addition to MIJOVIĆ_(DB), two other early Unit members also under the Accused's command visited BOŽOVIĆ_(DB) in the hospital—Živojin IVANOVIĆ_(DB), and Zoran BOROVIĆ_(DB).²²⁸²

653. The Red Berets' Doboj operations followed the same pattern as in Bosanski Šamac, entailed similar acts of violence, and achieved the same results, emptying these municipalities of non-Serbs.²²⁸³ Having seen the Red Berets' success in Bosanski Šamac, STANIŠIĆ and SIMATOVIĆ repeated this pattern in Doboj because it was successful in furthering the JCE's common purpose, indicating that they intended the results. Predictably, Doboj was just as "successful."²²⁸⁴

²²⁷⁷ There is evidence that STANKOVIĆ was under STANIŠIĆ's direct influence as well. JF-005 testified that several times in May and June 1992, BOŽOVIĆ returned from a trip to Belgrade with an envelope for STANKOVIĆ, including documents bearing STANIŠIĆ's signature. JF-005 believed that these were probably orders from STANIŠIĆ. JF-005:P0138, para.11 (confidential).

²²⁷⁸ [REDACTED] (confidential).

²²⁷⁹ [REDACTED] (confidential).

²²⁸⁰ D0121 (public).

²²⁸¹ [REDACTED] (confidential) ([REDACTED]).

²²⁸² [REDACTED] (confidential).

²²⁸³ Cross-reference, "Doboj" on page 227.

²²⁸⁴ *Eg.*, P1435, p.3 (public).

SDG

654. From 1991 through to 1995, the Accused repeatedly deployed the SDG into the JCE's target areas to perpetrate the crimes necessary to further the JCE's common purpose.²²⁸⁵ The SDG's deployments to commit crimes against non-Serbs in SAO-SBWS, Bijeljina and Zvornik, and Sanski Most exemplify this contribution to the common purpose.

The Accused deployed the SDG to SAO-SBWS, where they committed crimes

655. STANIŠIĆ played a key role in deploying ARKAN_(JCE/DB)'s SDG unit to SAO-SBWS in the summer of 1991, and facilitating its subsequent crimes.²²⁸⁶ Aware of ARKAN's reputation as an international criminal,²²⁸⁷ STANIŠIĆ knew that ARKAN would commit crimes against civilians when he sent him to SBWS. As anticipated, ARKAN and the SDG were among the most brutal perpetrators of crimes in SBWS.²²⁸⁸

656. As explained more fully above, the connections between ARKAN, the notorious criminal, and the SMUP-DB ran deep, and demonstrate that the deployment of ARKAN and the SDG to SAO-SBWS was one of the Accused's contributions to the JCE. From 1991 ARKAN referred to STANIŠIĆ as his boss,²²⁸⁹ and the SMUP and MOD fully supported ARKAN,²²⁹⁰ supplying his Erdut training centre with weapons and ammunition.²²⁹¹

²²⁸⁵ Cross-reference, "The Serbian Volunteer Guard" on page 134.

²²⁸⁶ See, SAVIĆ:T.1811 (public)

²²⁸⁷ Cross-reference, "ARKAN as SDG Commander" on page 135.

²²⁸⁸ P1076, p.2 (confidential); P0328, p.1 (public); P0010, p.1 (public); P0011 (public)P0329, p.1-2 (public).

²²⁸⁹ SAVIĆ:T.1810-11 (6-Jul-2009) (public).

See KOVAČEVIĆ:P0052, para.4-5 (public); T.2145-47 (27-Aug-2009) (ARKAN references his superiors in state security).

(confidential) ().

See also (confidential) (); P0025, para.9 (confidential).

P1164, p.9 (public) (as evidence of BOGDANOVIĆ's control over ARKAN. ŠEŠELJ said BOGDANOVIĆ sent ARKAN to scare ŠEŠELJ in 1990).

²²⁹⁰ P0327 (public); P1078, p.3-4 (public); P1061, p.1-2 (public); P1075 (public); P1651 (confidential). Cross-reference, "The SDG's Links to the Accused" on page 137.

²²⁹¹ D0031, p.1 (public).

657. As further evidence of the Accused's ongoing command over and support for these SDG members, several of them appear on JATD payment lists from 1994-1995,²²⁹² including Mihajlo ULEMEK_(DB) and Nebojša ĐORĐEVIĆ aka ŠUCA_(DB).²²⁹³ That the Accused continued to employ the very same individuals who had physically perpetrated the charged crimes in SAO-SBWS demonstrates that these crimes aligned with the Accused's expectations.

The Accused deployed the SDG to Bijeljina and Zvornik, where they committed crimes

658. As in SAO-SBWS, the Accused deployed ARKAN_(JCE/DB) and his men to commit crimes in Bijeljina and Zvornik. [REDACTED]

[REDACTED]²²⁹⁴ Through the Accused's trusted subordinate KOSTIĆ_(DB) and JCE member BOGDANOVIĆ_(JCE) the Accused sent the SDG to Zvornik after the Bijeljina takeover.²²⁹⁵

659. The Accused's continuing contacts with the SDG members who participated in the Bijeljina and Zvornik operations and crimes demonstrate their control over this group. For example, Marko PEJIĆ_(DB), Srđan GOLUBOVIĆ_(DB) and Dragan PETROVIĆ aka KAJMAN_(DB) continued on to operations in Brčko²²⁹⁶—alongside the Unit.²²⁹⁷

660. Vojkan ĐURKOVIĆ_(DB) was both an SDG member and president of the exchange commission in Bijeljina. He was in charge of exchanging prisoners for the SDG in 1991-1992 during the eastern Slavonia and BiH operations.²²⁹⁸ In 1994, a report labelled

²²⁹² See Annex B.

²²⁹³ [REDACTED] (confidential) ([REDACTED])
[REDACTED] (confidential) ([REDACTED]).

JF-050: [REDACTED] (confidential) (ŠUCA was one of ARKAN's men in Erdut, a professional sniper); P0572, p.32 (PriorT.18398) (PPCE).

See also, P0337, p.2-5 (public) (Nenad MARKOVIĆ was with the SDG unit in the 1991 SBWS operations); P1505, p.2 (confidential) ([REDACTED]).

JF-057:P1632, p.3 (confidential).

²²⁹⁴ [REDACTED] (confidential).

²²⁹⁵ [REDACTED] (confidential); T.9822 (3-Dec-2010) (public). Cross-reference, "Zvornik Takeover" on page 211.

²²⁹⁶ [REDACTED] (confidential); [REDACTED] (confidential).

²²⁹⁷ Cross-reference, Deployment for Posavina Corridor Operations: Brčko" on page 108.

²²⁹⁸ [REDACTED] (confidential).

“Forward to FRENKI”²²⁹⁹ reported that ĐURKOVIĆ_(DB) was using his position to make money by moving Muslim families out of Bijeljina. The report stated that there was information that he was acting under KARADŽIĆ’s orders, and also used ARKAN’s_(DB) men for moving people out. One assemblyman in Serbia inquired “whose man he was, MILOŠEVIĆ’s_(JCE) or KARADŽIĆ’s_(JCE)”.²³⁰⁰

661. The existence and content of SMUP-DB records of SDG members participating in the Bijeljina/Zvornik operations further substantiates the Accused’s control over these members. Nenad BUJOŠEVIĆ aka VELIKI RAMBO_(DB) or BIG RAMBO²³⁰¹ was wounded during the Zvornik operations,²³⁰² according to his SMUP-DB personnel file. He was wounded again in Velika Kladuša (Bihać).²³⁰³

662. The SMUP-DB later paid SDG members who were deployed to subsequent operations after participating in the Bijeljina/Zvornik operations. These members appear on payment lists together in various combinations:²³⁰⁴

- Nebojša ĐORĐEVIĆ aka ŠUCA_(DB), one of the original fifteen men who founded the SDG, who had already perpetrated crimes in SAO-SBWS.
- Dragan PETROVIĆ aka KAJMAN_(DB), one of the original fifteen men who founded the SDG.
- Milorad ULEMEK aka LEGIJA_(DB).
- Marko PEJIĆ_(DB).
- Srđan BULATOVIĆ aka ZEMUNAC_(DB).
- Slobodan STOJANČEVIĆ aka LAKI_(DB).
- Srđan GOLUBOVIĆ aka MAX_(DB).
- Nenad BUJOŠEVIĆ aka VELEKI RAMBO_(DB).
- Rade RAKONJAC_(DB).

²²⁹⁹ P2686, p.1 (confidential).

²³⁰⁰ P2686, p.5 (confidential).

²³⁰¹ [REDACTED] (confidential). [REDACTED]. [REDACTED] (confidential).

²³⁰² P2863, p.1 (confidential).

²³⁰³ [REDACTED] (confidential).

²³⁰⁴ See Annexes A and B.

The Accused deployed the SDG to Sanski Most, where they committed crimes

663. After ARKAN_(JCE/DB) and the SDG had proven their pro-Serb fervour and willingness to commit crimes in furtherance of the JCE in SAO-SBWS, Bijeljina and Zornik, the Accused deployed them to commit crimes in Sanski Most.²³⁰⁵

664. As evidence that their deployment was one of the Accused's contributions to the JCE, the SMUP-DB paid the SDG members who were involved in the Sanski Most/Banja Luka during the period of the charged murders, including many who had already participated with the Unit and Scorpions in joint operations.²³⁰⁶ Examples include:

- Dragan PETROVIĆ_(DB) aka KAJMAN, who had already participated in the SDG's crimes in Bijeljina, Zvornik, Brčko, *Pauk*, and Trnovo/Treskavica.
- Mladen ŠARAC_(DB), who had already been involved in *Pauk* and Trnovo/Treskavica.
- Rade RAKONJAC_(DB), who had already participated in the Bijeljina, Zvornik, Brčko, and *Pauk* operations.
- Momir RISTIĆ_(DB),²³⁰⁷ who participated in the killing of Muslims in a mosque in Sanski Most.²³⁰⁸

665. Documents from ARKAN's desk drawer²³⁰⁹ identify other members of the SDG who were killed or wounded during the Sanski Most/Banja Luka operations, each of which was also on the SMUP-DB payroll. For example, a personnel card indicates that Žarica RADNOV joined the SDG on 5 September 1995 and was killed on 7 October 1995 in Ključ²³¹⁰ —RADNOV was paid for the period beginning 1 October 1995.²³¹¹ Though

²³⁰⁵ *Cross-reference,* “The Crimes in BiH: Sanski Most: Murder” on page 244; and SDG Operations in 1994-1995” on page 147.

²³⁰⁶ See Annexes A and B. *Note*, the SDG members were on SMUP-DB payment lists before and after the charged murders.

²³⁰⁷ [REDACTED] (confidential).

²³⁰⁸ [REDACTED] (confidential).

²³⁰⁹ PELEVIĆ:T.16602 (public).

²³¹⁰ P3070 (public).

See also, P3069, p.1-3 (public) (SDG members DRAŽOVIĆ and ĐEKIĆ were killed and SDG member KUVELJIĆ was injured in fighting around Sanski Most in October 1995); P3071 (public) personnel card from ARKAN's drawer indicates Aleksandar MANOJLOVIĆ joined the SDG on 20 June 1995 and he was killed in Mrkonjić Grad on 1 October 1995).

ARKAN's men worked under the cover of RS MUP authority during their deployment in the RS during the autumn of 1995,²³¹² the fact that the SMUP-DB financed the operation demonstrates that they were deployed by the Accused and operated under the Accused's authority.²³¹³

Scorpions

666. As detailed above, from 1994 to 1995, the Accused repeatedly deployed the Scorpions into operations with the other SMUP-DB special units. Their commander, MEDIĆ_(DB), took his orders from STANIŠIĆ and SIMATOVIĆ.²³¹⁴ In particular, the Accused deployed the Scorpions to participate in the Trnovo/Treskavica operation along with the SDG, commanded by veteran Unit member MIJOVIĆ_(DB),²³¹⁵ during which the Scorpions murdered prisoners from Srebrenica.²³¹⁶ The Accused then deployed them to the joint operations in SBWS.²³¹⁷

By deploying SMUP-DB special units into the areas where they committed crimes, the Accused demonstrated their JCE intent (JCE I and/or JCE III)

667. By repeatedly deploying the SMUP-DB special units into the areas where they committed the Indictment crimes, the Accused demonstrated that they shared the JCE intent

_____. P0543, p.9, 13 (confidential) (_____
_____. P0348, p.45, 50, 52, 54 (confidential) (_____
_____).

²³¹¹ P0348, p.54 (confidential).

²³¹² See P2544 (public) (in which KARADŽIĆ, in a 29 September 1995 meeting with MLADIĆ, refers to STANIŠIĆ providing 300 men who appear to be ARKAN's men).

P2546, p.1 (public) (an entry from MLADIĆ's notebook in which Dragan FILIPOVIĆ mentions on 3 October 1995 that "ARKAN's men are under the control of [RSMUP official Brane] PEĆANAC and, in my opinion, they are operating well.").

P2543, p.5 (public) (a 22 September 1995 entry from MLADIĆ's notebook noting a briefing that mentions the arrival of 300 of "ARKAN's volunteers", who were "put into the RS MUP").

²³¹³ See P0289, p.2-3 (public) (a 23 September 1995 request from MLADIĆ to KARADŽIĆ to expel ARKAN from the territory, mentioning that ARKAN promised VRS members they would receive unemployment and health insurance through the SMUP if they joined his unit and that ARKAN has "identified himself as [a] member of the MUP of Serbia and RS").

²³¹⁴ _____(confidential).

²³¹⁵ Cross-reference, "The SMUP-DB Special Units' Joint Operations: Trnovo/Treskavica" on page 158.

²³¹⁶ Cross-reference, "The Crimes in BiH: Trnovo" on page 235.

to further the common purpose through these crimes, which included murder and persecution in addition to deportation and forcible transfer. Alternatively, the Accused deployed these units intending for them to forcibly displace non-Serbs, knowing about their propensity for persecution and murder, and willingly risking that they would commit these crimes as well.

²³¹⁷ Cross-reference, “The SMUP-DB Special Units’ Joint Operations: SBWS Operations” on page 161.

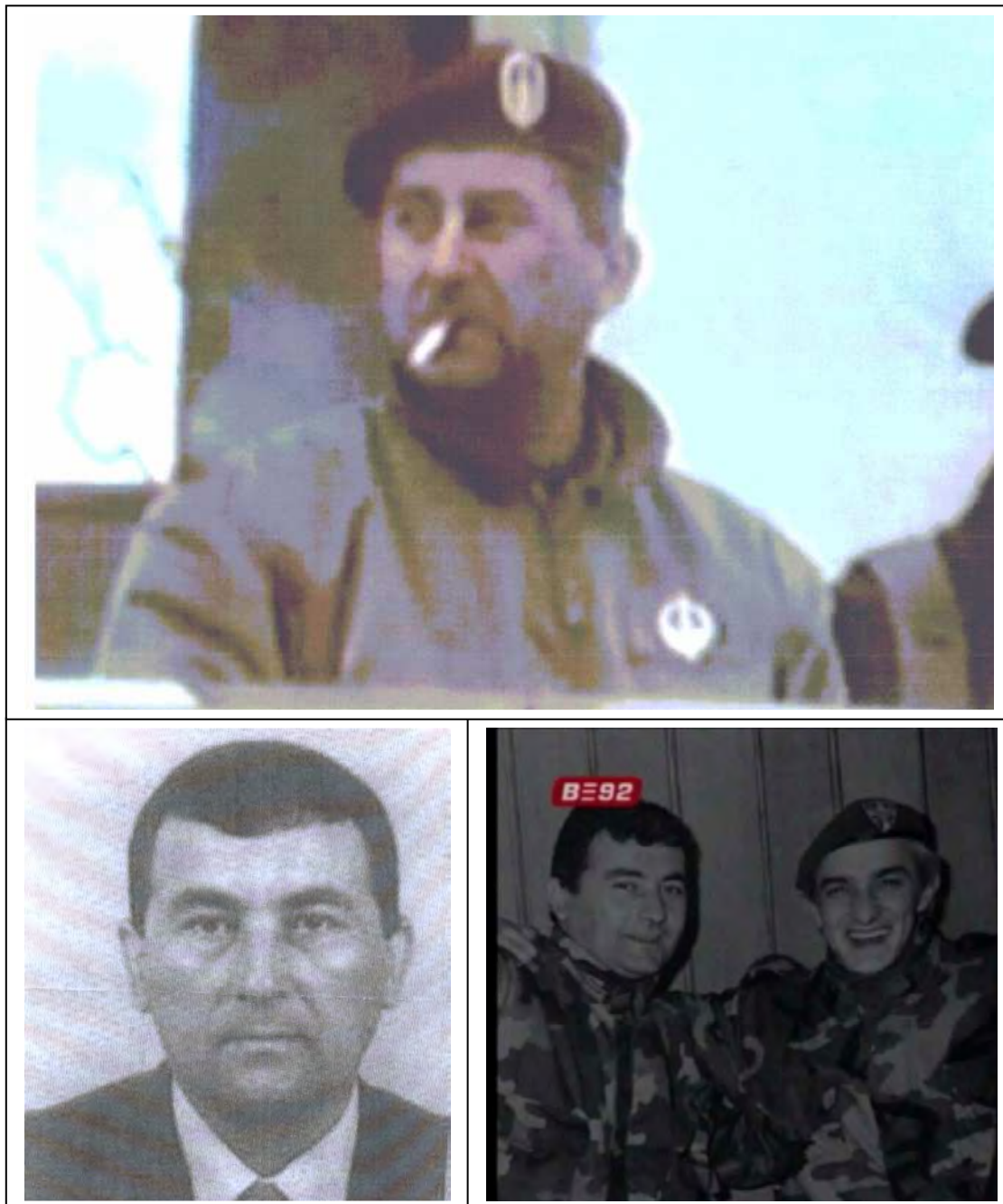


Figure 12

It is the Prosecution's case that all three of these photos depict Zoran RAIĆ_(DB), and that, taken together and with other evidence, they demonstrate that RAIĆ_(DB) assisted the Scorpions in crossing the border between the RSK and Fikret ABDIĆ's territory in BiH.

Top: This photo (P2159) is from a video recording (P2160) [redacted] (confidential).

[redacted] (confidential).

[redacted] (confidential).

Bottom Left: This photo is from the SMUP identification card of Zoran RAIĆ_(DB) issued on 23 June 1994. P2978, p.4-5 (public).

Bottom Right: Defence witness Goran OPAČIĆ_(DB) identified RAIĆ_(DB) as the man appearing in this photo (P3098 (public)) with Captain Dragan_(DB). (OPAČIĆ: T.18234 (13-Mar-2012)(public)).

The Prosecution submits that it is clear that the all three photos are pictures of the same man and that this evidence taken together establishes that RAIĆ's_(DB) helped the Scorpions to cross the border.

Also, compare beret the man in the top photo is wearing to the Red Beret in **Figure 4**.

*The Accused contributed to the JCE by serving as channels of communication, facilitating the JCE members' pursuit of their common criminal purpose*²³¹⁸

668. The Accused served as channels of communication and influence among core JCE members in Belgrade, in each of the specific regions, and locally. In this capacity, the Accused co-ordinated a large, geographically dispersed and multifaceted JCE composed of powerful personalities who, despite not always agreeing on methods and tactics, were aligned along the common criminal purpose. Through their respective roles in ensuring proper communication within the JCE, the Accused wielded their influence to ensure it functioned effectively.

STANIŠIĆ served as a channel of communication between MILOŠEVIĆ and both MARTIĆ and BABIĆ

669. As the JCE unfolded in SAO-Krajina, STANIŠIĆ met constantly with its leaders to ensure their access to MILOŠEVIĆ. [REDACTED]

[REDACTED]²³¹⁹ By the spring of 1991, STANIŠIĆ was in very frequent contact with MARTIĆ.²³²⁰ MILOŠEVIĆ's own words confirm STANIŠIĆ's role as a liaison between himself and MARTIĆ. In one intercepted conversation in September 1991 regarding a protocol for a ceasefire in SAO-Krajina considered politically expedient for the JCE, MILOŠEVIĆ said to KARADŽIĆ, "So I told Jovica, as he was in contact with Milan, to say that MARTIĆ should sign this technical protocol".²³²¹

670. [REDACTED]

[REDACTED]²³²²

[REDACTED]²³²³

²³¹⁸ Indictment, para.15 (a); Prosecution Pre-Trial Brief, e.g., para. 19(i), 44, 50 and 56-55.

²³¹⁹ [REDACTED] (confidential).

²³²⁰ [REDACTED] (confidential). ([REDACTED])

²³²¹ P0641, p.1 (confidential).

²³²² [REDACTED] (confidential)

²³²³ [REDACTED] (confidential).

671. STANIŠIĆ performed a similar role with BABIĆ_(JCE). BABIĆ and MILOŠEVIĆ met at least 20 times between the summer of 1990 and the beginning of 1991,²³²⁴ and STANIŠIĆ occasionally facilitated or was present at these meetings.²³²⁵ STANIŠIĆ also told BABIĆ that he had a close relationship with MILOŠEVIĆ.²³²⁶ In this role, on 5 January 1992 STANIŠIĆ confronted BABIĆ, with KERTES_(JCE), because BABIĆ disagreed with the Vance Plan, against MILOŠEVIĆ's instructions.²³²⁷

STANIŠIĆ served as a channel of communication between MILOŠEVIĆ and HADŽIĆ, and the RSK government



Figure 12. STANIŠIĆ sitting with HADŽIĆ on his left and BABIĆ on his right. P0012 (timecode-00:31:01)(public).

²³²⁴ **BABIĆ:**P1877, p.4 (PriorT.1368) (public).

²³²⁵ **BABIĆ:** P1877, p.101-02 (PriorT.1526-27) (public); P1878, p.154-56, 201-03 (PriorT.13104-06, 13184-86) (public).

²³²⁶ **BABIĆ:**P1878, p.193-94 (PriorT.13176-77) (public).

²³²⁷ **BABIĆ:**P1878, p.180-82 (PriorT.13135-36) (public). P0683, p.4 (confidential).

672. STANIŠIĆ facilitated communication between MILOŠEVIĆ_(JCE) and HADŽIĆ_(JCE) in SAO-SBWS, helping to implement the criminal purpose in that region. When HADŽIĆ went to Belgrade, STANIŠIĆ accompanied him to meetings with MILOŠEVIĆ, and he stayed at STANIŠIĆ's apartment.²³²⁸ As discussed above, HADŽIĆ met with STANIŠIĆ and MILOŠEVIĆ in Belgrade several times throughout 1991, then returned to SAO-SBWS to implement their instructions.²³²⁹ In addition, STANIŠIĆ was the link between MILOŠEVIĆ and ARKAN and BADŽA, through whom MILOŠEVIĆ exerted influence over HADŽIĆ on the ground.²³³⁰

673. In this capacity, STANIŠIĆ arrived in Dalj in mid-September 1991 expressing outrage that Vukovar had not yet fallen to the Serbs, and demanded a meeting with HADŽIĆ, which would further the common purpose with respect to Vukovar. [REDACTED]

[REDACTED]²³³¹ The history of STANIŠIĆ's relationship with HADŽIĆ leads to the inference that STANIŠIĆ was acting on behalf of MILOŠEVIĆ and the Belgrade leadership.

674. STANIŠIĆ played the same role facilitating communication between MILOŠEVIĆ and the RSK government leading up to the November 1995 Erdut Agreement.²³³² [REDACTED]

[REDACTED]²³³³ —to further the common purpose in the face of Croatia's attack. During the Erdut negotiations that later followed, after receiving an ultimatum to sign a peace agreement conceding SBWS to Croatia,²³³⁴ [REDACTED]

[REDACTED]²³³⁵

[REDACTED]²³³⁶

[REDACTED]²³³⁷

²³²⁸ BABIĆ:P1878, p.234 (PriorT.13230) (public).

²³²⁹ BOGUNOVIĆ:P0554, para.15 (public).

²³³⁰ BOGUNOVIĆ:P0554, para.18 (public).

²³³¹ [REDACTED] (confidential).

²³³² P1693, p.1-3 (public).

²³³³ [REDACTED] (confidential).

²³³⁴ [REDACTED] (confidential).

²³³⁵ See, [REDACTED] (confidential).

²³³⁶ [REDACTED] (confidential).

STANIŠIĆ served as a channel of communication between MILOŠEVIĆ and KARADŽIĆ
 675. Many intercepted conversations show STANIŠIĆ serving as a gatekeeper and liaison between MILOŠEVIĆ_(JCE) and KARADŽIĆ_(JCE), two important members of the JCE. A conversation from August 1991 demonstrates STANIŠIĆ's critical role as a clearinghouse of information among all the JCE members. [REDACTED]

[REDACTED]²³³⁸ STANIŠIĆ then informed KARADŽIĆ about a recent meeting he had had with BABIĆ. He told KARADŽIĆ that BABIĆ would soon come to Belgrade, after which “we will go there”—presumably a statement that STANIŠIĆ would be going to Knin.²³³⁹

676. A series of phone calls in November 1991 demonstrates how important and well-defined STANIŠIĆ's role as gatekeeper between MILOŠEVIĆ and KARADŽIĆ was, which parallels STANIŠIĆ's role vis-à-vis MARTIĆ_(JCE), BABIĆ_(JCE) and HADŽIĆ_(JCE). In a conversation on 28 November 1991, KARADŽIĆ was attempting to arrange a meeting with MILOŠEVIĆ, but did not know where he was and therefore could not call him. STANIŠIĆ knew where MILOŠEVIĆ was, but did not tell KARADŽIĆ—instead, STANIŠIĆ undertook to arrange the meeting himself.²³⁴⁰ The next day, KARADŽIĆ called STANIŠIĆ again, attempting once again to arrange this same meeting. This time, STANIŠIĆ told KARADŽIĆ that MILOŠEVIĆ had already unplugged his phone and needed to rest. STANIŠIĆ said he would call MILOŠEVIĆ the following morning and then call KARADŽIĆ back.²³⁴¹ Even though KARADŽIĆ was eager to get in touch with MILOŠEVIĆ and set his schedule, the communication went through STANIŠIĆ.

677. [REDACTED]²³⁴² [REDACTED]
 [REDACTED]²³⁴³ [REDACTED]²³⁴⁴

²³³⁷ [REDACTED] (confidential).

²³³⁸ P0631, p.1-2 (confidential). ([REDACTED]).

²³³⁹ P0631, p.3-4 (confidential).

²³⁴⁰ P0670, p.1-3 (public).

²³⁴¹ P0671, p.1-2 (public).

²³⁴² P0683 (confidential); P0684 (confidential).

²³⁴³ See FirstAFD-no.141.

²³⁴⁴ P0684, p.2-3 (confidential).

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678. Even when STANIŠIĆ was not serving as gatekeeper, he was a source of information for KARADŽIĆ regarding MILOŠEVIĆ: in several intercepted conversations, KARADŽIĆ asked STANIŠIĆ about his “friend,”²³⁴⁹ probably a reference to MILOŠEVIĆ.

679. Even when MILOŠEVIĆ and KARADŽIĆ spoke directly to each other, their conversations made it clear that STANIŠIĆ was an integral part of their relationship. For example, in a conversation on 10 September 1991, KARADŽIĆ referred to “Jovica”’s assessment of the military situation in western Slavonia, describing it as wonderful.²³⁵⁰ On 8 October 1991, as KARADŽIĆ and MILOŠEVIĆ discussed problems with ongoing negotiations, KARADŽIĆ repeatedly suggested that “Jovica” get involved to help resolve them.²³⁵¹ On 17 December 1991, KARADŽIĆ remarked to MILOŠEVIĆ, “Hopefully Joca will finish those things for us tomorrow.”²³⁵² These and other conversations²³⁵³ reveal the important role that STANIŠIĆ played in the relationship between KARADŽIĆ and MILOŠEVIĆ.

STANIŠIĆ served as a channel of communication among JCE members experiencing strained relationships

680. STANIŠIĆ served as a channel of communication between JCE members to defuse disputes that might have jeopardised the JCE’s ability to achieve its purpose. [REDACTED]

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(P0684, p.2 (confidential); P0683, p.1-3 (confidential))

(P0683, p.3 (confidential)), [REDACTED]

²³⁴⁶ P0684, p.2-3 (confidential).

²³⁴⁷ P0684, p.2 (confidential).

²³⁴⁸ P0683 (confidential).

²³⁴⁹ P0636, p.3 (public); P0631, p.2 (public).

²³⁵⁰ P0646, p.5 (public).

²³⁵¹ P0651, p.3-4 (public).

²³⁵² P0675, p.3 (public).

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681. At a December 1993 meeting in Belgrade, STANIŠIĆ served as both peacemaker and liaison between KARADŽIĆ_(JCE) and MILOŠEVIĆ_(JCE).²³⁵⁵ During a time of tension between the two Presidents,²³⁵⁶ instead of MILOŠEVIĆ hosting the meeting, STANIŠIĆ hosted it at the SMUP building.²³⁵⁷

SIMATOVIĆ served as a channel of communication between and among JCE members

682. SIMATOVIĆ served as a channel of communication through intelligence-gathering, which he used to further the common purpose. While in the Krajina, SIMATOVIĆ gathered information about “the security situation in the area” and “everything that the Republic of Serbia was interested in at the time and that could possibly have an impact on its own security situation and the activities that Serbia would have to carry out”.²³⁵⁸ The reason for this was that “he needed intelligence from the Krajina area so that Belgrade could take a proper attitude, that is to say, the state leadership of Serbia, and that they could do that in good time.”²³⁵⁹ The information SIMATOVIĆ communicated to Belgrade presumably included things he learned from the headquarters of the TO of SAO-Krajina.²³⁶⁰

683. Similarly, in BiH, with the approval of KARADŽIĆ_(JCE) and Mićo STANIŠIĆ_(JCE), SIMATOVIĆ incorporated the “*Tajfun/Sigma*” intelligence group from Banja Luka into the intelligence system of the SMUP-DB in 1994. The purpose of this incorporation was to

²³⁵³ E.g., P0660, p.3 (public) (referring to “Joca”; P0646 shows that “Joca” is the same person as “Jovica”—the same military assessment is ascribed to “Joca” on page 3 and to “Jovica” on page 5); P0662, p.4 (public).

²³⁵⁴ [REDACTED] (confidential).

²³⁵⁵ P2532 (public).

²³⁵⁶ ROBERTS:D0779, para.4, 13 (public).

²³⁵⁷ MILOVANOVIĆ:T.15445-46 (7-Dec-2011) (public).

²³⁵⁸ DRAČA:T.16706 (31-Jan-2012) (public).

²³⁵⁹ DRAČA:T.16706-07 (31-Jan-2012) (public).

²³⁶⁰ P2670 (public); P2671 (public); P2672 (public); P2674 (public); P2675 (public); P2676 (public); P2677 (public); P2678 (public); P2679 (public).

ensure that the group's reports reached "the President of the Republic", MILOŠEVIĆ.²³⁶¹ SIMATOVIĆ subsequently received the reports.²³⁶²

684. While gathering and transmitting intelligence to the Belgrade leadership was not criminal *per se*, in the context of all the evidence in this case, it is clear that the state leadership of Serbia used the information provided by SIMATOVIĆ to further the criminal purpose of the JCE.

The Accused shared the intent to further the JCE's Common Criminal Purpose through the Charged Crimes

685. The Accused and other JCE members intended to forcibly and permanently remove the majority of non-Serbs from large areas of Croatia and BiH between 1991 and 1995 through murder deportation, forcible transfer and persecution. Each of the Accused's contributions to the criminal plan reflected their intent—particularly their massive and complex arming²³⁶³ and training²³⁶⁴ schemes, which stretched across the entire Indictment area during the Indictment period, and their repeated pattern of deploying the SMUP-DB special units.²³⁶⁵ These patterns of contribution grew in size and significance throughout the Indictment period.

686. In addition to these overarching schemes, below are discrete examples of actions taken or words uttered by each Accused that irrefutably demonstrate that each Accused shared the common purpose, and intended the crimes of murder, persecution, forcible transfer and deportation to further that purpose. In the alternative, these examples demonstrate that the Accused intended the crimes of deportation and forcible transfer, knowing that the crimes of murder and persecution were also foreseeable consequences of their participation in the JCE.

²³⁶¹ P2420 (public). This document was initialled by SIMATOVIĆ (MIČIĆ:T.19882 (29-May-2012) (confidential) indicating that SIMATOVIĆ had familiarised himself with its contents. (MIČIĆ:T.19845 (24-May-2012) (public)).

²³⁶² P2467 (public) (copied to the Chief of the 2nd Administration—SIMATOVIĆ (P2420)).

²³⁶³ Cross-reference, "The Accused contributed to the JCE by supplying arms and equipment to Serb Forces that committed crimes" on page 250.

²³⁶⁴ Cross-reference, "The Accused contributed to the JCE by forming, training, financing and providing logistical support to special police units and other Serb Forces that committed crimes" on page 263

²³⁶⁵ Cross-reference, "The Accused contributed to the JCE by deploying SMUP-DB special units into the areas where they committed crimes" on page 265.

STANIŠIĆ demonstrated his intent through his own words and actions

“Or we’ll exterminate them completely, so let’s see where we’ll end up.”

Jovica STANIŠIĆ in a phone conversation with Radovan KARADŽIĆ.²³⁶⁶

STANIŠIĆ advocated violence against non-Serbs as early as January 1992

687. STANIŠIĆ’S 22 January 1992 phone conversation with fellow JCE member KARADŽIĆ shows that STANIŠIĆ viewed killing and extermination as appropriate ways to achieve the common goals in Croatia. The following exchange occurred during a discussion about the possibility of Serbs and Croats resolving their disputes through negotiations:

Speaker	Intercepted Conversation
KARADŽIĆ:	I then said to a man who’s very close to TUĐMAN that the Serbs and the Croats might resolve all their contentious issues in a month or two. With elasticity and goodwill they could settle their disagreement. Otherwise, they are in for thirty years of torture. With the Blue Helmets, with disagreements, with all sorts of things...
STANIŠIĆ:	With killings.
KARADŽIĆ:	I beg your pardon?
STANIŠIĆ:	With killings.
KARADŽIĆ:	Yes, yes.
STANIŠIĆ:	No. We’ll then have to push them to go to Belgrade, you know!
KARADŽIĆ:	Really?
STANIŠIĆ:	There’s nothing else left for us to do.
KARADŽIĆ:	Yes, yes.
STANIŠIĆ:	<i>Or we’ll exterminate them completely</i> , so let’s see where we’ll end up.
KARADŽIĆ:	Yes, yes.
STANIŠIĆ:	No, if they want it, they’ll have it. Then they’ll have an all-out war.
KARADŽIĆ:	Yes, yes.
STANIŠIĆ:	Better do it like decent people. ²³⁶⁷

²³⁶⁶ P0690, p.6-7 (public)

²³⁶⁷ P0690, p.6-7 (public) (emphasis added).

688. By the time he uttered these words, STANIŠIĆ knew that the criminal plan was already well under way. He knew that Serb Forces had already murdered, persecuted, deported and forcibly transferred non-Serbs in the SAO-SBWS and SAO-Krajina, resulting in massive population displacements.²³⁶⁸

689. In this context, STANIŠIĆ's reference to exterminating non-Serbs cannot be dismissed as a figure of speech. By his own actions, STANIŠIĆ had already shown that he supported the commission of crimes in pursuit of the common goal in Croatia. This conversation—with another key member of the JCE—shows that he fully intended that approach.

STANIŠIĆ involved himself personally in the Vukovar operation

690. STANIŠIĆ revealed his intent to commit the crimes underlying the common purpose when he arrived at the Dalj police station in mid-September—approximately a month after the brutal Dalj take-over—demonstrating anger that Vukovar had not yet fallen, and demanding a meeting with HADŽIĆ and others.²³⁶⁹

691. First, it is significant that STANIŠIĆ came to Dalj. The village of Dalj had been under the control of Croatian forces until it was attacked on 1 August 1991.²³⁷⁰ During that attack Croat civilians were forcibly driven out by the TO, with the support of the JNA.²³⁷¹ Following the attack, and other crimes described above, ethnic Croats left most of the villages in the area shown on P0403.²³⁷² STANIŠIĆ's presence in Dalj and his opportunity to personally observe the situation there shows that he knew Croats had fled, and continued to flee from that region.

692. Second, in this context STANIŠIĆ's anger that Vukovar had not yet fallen demonstrates that he shared the goals of HADŽIĆ_(JCE) and others to drive out Croat civilians and consolidate Serb control over the region. Vukovar was the largest town in the area over which Serb control was to be established, and therefore of strategic importance to securing the region. STANIŠIĆ's frustration, expressed while in Dalj—which had recently been

²³⁶⁸ Cross-reference, "The Accused were aware that crimes were being committed in Croatia and BiH, and demonstrated their intent by continuing to co-operate with the perpetrators" on page 289.

²³⁶⁹ Cross-reference "Serb Forces attacked non-Serb civilians in the autumn of 1991" on page 45.

²³⁷⁰ [REDACTED] (confidential).

²³⁷¹ [REDACTED] (confidential).

²³⁷² [REDACTED] (confidential).

ethnically cleansed—reflects STANIŠIĆ’s intent to do anything to secure this strategically important town.

693. Finally, the fact that STANIŠIĆ participated in a meeting regarding military operations in the SAO-SBWS shows the degree of his involvement in the campaign to take over the region. The extensive population displacement that accompanied that campaign, assessed in light of the other evidence in this case, shows that STANIŠIĆ, HADŽIĆ_(JCE), SIMATOVIĆ, the JNA, and others shared the common criminal goal of permanently and forcibly removing non-Serbs from SBWS.

STANIŠIĆ sent SMUP-DB operatives to SBWS so that he could use them to advance the JCE’s goals

694. The presence of SMUP-DB operatives in SAO-SBWS demonstrates STANIŠIĆ’s intent to advance the JCE in that area. As chief of the SMUP-DB, STANIŠIĆ was directly responsible for deploying these operatives to SAO-SBWS. Once they were there, STANIŠIĆ was guaranteed to know precisely what was happening in SBWS. The fact that the operatives that he embedded in the SAO-SBWS government and elsewhere in SAO-SBWS were systematically involved in advancing the JCE demonstrates that STANIŠIĆ must have intended the common purpose and the crimes it entailed—for example, KOSTIĆ_(DB) and KOJIĆ_(DB) covertly arming SAO-SBWS police, KOSTIĆ bringing armed groups over the border, or KOJIĆ leading the TO in the attack on Dalj.²³⁷³

The 13-14 December 1993 meeting in Belgrade shows that STANIŠIĆ shared the common criminal plan

695. STANIŠIĆ demonstrated that he shared the intent to advance the common purpose through the JCE crimes by his words and actions during the meeting he hosted for other JCE members in Belgrade on 13-14 December 1993.²³⁷⁴ During this meeting, STANIŠIĆ demonstrated his unambiguous support for the Six Strategic Goals of the Bosnian Serb leadership—goals that, if achieved, would further the common purpose. The ensuing discussion lasted for two days, entailing a practical discussion about the best way to consolidate and maintain the gains already achieved. This was a discussion about means,

²³⁷³ *Cross-reference, “Implementation of the JCE in SAO-SBWS” on page 34.*

²³⁷⁴ MILOVANOVIĆ:T.15445-46 (7-Dec-2011) (public); P2532 (public).

not ends, as the ends to be achieved were accepted as uncontroversial by everyone in attendance, most notably STANIŠIĆ.²³⁷⁵

SIMATOVIĆ demonstrated his intent through his own words and actions

SIMATOVIĆ personally participated in an attack designed to drive out the Croat population

“It was more in order to intimidate people. It wasn’t meant to help take that village. It was more in terms of intimidating the local population and driving them to leave the area.”

-JF-039 describing the purpose of the attack on Lovinac,²³⁷⁶ in which SIMATOVIĆ personally participated²³⁷⁷

696. SIMATOVIĆ’s participation in the attack on the Croat village of Lovinac²³⁷⁸ demonstrated his intent to forcibly and permanently remove non-Serbs from large areas of land deemed “Serb”. The fact that SIMATOVIĆ was targeting “the village itself”—not a military target—and that he bragged about having destroyed it all reflects SIMATOVIĆ’s intent to drive out the Croat civilian population.²³⁷⁹ JF-039, who was present during the attack,²³⁸⁰ said the attack was “more in order to intimidate people. It wasn’t meant to help take that village. It was more in terms of intimidating the local population and driving them to leave the area.”²³⁸¹ As SIMATOVIĆ anticipated, the attack achieved its purpose of forcing the Croats to flee from the village.²³⁸²

SIMATOVIĆ personally participated in the Vukovar operation

697. SIMATOVIĆ’s participation in the Vukovar operation, like his personal participation in the Lovinac attack, shows that he shared the JCE’s criminal objective. SIMATOVIĆ participated in this operation in two key ways. First, he participated in a military planning

²³⁷⁵ Cross-reference, “STANIŠIĆ hosted a meeting among JCE members to discuss furthering the common purpose through the Six Strategic Goals in December 1993” on page 67.

²³⁷⁶ **JF-039**:T.7201-02 (14-Sep-2010) (public); P0977, p.55-56 (PriorT.2010-11) (PPCE).

²³⁷⁷ **BABIĆ**:P1877, p.44 (PriorT.1432) (public). **JF-039**:T.7201-02 (14-Sep-2010) (public). See P0978, para.47 (confidential).

²³⁷⁸ **BABIĆ**:P1877, p.44 (PriorT.1432) (public). [REDACTED] (confidential); P0977, p.55-61 (PriorT.2010-16) (public); T.7201-02 (14-Sep-2010) (public).

²³⁷⁹ **BABIĆ**:P1877, p.44 (PriorT.1432) (public) (emphasis added).

²³⁸⁰ **JF-039**:P0977, p.60-61 (PriorT.2015-16) (PPCE).

²³⁸¹ **JF-039**:T.7201-02 (14-Sep-2010) (PPCE).

²³⁸² **JF-039**:P0977, p.56 (PriorT.2011) (PPCE).

meeting shortly before the fall of Vukovar with other JCE members.²³⁸³ Second, he commanded a Unit in operations around Vukovar.²³⁸⁴ Subsequently, having seen the effect of the crimes against the non-Serb population, SIMATOVIĆ joined other JCE members at a celebration that took place after the fall of the city.²³⁸⁵

SIMATOVIĆ personally participated in planning Operation Udar and commanding units in related operations

698. SIMATOVIĆ's participation in a military planning meeting for Operation *Udar* on 28 February 1993, along with MLADIĆ_(JCE) and high-level military commanders in the VJ and VRS, is evidence of SIMATOVIĆ's JCE intent. The goal of Operation *Udar* was to drive the Muslim civilian population out of eastern Bosnia; the Bosnian Serbs threatened to attack unless the Bosnian Muslims agreed to leave the area. The fact that SIMATOVIĆ was present at the planning meeting shows that he shared this goal and took steps to help carry it out.²³⁸⁶ He further demonstrated this intent by commanding Red Berets units in related operations in eastern BiH in 1993.²³⁸⁷

The Accused were aware that crimes were being committed in Croatia and BiH, and demonstrated their intent by continuing to co-operate with the perpetrators

699. While the Accused's own words and contributions reveal their intent to further the common criminal plan, their intent can also be inferred from evidence that they knew their instrumentalities or people over whom they had authority were committing crimes, and they allowed them to continue doing so.²³⁸⁸ Similarly, their intent can be inferred from evidence that they knew other JCE members and their instrumentalities were contributing to the commission of crimes, and continued to closely co-operate with them. The Accused demonstrated that they supported and intended the charged crimes by continuing this co-operation throughout the Indictment period. In the alternative, the Accused knew that in the process of committing deportation and forcible transfer, their instrumentalities and those of other JCE members were also committing murder and persecution. Once the Accused

²³⁸³ P0431, p.6-8 (PriorT.25911-13) (PPCE).

²³⁸⁴ [REDACTED] (confidential); P0431, p.4-5 (PriorT.25909-10) (PPCE).

²³⁸⁵ **JF-033**:P0431, p.9-10 (PriorT.25914-15) (PPCE); [REDACTED] (confidential).

²³⁸⁶ Cross-reference, "The VRS under MLADIĆ, the VJ, and SIMATOVIĆ planned and conducted eastern Bosnia operations to further the common purpose" on page 66.

²³⁸⁷ Cross-reference, "1993 Eastern Bosnia Operations" on page 115.

²³⁸⁸ See, **TEODOROVIĆ**:T.12099 (29-Jun-2011) (confidential).

became aware that these crimes had been committed, further murders and persecutions were foreseeable to the Accused.

700. The Accused's awareness of the crimes of their instrumentalities, and of other JCE members and their instrumentalities is shown by at least three kinds of evidence. First, information about the relevant crimes was both widely and publicly available and communicated directly to JCE members close to the Accused. Second, each Accused went out of his way to keep himself informed about events in Croatia and BiH. Third, the responsibilities of the SMUP-DB, which STANIŠIĆ commanded with the assistance of SIMATOVIĆ, included gathering information about these kinds of matters. SIMATOVIĆ was a member of the SMUP-DB's Intelligence Administration.

Information regarding crimes was publicly available and provided directly to JCE members closely linked to the Accused

701. Information regarding crimes was publicly available and provided directly to JCE members closely linked to the Accused. For example, a 21 January 1992²³⁸⁹ 27-page letter from Helsinki Watch to JCE members MILOŠEVIĆ_(JCE) and ADŽIĆ_(JCE) reports details of killings, torture and mistreatment in detention,²³⁹⁰ disappearances,²³⁹¹ indiscriminate and disproportionate attacks against civilians and civilian targets,²³⁹² and forced displacement and resettlement,²³⁹³ committed by Serb paramilitary forces and the JNA in many parts of Croatia, including in many places relevant to the Indictment.²³⁹⁴ It also reports on crimes committed in detention facilities in Vojvodina and Serbia proper,²³⁹⁵ places within the official territorial jurisdiction of the SMUP-DB.

702. Further, the report identifies ARKAN_(JCE/DB) and CAPTAIN DRAGAN_(DB), who considered themselves under the Accused's authority, as two of the leaders of paramilitary forces responsible for crimes²³⁹⁶ and identifies MARTIĆ's Police as perpetrators.²³⁹⁷

²³⁸⁹ P1201, p.1 (public).

²³⁹⁰ P1201, p.11-13 (public).

²³⁹¹ P1201, p.13-15 (public).

²³⁹² P1201, p.15-17 (public).

²³⁹³ P1201, p.18-19 (public).

²³⁹⁴ See P1201, p.3, 5-8, 11 (public).

²³⁹⁵ P1201, p.11-12 (public).

²³⁹⁶ P1201, p.2 (public).

²³⁹⁷ P1201, p.9-10 (public).

703. In light of the Accused's close relationship to and frequent meetings with MILOŠEVIĆ—particularly STANIŠIĆ—the Accused must have known about this letter addressed to him, which dealt with events in areas in which the Accused were personally involved.

704. Further, many of the sources cited in the Helsinki Watch letter were available to the Accused, including articles in the Belgrade-based newspaper *Borba*,²³⁹⁸ *The Washington Post*,²³⁹⁹ *The New York Times*,²⁴⁰⁰ the French newspaper *Liberation*²⁴⁰¹ and the Croatian newspaper *Vjesnik*.²⁴⁰² Given the nature of the SMUP-DB and its responsibilities,²⁴⁰³ the only reasonable inference is that the Accused were aware of what was being reported about the war in Croatia in major international newspapers and in the Serbian and Croatian news media.

The Accused were aware that JCE members MARTIĆ and BABIĆ were responsible for crimes committed in SAO-Krajina

705. In light of the extensive information-gathering processes the Accused put in place, the only reasonable inference is that they were well-informed about events in SAO-Krajina, including the crimes committed there.

706. While in the Krajina in the summer of 1991, SIMATOVIĆ gathered information about “the security situation in the area”, which he transmitted to the Serbian leadership in Belgrade.²⁴⁰⁴ DRAČA testified that two SMUP-DB operatives other than SIMATOVIĆ were in SAO-Krajina as well, carrying out the same duties.²⁴⁰⁵

²³⁹⁸ P1201, p.8, fn.17 (public).

²³⁹⁹ P1201, p.2, fn.1; p.11, fn.23; p.18.fn. 34-35 (public).

²⁴⁰⁰ P1201, p.5, fn.9; p.9, fn.18 (public).

²⁴⁰¹ P1201, p.5, fn.9 (public).

²⁴⁰² P1201, p.11, fn.21 (public).

²⁴⁰³ See, P3226, p.3-5 (confidential); P3227, p.10-14 (confidential); P3229, p.1, 16, 19-20 (confidential); P3230, p.5,11 (confidential); P3231, p.5 (confidential); P3232, p.4 (confidential).

²⁴⁰⁴ **DRAČA**:T.16706-07 (31-Jan-2012) (public).

²⁴⁰⁵ **DRAČA**:T.16708 (31-Jan-2012) (public). The Chamber can accept this portion of the testimony of DRAČA, who only tended to tailor his testimony in instances in which he thought honest answers would hurt the Accused. The Chamber had to remind DRAČA of his duty to tell the whole truth on at least two occasions when he had not been fully honest in his answers. **DRAČA**:T.16957,T.16967-9 (7-Feb-2012) (public).

707. SIMATOVIĆ also received reports about events in SAO-Krajina from the SAO-Krajina TO,²⁴⁰⁶ apparently at the same time and on the same terms as JCE members BABIĆ and MARTIĆ.²⁴⁰⁷ These reports included information about combat activities, including those in which SIMATOVIĆ himself played a role.²⁴⁰⁸ A document entitled “Putting Into Effect the Project on Armoured Vehicles”,²⁴⁰⁹ which SIMATOVIĆ initialled,²⁴¹⁰ shows that SIMATOVIĆ was involved in military planning in SAO-Krajina. By 23 July 1991, CAPTAIN DRAGAN_(DB) stated that a system of reporting to the “competent organs” of the Republic of Serbia had been set up.²⁴¹¹

708. At the same time the Accused were actively seeking information about events in SAO-Krajina, more than 97,000 ethnic Croats were displaced from the region.²⁴¹² The only reasonable inference from this evidence is that the Accused knew about the criminal campaign in SAO-Krajina.

The Accused were aware that JCE members ARKAN and HADŽIĆ were responsible for crimes committed in SAO-SBWS

709. STANIŠIĆ was well informed of the situation in SBWS. He had a close relationship and substantial influence over HADŽIĆ_(JCE)—the SBWS Prime Minister, then RSK President. STANIŠIĆ also had a co-operative relationship with BADŽA_(JCE), working together with the SMUP SAJ commander to provide the resources and expertise of the SMUP to fulfil the JCE’s goal.

710. Further, the SMUP-DB—and the Accused personally—kept abreast of events in the SAO-SBWS and the nearby SAO-Western Slavonia through the many SMUP-DB

²⁴⁰⁶ P2670 (public); P2671 (public); P2672 (public); P2674 (public); P2675 (public); P2676 (public); P2677 (public); P2678 (public); P2679 (public).

²⁴⁰⁷ P2670 (public). **DRAČA**:T.16998-9 (7-Feb-2012) (public).

²⁴⁰⁸ P2670 (public); P2671 (public); P2672 (public); P2674 (public); P2675 (public); P2676 (public); P2677 (public); P2678 (public); P2679 (public).

²⁴⁰⁹ P2673 (public).

²⁴¹⁰ D1117 (confidential).

MIČIĆ:T.19845, T.19879-82,904 (29-30-May-2012) (public); P2420, p.1 (public); P0352 (an exemplar of SIMATOVIĆ’s signature).

²⁴¹¹ P1120, p.1 (confidential).

²⁴¹² This total is for the four counties of Šibenik-Knin (19,661); Zadar (27,346); Karlovac (19,256); and Sisak-Moslavina (31, 335). P0551, p.80 (public).

operatives embedded in these regions.²⁴¹³ Operative Lazar ŠARAC_(DB) was gathering information about the situation in SAO-SBWS by 9 April 1991.²⁴¹⁴ ŠARAC_(DB), who also served as HADŽIĆ's bodyguard for some period of time,²⁴¹⁵ continued to observe events in SBWS for the SMUP-DB throughout the war.²⁴¹⁶ His reports reflect that local Serbs in SBWS accurately perceived the SMUP-DB's high degree of influence in SBWS. For example, a July 1992 report says, "members of the Government and even Prime Minister HADŽIĆ are said to be Serbian spies paid by the UDBA /State Security Administration/",²⁴¹⁷ while a February 1993 report relays the Vukovar Municipal President's assessment that "Serbia was to blame for all these developments, that is, the Assistant Minister of the Ministry of the Interior of Serbia, Jovica STANIŠIĆ, who tried to use IVKOVIĆ, KOJIĆ_(DB), KOSTIĆ_(DB) and others to turn the Krajina into a 'twilight zone'."²⁴¹⁸

711. SMUP-DB operatives KOSTIĆ_(DB) and KOJIĆ_(DB) were embedded in high level positions in SBWS, putting them in the position to provide intelligence to the Accused and influence matters on the ground.²⁴¹⁹ [REDACTED]

[REDACTED]²⁴²⁰

712. [REDACTED]

²⁴¹³ Cross-reference, "STANIŠIĆ embedded SMUP-DB operatives in key positions in SAO-SBWS" on page 37.

²⁴¹⁴ D0241 (confidential).

²⁴¹⁵ SAVIĆ:T.1803-04 (6-Jul-2009) (public).

²⁴¹⁶ P0019 (confidential); P0407 (confidential) (sent to STANIŠIĆ personally); P2103, p.1-4 (confidential). P0407 was sent to Jovica STANIŠIĆ personally. *See also* KNEŽEVIĆ:T.13542 (23-Aug-2011) (public).

²⁴¹⁷ P0019, p.13 (confidential).

²⁴¹⁸ P0407, p.2 (confidential).

²⁴¹⁹ Cross-reference, "STANIŠIĆ embedded SMUP-DB operatives in key positions in SAO-SBWS" on page 37.

²⁴²⁰ [REDACTED] (confidential).

2421

713. Charged crimes committed by ARKAN and the SDG²⁴²² were documented in numerous written reports prepared by various institutions, including the SMUP-DB. The first reports documenting these murders were prepared within days of the crimes and clearly implicated both ARKAN and HADŽIĆ.²⁴²³ These reports were provided to Miodrag ZAVIŠIĆ,²⁴²⁴ who was an official of the Vojvodina SUP,²⁴²⁵ and BADŽA's deputy. The second incident was reported directly to BADŽA and the Belgrade SUP.²⁴²⁶ The SMUP-DB itself also prepared reports on these crimes. An operative worker of the SDB of Vojvodina²⁴²⁷ reported on 15 October 1991 that ARKAN, HADŽIĆ, and some of ARKAN's men had killed more than 40 detainees in Dalj.²⁴²⁸ A report dated three days later detailed an incident in which 300 members of the Dalj TO had forced ARKAN out of his office and publicly accused him of having killed 40 prisoners. ARKAN's response, according to the report, was that he had killed not just these 40, but hundreds of others.²⁴²⁹ KNEŽEVIĆ testified that all the police in the area knew about the crime²⁴³⁰

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²⁴²¹ P1652 (confidential). *See also*, [REDACTED] (confidential).

²⁴²² *See*, Indictment, para.36-37.

²⁴²³ P0010, p.1 (public) (ARKAN and HADŽIĆ); P0011, p.1-2 (public) (ARKAN only).

²⁴²⁴ P0011, p.2 (public); [REDACTED] (confidential).

²⁴²⁵ **BOGUNOVIĆ**:D0334, para.7 (confidential).

²⁴²⁶ **JF-015**:P0306, para.57 (confidential).

²⁴²⁷ The SUP of Vojvodina is an organisational unit within the SMUP. **BOGUNOVIĆ**:T.13235 (17-Aug-2011) (public) ("All the SUPs of the former Socialist Federal Republic of Yugoslavia co-operated among themselves, including Vojvodina, Serbia, Kosovo, Slovenia, and everyone else.") *See also*, T.13235-37 (17-Aug-2011) (public) (specific examples of co-operation between the Vojvodina SUP and Serbian MUP).

²⁴²⁸ P0334, p.1 (public). Though the number of victims in this report do not precisely match the number of victims actually killed in these incidents, the information in the report clearly put the reader on notice that ARKAN was committing large-scale crimes against prisoners in Dalj.

²⁴²⁹ P0335, p.1 (public). **JF-015**:P0306, para.57 (confidential) (evidence corroborates the occurrence of this event, as well as its scale).

²⁴³⁰ **KNEŽEVIĆ**:T.13403 (22-Aug-2011) (public).

²⁴³¹ [REDACTED] (confidential).

²⁴³² [REDACTED] (confidential).

714. STANIŠIĆ's knowledge of events in the region is shown by the fact that he served as a source of information to others regarding military matters. STANIŠIĆ authored and signed a 9 December 1991 report conveying to the Serbian MOD information that the SMUP-DB had received from the western Slavonia TO.²⁴³³ This included information about the activities of JNA reservists.²⁴³⁴ The fact that STANIŠIĆ was informing the Serbian MOD about the activities of the MOD's own forces demonstrates how well-informed STANIŠIĆ was.

715. STANIŠIĆ also provided his assessments of the military situation in western Slavonia to KARADŽIĆ.

716. A final example of STANIŠIĆ's knowledge and influence is seen in a Federal MUP-DB report to the SMUP-DB in April 1992, recommending that the SMUP-DB provide the report to MARTIĆ.²⁴³⁵ The report, addressed to STANIŠIĆ's deputy, describes crimes committed by the police and other Serb Forces, including ARKAN's men, *Knindžas* and Red Berets in Ilok and other villages in SBWS.²⁴³⁶ The fact that the Federal MUP did not directly provide this report to RSK Minister of the Interior MARTIĆ leads to the inference that the Federal MUP sent the report to the SMUP-DB because it considered the SMUP-DB to be connected to the perpetrators. The same inference arises from the fact that the report was sent to the SMUP-DB, rather than the SMUP public security, even though the commander of the Ilok station, KNEŽEVIĆ, was a member of the SMUP public security.

717. Given the fundamental nature of the SMUP-DB's information-gathering tasks, the notoriety of ARKAN's crimes, the SMUP-DB's numerous sources of information in SAO-SBWS, and the evidence of STANIŠIĆ's knowledge of the military situation in the region, the only reasonable inference based on the evidence is that the Accused were aware that ARKAN and HADŽIĆ were committing serious crimes, including large-scale killings.

The Accused were aware of KARADŽIĆ's predicted population displacement, and the subsequent crimes committed in BiH

718. As discussed above, STANIŠIĆ watched KARADŽIĆ predict massive population displacement in the event of war in BiH, and both Accused maintained close

²⁴³³ P2452, p.1 (confidential).

²⁴³⁴ P2452, p.1 (confidential).

²⁴³⁵ P0429, p.1-3 (confidential).

²⁴³⁶ P0429, p.1-3 (confidential).

communication with KARADŽIĆ in the lead-up to the conflict in BiH.²⁴³⁷ In light of their communications with KARADŽIĆ, the general notoriety of the wartime events and the SMUP-DB's information-gathering function, there is no reasonable possibility that the Accused were unaware of the Serb Forces' crimes in BiH. In the years following KARADŽIĆ's warning, a minimum of 62,918²⁴³⁸ (and a likely total of 118,711²⁴³⁹) non-Serbs were displaced from the five BiH municipalities covered by the Indictment. The non-Serb population in the portions of this territory that eventually became the RS decreased by 84.3%.²⁴⁴⁰ A minimum of more than 1,800 (and an estimated true number of more than 2,200) Muslim civilians were killed in the five municipalities.²⁴⁴¹ The number of displaced persons and killed civilians throughout the entirety of BiH was far higher.

719. There is no reasonable possibility that the Accused were unaware that these crimes were being committed by JCE members or their tools (including the Accused's own instrumentalities) in furtherance of the common criminal plan. Unit members reported on their crimes to the Accused. TODOROVIĆ testified that shortly after the Bosanski Šamac take-over, after the Red Berets had committed many crimes, SIMATOVIĆ met with CRNI_(DB) and asked him to write a report about what had transpired while he was in Bosanski Šamac. SIMATOVIĆ seemed to know about the crimes committed against detainees in Bosanski Šamac even before TODOROVIĆ told him about them.²⁴⁴²

720. In addition, a Federal MUP report from August 1992 describes crimes committed by, among others, groups controlled by CAPTAIN DRAGAN_(DB) and Živojin IVANOVIĆ_(DB).²⁴⁴³ The report indicates that these groups were sent to BiH by the SMUP,²⁴⁴⁴ and mentions "FRENKI" and STANIŠIĆ's deputy TEPAVČEVIĆ_(DB) by name.²⁴⁴⁵ It is implausible that the Accused would have been unaware of these allegations.

2437

Cross-reference, " "

Implementation of the JCE in BiH" on page 51.

2438 **TABEAU:P1657**, p.12 (public).

2439 **TABEAU:P1657**, p.14 (public).

2440 **TABEAU:P1657**, p.12 (public).

2441 **TABEAU:P1658**, p.13 (public).

2442 **TODOROVIĆ:P1576**, p.51 (PriorT.23473) (public). P1579, p.1 (public).

2443 P3017, p.2-3,6-8,10 (public).

2444 P3017, p.6-7,10 (public).

2445 P3017, p.10 (public).

721. It is also implausible that the Accused would have been unaware of the contents of the 20 July 1993 CRDB Kragujevac report regarding Slobodan MILJKOVIĆ_(DB),²⁴⁴⁶ who, as discussed above, trained at the SMUP-DB's camp in Pajzoš and committed crimes while in the Red Berets unit in Bosanski Šamac.²⁴⁴⁷ According to the CRDB report, MILJKOVIĆ_(DB) talked about "his wartime exploits...accompanied by very cruel acts, both against enemy soldiers and the non-Serb population. In all of that, he bragged that the RDB /State Security Department/ was behind him."²⁴⁴⁸

722. The Accused also must have known of the sizeable population displacement that occurred in Kozluk, Zvornik municipality in May and June 1992, which involved several hundred Bosniaks passing over Serbia's border with BiH, and then over Serbia's border with Hungary, escorted all the while by Serbian police. On 30 June 1992, Marko PAVLOVIĆ_(DB) reported the details of these expulsions to JCE members MLADIĆ_(JCE) and KARADŽIĆ_(JCE).²⁴⁴⁹ PAVLOVIĆ_(DB) was close to SMUP-DB member KOSTIĆ_(DB) and STANIŠIĆ's deputy, Milan TEPAVČEVIĆ_(DB), and he met with SIMATOVIĆ in June or July 1992.²⁴⁵⁰ In light of the SMUP's involvement in escorting the deportees, and PAVLOVIĆ's_(DB) SMUP-DB connections, there is no reasonable possibility that the Accused did not know about these forced expulsions.

The Accused Are Criminally Responsible for Committing, Planning, and/or Ordering the Charged Crimes

723. STANIŠIĆ and SIMATOVIĆ are criminally responsible for committing the charged crimes, through their membership in a JCE. As established above each made significant contributions towards achieving the JCE's common criminal purpose of forcibly and permanently removing the majority of non-Serbs from large areas of Croatia and BiH. Pursuing the common purpose involved the crimes of persecution, murder, deportation and forcible transfer. Each crime was perpetrated by a JCE member or people used as

²⁴⁴⁶ D0256, p.1-4 (confidential).

²⁴⁴⁷ Cross-reference, "Ilok Camp (Pajzoš)" on page 101; and "The Crimes in BiH: Bosanski Šamac" on page 218.

²⁴⁴⁸ D0256, p.1 (confidential); P1425, p.1 (public) (MILJKOVIĆ himself reported in a letter to the Kragujevac DB that "[t]hefts, rapes, kidnapping and the removal of prisoners from the municipality began).

²⁴⁴⁹ P2528, p.8-9 (public).

²⁴⁵⁰ Cross-reference, Annex A.

instrumentalities by JCE members, as discussed below. The Accused are therefore liable for these crimes under JCE I.²⁴⁵¹

724. Alternatively, the JCE's common purpose was to forcibly and permanently remove—through deportation and forcible transfer—the majority of non-Serbs from large areas of BiH and Croatia, and JCE members or their instrumentalities committed the crimes of persecution and murder while executing the common purpose. As the Prosecution has detailed elsewhere, it was foreseeable to the Accused that a JCE member or JCE member's tool²⁴⁵² might perpetrate persecution and murder in the execution of the JCE. The Accused are therefore liable under JCE III.²⁴⁵³

725. The charged crimes were committed by people being used as tools by the Accused or another JCE member. The link between a JCE member and his instrumentalities, specifically set forth for each crime below, often flowed from the JCE member's control over a hierarchical structure to which the physical perpetrators belonged²⁴⁵⁴ and the JCE member's close co-operation with the physical perpetrators.²⁴⁵⁵ In many instances a JCE member used an organisation that co-operated with other physical perpetrators to carry out the crimes; these other physical perpetrators thereby became the instrumentalities of the JCE member using the organisation.²⁴⁵⁶

726. To assist the Chamber, this section summarises the Accused's contributions to each individual crime base. The Accused's liability for committing through the JCE does not require that the Accused contributed specifically to every crime charged. Rather, if the Accused significantly contributed to furthering the JCE as a whole, the Accused is criminally responsible for crimes that other JCE members and their instrumentalities committed in furtherance of the common purpose.²⁴⁵⁷

²⁴⁵¹ *Brdanin*AJ, para.413; *Martić*AJ, para.168; *Krajišnik*AJ, para.225.

²⁴⁵² *Prosecutor v. Karadžić*, Case No. IT-95-5/18, Decision on Prosecution Motion Appealing Trial Chamber's Decision on JCE III Foreseeability, 25 June 2009; *Brdanin* AJ, para.365; *Kvočka* AJ, para.86; *Martić* AJ, para.168; *Stakić* AJ, para.65; *Vasiljević* AJ, para.101; *Krnojelac* AJ, para.32.

²⁴⁵³ *Stakić*AJ, para.65, 87; *Brdanin*AJ, para.365, 411; *Martić*AJ, para.83, 168.

²⁴⁵⁴ *Martić*AJ, para.181; *Stakić*AJ, para.69; *Brdanin*AJ, para.409.

²⁴⁵⁵ *Brdanin*AJ, para.410.

²⁴⁵⁶ *Martić*AJ, para.195.

²⁴⁵⁷ *E.g.*, *Kvočka*AJ, para.263.

727. In addition to JCE liability for committing the crimes, the Accused are liable for planning and ordering several of the charged crimes, as set forth below. The Accused are liable for ordering even if their order was not unlawful, so long as the Accused knew of the substantial likelihood of crimes being committed in executing the order.²⁴⁵⁸ The Accused are liable for planning where they designed the criminal conduct of the charged crime, or were aware of the substantial likelihood that a crime would be committed when the planned acts or omissions occurred,²⁴⁵⁹ and their planning substantially contributed to the crime.²⁴⁶⁰

The crimes in SAO-Krajina

“Nothing will get out of Dalmatia except children under the age of ten ... all that is older than 10 and younger than 75 will come to harm in Šibenik and we will not leave a single house standing.”

- Ratko MLADIĆ_(JCE) when he was Chief of Staff of the 9th Corps of the JNA.²⁴⁶¹

728. STANIŠIĆ and SIMATOVIĆ played a direct role in planning the SAO-Krajina take-over, and providing the requisite arms, equipment, finances, training, personnel and logistical support. They helped MARTIĆ establish police stations, established a training camp and sent CAPTAIN DRAGAN_(DB) to train MARTIĆ’s Police, SAO-Krajina TO units and other Serb Forces. The Accused continued to direct and provide support to MARTIĆ’s Police and the SAO-Krajina TO throughout the autumn of 1991. The Accused simultaneously established a Unit of their own, which would train additional Serb Forces. These actions demonstrate their participation in a JCE extending beyond SAO-Krajina.

729. Specifically, in SAO-Krajina the Accused significantly contributed to implementing the JCE in the following ways:

- STANIŠIĆ served as a channel of communication, especially between MILOŠEVIĆ and both MARTIĆ and BABIĆ, to further the JCE.²⁴⁶²

²⁴⁵⁸ *Blaškić*AJ, 41-42, 165, 471; *Kordić*AJ, para.30.

²⁴⁵⁹ *D.Milošević*AJ, para.268; *Kordić*AJ, para.29.

²⁴⁶⁰ *D.Milošević*AJ, para.268; *Kordić*AJ, para.26.

²⁴⁶¹ P2989, p.9 (public).

²⁴⁶² *Cross-reference*. “STANIŠIĆ served as a channel of communication between MILOŠEVIĆ and both MARTIĆ and BABIĆ” on page 278

- SIMATOVIĆ served as a channel of communication furthering the JCE by transmitting information gathered from SAO-Krajina institutions to JCE members in Belgrade.²⁴⁶³
- STANIŠIĆ and SIMATOVIĆ directed and organised the formation of MARTIĆ's Police and the Unit.²⁴⁶⁴
- STANIŠIĆ and SIMATOVIĆ directed and organised financing, training, logistical support and other substantial assistance for MARTIĆ's Police,²⁴⁶⁵ the SAO-Krajina TO²⁴⁶⁶ and the Unit.²⁴⁶⁷ STANIŠIĆ and SIMATOVIĆ sent their tool CAPTAIN DRAGAN_(DB) to the region to co-ordinate and carry out training, along with other SMUP-DB members.²⁴⁶⁸
- STANIŠIĆ and SIMATOVIĆ deployed the Unit into operations with MARTIĆ's Police and other Serb Forces, where they forcibly displaced non-Serb civilians.²⁴⁶⁹
- STANIŠIĆ and SIMATOVIĆ provided substantial assistance to Serb Forces in SAO-Krajina by arming them through a covert arming scheme beginning around late 1990.²⁴⁷⁰

The perpetrators of the crimes were JCE members or tools

730. The charged crimes were committed in the course of co-ordinated attacks on the non-Serb civilian population by joint formations consisting of JNA, MARTIĆ's Police and/or SAO-Krajina TO units. Some of the operations that forcibly displaced non-Serb civilians were conducted by the Unit and other forces based in Golubić and commanded by the Accused, through CAPTAIN DRAGAN_(DB)—these forces were the tools of the Accused.

²⁴⁶³ Cross-reference, "SIMATOVIĆ served as a channel of communication between and among JCE members" on page 283.

²⁴⁶⁴ Cross-reference, "The Accused established, equipped and financed police structures and police stations in SAO-Krajina" on page 28.

²⁴⁶⁵ Cross-reference, "Implementation of the JCE in SAO-Krajina: The Accused established, equipped and financed police structures and police stations in SAO-Krajina" on page 28.

²⁴⁶⁶ Cross-reference, "Implementation of the JCE in SAO-Krajina: The Accused established the Golubić training camp" on page 31; and "Golubić Training" on page 89.

²⁴⁶⁷ Cross-reference, "The "Unit" on page 88.

²⁴⁶⁸ Cross-reference, "Golubić Training on page 89.

²⁴⁶⁹ Cross-reference, "Early Attacks" on page 175.

²⁴⁷⁰ Cross-reference, "The Accused armed Serb Forces in SAO-Krajina" on page 253.

Perpetrators who were members of MARTIĆ's Police or the SAO-Krajina TO were under the command of MARTIĆ,²⁴⁷¹ as SAO-Krajina Minister of Defence, and under BABIĆ as SAO-Krajina President.²⁴⁷² These perpetrators were tools of MARTIĆ and BABIĆ. The perpetrators from the JNA were tools of JCE members KADIJEVIĆ,²⁴⁷³ ADŽIĆ²⁴⁷⁴ and MLADIĆ.²⁴⁷⁵

Responsibility for planning and ordering the crimes

731. STANIŠIĆ and SIMATOVIĆ are responsible for planning and ordering the crimes of forcible transfer, deportation and persecution committed through the attacks on Glina/Struga and Lovinac. SIMATOVIĆ commanded CAPTAIN DRAGAN_(DB) and the Unit that led the Glina/Struga take-over. After the take-over, SIMATOVIĆ reported satisfaction with the outcome—leading to the inference that the attack was executed as he had planned and ordered.²⁴⁷⁶ SIMATOVIĆ planned and personally participated in the Lovinac attack.²⁴⁷⁷

The crimes in SBWS



-JNA report from SBWS region, October 1991²⁴⁷⁸

732. The Accused planned, along with other JCE members, the SAO-SBWS take-over. This included establishing a government under HADŽIĆ's_(JCE) leadership, establishing other parallel institutions such as SAO-SBWS police forces, and forcibly removing the non-Serbs from the region through a military take-over and subsequent commission of crimes. BADŽA_(JCE) was sent to SBWS on behalf of the SMUP in order to command the TO forces

²⁴⁷¹ Cross-reference, para. 154.

²⁴⁷² Cross-reference, para. 157.

²⁴⁷³ Cross-reference, para. 180.

²⁴⁷⁴ Cross-reference, para. 170.

²⁴⁷⁵ Cross-reference, para. 171.

²⁴⁷⁶ Cross-reference, "The Unit's Early Operations in SAO-Krajina" on page 94; and "Glina/Struga attack" on page 175.

²⁴⁷⁷ Cross-reference, "Lovinac attack" on page 176.

and consolidate the TO and police under one command so that they could assist in the take-over and ensure that the territory remained under Serb control. STANIŠIĆ and BOGDANOVIĆ also sent ARKAN and his SDG to participate in the take-over of SBWS, and perpetrate brutal crimes against the non-Serb civilians.

733. The SMUP, particularly through the actions of STANIŠIĆ and BADŽA_(JCE), played a critical role in carrying out the objective of the JCE. SMUP-DB operatives, including KOSTIĆ_(DB) and KOJIĆ_(DB), provided arms and other other equipment for police and other forces in SBWS. SMUP officers, subordinated to BADŽA and his deputy ZAVIŠIĆ, volunteered as police officers in SBWS where they enabled ARKAN to move around freely and commit crimes with impunity. BADŽA, ZAVIŠIĆ, ARKAN and KOJIĆ were all considered to be in the “top echelons” or “top leadership” of SBWS.²⁴⁷⁹ Members of the Unit under SIMATOVIĆ were also present in SBWS and engaged in crimes in order to achieve the common purpose of forcibly removing the non-Serb population.

734. Specifically, in SAO-SBWS the Accused significantly contributed to implementing the JCE in the following ways:

- STANIŠIĆ directed and organised substantial assistance to Serb Forces in SAO-SBWS by arming them.²⁴⁸⁰
- STANIŠIĆ, along with JCE members BOGDANOVIĆ, BADŽA and HADŽIĆ directed and organised the financing, training and logistical support for the establishment and operation of SBWS police and provided other substantial assistance through the provision of equipment and weapons.²⁴⁸¹
- STANIŠIĆ and SIMATOVIĆ deployed ARKAN’s SDG to SAO-SBWS. They directed and organised financial and logistical support and arms for the SDG.²⁴⁸²

²⁴⁷⁸ P1047, p.2 (confidential).

²⁴⁷⁹ KNEŽEVIĆ:T.13487 (23-Aug-2011) (public).

²⁴⁸⁰ Cross-reference, “The Accused armed Serb Forces in SBWS” on page 257.

²⁴⁸¹ Cross-reference, “STANIŠIĆ and the Serbian MUP public and state security established police units in SAO-SBWS” on page 39.

²⁴⁸² Cross-reference, “Implementation of the JCE in SAO-SBWS: BADŽA and ARKAN trained SBWS TO units.” on page 43; “The Serbian Volunteer Guard (“SDG”) on page 134; “The Accused armed Serb Forces in SBWS” on page 257; “The Accused deployed the SDG to SAO-SBWS, where they committed crimes” on page 271.

- STANIŠIĆ served as a channel of communication between MILOŠEVIĆ_(JCE) and HADŽIĆ_(JCE), and the RSK government.²⁴⁸³
- STANIŠIĆ and SIMATOVIĆ continued to finance, train and provide logistical support and other substantial assistance to the Unit that was based in SAO-SBWS camps at Pajzoš and Tikveš, and committed crimes in the region.²⁴⁸⁴

The perpetrators of the crimes were JCE members or tools

735. The take-over of SBWS by the JNA, TO, police and other Serb Forces was the first step in the forcible displacement of the non-Serb population. JNA units were the tools of JCE members ADŽIĆ²⁴⁸⁵ and KADIJEVIĆ.²⁴⁸⁶ The TO and police, who also participated in the subsequent murders and other charged crimes, were the tools of BADŽA²⁴⁸⁷ and HADŽIĆ.²⁴⁸⁸ The TO and police also participated in the subsequent murders and other charged crimes. ARKAN's SDG, which committed many of the murders, persecutions, forcible transfers and deportations after the military attacks, was directly commanded by ARKAN, and as such its members were ARKAN's tools.²⁴⁸⁹ In addition, they were also tools of the Accused, who maintained authority over ARKAN and the SDG.²⁴⁹⁰ The SNB members who participated with the SDG in the charged murders and other crimes were HADŽIĆ's tools.²⁴⁹¹ All of these forces, along with Unit members under SIMATOVIĆ's command, perpetrated acts which led to coercive and threatening circumstances causing the local non-Serb population to flee. HADŽIĆ, as President of SBWS, was also responsible for the discriminatory legislation effecting forcible transfer and deportation. The crimes continued after SBWS was incorporated into the RSK, and JCE members, particularly STANIŠIĆ, SIMATOVIĆ, HADŽIĆ, MARTIĆ and ARKAN, continued to be in command of the forces committing the crimes.

²⁴⁸³ *Cross-reference*, "STANIŠIĆ served as a channel of communication between MILOŠEVIĆ and HADŽIĆ, and the RSK government" on page 279.

²⁴⁸⁴ *Cross-reference*, "Tikveš Camp" on page 96; and "Ilok Camp (Pajzoš)" on page 101.

²⁴⁸⁵ *Cross-reference*, para. 170.

²⁴⁸⁶ *Cross-reference*, para. 180.

²⁴⁸⁷ *Cross-reference*, paras. 57, 61, 63-67 and 162.

²⁴⁸⁸ *Cross-reference*, para. 58, 160.

²⁴⁸⁹ See, para. 297; P1078, p.1 (public). ██████████ (confidential)

²⁴⁹⁰ *Cross-reference*, paras 299; and "Serb Forces attacked non-Serb civilians in the autumn of 1991" on page 45.

²⁴⁹¹ *Cross-reference*, paras. 75-76.

Responsibility for planning and ordering the crimes

736. STANIŠIĆ and SIMATOVIĆ are responsible for planning and ordering the persecutions, forcible transfers and deportations committed in conjunction with the Vukovar take-over.²⁴⁹² Both participated in planning meetings just before the take-over, then attended a celebration afterwards—as non-Serb civilians fled the area.²⁴⁹³

The crimes in Bosnia and Herzegovina

“We conducted some operations with the Serbian MUP. You are here, close to Zvornik, you must know that our volunteers fought together with the Serbian MUP Special Unit and that it was owing to this co-ordinated action that Zvornik was liberated in time.”

- Vojislav ŠEŠELJ_(JCE), in an interview about his involvement in the take-over of Zvornik.²⁴⁹⁴

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Bijeljina and Zvornik

737. Through their leadership roles in the SMUP-DB, STANIŠIĆ and SIMATOVIĆ were involved in planning the take-over of Bijeljina and Zvornik, intending to forcibly and permanently remove the non-Serb population through the crimes of murder, forcible transfer, deportation and persecution. The Accused were involved in sending ARKAN and the SDG into these operations. ARKAN co-ordinated with other Serb Forces—including the JNA, local TO, and Serb paramilitaries—to implement the common criminal plan by murdering,²⁴⁹⁶ forcibly displacing and persecuting Bosniak civilians in Bijeljina and Zvornik. The Accused additionally contributed to the JCE by arming Zvornik’s Serb population. Following the take-over of Bijeljina and Zvornik, STANIŠIĆ and SIMATOVIĆ through Marko PAVLOVIĆ_(DB), in his capacity as Zvornik TO commander, furthered the common criminal plan through acts of persecution, deportation and forcible transfer.

²⁴⁹² Cross-reference, “Serb Forces attacked non-Serb civilians in the autumn of 1991” on page 45.

²⁴⁹³ Cross-reference, para. 73-74.

²⁴⁹⁴ P1400, p.6 (public).

²⁴⁹⁵ ----- (confidential).

²⁴⁹⁶ Murder is charged in Zvornik but not Bijeljina. Murder was an underlying act of persecution, deportation and forcible transfer in both Bijeljina and Zvornik.

PAVLOVIĆ_(DB) ultimately co-ordinated mass deportations of Bosniak civilians across multiple national borders to Hungary, which the SMUP facilitated.

738. Specifically, the Accused significantly contributed to the JCE as implemented in Bijeljina and Zvornik in the following ways:

- STANIŠIĆ and SIMATOVIĆ directed and organised substantial assistance to Serb Forces in Zvornik by arming the Serb Forces through PAVLOVIĆ²⁴⁹⁷ and KOSTIĆ_(DB).²⁴⁹⁸
- STANIŠIĆ and SIMATOVIĆ deployed ARKAN's men to assist in the take-overs through KOSTIĆ_(DB).²⁴⁹⁹
- STANIŠIĆ and SIMATOVIĆ directed and organised the formation of the Zvornik TO under PAVLOVIĆ,²⁵⁰⁰ which persecuted and ultimately forcibly displaced the non-Serb population of Kozluk and other villages in the Zvornik municipality.²⁵⁰¹

The perpetrators of the crimes were JCE members or tools

739. The SDG, JNA paramilitaries and police participated in the take-over of Bijeljina and Zvornik under the command of different JCE members to further the JCE. SDG members were involved in all charged crimes, including murders during the Zvornik take-over—they committed their crimes as ARKAN's tools.²⁵⁰² In addition, the SDG members were tools of the Accused, who maintained authority over them and ARKAN.²⁵⁰³ JNA members were tools of ADŽIĆ²⁵⁰⁴ and KADIJEVIĆ,²⁵⁰⁵ SRS volunteers were tools of ŠEŠELJ,²⁵⁰⁶

²⁴⁹⁷ D0162, p.2 (confidential). [REDACTED] (confidential). [REDACTED] (confidential); [REDACTED] (confidential).

B-161:P0589, p.36 (PriorT.21025) (PPCE).

²⁴⁹⁸ *Cross-reference*, “Zvornik” on page 260.

²⁴⁹⁹ *Cross-reference*, “SDG Operations in 1992” on page 144; and “The Accused deployed the SDG to Bijeljina and Zvornik, where they committed crimes” on page 272.

²⁵⁰⁰ *Cross-reference*, para. 497-98

²⁵⁰¹ *Cross-reference*, “Zvornik:Charged Crimes” on page 213.

²⁵⁰² *See*, para. 297. P1078, p.1 (public); [REDACTED] (confidential).

²⁵⁰³ *Cross-reference*, “The SDG's Links to the Accused” on page 137.

²⁵⁰⁴ *Cross-reference*, para. 170.

²⁵⁰⁵ *Cross-reference*, para. 180.

²⁵⁰⁶ *Cross-reference*, para. 178.

paramilitaries and police forces associated with the RSMUP were tools of Mičo STANIŠIĆ,²⁵⁰⁷ and paramilitaries and TO forces associated with the SDS were tools of KARADŽIĆ, KRAJIŠNIK and PLAVŠIĆ.

740. Marko PAVLOVIĆ_(DB), in his capacity as Zvornik TO commander, co-ordinated the armed forces and paramilitaries in Zvornik after the take-over. The Serb Forces under PAVLOVIĆ_(DB) and the Zvornik TO forcibly displaced the non-Serb population by forcing them onto convoys and by committing various underlying acts of persecution that created an environment of fear and made life in Zvornik unsustainable. PAVLOVIĆ_(DB) was an tool of the Accused, as were the various forces under his command.²⁵⁰⁸

Bosanski Šamac

741. The Accused's planning of the Bosanski Šamac operation began months before, with the establishment of the training camps at Ležimir and Pajzoš.²⁵⁰⁹ The SMUP-DB collaborated with the local Serb authorities to assemble a unit to take over Bosanski Šamac. Milan PRODANIĆ_(DB)—a SMUP-DB official and trusted subordinate of the Accused—recruited volunteers through the SRS to be trained as an SMUP-DB unit at Ležimir, and then sent them to the Pajzoš camp in March 1992. Dragan ĐORĐEVIĆ aka CRNI_(DB), a veteran member of the Unit, joined that group at Pajzoš as their commander. Bosanski Šamac's local Serb authorities recruited Serbs from Bosanski Šamac to be trained at Pajzoš. Under SIMATOVIĆ's authority, the Unit trained and armed Bosanski Šamac Serbs at Pajzoš beginning in March 1992. SIMATOVIĆ then personally ordered this unit to attack Bosanski Šamac. The Accused further contributed to the JCE through the actions of this unit, which murdered, forcibly transferred, deported, and persecuted the municipality's non-Serb population, in co-ordination with other Serb Forces such as the JNA and local TO.

742. Specifically, the Accused significantly contributed to the JCE as implemented in Bosanski Šamac in the following ways:

²⁵⁰⁷ *Cross-reference, para. 176.*

²⁵⁰⁸ *Cross-reference, paras. 497-498. BrdaninAJ, para.410; MartićAJ, para.181, 195.*

²⁵⁰⁹ *Cross-reference, "Training at the Ležimir Camp (Fruška Gora)" on page 97; and "Ilok Camp (Pajzoš)" on page 101.*

- STANIŠIĆ and SIMATOVIĆ directed and organised the formation of a special unit that would attack Šamac, led by Unit members and comprising former SRS volunteers and Bosanski Šamac locals.²⁵¹⁰
- STANIŠIĆ and SIMATOVIĆ directed and organised the training of the former SRS volunteers under DEBELI_(DB) at Ležimir and then at Pajzoš, having used PRODANIĆ_(DB) to send these volunteers for training.²⁵¹¹ They then directed and organised the training of Bosanski Šamac locals at Pajzoš.²⁵¹²
- STANIŠIĆ and SIMATOVIĆ deployed the Bosanski Šamac Red Berets to take over Bosanski Šamac and commit crimes.²⁵¹³

The perpetrators of the crimes were JCE members or tools

743. The take-over of Bosanski Šamac and the crimes of persecution, deportation and forcible transfer which occurred in its aftermath were perpetrated by the Bosanski Šamac Red Berets. LUGAR_(DB) and other members of the Red Berets unit committed the Crkvina massacre.

744. Although the Red Berets were not the only group committing crimes in the aftermath of the take-over, they were in charge, and they were the most brutal. TIHIĆ testified that:

Special units that took part in the attack against Bosanski Šamac or who led the attack against Bosanski Šamac and who were the masters. I know full well that nothing could have been decided without them afterwards...you could see straight away that these were persons who were prone to crime and that killing someone meant nothing to them.²⁵¹⁴

745. TIHIĆ went on to state, “CRNI was the commander of all. He is the one who issued orders.”²⁵¹⁵ A report of the 2nd Posavina Brigade of the Bosanski Šamac operations described the Red Berets’ “official role as war criminals in the area, of which local, Yugoslav and international public had been informed”.²⁵¹⁶

²⁵¹⁰ Cross-reference, “Training at the Ležimir Camp (Fruška Gora)” on page 97; and “Ilok Camp (Pajzoš)” on page 101.

²⁵¹¹ **TODOROVIĆ**:P1576, p.9-10 (PriorT.23431-32) (public).

²⁵¹² Cross-reference, para. 224, 233.

²⁵¹³ Cross-reference, para.239-40

²⁵¹⁴ **TIHIĆ**:T.3120 (3-Feb-2010) (public).

²⁵¹⁵ **TIHIĆ**:T.3122, 3136 (3-Feb-2010) (public).

²⁵¹⁶ P1418, p.1 (public)

746. The Bosanski Šamac Red Berets were tools of the Accused.²⁵¹⁷ Further, the Red Berets acted in co-ordination with the other Serb Forces, including RSMUP police and paramilitaries in perpetrating the crimes. The RSMUP police were the tools of Mićo STANIŠIĆ.²⁵¹⁸ Since the police and paramilitaries were co-ordinating with the tools of the Accused, they also became tools of the Accused. The local Bosanski Šamac political leadership that instituted discriminatory policies to drive non-Serbs out were the instrumentalities of JCE members in the Bosnian Serb leadership, including KARADŽIĆ²⁵¹⁹ and KRAJIŠNIK.²⁵²⁰

Responsibility for planning and ordering the crimes

747. SIMATOVIĆ planned and ordered the Red Berets' crimes at Bosanski Šamac. He briefed the Bosanski Šamac Red Berets beforehand. [REDACTED]

[REDACTED].²⁵²¹ The Accused deployed the Bosanski Šamac Red Berets to take over the municipality knowing that in a similar situation in SAO-Krajina—in the Glina/Struga take-over—the Unit they deployed had targeted the civilian population and driven them out.²⁵²² SIMATOVIĆ controlled the Red Berets during the operations²⁵²³ and CRNI reported to SIMATOVIĆ regarding their activities.²⁵²⁴ [REDACTED]

[REDACTED]²⁵²⁵ Shortly after the Bosanski Šamac crimes, the Accused repeated the same pattern in Doboj.

748. The only reasonable inference from these facts is that SIMATOVIĆ's role included planning and ordering the Bosanski Šamac Red Berets to perpetrate forcible transfer, deportation, persecution, and the Crkvina murders.

²⁵¹⁷ Cross-reference, paras. 220-234, 523.

²⁵¹⁸ Cross-reference, para. 176.

²⁵¹⁹ Cross-reference, para. 165-167. See also, "Implementation of the JCE in BiH" on page 51.

²⁵²⁰ Cross-reference, para. 174.

²⁵²¹ [REDACTED] (confidential); [REDACTED] (confidential); P1425, p.1 (public) (purpose of operation was to seize the town).

²⁵²² Cross-reference, "The Unit's Early Operations in SAO-Krajina" on page 94; and Glina/Struga attack" on page 175.

²⁵²³ Cross-reference, "Deployment for Posavina Corridor Operations: Bosanski Šamac" on page 108.

²⁵²⁴ **TODORVIĆ**:P1576, p.39-40, 51 (PriorT.23461-62, 23473) (public).

²⁵²⁵ [REDACTED] (confidential).

Doboj

749. The Doboj²⁵²⁶ take-over and subsequent crimes followed the same pattern as the events in Bosanski Šamac. The Accused's liability for planning, ordering and committing the crimes charged in Doboj through their contributions to the JCE mirrors their liability in relation to the Bosanski Šamac crimes. As in Bosanski Šamac, the Accused's plan for the Doboj operations began with setting up training camps. The SMUP-DB trained and armed local Serbs at the Mt. Ozren and Doboj training camps. BOŽOVIĆ, SUBOTIĆ_(DB) and other Unit members trained and commanded the units at the camps. SIMATOVIĆ was able to issue orders to the local Serbs being trained through BOŽOVIĆ and SUBOTIĆ_(DB). Through BOŽOVIĆ, the Accused ordered this unit to attack Doboj, where they murdered, forcibly transferred, deported, and otherwise persecuted the municipalities' non-Serb population, implementing the JCE's common plan in co-ordination with other Serb Forces including the JNA, local TO, and local police.

750. Specifically, the Accused significantly contributed to the JCE as implemented in Doboj in the following ways:

- STANIŠIĆ directed and organised substantial assistance to Serb Forces by approving the transfer of weapons to the Mt. Ozren camp.²⁵²⁷
- STANIŠIĆ and SIMATOVIĆ directed and organised the formation of a special unit that would attack Doboj, led by Unit members and comprising Doboj locals.²⁵²⁸
- STANIŠIĆ and SIMATOVIĆ, through their tools BOŽOVIĆ and SUBOTIĆ, directed and organised the training of local Serbs from the Doboj region at the Mt. Ozren and Doboj training centres.²⁵²⁹
- STANIŠIĆ and SIMATOVIĆ deployed the Doboj Red Berets to take over Doboj and commit crimes.²⁵³⁰

²⁵²⁶ P0080 (public); P0081 (public).

²⁵²⁷ Cross-reference, "The Accused armed Serb Forces in BiH" on page 259.

²⁵²⁸ Cross-reference, "Deployment for Posavina Corridor Operations: Doboj" on page 112.

²⁵²⁹ Cross-reference, "Deployment for Posavina Corridor Operations: Doboj" on page 112.

²⁵³⁰ Cross-reference, "Deployment for Posavina Corridor Operations: Doboj" on page 112; and "The Crimes in BiH: Doboj" on page 227.

The perpetrators of the crimes were JCE members or tools

751. The string of forcible transfers, deportations and persecutions in the towns and villages of Doboj municipality during and following the Doboj take-over, and the murders at Perčin's Disco, were perpetrated by the Doboj Red Berets and other Serb Forces in furtherance of the common criminal purpose. As in Bosanski Šamac, the victims perceived the Red Berets to be above the other forces with whom they co-operated. [REDACTED]

[REDACTED] 2531

752. The Doboj Red Berets, under the command of BOŽOVIĆ, were instrumentalities of the Accused.²⁵³² The Doboj Red Berets committed the crimes together with additional Serb Forces, including RSMUP police, military and paramilitary units. The RSMUP police were tools of Mićo STANIŠIĆ,²⁵³³ and military units were tools of ADŽIĆ,²⁵³⁴ KADIJEVIĆ²⁵³⁵ and, from 12 May 1992, MLADIĆ.²⁵³⁶ The crime base witnesses were not always certain which formation the perpetrators belonged to due to their close co-operation.²⁵³⁷ This does not detract from the Accused's liability. Given that BOŽOVIĆ and the Red Berets co-operated with other Serb Forces in perpetrating the crimes, these other Serb Forces became the instrumentalities of the Accused as well. The local Doboj political leadership that instituted discriminatory policies to drive non-Serbs out were the tools of JCE members in the Bosnian Serb leadership, including KARADŽIĆ²⁵³⁸ and KRAJIŠNIK.²⁵³⁹

Responsibility for planning and ordering the crimes

753. The Red Berets' Doboj operations followed the same pattern as in Bosanski Šamac and achieved the same results. Having seen the Red Berets' success in Bosanski Šamac, STANIŠIĆ and SIMATOVIĆ, through their loyal subordinate BOŽOVIĆ, repeated this pattern in Doboj because it was successful in furthering the JCE's common purpose.

²⁵³¹ [REDACTED] (confidential).

²⁵³² Cross-reference, "Deployment for Posavina Corridor Operations: Doboj" on page 112.

²⁵³³ Cross-reference, para. 176.

²⁵³⁴ Cross-reference, para. 170.

²⁵³⁵ Cross-reference, para. 180.

²⁵³⁶ Cross-reference, para. 171.

²⁵³⁷ D0027, p.12 (confidential).

²⁵³⁸ Cross-reference, paras. 165-167 and "Implementation of the JCE in BiH" on page 51.

²⁵³⁹ Cross-reference, para. 174.

SIMATOVIĆ maintained command over the Doboj Red Berets during the operation. Because they followed the same pattern, the Accused knew of the substantial likelihood that crimes similar to those committed in Bosanski Šamac would again be committed in Doboj in implementing the Accused's plan and orders. From this evidence the only reasonable inference is that both Accused planned and ordered the Doboj operations.

Trnovo

Overview

754. STANIŠIĆ and SIMATOVIĆ sent combat personnel in the form of mixed units to participate in joint operations with VRS units under the command of JCE members KARADŽIĆ and MLADIĆ from late June to late July 1995. This mixed unit included the Scorpions, ARKAN's unit and the *Plavi* Brigade of the Vukovar SUP. The Accused, through KOJIĆ_(DB), in co-operation with BADŽA, organised the deployment of these troops to Trnovo. The Accused sent MIJOVIĆ_(DB) to command the units in operations led and directed by the RSMUP. The Scorpions callously murdered six men and boys who had been captured as part of the take-over of Srebrenica by Serb Forces. The murders were recorded on videotape by one of the members of the unit.

755. Specifically, the Accused significantly contributed to the JCE as implemented in Trnovo in the following ways:

- STANIŠIĆ and SIMATOVIĆ deployed the Scorpions to the Trnovo operations.²⁵⁴⁰
- STANIŠIĆ directed and organised financing, logistical support and other substantial assistance to support the Scorpions' operations in Trnovo, including co-ordination of the deployment by KOJIĆ_(DB) and providing of a SMUP-DB escort when crossing the borders from SBWS to Serbia and from Serbia to BiH.²⁵⁴¹

The perpetrators of the crimes were JCE members or tools

756. The murders charged were committed by the Scorpions. As members of a unit commanded by MIJOVIĆ_(DB), they were instrumentalities of the Accused.²⁵⁴² In addition,

²⁵⁴⁰ Cross-reference, "The Special Units of the SMUP-DB: The Scorpions" on page 151; "The SMUP-DB Special Units' Joint Operations" on page 153; and "The Accused contributed to the JCE by deploying SMUP-DB special units into the areas where they committed crimes: Scorpions" on page 275.

²⁵⁴¹ Cross-reference, "The SMUP-DB Special Units' Joint Operations" on page 153.

²⁵⁴² Cross-reference, paras. 339-342, 355-365.

because they were participating in a joint operation with the VRS and RSMUP, they were also tools of MLADIĆ and Mićo STANIŠIĆ.

Sanski Most

Overview

757. RAŠULA and VRKEŠ, local SDS leaders, led the SDS in taking control over Sanski Most in April and May 1992 through an armed attack conducted by the JNA and then VRS, TO and paramilitaries. Leading up to, during and following the take-over these Serb Forces committed atrocities against non-Serb civilians, persecuting and forcibly displacing much of the non-Serb population. In September 1995, the Accused contributed directly to the JCE by sending ARKAN_(JCE) and his men to Sanski Most to murder non-Serb civilians in the last throes of Serb rule in that municipality.

758. Specifically, as discussed above, the Accused contributed to the JCE as implemented in Sanski Most in the following ways:

- STANIŠIĆ and SIMATOVIĆ deployed the SDG to Sanski Most in 1995.²⁵⁴³
- STANIŠIĆ and SIMATOVIĆ directed and organised the financing, logistical support and other substantial assistance to enable the SDG to commit the charged murders.²⁵⁴⁴

The perpetrators of the crimes were JCE members or tools

759. SDS leaders RAŠULA and VRKEŠ were tools of KARADŽIĆ_(JCE)²⁵⁴⁵ and KRAJIŠNIK_(JCE)²⁵⁴⁶. Both men were members of the same party as JCE members KARADŽIĆ and KRAJIŠNIK and frequently communicated with them in the months leading up to the take-over of Sanski Most municipality. Some evidence even suggests that VRKEŠ met with STANIŠIĆ and SIMATOVIĆ in Belgrade before the take-over.²⁵⁴⁷

²⁵⁴³ Cross-reference, “The Accused deployed the SDG to Sanski Most, where they committed crimes” on page 274.

²⁵⁴⁴ Cross-reference, “The Accused deployed the SDG to Sanski Most, where they committed crimes” on page 274.

²⁵⁴⁵ Cross-reference, paras. 165-167 and “Implementation of the JCE in BiH” on page 51.

²⁵⁴⁶ Cross-reference, para. 174.

²⁵⁴⁷ [REDACTED] (confidential); [REDACTED] (confidential).

760. The Serb Forces who participated in the take-over of Sanski Most and the crimes committed thereafter were members of the SOS paramilitary, formed by the SDS Crisis Staff, JNA and TO members. The SOS members were under KARADŽIĆ and KRAJIŠNIK, through their tools RAŠULA and VRKEŠ. The JNA and TO members were tools of ADŽIĆ²⁵⁴⁸ and KADIJEVIĆ.²⁵⁴⁹

761. In 1995, the perpetrators of the murders charged were ARKAN and the SDG, who were ARKAN's tools. In addition, the SDG members were also instrumentalities of the Accused.



Figure 13. P0454(p. 19 and 24):

(confidential)

²⁵⁴⁸ Cross-reference, para. 170.

²⁵⁴⁹ Cross-reference, para. 180.

Alternatively, the Accused Are Criminally Responsible for Aiding and Abetting the Charged Crimes

762. In the alternative, STANIŠIĆ and SIMATOVIĆ aided and abetted the crimes alleged in the Indictment. Their acts and omissions²⁵⁵⁰ before and during the commission of the charged crimes²⁵⁵¹ provided practical assistance, encouragement or moral support for their commission, and had a substantial effect on their commission.²⁵⁵² The Accused were aware of the probability both that the principal perpetrators would commit the crimes and that their acts would assist these principal perpetrators.²⁵⁵³

SAO-Krajina

Through their acts and omissions, the Accused provided practical assistance, encouragement, or moral support that had a substantial effect on the crimes committed in the SAO-Krajina

763. The Accused aided and abetted the crimes committed in the SAO-Krajina by the acts set out in paragraph 729. In addition, SIMATOVIĆ aided and abetted the crimes of deportation and forcible transfer in the SAO-Krajina by personally participating in the attack on Lovinac village together with MARTIĆ(JCE).²⁵⁵⁴

764. These actions of both Accused provided practical assistance to the commission of the charged crimes. Weapons gave the principal perpetrators the means to commit crimes, while training the principal perpetrators and organising them into units gave them the ability to perpetrate crimes on a scale that would have been impossible without that training and organisation.

765. In addition, SIMATOVIĆ's personal participation in an attack designed to promote ethnic cleansing had a substantial effect on the crimes of deportation and forcible transfer.

²⁵⁵⁰ *Nahimana*AJ, para.482; *Ntagerura*AJ, para.370; *Blaškić*AJ, para.47.

²⁵⁵¹ *Nahimana*AJ, para.482; *Blagojević*AJ, para.127; *Simić*AJ, para.85; *Blaškić*AJ, para.48.

²⁵⁵² *Seromba*AJ, para.44; *Nahimana*AJ, para.482; *Blagojević*AJ, para.127; *Ntagerura*AJ, para.370; *Ntakirutimana*AJ, para.530; *Blaškić*AJ, para.45; *Vasiljević*AJ, para.102.

²⁵⁵³ *Simić*AJ, para.86. *See also*, *Mrkšić*AJ, para.49, 63; *Blaškić*AJ, para.45, 50; *Ndindabahizi*AJ, para.122; *Furundžija*TJ, para.246; *Blaškić*TJ, para.287 (both referred to in *Blaškić*AJ, fn.94); *Brdanin*TJ, para.272; *Strugar*TJ, para.350. In the jurisprudence “probable” is synonymous with “likely”. *See Martić*TJ, para.79, fn.150.

²⁵⁵⁴ Cross-reference, para.696.

The Accused were aware that the principal perpetrators in the SAO-Krajina would commit crimes and that their acts would assist those principal perpetrators

766. STANIŠIĆ was a well-informed, active, and involved leader who carefully reviewed information provided to him by subordinates.²⁵⁵⁵ He informed himself of the work of individuals several levels below himself in the hierarchy and also travelled to the field to gather information.²⁵⁵⁶ One of SIMATOVIĆ's responsibilities while in the SAO-Krajina was to gather information about the security situation there and transmit it to the leadership in Belgrade.²⁵⁵⁷ SIMATOVIĆ also received reports about combat activities.²⁵⁵⁸ Given SIMATOVIĆ's presence in the SAO-Krajina and his reporting to Belgrade, both of the Accused were aware of the probability that the weapons, training, and organisation they provided would be used to commit crimes.

SAO-SBWS

Through their acts and omissions, the Accused provided practical assistance, encouragement, or moral support that had a substantial effect on the crimes committed in the SAO-SBWS

767. The Accused aided and abetted the crimes committed in the SAO-SBWS by the acts set out in paragraph 734. In addition, STANIŠIĆ aided and abetted crimes there by personally involving himself in the leadership of the Vukovar operation.²⁵⁵⁹ SIMATOVIĆ aided and abetted crimes there by attending a planning meeting before the final attack on Vukovar.²⁵⁶⁰ SIMATOVIĆ also commanded a group that participated in the fighting for Vukovar.²⁵⁶¹

²⁵⁵⁵ ČORBIĆ: T.14423-6 (13-Oct-2011)(public). ČORBIĆ limited his answers to his work with STANIŠIĆ in Sandžak, but the Prosecution submits that these are general management traits that STANIŠIĆ likely brought to all of his work.

See, [REDACTED] (confidential).

²⁵⁵⁶ ČORBIĆ: T.14423-6 (13-Oct-2011)(public).

²⁵⁵⁷ Cross-reference, para. 705-708.

²⁵⁵⁸ Cross-reference, para. 707.

²⁵⁵⁹ Cross-reference, para. 73,690-93.

²⁵⁶⁰ Cross-reference para. 74.

²⁵⁶¹ Cross-reference para. 74.

768. These actions provided practical assistance and encouragement to the principal perpetrators of the crimes in SAO-SBWS and had a substantial effect on their commission. As in SAO-Krajina, the provision of weapons and training enabled Serb Forces to commit crimes in a way and on a scale that they would not have been able to otherwise. By deploying the SDG and providing them with logistical and financial support, the Accused provided practical assistance and encouragement and had a substantial effect on the commission of their crimes and facilitated the crimes committed by others during the operations that they participated in. By participating in the military operations around Vukovar, the Accused had a substantial effect on the massive forcible transfer that eventually occurred there.²⁵⁶²

769. The Accused were aware that the principal perpetrators in the SAO-SBWS would commit crimes and that their acts would assist those principal perpetrators

770. ARKAN's criminal past and violent nature were well-known throughout Serbia and Europe.²⁵⁶³ The Accused were aware of the probability that he would commit crimes in the SAO-SBWS and that their assistance would help him do so. The SMUP-DB itself prepared reports regarding ARKAN's crimes and his crimes were widely reported by other entities as well.²⁵⁶⁴

771. More generally, STANIŠIĆ took steps to keep himself informed of events in the SAO-SBWS, including through the use of SMUP-DB operatives who were close to HADŽIĆ.²⁵⁶⁵ Given STANIŠIĆ's meticulous nature, his physical presence in the SAO-SBWS and his personal involvement in planning military operations there,²⁵⁶⁶ he was aware of the probability that his actions would assist the principal perpetrators to commit crimes.

Bijeljina and Zvornik

Through their acts and omissions, the Accused provided practical assistance, encouragement, or moral support that had a substantial effect on the crimes committed in Bijeljina and Zvornik

772. The Accused aided and abetted the crimes committed in Bijeljina and Zvornik by the acts set out in paragraph 738. As in other regions, their provision of weapons and formation

²⁵⁶² RADIĆ: P551, p.80(Table 9)(public).

²⁵⁶³ Cross-reference para. 300.

²⁵⁶⁴ Cross-reference para. 713.

²⁵⁶⁵ Cross-reference para. 709 -717.

²⁵⁶⁶ Cross-reference para. 73,690-93.

of Serb Forces (including the Zvornik TO under PAVLOVIĆ_(DB)) had a substantial effect on the ability of the principal perpetrators to commit crimes in the way they did. In addition, their deployment of ARKAN's men to the area provided substantial practical assistance to the crimes committed in Bijeljina and Zvornik by the SDG.

The Accused were aware that the principal perpetrators in Bijeljina and Zvornik would commit crimes and that their acts would assist those principal perpetrators

773. By the time the Accused deployed ARKAN to Zvornik, his crimes in the SAO-SBWS had been extensively reported on, including by the SMUP-DB.²⁵⁶⁷ The Accused were thus aware that ARKAN and his men had committed notorious crimes shortly before; they could not doubt that ARKAN and his men would do the same during their deployment to Bijeljina and Zvornik. In addition, STANIŠIĆ had watched KARADŽIĆ predict “the deaths of several hundred thousand people” and “massive and rapid population movements” in the event of a war in BiH.²⁵⁶⁸ STANIŠIĆ had himself recently acknowledged extermination as a possible way of resolving contentious issues between ethnic groups.²⁵⁶⁹ The Accused were aware of the probability that providing weapons and organisational assistance to Serb Forces in Bijeljina and Zvornik would provide practical assistance that would have a substantial effect on the perpetration of the crime.

Bosanski Šamac

Through their acts and omissions, the Accused provided practical assistance, encouragement, or moral support that had a substantial effect on the crimes committed in Bosanski Šamac

774. The Accused aided and abetted the crimes committed in Bosanski Šamac by the acts set out in paragraph 742. The formation, training, and deployment of the Bosanski Šamac Red Berets unit (under CRNI_(DB)) provided practical assistance and encouragement to the crimes committed in Bosanski Šamac; the unit would not have existed if it were not for these acts of the Accused. SIMATOVIĆ's briefing of this unit prior to its deployment in particular provided encouragement and moral support that had a substantial effect on the crimes committed there.

²⁵⁶⁷ *Cross-reference, “Section 4: The Accused Are Criminally Responsible for the Charged Crimes under Article 7(1) of the Statute” on page 249; and “The Accused were aware that JCE members ARKAN and HADŽIĆ were responsible for crimes committed in SAO-SBWS” on page 292.*

²⁵⁶⁸ P1483,p.87(public); P0678, p.1 (confidential). The date of this intercept is omitted from the English translation. It appears on page 1 of the BCS original.

The Accused were aware that the principal perpetrators in Bosanski Šamac would commit crimes and that their acts would assist those principal perpetrators

775. SIMATOVIĆ was aware that the Unit had previously participated in attacks in which civilians were illegally targeted, including the Glina/Struga attack,²⁵⁷⁰ the Lovinac attack,²⁵⁷¹ and the Kijevo attack.²⁵⁷² Members of the Unit had also committed a kidnapping while at Tikveš camp.²⁵⁷³ In light of this history of criminal behaviour, the Accused were aware of the probability that the Bosanski Šamac Red Berets would commit further crimes and that their own actions would have a substantial effect on the commission of those crimes.

776. That SIMATOVIĆ would deploy the Bosanski Šamac Red Berets despite being aware of their criminal tendencies is corroborated by the fact that the SMUP-DB re-deployed CRNI to Bosanski Šamac in October 1992²⁵⁷⁴ despite the fact that SIMATOVIĆ was aware, by June or July 1992, of his crimes in Bosanski Šamac.²⁵⁷⁵

Doboj

Through their acts and omissions, the Accused provided practical assistance, encouragement, or moral support that had a substantial effect on the crimes committed in Doboj

777. The Accused aided and abetted the crimes committed in Doboj by the acts set out in paragraph 750. By forming, arming, training and deploying the Doboj Red Berets (under BOŽOVIĆ_(DB)), the Accused created the means to commit the charged crimes, thus providing practical assistance and having a substantial effect on their commission.

The Accused were aware that the principal perpetrators in Doboj would commit crimes and that their acts would assist those principal perpetrators

778. The arguments above regarding the Accused's knowledge of the Unit's past criminal conduct apply equally to Doboj. By the time of the Doboj takeover, the Unit's extensive

²⁵⁶⁹ See, "Section 4: The Accused Are Criminally Responsible for the Charged Crimes under Article 7(1) of the Statute" on page 249; and "STANIŠIĆ advocated violence against non-Serbs as early as January 1992" on page 285.

²⁵⁷⁰ Cross-reference, paras. 212-15, 401

²⁵⁷¹ P3195, p.13 (confidential).

²⁵⁷² Cross-reference, para. 406-411.

²⁵⁷³ Cross-reference, para. 218.

²⁵⁷⁴ Cross-reference, para. 834.

²⁵⁷⁵ **TODOROVIĆ**:P1576,p.49-51(PriorT. 23471-73)(public); P1579.

crimes in Bosanski Šamac²⁵⁷⁶ provided even more evidence of the criminal propensities of Unit members. The Accused were therefore aware of the probability that Unit members would commit crimes when deployed to Dobojo, and that their own actions assisted Unit members in the commission of those crimes.

Trnovo

Through their acts and omissions, the Accused provided practical assistance, encouragement, or moral support that had a substantial effect on the crimes committed in Trnovo

779. The Accused aided and abetted the crimes committed in Trnovo by the acts set out in paragraph 755. They also aided and abetted the Scorpions' crimes by sending MIJOVIĆ to act as the Scorpions' commander.

The Accused were aware that the principal perpetrators in Trnovo would commit crimes and that their acts would assist those principal perpetrators

780. By 1995, the Accused were well aware of the criminal propensities of the members of the Unit. Given that MIJOVIĆ led the Unit at Tikveš that committed the kidnappings in Grabovac,²⁵⁷⁷ the Accused were aware of the probability that a unit operating under MIJOVIĆ would be likely to commit crimes, and that by providing MIJOVIĆ as the commander, they were assisting the commission of these crimes.

Sanski Most

Through their acts and omissions, the Accused provided practical assistance, encouragement, or moral support that had a substantial effect on the crimes committed in Sanski Most

781. The Accused aided and abetted the crimes committed in Sanski Most by the acts set out in paragraph 758. By deploying the SDG and providing them with financing and other support, the Accused provided practical assistance which had a substantial effect on their commission of crimes in Sanski Most.

The Accused were aware that the principal perpetrators in Trnovo would commit crimes and that their acts would assist those principal perpetrators

782. By 1995, the SDG's character for brutality and criminality had been established beyond doubt by their crimes in the SAO-SBWS, Bijeljina, and Zvornik.²⁵⁷⁸ The Accused

²⁵⁷⁶ See para.528-540.

²⁵⁷⁷ Cross-reference, para. 218.

²⁵⁷⁸ Cross-reference, "The Crimes in SAO-SBWS" on page 194; and "Bijeljina and Zvornik" on page 206.

were aware of the probability that the SDG would continue to commit crimes, and that their assistance would help the SDG to do so.

Section 5: Sentencing

783. As key members of the JCE, STANIŠIĆ and SIMATOVIĆ murdered, deported, forcibly transferred and persecuted thousands of non-Serbs over nearly five years across a vast geographic area in Croatia and BiH. They were indispensable to the successful execution of the JCE's common plan, which left the areas they targeted largely empty of the non-Serbs who had lived there in 1990. This trial brief has marshalled the evidence establishing their individual criminal responsibility for the charged crimes.

Gravity of the Offence

784. In determining the gravity of the offence, the Tribunal has considered two main aspects: (i) the seriousness of the underlying crimes; and (ii) the form and degree of participation of the accused.²⁵⁷⁹

*The seriousness of the underlying crimes*²⁵⁸⁰

785. The crimes committed in SAO-Krajina, SAO-SBWS, and the BiH municipalities involved thousands of victims²⁵⁸¹ who suffered serious physical, psychological and emotional consequences.²⁵⁸² All of the crimes were committed with persecutory intent.²⁵⁸³

786. Serb Forces ensured that the conditions were so hostile that the non-Serb population could do nothing but flee. Not only were thousands of civilians forced from their homes, many were forced into detention centres where their captors murdered, beat, raped and otherwise abused them. In Bosanski Šamac, for example, Red Berets and other Serb Forces sexually assaulted, punched, kicked, strangled and beat detainees with police batons, in addition to extracting teeth, threatening execution, and forcing detainees to consume their own urine or excrement and to lick blood from furniture.²⁵⁸⁴

²⁵⁷⁹ See e.g. *MrkšićAJ*, para.375, 400; *ČelebićiAJ*, para.741.

²⁵⁸⁰ *GalićAJ*, para.442; *BlaškićAJ*, para.679; *ČelebićiAJ*, para.731; *Aleksovski*, AJ, para.182; see e.g. *MrkšićAJ*, para.375, 400; *ČelebićiAJ*, para.741.

²⁵⁸¹ *MrkšićAJ*, para.413; *KrajišnikAJ*, para.779; *Babić* SJ, para.47; *Češić* SJ, para.32; *KrstićTJ*, para.702; *StakićTJ*, para.910; *KrajišnikTJ*, para.1148; *MilutinovićTJ*, para.1147; *PlavšićSJ*, para.52.

²⁵⁸² *MrkšićAJ*, para.408, 411; *KrajišnikAJ*, para.779; *BlaškićAJ*, para.683.

²⁵⁸³ *Banović* SJ, para.91. See also *Obrenović* SJ, para.65; *M.Nikolić* SJ, para.105.

²⁵⁸⁴ See, "Bosanski Šamac" na página n° 218.

787. Serb Forces also murdered hundreds more throughout the municipalities. Each unarmed, civilian victim—including women, children, and the elderly—was particularly vulnerable. The evidence demonstrates that the crimes with which the Accused are charged were of the most serious nature, targeting the defenceless on the basis of their ethnicity.

*Positions of the Accused and their Participation*²⁵⁸⁵

788. As the most senior members within the SMUP-DB's and the Unit's command structure, the Accused's crimes merit "the severest sentences."²⁵⁸⁶

789. STANIŠIĆ was *de facto* head of the SMUP-DB until his formal appointment to the position of SMUP-DB Chief, which he held throughout the Indictment period from 31 December 1991. Effectively, he was the most powerful person in the SMUP-DB throughout the Indictment period. His responsibilities encompassed all aspects of the SMUP-DB's work and personnel, most notably the co-ordination and co-operation between the SMUP-DB and other Serb Forces.

790. SIMATOVIĆ first served as a Senior Inspector in the newly-formed Intelligence Administration (or Second Administration) of the SMUP-DB. By May 1992, he was appointed Deputy Chief of the Second Administration. From the inception of the Unit, SIMATOVIĆ was its commander. Throughout the Indictment period, SIMATOVIĆ functioned under the authority of STANIŠIĆ.

791. STANIŠIĆ and SIMATOVIĆ held positions at the apex of the SMUP-DB hierarchy, with full command over the Unit, and "use[d] [their] position to commit crimes."²⁵⁸⁷ Their participation in the crimes is thus more serious in light of their high-level positions.²⁵⁸⁸ In

²⁵⁸⁵ *BlagojevićAJ*, para.339; *GalićAJ*, para.409; *BlaškićAJ*, para.683; *Stakić*, AJ, para.380; *ČelebićiAJ*, para.731; *Aleksovski*, AJ, para.182; see e.g. *MrkšićAJ*, para.375, 400; *ČelebićiAJ*, para.741.

²⁵⁸⁶ *MusemaAJ*, para.382; see *TadićSAJ*, paras 55-56.

²⁵⁸⁷ *KrstićTJ*, para.709 citing *RutagandaTJ*, para.469. Abuse of authority by military leaders has repeatedly been considered an aggravating factor in the jurisprudence of this Tribunal. See e.g. *D.MiloševićTJ*, para.999; *D.MiloševićAJ*, para.302; *GalićTJ*, para.765; *GalićAJ*, para.412; *MilutinovićTJ*, para.1185, 1195, 1201.

²⁵⁸⁸ See e.g. *StrugarAJ*, para.353 where the Appeals Chamber affirmed the Trial Chamber's assessment that STRUGAR's crimes were more serious due to his "position as a commander at a very high level in the JNA command structure."

addition, the prolonged nature of the Accused's participation in crimes, spanning nearly five years from 1991 to 1995, is an aggravating factor.²⁵⁸⁹

792. If the Accused are convicted of committing deportation or forcible transfer as part of a JCE, their role in planning and ordering these crimes should be considered an aggravating factor as their role in planning and ordering was not an element required to establish commission of deportation or forcible transfer.²⁵⁹⁰

Mitigating factors

793. The Prosecution recognises that there are mitigating factors with respect to each Accused.

- The Prosecution recognises that both Accused played a significant role in the release of UN hostages during the summer of 1995. The Prosecution submits that their involvement in the release of the UN peacekeepers from their captors in BiH was in part motivated by a realisation by JCE members that their political objectives would be adversely affected should the UN peacekeepers be harmed. Despite this, the Prosecution recognises that both STANIŠIĆ and SIMATOVIĆ personally entered BiH during a volatile and dangerous time, assumed risks to their own personal safety and security, and brought over 300 hostages out safely.²⁵⁹¹
- The Prosecution recognises that STANIŠIĆ played a constructive role in the Dayton peace negotiations which brought the conflict to a conclusion. He played a constructive role in both the preparatory phase of the talks and the talks themselves.
- The Prosecution recognises that STANIŠIĆ, at times, used his position in the SMUP-DB to co-operate with other intelligence agencies of the international

²⁵⁸⁹ *Brdanin*TJ, para.1111; *Krstić*TJ, para.711-712; *Simić*TJ, para.74; *Blaškić*TJ, para.784; *Jelić*TJ, para.131; *Todorović*TJ, para.63-64; *Stakić*TJ, para.917; *Vasiljević*TJ, para.279; *Tadić* SJ, para.20. See also in the ICTR jurisprudence: *Serushago*SJ, para.25 (i); *Kambanda*SJ, para.61 (B) (vi) (in particular); *Kayishema*TJ, para.16-23; *Ruggiu*TJ, para.20; *Niyitegeka*TJ, para.499 (vi).

²⁵⁹⁰ *Stakić*AJ, para.413.

²⁵⁹¹ STANIŠIĆ has argued during the trial that his involvement in the release of the UN hostages and the French pilots demonstrates he lacked the requisite *mens rea* for the charged crimes. The Prosecution emphatically rejects any assertion that his involvement in the hostage release is unequivocal evidence of his *mens rea* for the crimes that occurred prior to that event..

General Momčilo PERIŠIĆ also sought a favorable finding for his work during the release of the French pilots. In granting limited weight to this mitigating factor, the *Perišić* Trial Chamber found that “[i]t would be unreasonable to conclude that [h]is involvement was simply motivated by

community. Without specific evidence, the Prosecution is unable to form a view as to what degree of mitigation is appropriate.

- The Prosecution recognises that each Accused, for the most part, has complied with all of the terms of their provisional release during the times the Chamber has granted such.
- The Prosecution recognises that both Accused conducted themselves appropriately, co-operatively and with dignity throughout the course of the trial.

Other mitigation advanced by the defence

794. The Prosecution anticipates that the Accused may advance, as a mitigating factor, that they have provided “substantial co-operation with the Prosecutor”,²⁵⁹² which is the only mitigating factor that the Trial Chamber is specifically required to consider.²⁵⁹³ Though both Accused agreed to provide written answers to questions and be interviewed by the Prosecution, this of itself does not amount to “substantial co-operation” and should not be accorded much weight.²⁵⁹⁴ While they had no obligation to speak to OTP investigators and were advised of such, they did and, in doing so, they are accountable for the candor of their statements. It is the Prosecution’s position that neither Accused was completely candid and truthful during these interviews.

795. Neither STANIŠIĆ nor SIMATOVIĆ should be considered to have voluntarily surrendered to the ICTY. The Accused were detained for questioning in March 2003 by Serbian authorities. While detained, an ICTY arrest warrant was issued for their arrest on 1 May 2003 and Serbian authorities transferred the Accused to the custody of the ICTY on 30 May 2003. Neither Accused had any reasonable possibility of refusing their extradition to the seat of the Tribunal.

796. The Prosecution anticipates that STANIŠIĆ may advance his chronic health condition as a mitigating factor. The Prosecution submits that his health is something that is independent of and unrelated to this case – it is not a factor that should impact a sentencing

altruism for the pilots’ fates as opposed to the FRY’s military and political interest in easing its conflict with NATO”. *Perišić*TJ, para.1830.

²⁵⁹² Rule 101 (B) (ii).

²⁵⁹³ Rule 101 (B) (ii). *See also, Bralo* SAJ, para.11 affirming *Vasiljević*AJ, para.780; *D.Nikolić* SAJ, para.63.

²⁵⁹⁴ *See Blagojević*AJ, para.344; *Vasiljević*AJ, para.180.

decision.²⁵⁹⁵ The Prosecution fully expects that should STANIŠIĆ be convicted and sentenced to a period of incarceration he will continue to receive reasonable and appropriate medical treatment for his chronic condition.

Sentencing Practice in Courts of the Former Yugoslavia²⁵⁹⁶

797. During the Indictment period, under the laws of the FRY, BiH, and Croatia, the maximum penalties available for these crimes covered a range up to and including the death penalty.²⁵⁹⁷

Sentence Recommendation

798. After considering the gravity of the charged crimes, the role each Accused played in them and the mitigating factors described above the Prosecution recommends in the event the Chamber finds both Accused criminally responsible for all of the charged crimes, the Chamber impose a sentence of life imprisonment for each Accused. The Prosecution makes this recommendation despite acknowledging the existence of significant mitigating factors because the gravity of the crimes and the harm such crimes occasioned for so many innocent civilian victims is so great, so irreparable and was so unnecessary that it substantially outweighs any of the mitigating factors discussed above.

“Even after all this, people will go on living together in Bosnia-Herzegovina; Croats, Serbs, and Muslims, because it's a society of that type, despite the conflicts and suffering. The project, which was aimed at separating the peoples and which aimed at arousing conflict, failed.”

- Suljeman TIHIĆ, witness who gave evidence of the take-over of Bosanski Šamac and his subsequent imprisonment by members of the Red Berets of the Serbian State Security Service.²⁵⁹⁸

²⁵⁹⁵ See, *BABIĆSAJ*, para. 43.

²⁵⁹⁶ *GalićAJ*, para.398; *KordićAJ*, para.1080; *BlaškićAJ*, para.681; *KrstićAJ*, para.262; *JelisićAJ*, para.117; *Tadić SAJ*, para.21; *ČelebićAJ*, para.813.

²⁵⁹⁷ Criminal Code of the SFRY Arts.38 (1), 38 (2), 142-144; Criminal Code of the Socialist Republic of Bosnia and Herzegovina, Art.36; Common Criminal Code of the Republic of Croatia of 16 April 1993, NN 31/93, Arts.119-122, 123.

²⁵⁹⁸ **TIHIĆ**:T.3158 (3-Feb-2010) (public).

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

IT-03-69-T

**THE PROSECUTOR
v.
JOVICA STANIŠIĆ
and
FRANKO SIMATOVIĆ**

Public

**Annex A
to**

P R O S E C U T I O N F I N A L T R I A L B R I E F

**Index of Persons with a
Significant Relationship to the Serbian State Security Service**

Annex A: Index of Persons with a Significant Relationship to the Serbian State Security Service

799. The evidence in this case has established that those listed below had a significant relationship to the SMUP-DB, as described in detail below.

ANDIĆ, Milan

800. ANDIĆ_(DB) was an original member of the unit trained in Golubić.²⁵⁹⁹ He was wounded in the July 1991 attack on Glina²⁶⁰⁰ and his injuries were reported to SIMATOVIĆ.²⁶⁰¹ The SMUP-DB recognised ANDIĆ_(DB) posthumously at the 1996 anniversary of the Unit.²⁶⁰²

AVRAMOVIĆ, Živomir (Žika) aka AVRAM

801. AVRAMOVIĆ_(DB), also known as “AVRAM,”²⁶⁰³ was deployed to Bosanski Šamac in April 1992 with ĐORĐEVIĆ_(DB), VUKOVIĆ_(DB), RADOVANOVIĆ_(DB) and others.²⁶⁰⁴ He beat detainees at the Bosanski Šamac TO with LAKI_(DB), ĐORĐEVIĆ_(DB), BELI_(DB), and RADOVANOVIĆ_(DB).²⁶⁰⁵ [REDACTED]²⁶⁰⁶ along with other members deployed to Bosanski Šamac, including ĆULIBRK_(DB).²⁶⁰⁷

²⁵⁹⁹ P1001, p.1 (confidential) ([REDACTED]).

²⁶⁰⁰ P2659, p.7 (public).

²⁶⁰¹ P2670, p.2 (public).

²⁶⁰² P1075, p.5, 13 (public) (surname appears as a note from the translator “/?ANDRIĆ/”)

²⁶⁰³ D1207, p.1, 3 (public); D1209, p.1 (public). LUKAČ:P1834, p.23 (public) (identifying AVRAM as Žika AVRAMOVIĆ).

²⁶⁰⁴ [REDACTED] (confidential) ([REDACTED]).

TODOROVIĆ:P1576, p.21 (PriorT.23443) (public) (group included CRNI, DEBELI, LUGAR, Aleksandar VUKOVIĆ aka VUK, AVRAM, LAKI, TRALJA, STUDENT, MALI).

See also P1428, p.6 (public); D1206, p.2 (public); D1209, p.1 (public); D1207, pp.1-4 (public); D126, p.6 (public); P1427, pp.1-5 (public).

²⁶⁰⁵ FirstAFD, no.376. LUKAČ:P1836, pp.161-62 (PriorT.1687-88) (public). [REDACTED] (confidential); [REDACTED] (confidential).

See also, [REDACTED] (confidential); P1809, p.13 (confidential).

²⁶⁰⁶ Cross-reference, “JATD Per Diem Payments” on page 125; and Annex B.

²⁶⁰⁷ P1485, pp.3, 5 (confidential); D1207, pp.2-3 (public); D0126, p.2 (public); D1209, p.1 (public); P1427, pp.3, 5, 8 (confidential).

BAKLAIĆ, Predrag

802. BAKLAIĆ_(DB) began arming and training Serbs in 1990.²⁶⁰⁸ After participating in the fighting for Borovo Selo, BAKLAIĆ_(DB) trained at Golubić and became a platoon commander of the Special Unit for Korenica and Vrhovine until February 1992. In November 1991, he introduced himself as commanding a group of specially trained men who had been trained in Golubić.²⁶⁰⁹

803. [REDACTED]
[REDACTED] 2610 [REDACTED] 2611 [REDACTED] 2612 [REDACTED]
[REDACTED] 2613 [REDACTED] 2614

BANJAC, Đurica

804. BANJAC_(DB)'s association with the Unit dates back to 1991.²⁶¹⁵ He was present in Pajzoš with IVANOVIĆ_(DB) and other Unit members in December 1991 [REDACTED]²⁶¹⁶

[REDACTED]²⁶¹⁷

805. [REDACTED]²⁶¹⁸ [REDACTED]²⁶¹⁹

806. BANJAC_(DB) was present at the Kula ceremony in 1997.²⁶²⁰ He was introduced to Slobodan MILOŠEVIĆ as a "Captain" and one of the "Unit's veteran officers,"²⁶²¹ and STANIŠIĆ personally presented him with an award.²⁶²² BANJAC_(DB) is one of the two

²⁶⁰⁸ P3008, p.1 (confidential).

²⁶⁰⁹ P1125, p.1 (public); P3190, p.11 (confidential).

²⁶¹⁰ P3008, p.3 (confidential).

²⁶¹¹ P3008, p.2 (confidential); P3190, p.11 (confidential).

²⁶¹² P1075, p.13 (public); P3152, p.1 (confidential); P3190, pp.11-12 (confidential)

²⁶¹³ P1075, p.5 (public).

²⁶¹⁴ P3190, p.12 (confidential).

²⁶¹⁵ P2984, p.10-11 (confidential).

²⁶¹⁶ P2984, p.10-11 (confidential).

²⁶¹⁷ P0089, p.1 (public); P0142, p.1 (public); P0143, p.1 (public). See also P0061, p.8 (MILOŠEVIĆ is introduced to BANJAC at Kula ceremony), p.27 (BANJAC receives an award) (public); P3021, p.10 (confidential) (request for background check for BANJAC).

²⁶¹⁸ P3021, p.10 (confidential).

²⁶¹⁹ Cross-reference, Annex B.

²⁶²⁰ P0061, pp.8, 27 (public); P1002, p.3 (public).

²⁶²¹ P0061, pp.4-8, (timecode-00:09:06-00:11:25) (public).

²⁶²² P0061, p.27, (timecode-00:44:08-00:44:20) (public).

members²⁶²³ that STANIŠIĆ spontaneously referred to as an example of “what we have put into our Unit”.²⁶²⁴

“BELI”

807. “BELI”_(DB) was part of the Pajzoš-trained Red Berets unit under ĐORĐEVIĆ’s_(DB) command in Bosanski Šamac in April 1992.²⁶²⁵ He abused non-Serb detainees held in the Bosanski Šamac SUP²⁶²⁶ and TO.²⁶²⁷ TIHIĆ testified that he was one of the most vicious.²⁶²⁸

808. [REDACTED]²⁶²⁹ [REDACTED]²⁶³⁰
 [REDACTED]²⁶³¹ [REDACTED]²⁶³² [REDACTED]
 [REDACTED]²⁶³³

BOŽIĆ, Božo

809. Božo BOŽIĆ_(DB) and his brother Rade served as instructors at Golubić.²⁶³⁴ In 1992, before the war in BiH, the BOŽIĆ_(DB) brothers went to Fruška Gora before Brčko,²⁶³⁵ where they became instructors for CAPTAIN DRAGAN_(DB) and formed a “special unit” including many local residents they trained.²⁶³⁶

810. While in Brčko, the BOŽIĆ_(DB) brothers and other members of CAPTAIN DRAGAN’S_(DB) “Red Berets” broke into the police station and stole weapons and other

²⁶²³ The other was Goran OPAČIĆ in this Annex.

²⁶²⁴ P0061, p.27, (timecode-00:46:03-00:47:05) (public).

²⁶²⁵ D1198, p.1 (confidential); P1416, pp.2-3 (confidential).

TIHIĆ:T.3122 (3-Feb-2010) (public); P0177, p.9 (PriorT.29887) (public).

²⁶²⁶ [REDACTED] (confidential).

²⁶²⁷ FirstAFD-no.376. **LUKAČ**:P1836, p.162 (PriorT.1688) (PPCE).

²⁶²⁸ **TIHIĆ**:P0177, p.9 (PriorT.29887) (public); *See also* T.3122 (3-Feb-2010) (public).

²⁶²⁹ [REDACTED] (confidential).

²⁶³⁰ [REDACTED] (confidential).

²⁶³¹ [REDACTED] (confidential).

²⁶³² [REDACTED] (confidential).

²⁶³³ [REDACTED] (confidential); P1001 (confidential).

²⁶³⁴ [REDACTED] (confidential); P1001, p.1 (confidential).

²⁶³⁵ [REDACTED] (confidential).

²⁶³⁶ D0083, p.3-4 (public).

police equipment.²⁶³⁷ In May 1992, this unit participated in combat operations in the area of Brčko-Klanac.²⁶³⁸ However, it eventually operated independently of the JNA/VRS.²⁶³⁹

811. By 1993, the BOŽIĆ_(DB) brothers had been picked by CAPTAIN DRAGAN_(DB) to join him at the *Alfa* Training Centre.²⁶⁴⁰

BOŽIĆ, Rade

812. See entry for Božo BOŽIĆ_(DB).

813. In addition to breaking into the police station as described above, Rade BOŽIĆ_(DB) along with CAPTAIN DRAGAN'S_(DB) "Red Berets" stormed the Brčko SJB and held the municipal president and the First Posavina Brigade Chief of Staff hostage.²⁶⁴¹

BOŽOVIĆ, Radojica aka RAJO/RAJA, aka KOBAC

814. BOŽOVIĆ_(DB) was associated with the Accused and the SMUP-DB from almost the first day of the Indictment period to the last. He was a member of the Unit at Golubić²⁶⁴² under CAPTAIN DRAGAN_(DB).²⁶⁴³ At the Kula ceremony in 1997 he was introduced to Slobodan MILOŠEVIĆ as a "veteran officer". MILOŠEVIĆ indicated to BOŽOVIĆ_(DB) that he had read BOŽOVIĆ'S_(DB) reports.²⁶⁴⁴ [REDACTED] BOŽOVIĆ_(DB) indicated that the Unit was founded on 4 May 1991.²⁶⁴⁵

815. BOŽOVIĆ_(DB) was the deputy commander of the Unit and commanded the Unit's IKM at Pajzoš.²⁶⁴⁶ He was also commander of its reconnaissance and intervention platoon.²⁶⁴⁷ BOŽOVIĆ_(DB) confirmed that the Unit at Pajzoš comprised SMUP-DB

²⁶³⁷ P3017, p.7-8 (public).

²⁶³⁸ D0202, p.2, 5 (public).

²⁶³⁹ D0083, p.4-5 (public).

²⁶⁴⁰ P1178, p.4 (public); P1184, p.1 (public).

²⁶⁴¹ P3017, p.8 (public).

²⁶⁴² [REDACTED] (confidential) ([REDACTED]). [REDACTED] (confidential).

²⁶⁴³ P1655, p.4 (confidential); P0473, p.4 (confidential).

SLIŠKOVIĆ:P0440, para.3 (public); P0441, para.23 (confidential).

²⁶⁴⁴ P0061, p.4 (public).

²⁶⁴⁵ P1655, p.62 (confidential).

²⁶⁴⁶ P2984, p.15 (confidential).

²⁶⁴⁷ P2984, p.16 (confidential).

employees.²⁶⁴⁸ Like many prominent SMUP-DB Unit members, BOŽOVIĆ_(DB) had IDs for both the RSKMUP and the SMUP.²⁶⁴⁹

816. BOŽOVIĆ_(DB)'s first combat operations were in Doboj in May 1992. During those operations, he called Belgrade²⁶⁵⁰ and met with CAPTAIN DRAGAN_(DB).²⁶⁵¹ BOŽOVIĆ_(DB) reported directly to STANIŠIĆ or through SIMATOVIĆ,²⁶⁵² and he called SIMATOVIĆ “boss”.²⁶⁵³ [REDACTED]

[REDACTED]²⁶⁵⁴

817. BOŽOVIĆ_(DB) commanded a special purposes unit established in Skelani, BiH in June 1992. It was called the “Red Berets” and was affiliated with the SMUP. The unit took part in combat in eastern Bosnia, after which the unit went to Tara.²⁶⁵⁵ The VRS Skelani Independent Battalion was well aware of the links among “FRENKI”, BOŽOVIĆ_(DB) and this Red Berets unit.²⁶⁵⁶

818. When the JATD was formally organised in 1993, Deputy Commander RADONJIĆ_(DB) recommended BOŽOVIĆ_(DB) for a position in the Unit. [REDACTED]

[REDACTED]²⁶⁵⁷ [REDACTED] he served under

²⁶⁴⁸ KNEŽEVIĆ:T.13454-55 (22-Aug-2011) (confidential); see [REDACTED] (confidential) ([REDACTED]).

²⁶⁴⁹ *Cross-reference, “Brčko” on page 110.* P1585, p.29 (confidential); see P1077, p.3 (confidential).

²⁶⁵⁰ [REDACTED] (confidential); P0139, p.2 (public); T.2936-37 (25-Jan-2010) (public).

²⁶⁵¹ [REDACTED] (confidential); P0138, para.26 (confidential).

²⁶⁵² LAZAREVIĆ:T.3309, 3326 (08-Feb-2010) (public) (BOŽOVIĆ reported “directly to Mr. STANIŠIĆ or through FRENKI”).

²⁶⁵³ P1080 p.5 (confidential).

²⁶⁵⁴ P1655, pp.8, 9 (confidential) ([REDACTED]).

²⁶⁵⁵ P0399, pp.1-2 (public); [REDACTED] (confidential); P3040, p.2 (confidential).

²⁶⁵⁶ P0399, pp.1-6 (public) (The subject line of P0399 makes clear that it is referring to a unit that is associated with the MUP of Serbia, because the word “Serbia” is written out. Later in the document, there is a reference in the BCS version to “MUP RS, ” which is translated – correctly, in light of the subject line – as “MUP of Serbia.” In the context of P0399, the references to “RS” in the BCS version P0387 should also be understood to refer to the Republic of Serbia.); P0387, p.1-3 (public)(the translation of P0387 is not true to the original – it interprets RS as “Republika Srpska” rather than just repeating the initials “RS”); P1441, p.2 (public).

²⁶⁵⁷ P1655, p.6 (confidential).

CAPTAIN DRAGAN_(DB) and IVANOVIĆ_(DB) in Knin and that he had spent a significant amount of time fighting in BiH.²⁶⁵⁸

819. By June 1994, BOŽOVIĆ_(DB) was serving as a JATD instructor at Lipovica.²⁶⁵⁹ During *Pauk*, BOŽOVIĆ_(DB) was the commander of TG-3²⁶⁶⁰ and led a unit of Red Berets.²⁶⁶¹ He reported to the Accused²⁶⁶² and could not be engaged without STANIŠIĆ's consent.²⁶⁶³ BOŽOVIĆ_(DB) and LEGIJA_(DB) sometimes travelled by helicopter to Belgrade to meet with STANIŠIĆ and SIMATOVIĆ.²⁶⁶⁴ He was seen with SIMATOVIĆ and LEGIJA_(DB) in the field during Operation *Pauk*.²⁶⁶⁵ BOŽOVIĆ_(DB) was also in charge of a training camp for ABDIĆ's men during his time at *Pauk*.²⁶⁶⁶ Frequent references to BOŽOVIĆ_(DB) both by name and by his code name "Kobac"²⁶⁶⁷ in the *Pauk* operational diary demonstrate his high level of involvement in the operation.²⁶⁶⁸

820. BOŽOVIĆ_(DB) was instrumental to the SMUP-DB special units' joint operations in SBWS in 1995.²⁶⁶⁹ By August 1995, BOŽOVIĆ_(DB) (with the SMUP-DB's backing) was powerful enough to completely pre-empt Mladen KARAN, from the SVK 11th Corps Security Organ. He was able to give orders to KARAN's subordinates, and then have KARAN expelled from the area. KARAN's superior, SVK officer General LONČAR, said he "resented this dualism of command, but that he was completely helpless" in the face of

²⁶⁵⁸ P1655, pp.4-5 (confidential).

²⁶⁵⁹ SLIŠKOVIĆ:P0440, para.3 (public); P0441, paras.17-25 (confidential). [REDACTED] (confidential).

²⁶⁶⁰ P1300, p.1 (public); P1301, p.1 (public); D0047, p.1 (public); D0059, p.1 (public). (D0047 and D00059 refer only to "Kobac"; P01301 makes it clear that Kobac is BOŽOVIĆ.)

²⁶⁶¹ [REDACTED] (confidential); [REDACTED] (confidential).

²⁶⁶² LAZAREVIĆ:T.3309 (08-Feb-2010) (public). SLIŠKOVIĆ:P0441, para.41 (public). [REDACTED] (confidential).

²⁶⁶³ SLIŠKOVIĆ:T.5185 (19-May-2010) (public).

²⁶⁶⁴ [REDACTED] (confidential).

²⁶⁶⁵ MILOVANOVIĆ:T.4391 (23-Apr-2010) (public). [REDACTED] (confidential). LAZAREVIĆ:T.3303-04 (8-Feb-2010) (public).

²⁶⁶⁶ JF-027:P1596, paras.21, 24 (confidential).

²⁶⁶⁷ P1301, p.1 (public) (demonstrates that BOŽOVIĆ is "Kobac.")

²⁶⁶⁸ P0235, p.5-11, 13, 18, 23, 27-8, 31-2, 34-6, 38, 41-3, 46, 48, 51, 56, 58, 106-7, 122 (public).

²⁶⁶⁹ E.g., P1080, p.3 (confidential).

BOŽOVIĆ's_(DB) demands.²⁶⁷⁰ BOŽOVIĆ_(DB) was with approximately 100 Unit members at Pajzoš in early September 1995.²⁶⁷¹

821. In late September 1995, BOŽOVIĆ_(DB) and FILIPOVIĆ_(DB) met with MILOVANOVIĆ to discuss the possibility of policemen from Serbia being sent to BiH.²⁶⁷² The Red Berets under BOŽOVIĆ_(DB) participated in the Sanski Most/Banja Luka operations in September and October 1995 along with ARKAN_(DB) and the SDG.²⁶⁷³

822. BOŽOVIĆ_(DB) remained close to the Accused after the Indictment period. When he was arrested in 1999, his wife called STANIŠIĆ to ask for assistance, and STANIŠIĆ recognised her voice over the phone without her having to introduce herself.²⁶⁷⁴

823. [REDACTED]²⁶⁷⁵

[REDACTED]²⁶⁷⁶ or "[REDACTED]"

824. [REDACTED]
[REDACTED]²⁶⁷⁷ [REDACTED]²⁶⁷⁸ [REDACTED]
[REDACTED]²⁶⁷⁹

825. [REDACTED]
2680 [REDACTED]²⁶⁸¹ [REDACTED]
[REDACTED]²⁶⁸²

²⁶⁷⁰ P3096, p.4-9 (public).

²⁶⁷¹ P1080, p.3 (confidential).

²⁶⁷² P2543, p.5 (public); MILOVANOVIĆ:T.15522-8 (08-Dec-2011) (public).

²⁶⁷³ [REDACTED] (confidential).

²⁶⁷⁴ P1655, p.23 (confidential).

²⁶⁷⁵ See Annex B, for SMUP-DB payment lists mentioning BOŽOVIĆ. Payment lists related to the Doboj operation: P0142, p.1 (public) (Payment list of the Special unit in Doboj for Apr 1992); P0143, p.1 (public) (Payment list of the Special unit in Doboj for May 1992); P0089, p.1 (public) (SJB payment list for CRNOGORAC's group (the word "CRNOGORAC" is clear from the BCS original)).

²⁶⁷⁶ [REDACTED] (confidential); [REDACTED] (confidential); [REDACTED] (confidential).

²⁶⁷⁷ P02863, p.1 (confidential).

²⁶⁷⁸ [REDACTED] (confidential).

²⁶⁷⁹ [REDACTED] (confidential); see also [REDACTED] (confidential).

²⁶⁸⁰ [REDACTED] (confidential).

²⁶⁸¹ [REDACTED] (confidential).

²⁶⁸² [REDACTED] (confidential). [REDACTED] (confidential).

826. [redacted] 2683

[redacted]

827. [redacted] 2684 [redacted] 2685

[redacted] 2686

[redacted]

828. [redacted] 2687 [redacted]

[redacted] 2688 [redacted]

[redacted] 2689

829. [redacted]

[redacted] 2690

830. [redacted]

[redacted] 2691 [redacted]

[redacted] 2692

²⁶⁸³ See, Annex B.

²⁶⁸⁴ [redacted] (confidential).

²⁶⁸⁵ [redacted] (confidential); P1617, p.2-3 (confidential); P1632, p.1 (confidential).

[redacted] (confidential).

²⁶⁸⁶ See, Annex B.

²⁶⁸⁷ See P2980, p.19 (confidential) ([redacted]).

²⁶⁸⁸ D0011, p.1 (confidential).

²⁶⁸⁹ D0011, p.1 (confidential).

²⁶⁹⁰ [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

²⁶⁹¹ D0129, p.4-5 (confidential); D0130, p.7 (confidential).

²⁶⁹² D0254, p.1-2 (confidential).

DIMIĆ, Milan

831. DIMIĆ is listed as part of BOŽOVIĆ's group on the CSB Doboj payment lists.²⁶⁹³ DIMIĆ was a member of the Unit from 28 November 1991 and was killed in Doboj on 13 July 1992²⁶⁹⁴ (a day after the human shield incident near Perčin's Disco).

832. His SMUP-DB personnel file states that his parents Branko and Slavka DIMIĆ were subsequently sent his salary and daily allowance payments,²⁶⁹⁵ [REDACTED]

[REDACTED]²⁶⁹⁶ In 1996 the Unit recognised DIMIĆ posthumously.²⁶⁹⁷

ĐORĐEVIĆ, Dragan aka CRNI

833. ĐORĐEVIĆ's membership in the Unit is established through his SMUP-DB personnel file²⁶⁹⁸ and through trial testimony.²⁶⁹⁹ He wrote that he joined the Unit on 5 October 1991.²⁷⁰⁰ He was in Pajzoš in December 1991,²⁷⁰¹ where he was the deputy commander of a machine-gun squad.²⁷⁰² STANIŠIĆ personally signed a request for his operative check on 18 February 1992.²⁷⁰³ SIMATOVIĆ both commanded and maintained regular contact with ĐORĐEVIĆ.²⁷⁰⁴

834. ĐORĐEVIĆ was deployed to Bosanski Šamac from April through to August 1992.²⁷⁰⁵ After the JNA pulled out of BiH on 19 May 1992, ĐORĐEVIĆ was appointed

²⁶⁹³ P0089, p.1 (public) (listed as "DANIĆ" in English translation; see p.1 of BCS version for handwritten original. The Prosecution submits that the name in the handwritten original is Milan DIMIĆ.); P0143, p.1 (public).

²⁶⁹⁴ P3150, p.1 (public).

²⁶⁹⁵ P3150, p.1 (public).

²⁶⁹⁶ See, Annex B, [REDACTED]

²⁶⁹⁷ P1075, p.13 (public); D00458, p.35 (confidential). [REDACTED] (confidential).

²⁶⁹⁸ P0179, p.1-18 (public).

²⁶⁹⁹ **TODOROVIĆ:**P1576, p.3 (PriorT.23425) (public). **JF-047:**T.7628 (04-Oct 2010) (public); P1516, para.32-36 (confidential). **THEUNENS:**T.8110 (26-Oct-2010) (public) (official of MUP of Serbia in 1992); T.8699 (2-Nov-2010) (public) (connection to the MUP of Serbia; P1575, p.359 (public); see P3117, p.5 (public).

²⁷⁰⁰ P0179, p.12, 16 (public).

²⁷⁰¹ P2984, p.14-17 (confidential).

²⁷⁰² P2984, p.15 (confidential).

²⁷⁰³ P0179, p.1 (public).

²⁷⁰⁴ [REDACTED] (confidential); P01516, para.34 (confidential); [REDACTED] (confidential) ([REDACTED]).

²⁷⁰⁵ See, "Bosanski Šamac" on page 218.

Commander of the 2nd Posavina Brigade,²⁷⁰⁶ but remained a member of the Unit and subordinate to the Accused.²⁷⁰⁷ When ĐORĐEVIĆ was arrested by the VRS in August, STANIŠIĆ secured his release within days.²⁷⁰⁸ In October 1992, after Šamac's local Serb authorities contacted the SMUP-DB,²⁷⁰⁹ ĐORĐEVIĆ redeployed to Bosanski Šamac to take part in the "Corridor" operations. There he led an assault battalion comprised of Unit members and others trained by them.²⁷¹⁰

835. After the war, ĐORĐEVIĆ had a painting of a wolf on the wall of his café in Bosanski Šamac²⁷¹¹ and said that he had been a member of the Red Berets.²⁷¹²

ĐORĐEVIĆ, Nebojša aka ŠUCA

836. ĐORĐEVIĆ was one of the original fifteen members who founded the SDG in 1990.²⁷¹³ He was involved in crimes with the SDG in SAO-SBWS in 1991, including hitting non-Serb prisoners with a baseball bat during interrogations.²⁷¹⁴ He participated in the Bijeljina/Zvornik operations and later in *Pauk*. [REDACTED]

[REDACTED]²⁷¹⁵

837. ĐORĐEVIĆ was identified in a photograph depicting the murder of three civilians.²⁷¹⁶

²⁷⁰⁶ D1198, p.1 (public).

²⁷⁰⁷ See, "Bosanski Šamac" on page 218.

²⁷⁰⁸ **TODOROVIĆ**:P1576, p.16, 53, 55, 65 (PriorT.23475-77, 23487) (public); P1417, p.3 (confidential) ([REDACTED]).

See **TODOROVIĆ**:P1576, p.37-40, 58-60 (PriorT.23459-62, 23480-82) (public) (TODOROVIĆ provides additional evidence of CRNI's subordination to the Accused).

²⁷⁰⁹ **TODOROVIĆ**:P1576, P1576, p.57-60 (PriorT.23479-82) (public); P1417, p.3 (confidential); P1416, p.3 (public).

²⁷¹⁰ D1206, p.1 (public); P1416, p.1 (public); P1425, p.1 (public); P1583, p.2 (public).

²⁷¹¹ [REDACTED] (confidential).

²⁷¹² [REDACTED] (confidential).

²⁷¹³ [REDACTED] (confidential); [REDACTED] (confidential); P1632, p.1 (confidential).

²⁷¹⁴ [REDACTED] (confidential) ([REDACTED]); [REDACTED] (confidential) ([REDACTED]).

[REDACTED] (confidential) ([REDACTED]); P0572, p.32 (PriorT.18398) (PPCE).

²⁷¹⁵ See, Annex B.

²⁷¹⁶ P0117, p.9 (public). **PELEVIĆ**:T.16537-38 (26-Jan-2012) (public). [REDACTED] (confidential).

DRAČA, Nedeljko

838. DRAČA's membership in the Unit is clear from the fact that he appeared with other Unit members on a list of people with both Krajina and SMUP ID cards.²⁷¹⁷ DRAČA was paid as part of the group under BOŽOVIĆ_(DB) during the period that BOŽOVIĆ was training Serb Forces at Doboje and Mt. Ozren, and taking over Doboje municipality.²⁷¹⁸

ĐURKOVIĆ, Vojkan

839. Vojkan ĐURKOVIĆ_(DB) was a member of SDG in Bijeljina. He was in charge of exchanging prisoners for the SDG in 1991-1992 during the eastern Slavonia and BiH operations.²⁷¹⁹ [REDACTED]²⁷²⁰ [REDACTED]

[REDACTED]²⁷²¹

DRAČA, Aco

840. After meeting with MARTIĆ and ORLOVIĆ_(DB) around New Year 1990-1991,²⁷²² DRAČA was instructed to form an RSKMUP-DB branch in Benkovac.²⁷²³ The Benkovac DB centre was linked to the Knin centre and was under the direction of ORLOVIĆ_(DB).²⁷²⁴

841. DRAČA was formally subordinate to ORLOVIĆ_(DB),²⁷²⁵ and, like ORLOVIĆ_(DB), he was closely linked to the SMUP-DB.²⁷²⁶ SIMATOVIĆ issued orders to DRAČA, ORLOVIĆ_(DB), or RAIĆ_(DB) on at least 10 occasions.²⁷²⁷

842. DRAČA received an award on RSKMUP Security Services Day along with STANIŠIĆ, KOJIĆ_(DB), Tošo PAJIĆ_(DB), Miloš PAJIĆ_(DB), CAPTAIN DRAGAN_(DB), Goran OPAČIĆ_(DB), and others.²⁷²⁸

²⁷¹⁷ E.g., P0489 (public); P1585, p.27 (confidential) [REDACTED]

²⁷¹⁸ P0089 (public); P0142 (public); P0143 (public).

²⁷¹⁹ [REDACTED] (confidential); [REDACTED] (confidential).

²⁷²⁰ P2686, p.1 (confidential).

²⁷²¹ P2686, p.5 (confidential).

²⁷²² **DRAČA:**T.16691 (31-Jan-2012) (public).

²⁷²³ **DRAČA:**T.16691-2 (31-Jan-2012) (public).

²⁷²⁴ **DRAČA:**T.16692 (31-Jan-2012) (public).

²⁷²⁵ **DRAČA:**T.16770 (01-Feb-2012) (public).

²⁷²⁶ [REDACTED] (confidential).

²⁷²⁷ [REDACTED] (confidential).

²⁷²⁸ P0428, p.1-2 (public).

FILIPOVIĆ, Dragan aka FIĆO or MAJOR FIĆA

843. FILIPOVIĆ was closely linked to the Accused from the beginning of the Indictment period to the end. He was an employee of the SMUP-DB from at least 1 September 1990.²⁷²⁹ Between December 1990 and March 1991, SIMATOVIĆ and FILIPOVIĆ gathered background information on CAPTAIN DRAGAN_(DB).²⁷³⁰ FILIPOVIĆ introduced himself as SIMATOVIĆ's subordinate during this period.²⁷³¹

844. FILIPOVIĆ was one of the first trainers at Golubić.²⁷³² [REDACTED]

[REDACTED]²⁷³³

845. CAPTAIN DRAGAN_(DB) sent FILIPOVIĆ a report on the attack on Glina.²⁷³⁴

846. When SIMATOVIĆ moved the Unit's camp to Korenica²⁷³⁵ he put FILIPOVIĆ and Ilija VUČKOVIĆ_(DB) in charge.²⁷³⁶ By November or December 1991, FILIPOVIĆ_(DB) was working in Fruška Gora.²⁷³⁷

847. When the Unit was formalised as the JATD, FILIPOVIĆ_(DB) was third in the command structure after SIMATOVIĆ and RADONJIĆ_(DB).²⁷³⁸ He was one of four people with authority to make decisions on STANIŠIĆ's behalf when he was absent.²⁷³⁹

848. FILIPOVIĆ_(DB) was instrumental in joint operations in SBWS in the autumn of 1995. He returned to Ilok by August 1995,²⁷⁴⁰ where he commanded around 100 Unit members by September 1995.²⁷⁴¹

²⁷²⁹ P0474, p.2 (confidential).

²⁷³⁰ P3056 (public); D0561-D0571 (all confidential); D0573-D0579 (all confidential).

²⁷³¹ LUČIĆ:T.15696 (14-Dec-2011) (public).

²⁷³² [REDACTED] (confidential).

²⁷³³ P0474, p.6 (confidential).

²⁷³⁴ P1186, p.1-2 (public).

²⁷³⁵ [REDACTED] (confidential).

²⁷³⁶ [REDACTED] (confidential).

²⁷³⁷ [REDACTED] (confidential).

²⁷³⁸ SLIŠKOVIĆ:P0441, para.41 (public).

²⁷³⁹ SLIŠKOVIĆ:P0441, para.42 (public).

²⁷⁴⁰ [REDACTED] (confidential).

²⁷⁴¹ P1080, p.3 (confidential); See P2360, p.1, 6 (confidential).

849. FILIPOVIĆ_(DB) and other SMUP-DB personnel co-ordinated SMUP forces in BiH during the Sanski Most/Banja Luka operations.²⁷⁴²

GAVRILOVIĆ, Momir aka GAVRA²⁷⁴³

850. GAVRILOVIĆ_(DB) was a SMUP-DB operative engaged in SAO-SBWS in 1991.²⁷⁴⁴ He was the head of security of the Vukovar Corps.²⁷⁴⁵ GAVRILOVIĆ_(DB) also used the name Colonel Milan PERIĆ²⁷⁴⁶ and was under LONČAR's command.²⁷⁴⁷ GAVRILOVIĆ_(DB) helped the SMUP-DB monitor the situation in eastern Slavonia²⁷⁴⁸ and crossed the border often.²⁷⁴⁹ By late August 1995, BOŽOVIĆ_(DB) and GAVRILOVIĆ²⁷⁵⁰ took over command of the SVK Security Organs²⁷⁵¹ during the SBWS joint operations. GAVRILOVIĆ was among those who received a memorial badge for valour and service.²⁷⁵²

GLUŠICA, Branko

851. Branko GLUŠICA_(DB) was a SMUP-DB operative from Novi Sad who was engaged in SBWS²⁷⁵³ in 1991.²⁷⁵⁴ He was based in Erdut and shared an office with the Chief of Police in Vukovar.²⁷⁵⁵

²⁷⁴² GREKULOVIĆ:T.15250 (29-Nov-2011) (public).

²⁷⁴³ P1080, p.3 (confidential).

²⁷⁴⁴ P2404, p.4 (confidential). P2359, p.1 (confidential). [REDACTED] (confidential).

See, Annex B .

²⁷⁴⁵ [REDACTED] (confidential). [REDACTED] (confidential); D0212, p.107 (confidential).

²⁷⁴⁶ [REDACTED] (confidential); [REDACTED] (confidential).

²⁷⁴⁷ [REDACTED] (confidential). [REDACTED] (confidential).

²⁷⁴⁸ P1080, p.3 (confidential). [REDACTED] (confidential).

²⁷⁴⁹ [REDACTED] (confidential); T. 13193-4 (16-Aug-2011) (public).

²⁷⁵⁰ P3096, p.4-5, 8 (public). KARAN:T.17885 (29-Feb-2012) (public).

²⁷⁵¹ P3096, p.4-5, 8 (public). KARAN:T.17881 (29-Feb-2012) (public).

²⁷⁵² P1673, p.1 (public).

²⁷⁵³ [REDACTED] (confidential).

[REDACTED] (confidential); T.13191-2 (16-Aug-2011) (public) (GLUŠICA a DB operative).

²⁷⁵⁴ [REDACTED] (confidential) ([REDACTED]).

²⁷⁵⁵ JF-029:P1666, p.2 (public).

GOLUBOVIĆ, Srđan aka MAX

852. GOLUBOVIĆ participated in the Bijeljina/Zvornik operations as an SDG member.²⁷⁵⁶

A photograph taken just after the Bijeljina take-over depicts GOLUBOVIĆ in full SDG uniform kicking fatally injured civilians.²⁷⁵⁷ GOLUBOVIĆ later participated in *Pauk* and

_____ ²⁷⁵⁸

IVANOVIĆ, Živojin aka ŽIKA CRNOGORAC²⁷⁵⁹

853. IVANOVIĆ was a member of the Unit between 1991 and 1995. He was among the original members at Golubić.²⁷⁶⁰ IVANOVIĆ commanded men during the Glina/Struga attack in July 1991.²⁷⁶¹

854. IVANOVIĆ was “_____” and commanded the Ležimir camp initially.²⁷⁶² IVANOVIĆ signed documents authorising Unit members to cross the border with their weapons.²⁷⁶³ IVANOVIĆ was also at Pajzoš.²⁷⁶⁴

855. IVANOVIĆ was part of a group presenting themselves as SMUP officials that went to Brčko in 1992,²⁷⁶⁵ where he took the position of Commander of a Brčko special purposes

²⁷⁵⁶ _____ (confidential); _____ (confidential) (_____).

²⁷⁵⁷ P0605, p.1 (public) (photo of SDG member kicking civilians on the ground).

DIMITRIJEVIĆ:T.16209-10 (19-Jan-2012) (public) (identifying SDG member Srđan GOLUBOVIĆ aka MAX as the SDG member kicking civilians).

²⁷⁵⁸ _____ (confidential); _____ (confidential).

DIMITRIJEVIĆ:T.16267-69 (19-Jan-2012) (public). *See* Annex B.

²⁷⁵⁹ **DRAČA:**T.16814 (1-Feb-2012) (public).

²⁷⁶⁰ _____ (confidential).

²⁷⁶¹ P2876, p.1 (public) (references to “CRNOGORAC’s squad”); P02879, p.1 (public) (“we joined the Montenegrin men”); P2874, p.1 (public) (“The group has immediately joined the Montenegrin men over there.”); *see* P2659, p.3 (public) (CAPTAIN DRAGAN refers to ordering IVANOVIĆ to breach the front towards the police station in Glina.). *See* **THEUNENS:**T.8073 (26-Oct-2010) (public) (“Crnogorac” means Montenegrin)

²⁷⁶² _____ (confidential).

²⁷⁶³ P2357, p.19 (confidential).

²⁷⁶⁴ _____ (confidential).

²⁷⁶⁵ P3017, p.7 (public).

unit.²⁷⁶⁶ [REDACTED]²⁷⁶⁷ He was later was engaged with the Red Berets in Skelani in 1993.²⁷⁶⁸

856. After the Unit was formalised as the JATD, IVANOVIĆ was among those trusted by SIMATOVIĆ²⁷⁶⁹ who held command positions while being reserve members.²⁷⁷⁰ [REDACTED]

[REDACTED]²⁷⁷¹

857. [REDACTED] IVANOVIĆ had been a member of the reserve force since 1 June 1991.²⁷⁷² IVANOVIĆ was honoured at one award ceremony²⁷⁷³ and played a prominent role in the Kula Ceremony.²⁷⁷⁴

JOVANOVIĆ, Zvezdan

858. JOVANOVIĆ was in the Unit since 1991.²⁷⁷⁵ In late 1992 or early 1993, the Unit established its Command in the Drina Valley area in the Omorika Hotel on Mt. Tara.²⁷⁷⁶ With BOŽOVIĆ_(DB), JOVANOVIĆ_(DB) commanded the training camp at Tara²⁷⁷⁷ after it was established in late 1992 or early 1993.²⁷⁷⁸ JOVANOVIĆ_(DB) was also engaged as deputy of the Red Berets in Skelani in 1993.²⁷⁷⁹ Along with BOŽOVIĆ_(DB), the commander, JOVANOVIĆ_(DB) led the Skelani Red Berets in combat operations in the area of Osmača against the ABiH.²⁷⁸⁰

²⁷⁶⁶ P1085, p.1 (confidential).

²⁷⁶⁷ [REDACTED] (confidential). Cross-reference, The Accused deployed the Doboj Red Berets to Doboj to commit crimes” on page 268.

²⁷⁶⁸ P1061, p.2 (public).

²⁷⁶⁹ SLIŠKOVIĆ:P0441, para.23 (public).

²⁷⁷⁰ SLIŠKOVIĆ:P0441, para.41 (public).

²⁷⁷¹ See Annex B.

²⁷⁷² P0478, p.2 (confidential).

²⁷⁷³ P1696, p.1 (public); P01075, p.8 (public).

²⁷⁷⁴ P0061, p.4-5, 27 (public).

²⁷⁷⁵ SLIŠKOVIĆ:T.5099 (18-May-2010) (public).

²⁷⁷⁶ DERONJIĆ:P2511, para.150 (public).

²⁷⁷⁷ P3196, p.17-18 (confidential); P3199, p.1 (confidential).

²⁷⁷⁸ DERONJIĆ:P2511, para.150 (public).

²⁷⁷⁹ P3040, p.2 (confidential) ([REDACTED]); P3121, p.3 (public) (same as P3040).

²⁷⁸⁰ P3121, p.3 (public).

859. JOVANOVIĆ_(DB) remained a Unit member once the Unit was formalised as the JATD.²⁷⁸¹ In May 1995, the Unit returned to Pajzoš under his command.²⁷⁸² During the SBWS joint operations after the fall of the Krajina in 1995, OG-3 was one of the joint formations. OG-3 was commanded by Slobodan ANTOLIĆ of the SVK, and JOVANOVIĆ_(DB) was his deputy. OG-3 secured the oil facilities near Đeletovci and called themselves the “Wolves”.²⁷⁸³ JOVANOVIĆ_(DB) commanded a detachment that was incorporated into a 11th Corps combat formation.²⁷⁸⁴

860. JOVANOVIĆ_(DB) was honoured as a veteran member at the Kula Ceremony.²⁷⁸⁵

KARAGIĆ, Slobodan aka KARAGA²⁷⁸⁶

861. KARAGIĆ was chief of military police in Doboj²⁷⁸⁷ and led one of the Red Berets groups at Ozren.²⁷⁸⁸ He was involved in training men at the Doboj camp and reported to BOŽOVIĆ_(DB).²⁷⁸⁹ The unit under KARAGA wore the Serbian 4-S insignia.²⁷⁹⁰ KARAGA was “a criminal, even before the war” who was “very involved with the SDS”;²⁷⁹¹ he and his subordinates were direct perpetrators of some of the crimes during and following the Doboj take-over.²⁷⁹²

KARNA, Dragan

862. Dragan KARNA was among the first platoon commanders within the structure SIMATOVIĆ created for Golubić-trained members. KARNA became a company

²⁷⁸¹ E.g., P3021, p.10 (confidential).

²⁷⁸² P2898, p.2 (confidential).

²⁷⁸³ P1080, p.1-2 (confidential).

²⁷⁸⁴ P3195, p.12 (confidential).

²⁷⁸⁵ P0061, p.5 (public).

²⁷⁸⁶ [REDACTED] (confidential).

²⁷⁸⁷ D0027, p.8 (confidential).

²⁷⁸⁸ **THEUNENS**:P1575, p.382 (public) (According to a report by TALIĆ on 30 June 1992, KARAGIĆ’s group included members of the Red Berets).

[REDACTED] (confidential).

²⁷⁸⁹ [REDACTED] (confidential); [REDACTED] (confidential).

²⁷⁹⁰ **JF-009**:T.3537 (17-Feb-2010) (public).

²⁷⁹¹ **HADŽOVIĆ**:P0083, p.3 (public).

²⁷⁹² E.g., P1876, p.4 (confidential); D0027, p.8 (confidential).

commander after approximately two weeks,²⁷⁹³ and reported to SIMATOVIĆ and MARTIĆ.²⁷⁹⁴

863. On 14 June 1991, KARNA met with SIMATOVIĆ, CAPTAIN DRAGAN_(DB) and JNA officers to discuss operations in Golubić, including border security, operations in SAO-Krajina and training for specialised combat skills.²⁷⁹⁵

KOJIĆ, Ilija

864. [REDACTED]²⁷⁹⁶

During the period in which he formally worked for the Public Security division of the SMUP he actually worked for STANIŠIĆ as an operative.²⁷⁹⁷ However, KOJIĆ began co-operating with STANIŠIĆ and the SMUP-DB even before he began working for them.²⁷⁹⁸ He received instructions from the SMUP-DB regarding the organisation of the defence in SBWS.²⁷⁹⁹ KOJIĆ had a close personal and professional relationship with SMUP-DB operative KOSTIĆ_(DB).²⁸⁰⁰

865. KOJIĆ was the first SAO-SBWS TO commander,²⁸⁰¹ which he commanded during the Dalj take-over.²⁸⁰² He was appointed Minister of Defence in September 1991.²⁸⁰³ He was involved in establishing the SAO-SBWS police force²⁸⁰⁴ and arming the Serb Forces in SBWS.²⁸⁰⁵ When ARKAN was in the SBWS he wished to be under the direct command of KOJIĆ.²⁸⁰⁶

²⁷⁹³ [REDACTED] (confidential). See [REDACTED] (confidential).

²⁷⁹⁴ [REDACTED] (confidential).

²⁷⁹⁵ P1009, p.1-2 (public)

²⁷⁹⁶ P0325, p.3, 5-8 (confidential).

²⁷⁹⁷ P1698, p.3 (public).

²⁷⁹⁸ SAVIĆ:T1758-9 (06-Jul-2009) (public). [REDACTED] (confidential). See [REDACTED] (confidential) and [REDACTED] (confidential).

²⁷⁹⁹ [REDACTED] (confidential).

²⁸⁰⁰ N.BOGUNOVIĆ:T.13264 (17-Aug-2011) (public). [REDACTED] (confidential).

²⁸⁰¹ [REDACTED] (confidential). [REDACTED] (confidential).

²⁸⁰² See [REDACTED] (confidential).

²⁸⁰³ P0016 (public). BOGUNOVIĆ:T.5977,82-84 (28-Jun-2010) (public).

²⁸⁰⁴ E.g., [REDACTED] (confidential).

²⁸⁰⁵ [REDACTED] (confidential), p.4; [REDACTED] (confidential).

²⁸⁰⁶ [REDACTED] (confidential).

866. KOJIĆ was appointed one of MARTIĆ's Assistant Ministers of the Interior after the RSK was formed.²⁸⁰⁷ He exercised great influence in the SBWS: when MARTIĆ was not present, KOJIĆ effectively acted as the Minister of the Interior.²⁸⁰⁸

867. [REDACTED]
[REDACTED]²⁸⁰⁹ [REDACTED] KOJIĆ was under the direct patronage of the SMUP.²⁸¹⁰

868. In 1995, KOJIĆ participated in the pre-deployment meetings in the SMUP during which the decision was made to send the Scorpions to the front in BiH.²⁸¹¹ KOJIĆ also selected 100 to 150 men from the Vukovar SUP ("Plavi") to go as well.²⁸¹²

KORF, Goran

869. KORF joined the Kragujevac Radical Party on 26 September 1991. He was in the "Grey Wolves" unit in Bosanski Šamac, commanded by RADOVANOVIĆ_(DB).²⁸¹³ During this time he was "a reservist of the MUP of the Republic of Serbia".²⁸¹⁴ MILJKOVIĆ_(DB) saw KORF get wounded in May 1992 in Garevac, Bosanski Šamac.²⁸¹⁵

KOSTIĆ, Radovan aka RADE

870. KOSTIĆ was a member of the SMUP-DB beginning before the Indictment period.²⁸¹⁶ He was very powerful in SAO-SBWS.²⁸¹⁷ [REDACTED]

[REDACTED]²⁸¹⁸ [REDACTED]

²⁸⁰⁷ [REDACTED] (confidential). [REDACTED] (confidential). ĐUKIĆ:T.18007 (7-Mar-2012) (public).

²⁸⁰⁸ ĐUKIĆ:T.18009 (7-Mar-2012) (public).

²⁸⁰⁹ E.g., P0407, p.2 (confidential).

²⁸¹⁰ P1652, p.1 (confidential).

²⁸¹¹ [REDACTED] (confidential); [REDACTED] (confidential).

²⁸¹² [REDACTED] (confidential).

²⁸¹³ P1518, p.1-2 (public).

²⁸¹⁴ P1518, p.4 (public).

²⁸¹⁵ P1518, p.2 (public).

²⁸¹⁶ P0406, p.1 (confidential).

²⁸¹⁷ [REDACTED] (confidential).

²⁸¹⁸ [REDACTED] (confidential).

2819

871. KOSTIĆ also had a close personal and professional relationship with KOJIĆ.²⁸²⁰ Like KOJIĆ, KOSTIĆ was appointed an Assistant Minister of the Interior of the RSK when MARTIĆ became the Minister.²⁸²¹ KOSTIĆ had a permit signed by BOGDANOVIĆ_(JCE) that allowed him to cross the Serbian border with an armed group. He was the only person other than ARKAN_(DB) that Nebojša BOGUNOVIĆ encountered with such a permit.²⁸²²

872.

2823

873. KOSTIĆ was instrumental in the Zvornik operations, as he helped bring the SDG²⁸²⁴ and Marko PAVLOVIĆ_(DB)²⁸²⁵ to the municipality, and helped to arm Serb Forces there.²⁸²⁶

874. KOSTIĆ was killed under suspicious circumstances and his funeral was attended by JCE members STANIŠIĆ, BOGDANOVIĆ, KERTES and ARKAN.²⁸²⁷ His memory was honoured with a memorial plaque at the new training centre in Kula named after him.²⁸²⁸

KOVAČ, Nedeljko

875. KOVAČ was a member of the Unit from its inception in 1991.²⁸²⁹ He was paid as part of the same group as BOŽOVIĆ_(DB) and SUBOTIĆ_(DB) during the period that they were training local Serbs at the Doboje and Ozren camps, and participating in subsequent

2819 (confidential); (confidential).

2820 **N.BOGUNOVIĆ**:T.13264 (17-Aug-2011) (public).

2821 (confidential); (confidential); **ĐUKIĆ**:T.18007 (7-Mar-2012) (public).

2822 (confidential); T.13252-53 (17-Aug-2011) (public).

2823 P1077, p.3 (confidential). *See also* P0407, p.2 (confidential).

2824 (confidential).

2825 (confidential); (confidential); *see* P2668, p.3 (public).

2826 (confidential).

2827 (confidential).

2828 P0061, 08:22-09:02 (public). The Kula camp was named after KOSTIĆ.

KRSMANOVIĆ:T.14629-30 (19-Oct-2011) (public).

2829 P1655, p.62 (confidential).

operations.²⁸³⁰ He held both RSKMUP and SMUP identification cards.²⁸³¹ [REDACTED]

[REDACTED]²⁸³²

KRSMANOVIĆ, Dragoslav aka KRSMAN

876. When the conflict began in 1991, KRSMANOVIĆ aka “KRSMAN”²⁸³³ was “in charge” of special police units in Vojvodina, Ilok and Hrtkovci. KRSMANOVIĆ officially joined the Unit in 1993 where he served as an assistant commander of the JATD before becoming a deputy commander in 1995. After the Unit was reconstituted as the JSO, KRSMANOVIĆ was the chief of the Kostić Centre at Kula. [REDACTED]

[REDACTED]²⁸³⁴

877. [REDACTED]²⁸³⁵

KRSMANOVIĆ_(DB) and RAIC_(DB) were Assistant Commanders of the JATD handling logistics,²⁸³⁶ and KRSMANOVIĆ_(DB) was one of four people who had authority to act on behalf of STANIŠIĆ when he was not present.²⁸³⁷

878. After the JATD was formalised, KRSMANOVIĆ sent requests for operative checks of Unit members, including checks for those who had been members of the Unit since 1991 such as BOŽOVIĆ_(DB) and SUBOTIĆ_(DB).²⁸³⁸ KRSMANOVIĆ issued a certificate verifying that IVANOVIĆ_(DB) had been a Unit member since 1 June 1991.²⁸³⁹ [REDACTED]

[REDACTED]²⁸⁴⁰

[REDACTED]²⁸⁴¹

²⁸³⁰ P0089 (public); P0142 (public); P0143 (public).

See also P0089, p.1 (public); P0142, p.1 (public); P0143, p.1 (public).

²⁸³¹ P0489, p.1 (confidential) [REDACTED]

²⁸³² Cross-reference, Annex B.

²⁸³³ **N.BOGUNOVIĆ**:T.13284 (17-Aug-2011) (public). **MIĆIĆ**:T.19842 (29-May-2012) (public); P3036, p.10 (confidential); P3097, p.3 (public).

²⁸³⁴ D0458, p.5, 35 (confidential).

²⁸³⁵ [REDACTED] (confidential).

²⁸³⁶ **SLIŠKOVIĆ**:P0441, para.42 (public); P0974, p.1 (confidential).

²⁸³⁷ **SLIŠKOVIĆ**:P0441, para.42 (public).

²⁸³⁸ P2854, p.1 (confidential); P2856, p.1-2 (confidential); P3021, p.10 (confidential).

²⁸³⁹ P0478, p.2 (confidential).

²⁸⁴⁰ [REDACTED] (confidential).

²⁸⁴¹ [REDACTED] (confidential) and [REDACTED] (confidential); P3039, p.1 (public).

879. KRSMANOVIĆ reported to SIMATOVIĆ.²⁸⁴² [REDACTED]

[REDACTED]²⁸⁴³ [REDACTED]

880. KRSMANOVIĆ oversaw preparations of the JATD prior to *Pauk* in November 1994. He went with the Unit to Petrova Gora, where he provided supplies to Serb Forces and the army of Fikret ABDIĆ.²⁸⁴⁴ The *Pauk* diary includes references to KRSMANOVIĆ.²⁸⁴⁵

881. [REDACTED]

[REDACTED]²⁸⁴⁶

882. Between June and October 1995, when SDG members or Scorpions needed supplies or other support, they would go to the JATD camp at Pajzoš and first see KRSMANOVIĆ or JOVANOVIĆ_(DB) before obtaining the support from the storage facilities.²⁸⁴⁷

883. KRSMANOVIĆ was not fully honest during his testimony about the existence of the Unit pre-1993 and the scope of his activities or those of the Accused and SMUP-DB. For example, KRSMANOVIĆ's testimony about the Unit not using a base while he was present in Ilok during the autumn of 1991²⁸⁴⁸ despite "meeting" BOŽOVIĆ_(DB) while he was in uniform two or three times²⁸⁴⁹ is not believable. [REDACTED]

[REDACTED]²⁸⁵⁰

884. KRSMANOVIĆ's testimony during the Belgrade trial of fellow Unit members Milorad ULEMEK_(DB) and JOVANOVIĆ_(DB) for the assassination of Prime Minister Zoran ĐINĐIĆ was found "untruthful".²⁸⁵¹ The majority of KRSMANOVIĆ's testimony before the Tribunal came after he was transferred as a detained witness due to pending charges

²⁸⁴² JF-048:T.5791 (16-Jun-2010) (public).

²⁸⁴³ [REDACTED] (confidential).

²⁸⁴⁴ SLIŠKOVIĆ:P0441, para.42 (public).

²⁸⁴⁵ P0235, p.17 (public).

²⁸⁴⁶ [REDACTED] (confidential).

²⁸⁴⁷ [REDACTED] (confidential) ([REDACTED]).

²⁸⁴⁸ KRSMANOVIĆ:T.13827-31 (02-Sept-2011) (public).

²⁸⁴⁹ KRSMANOVIĆ:T.13831-4 (02-Sept-2011) (public).

²⁸⁵⁰ [REDACTED] (confidential) and [REDACTED] (confidential); P3038, p.1-17 (confidential)

²⁸⁵¹ P3034, p.7 (public).

related to his previous testimony and other activities related to the Unit.²⁸⁵² KRSMANOVIĆ therefore had an incentive to minimise evidence due to these pending charges and their relationship to the Unit.

885. [REDACTED]²⁸⁵³
 [REDACTED]
 [REDACTED]²⁸⁵⁴ [REDACTED]²⁸⁵⁵

KUJUNDŽIĆ, Predrag

886. Predrag KUJUNDŽIĆ led a notorious paramilitary group called Preda's Wolves during the Doboj operations and subsequent crimes in 1992.²⁸⁵⁶ Preda's Wolves were reported to have been trained by the Red Berets.²⁸⁵⁷

KUŠIĆ, Njegoslav aka NJEGOŠ

887. KUŠIĆ was an instructor at the Mt. Ozren camp with BOŽOVIĆ in 1992.²⁸⁵⁸ He appears on the payment records for BOŽOVIĆ's group during the Doboj operations, which list other Unit members.²⁸⁵⁹

888. In early 1993,²⁸⁶⁰ the SMUP-DB sent MIJOVIĆ and KUŠIĆ to establish a camp for the Unit at the kindergarten in Bratunac.²⁸⁶¹ In August 1993, the SMUP-DB requested a

²⁸⁵² P3035, p.4 (confidential); P3036, p.15 (confidential).

²⁸⁵³ P3041, p.4 (confidential).

²⁸⁵⁴ P3041, p.1-2 (confidential).

²⁸⁵⁵ P3041, p.3 (confidential).

²⁸⁵⁶ D0027, p.6 (confidential).

²⁸⁵⁷ P0164, p.4 (public).

²⁸⁵⁸ **JF-005**:T.2778-9 (20-Jan-2010) (public) (NJEGOŠ was an instructor at Ozren with BOŽOVIĆ); T.2828-34 (21-Jan-2010) (public); P0155, p.1 (BCS) (confidential); P0159, p.4 (confidential); P0161, p.3 (confidential).

²⁸⁵⁹ P0089, p.1 (public); P0142, p.1 (public); P0143, p.1 (public).

JF-005:T.2832 (21-Jan-2010) (public) (Witness JF-005 identified Njegoslav KUŠIĆ as having been present with him in the Doboj operations in 1992:he identified KUŠIĆ's name on Exhibit P0156, p.1 (BCS) (P0157 (confidential) is the unredacted version of P0156).

²⁸⁶⁰ P2511, para.145 (public); P0277, p.1 (public) (training commenced by 23 February 1992); p3196, p.17 (confidential); P3199, p.1 (confidential); P3172, p.1 (confidential).

²⁸⁶¹ **DERONJIĆ**:P2511, para.145 (public) (refers to MIJOVIĆ and "NJEGOŠ"; the Prosecution submits that this is a reference to KUŠIĆ); P1585, p.14 (confidential) (DB sent MIJOVIĆ to Bratunac).

background check for KUŠIĆ.²⁸⁶² KUŠIĆ was also in charge of a unit stationed at the Mt. Tara camp in 1993.²⁸⁶³

889. KUŠIĆ was with SLIŠKOVIĆ at Petrova Gora in 1994 as a member of SLIŠKOVIĆ's unit.²⁸⁶⁴ He appears on SMUP-DB payment records from 1993-1995.²⁸⁶⁵

890. [REDACTED]²⁸⁶⁶ [REDACTED]

[REDACTED]²⁸⁶⁷

LAZAREVIĆ, Predrag aka LAKI²⁸⁶⁸

891. "LAKI" was part of the Pajzoš-trained Red Berets unit under ĐORĐEVIĆ's_(DB) command²⁸⁶⁹ deployed to Bosanski Šamac in April 1992.²⁸⁷⁰ He beat detainees at detention

JF-026:T.9834-35 (3-Dec-2010) (public) (MIJOVIĆ establishing unit at the kindergarten in Bratunac).

²⁸⁶² P2388, p.6 (public) (background check requested for people intending to join the JATD. KUŠIĆ is on the same list as three people from the CSB Doboj payment lists – SUBOTIĆ (p.6), BOŽOVIĆ (p.7), Milenko POPOVIĆ (p.8).

²⁸⁶³ **JF-052:P1587**, p.24 (PriorT.18779) (PPCE) (JF-052 recalled people named NJEGOŠ and BOŽOVIĆ as part of the Drina Wolves who used to be called *Knindže*; NJEGOŠ was in charge of a unit stationed at Mount Tara).

²⁸⁶⁴ **SLIŠKOVIĆ:T.5127-28** (18-May-2010) (public).

²⁸⁶⁵ See, Annex B. See also, P1585, p.27 (confidential) ([REDACTED]); P1696, p.2 (public) (on list of people to receive a memorial badge).

²⁸⁶⁶ [REDACTED] (confidential); P1001, p.2 (confidential); P3177, p.6, 10 (confidential).

²⁸⁶⁷ P3177, p.6, 9, 10 (confidential).

²⁸⁶⁸ **LUKAČ:P1834**, p.22-3 (public); [REDACTED] (confidential) (LAKI is Predrag LAZAREVIĆ).

See [REDACTED] (confidential) ([REDACTED]).

²⁸⁶⁹ P1416, p.2-3 (confidential). **TIHIĆ:T.3122** (3-Feb-2010) (public).

²⁸⁷⁰ [REDACTED] (confidential) ([REDACTED]).

centres in the Bosanski Šamac TO²⁸⁷¹ and SUP;²⁸⁷² TIHIĆ testified that LAKI was one of the worst abusers.²⁸⁷³

892. [REDACTED]²⁸⁷⁴
 2875 [REDACTED]²⁸⁷⁶

LAZIĆ, Miodrag

893. Miodrag LAZIĆ is on the payment records for BOŽOVIĆ's group during the Doboj operations.²⁸⁷⁷ [REDACTED]²⁸⁷⁸

LEMIC, Milenko

894. From at least 1991 to 1993, Milenko LEMIC_(DB) was a SMUP-DB operative engaged in the SBWS.²⁸⁷⁹ He was on the team that negotiated with the Croats and international community, and also went by the name Milan LAKIĆ.²⁸⁸⁰ LEMIC prepared information reports for the SMUP-DB in 1993.²⁸⁸¹

LONČAR, Nikola

895. LONČAR's association with the Unit dates back to 1991.²⁸⁸² He was an instructor at Pajzoš in 1992²⁸⁸³ along with CRNI_(DB)²⁸⁸⁴ and VUK_(DB).²⁸⁸⁵ LONČAR also joined

²⁸⁷¹ [REDACTED] (confidential).

See [REDACTED] (confidential); [REDACTED] (confidential).

²⁸⁷² LUKAČ:P1834, p.22 (public); [REDACTED] (confidential) ([REDACTED]). [REDACTED] (confidential). [REDACTED] (confidential).

²⁸⁷³ TIHIĆ:P0177, p.9 (PriorT.29887) (public) (the transcript refers to "LUCKY, " but the Prosecution submits that this is the same person).

²⁸⁷⁴ [REDACTED] (confidential); [REDACTED] (confidential).

²⁸⁷⁵ [REDACTED] (confidential); [REDACTED] (confidential).

²⁸⁷⁶ [REDACTED] (confidential); [REDACTED] (confidential); P0401, p.10 (confidential); [REDACTED] (confidential).

[REDACTED] (confidential); [REDACTED] (confidential).

²⁸⁷⁷ P0089, p.1 (public); P0142, p.1-2 (public); P0143, p.1 (public).

²⁸⁷⁸ P0155, p.1 (confidential).

²⁸⁷⁹ See D0204, p.1-2 (confidential) and D0205, p.1-2 (public); N.BOGUNOVIĆ, T.13191 (16-Aug-2011) (public).

²⁸⁸⁰ [REDACTED] (confidential).

²⁸⁸¹ D0204, p.1-2 (confidential) and D0205, p.1-2 (public).

²⁸⁸² P2984, p.10, 14 (confidential).

BOŽOVIĆ in the Doboj area.²⁸⁸⁶ He appears on the payment records for BOŽOVIĆ's group during the Doboj operations²⁸⁸⁷ [REDACTED]²⁸⁸⁸ There is also a significant amount of other evidence regarding LONČAR's relationship to the SMUP-DB.²⁸⁸⁹

896. Like many prominent Unit members, LONČAR had IDs for both the MUP Krajina and the Serbian MUP.²⁸⁹⁰

897. LONČAR was present at the Kula ceremony in 1997.²⁸⁹¹ There he was introduced to Slobodan MILOŠEVIĆ as a "Captain" and one of the "Unit's veteran officers."²⁸⁹²

MAJSTOROVIĆ, Slobodan

898. MAJSTOROVIĆ manned barricades in the Krajina under MARTIĆ in August 1990. He joined the Unit in Golubić on 4 May 1991.²⁸⁹³ After training he joined the "Special Purpose Unit of the Krajina MUP", and fought in the Krajina, SBWS and Republika Srpska.²⁸⁹⁴ MAJSTOROVIĆ received payments from the SMUP-DB.²⁸⁹⁵

²⁸⁸³ [REDACTED] (confidential) ([REDACTED]).

²⁸⁸⁴ **TODOROVIĆ**:P1576, p.16 (PriorT.23438) (public); P1579, p.1 (public).

²⁸⁸⁵ **TODOROVIĆ**:P1576, p.16 (PriorT.23438) (public).

²⁸⁸⁶ P0143, p.1 (public); P0142, p.2 (public); P0089, p.1 (public).

²⁸⁸⁷ P0089p.1 (public); P0142, p.2 (public); P0143, p.1 (public);

²⁸⁸⁸ See, Annex B.

²⁸⁸⁹ P2984, p.10, 14 (confidential) ([REDACTED]).

P0061, p.7 (public) (present at the Kula camp ceremony).

P1696, p.2 (public) (list of persons to receive memorial badge); P1295, p.11 (public) (named in an undated SVK phone book); P0489 (public) (from MIJOVIĆ's personnel file, listed as holding both RSK and Serbian MUP ID cards).

D0420, p.7 (confidential) ([REDACTED]).

P0142, p.2 (public) (SJB Doboj payment list for April 1992); [REDACTED] (confidential) ([REDACTED]).

²⁸⁹⁰ P0489, p.1 (public).

²⁸⁹¹ P0061, p.1 (public); P1002, p.3 (public) (present at the Kula camp ceremony).
DRAGIČEVIĆ:T.14846 (09-Nov-2011) (public) (his presence at Kula confirmed by witness).

²⁸⁹² P0061 p.4, 7, (timecode- 00:09:06-00:11:20) (public).

²⁸⁹³ P3009, p.1-2 (confidential).

²⁸⁹⁴ P3009, p.1 (confidential).

²⁸⁹⁵ Cross-reference, Annex B.

MEDAKOVIĆ, Saša

899. MEDAKOVIĆ was one of the Unit's original members.²⁸⁹⁶ MEDAKOVIĆ commanded a unit during the Glina/Struga attacks, under CAPTAIN DRAGAN's command.²⁸⁹⁷ By the end of August 1991, MEDAKOVIĆ was operating the Unit's Korenica camp.²⁸⁹⁸ MEDAKOVIĆ arrived at Fruška Gora in November 1991.²⁸⁹⁹ He died in combat in the Posavina Corridor on 23 June 1992.²⁹⁰⁰ [REDACTED]
 [REDACTED]²⁹⁰¹ In 1993, MARTIĆ gave a speech at Golubić dedicating a memorial to MEDAKOVIĆ, describing him as one of the "legendary heroes."²⁹⁰²

MEDIĆ, Slobodan aka BOCA/BOCO

900. MEDIĆ commanded the Scorpions as one of the special units of the SMUP-DB. At MEDIĆ's direct instruction the Scorpions participated in the killings of six Bosnian Muslim men and boys in Trnovo in July 1995.²⁹⁰³ The relationship between the MEDIĆ and the SMUP-DB is described in the body of this brief.²⁹⁰⁴

MIJOVIĆ, Vasilije aka VASO/VASA

901. MIJOVIĆ commenced work for the SMUP-DB in 1991.²⁹⁰⁵ From approximately the summer of 1991 to the summer of 1992²⁹⁰⁶ MIJOVIĆ_(DB) was in charge of the Unit's camp in Tikveš, SBWS, and co-ordinated with SMUP-DB official KOSTIĆ_(DB).²⁹⁰⁷

902. In 1991, MIJOVIĆ led a paramilitary unit engaged in SAO-SBWS.²⁹⁰⁸ MIJOVIĆ's group of 300 well-armed and well-equipped members was considered "[o]fficially a MUP

²⁸⁹⁶ [REDACTED] (confidential) ([REDACTED]); [REDACTED] (confidential).

²⁸⁹⁷ P2877, p.1 (public) (identified only by first name "Saša"); P2873, p.1 (public); *see* P1186 (public); P2658 (public); P2872 (public); P2873 (public); P2874 (public); P2875 (public); P2876 (public); P2877 (public); P2878 (public); P2878 (public); P2879 (public); P2880 (public); P2881 (public); P2882 (public); P2883 (public); P2884 (public); P2885 (public).

²⁸⁹⁸ [REDACTED] (confidential).

²⁸⁹⁹ [REDACTED] (confidential).

²⁹⁰⁰ [REDACTED] (confidential); [REDACTED] (confidential); P1075, p.13 (public); P3146, p.1 (public).

²⁹⁰¹ *Cross-reference, Annex B.*

²⁹⁰² P0989, p.2 (public); **JF-039:T.7218-20** (14-Sep-2010) (public); P1001, p.2 (confidential); P3146, p.1 (public).

²⁹⁰³ *Cross-reference, "Trnovo" on page 235.*

²⁹⁰⁴ *Cross-reference, "The Scorpions on page 151.*

²⁹⁰⁵ P01585, p.22 (confidential). **THEUNENS:T.8757-58** (03-Nov-2010) (public).

²⁹⁰⁶ [REDACTED] (confidential) ([REDACTED]).

²⁹⁰⁷ [REDACTED] (confidential).

special unit and directly connected to the MUP (RDB/State Security Department/) of the Republic of Serbia.”²⁹⁰⁹

903. From late June to late July 1992, MIJOVIĆ assisted in commanding the units BOŽOVIĆ_(DB) led in Doboj when he was injured.²⁹¹⁰

904. From January 1993, MIJOVIĆ was with SIMATOVIĆ at the Tara camp.²⁹¹¹ In May 1993, MIJOVIĆ commanded a Red Berets unit in Bratunac.²⁹¹² MIJOVIĆ, an employee of the SMUP-DB 2nd Administration, was sent to Bratunac by the SMUP-DB.²⁹¹³

905. In early 1994, the SMUP-DB issued two documents confirming that MIJOVIĆ was an employee of the SMUP-DB. SIMATOVIĆ initialled both of these documents.²⁹¹⁴

906. During *Pauk*, MIJOVIĆ frequently visited the headquarters in Lipovica.²⁹¹⁵ He was considered one of the Unit’s commanders.²⁹¹⁶

907. From late June to July 1995, he led the Scorpions, SDG and the *Plavi* Brigade to conduct operations in Treskavica/Trnovo.²⁹¹⁷

908. From April 1995, MIJOVIĆ commanded a training camp in Bilje (Baranja), from which he participated in the joint operations in SBWS after the Krajina fell to the Croatian forces.²⁹¹⁸

909. [REDACTED]²⁹¹⁹ [REDACTED]²⁹²⁰
[REDACTED]²⁹²¹ [REDACTED]²⁹²² [REDACTED]

²⁹⁰⁸ P1061, p.1 (public).

²⁹⁰⁹ P1061, p.2 (public).

²⁹¹⁰ [REDACTED] (confidential).

²⁹¹¹ P0973, p.7 (confidential).

²⁹¹² P1081, p.1 (public). **THEUNENS**:T.8672-73 (02-Nov-2010) (public).

²⁹¹³ P1585, p.14, (confidential). **THEUNENS**:T.8672-73 (02-Nov-2010) (public).

²⁹¹⁴ P0352, p.1 (public); P0482, p.1 (confidential). (**MIČIĆ**:T.19904 (30-May-2012) (public).

²⁹¹⁵ **SLIŠKOVIĆ**:P0440, para.3 (public); P0441, para.23 (confidential).

²⁹¹⁶ **SLIŠKOVIĆ**:P0441, para.41 (public).

²⁹¹⁷ [REDACTED] (confidential); P2966, p.6 (public); P1084, p.1 (public).

²⁹¹⁸ **JF-036**:T.4195 (12-Apr-2010) (public); P0342, p.15, 21 (confidential). P0355 (public) (video excerpts of training, MIJOVIĆ_(DB) addressing the journalist); P0346, p.4-5 (public); D1623, p.12-13 (public); P1080, p.3 (confidential).

²⁹¹⁹ See Annex B.

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910. Expert witness THEUNENS concluded that MIJOVIĆ was “always a member of the MUP of Serbia” at relevant times.²⁹²⁶ MIJOVIĆ personally received a trophy weapon from STANIŠIĆ.²⁹²⁷ MIJOVIĆ was present at the Kula Ceremony in 1997.²⁹²⁸ He was presented to MILOŠEVIĆ and STANIŠIĆ as one of the “veterans of the Special Operations Unit of the Republic of Serbia State Security.”²⁹²⁹

MILJKOVIĆ, Slobodan aka LUGAR

911. LUGAR was in a group of approximately 30 SRS volunteers led by Srekćo RADOVANOVIĆ aka DEBELI_(DB), which was in SBWS in 1991 and participated in combat operations together with ARKAN’s men and the JNA.²⁹³⁰ In January or February 1992, LUGAR’s unit joined the SBWS police under BADŽA’s command.²⁹³¹ In February

²⁹²⁰ P0454, p.24 (BCS) (confidential) (). P0457, p.23 (BCS) (confidential) (). P0456, p.22 (BCS) (confidential) (). P0465, p.25 (BCS) (confidential) ().

KRSMANOVIĆ:T.14708-10 (20-Oct-2011) (public) (KRSMANOVIĆ authenticates the signature of FRENKI on a chart of exhibits where his signature appears); P3039, p.1 (public).

²⁹²¹ P0456, p.22 (BCS) (confidential) ().

P0457, p.23 (Eng), p.23 (BCS) (confidential) ().

P0465, p.25 (Eng); p.25 (BCS) (confidential) ().

P0466, p.6 (BCS) (confidential). P0467, p.15 (BCS) (confidential). P0468, p.6 (Eng); p.6 (BCS) (confidential). P0540, p.7 (Eng); p.7 (BCS) (confidential). P0541, p.17 (confidential). P0542, p.21 (confidential). P0543, p.5 (confidential). P0347, p.46 (Eng) (confidential). P0349, p.45 (confidential).

²⁹²² P0457, p.23 (BCS) (confidential). ().

²⁹²³ P0456, p.22 (BCS) (confidential). ().

²⁹²⁴ P0465, p.25 (Eng) p.25 (BCS) (confidential) ().

²⁹²⁵ P0468, p.6 (Eng); p.6 (BCS) (confidential); P0540, p.7 (Eng); p.7 (BCS) (confidential).

²⁹²⁶ **THEUNENS:**T.8758 (03-Nov-2010) (public).

²⁹²⁷ P1585, p.19 (confidential).

²⁹²⁸ **MIĆIĆ:**T.19904-05 (30-May-2012) (public).

²⁹²⁹ P0061, p.4, (timecode - 00:09:05 - 00:09:13) (public); (confidential).

²⁹³⁰ (confidential); P1425, p.1 (public).

²⁹³¹ (confidential).

or March, LUGAR's group went to Ležimir and then Pajzoš to be trained by instructors from the Unit.²⁹³²

912. Along with approximately 20 Bosanski Šamac locals,²⁹³³ this unit became known as the Grey Wolves and as the Red Berets²⁹³⁴ commanded by Unit member Dragan ĐORĐEVIĆ aka CRNI_(DB).²⁹³⁵ This unit under CRNI and DEBELI_(DB) played a crucial role in the Bosanski Šamac take-over and subsequent crimes.²⁹³⁶

913. LUGAR personally abused and/or murdered many of Bosanski Šamac's non-Serb civilians.²⁹³⁷

914. In July 1993 the SMUP-DB warned LUGAR to stop mentioning the SMUP-DB, [REDACTED].²⁹³⁸ At this time, the SMUP-DB became concerned that LUGAR was an extremist opposed to the regime²⁹³⁹ and began monitoring the actions of LUGAR and other members of his SRS volunteer group in order to "gain full insight into the intentions and specific actions taken both by Slobodan [LUGAR] and the group of people he is holding together",²⁹⁴⁰ and ultimately to separate LUGAR's group from him [REDACTED].²⁹⁴¹ A report from 18 February 1997 indicated that the SMUP-DB had achieved this goal.²⁹⁴²

²⁹³² [REDACTED] (confidential); P1417, p.3 (confidential); P1428, p.4 (public); D1198, p.1 (public).

²⁹³³ [REDACTED] (confidential); P1417, p.3 (confidential); P1428, p.4 (public); D1198, p.1 (public).

²⁹³⁴ FirstAFD-no.305. [REDACTED] (confidential); P1516, para.30-31 (confidential). *See*, **TIHIĆ**:P0177, p.5 (PriorT.29883) (public).

²⁹³⁵ FirstAFD-no.300. **TODOROVIĆ**:P1576, p.3-4 (PriorT.23425-26) (public).

JF-047:T.7627, 7630-31 (04-Oct-2010) (public); P1516, para.34 (confidential); P1580, p.1 (public); P1417, p.3 (confidential); D1198, p.1 (public).

²⁹³⁶ P1418, p.1 (public). *Cross-reference*, "Bosanski Šamac" on page 218.

²⁹³⁷ FirstAFD-no.323, 376, 378, 383. [REDACTED] (confidential). **TIHIĆ**:P0173, p.7-10, 11 (public). **LUKAČ**:P1836, p.162 (PriorT.1688) (public), p.172 (PriorT.1698) (public).

[REDACTED]; P0112, p.4 (confidential).

²⁹³⁸ D0256, p.3 (confidential).

²⁹³⁹ D0254, p.1 (confidential).

²⁹⁴⁰ P3221 (public).

²⁹⁴¹ D0254, p.1 (confidential); *see e.g.*, D0129, p.5 (confidential); D0130, p.6 (confidential); D1292, p.1 (confidential); D1293, p.1 (confidential).

²⁹⁴² D0254, p.1 (confidential).

915. [REDACTED]²⁹⁴³ [REDACTED]

916. [REDACTED]²⁹⁴⁴ [REDACTED]

[REDACTED]²⁹⁴⁵ [REDACTED]

[REDACTED]²⁹⁴⁶

MOMČILOVIĆ, Dušan

917. [REDACTED]

[REDACTED]²⁹⁴⁷ STANIŠIĆ presented an award to MOMČILOVIĆ during the Kula award ceremony marking the anniversary of the Unit's founding.²⁹⁴⁸

918. In his capacity as SAO-Krajina Special Police Unit Commander, MOMČILOVIĆ followed orders from both the SMUP and RSKMUP.²⁹⁴⁹ His personnel file indicates that he was a member of the SMUP-DB at the time he served in the Krajina Special Police.^{2950 2951}

919. Other individuals were sent to the Posavina Corridor as part of Krajina police forces, including the OPAČIĆ brothers (Goran_(DB) and Miloš_(DB)) and Tošo PAJIĆ_(DB).²⁹⁵²

920. Individuals who served under MOMČILOVIĆ as members of Krajina police units later officially became members of the "Red Berets" (the Unit).²⁹⁵³

²⁹⁴³ P2126, p.1 (confidential).

²⁹⁴⁴ See, "Brčko" on page 110.

²⁹⁴⁵ P2126, p.2 (confidential) [REDACTED]; [REDACTED].

²⁹⁴⁶ [REDACTED] (confidential); D1207, p.3 (public).

²⁹⁴⁷ D0456, p.1,27,30,39,47- 50 (confidential).

²⁹⁴⁸ [REDACTED] (confidential); P2158, p.1 (public).

²⁹⁴⁹ P2996, p.2 (public); D0693 (public).

²⁹⁵⁰ P2996, p.2 (public).

²⁹⁵¹ D0456, p.30. (confidential).

²⁹⁵² [REDACTED] (confidential).

²⁹⁵³ E.g., P3144 (confidential) ([REDACTED]); P3145 (confidential). **PLAHUTA**:T.19362 and T.19516-18 (public) (GULIĆ participated in Operation *Pauk* while employed by the SMUP).

OBRADOVIĆ, Ljubomir

921. OBRADOVIĆ joined the Unit in December 1991.²⁹⁵⁴ He remained in Pajzoš during the period after the Unit there began to use Krajina MUP JPN headers.²⁹⁵⁵ He was with the Unit in Skelani in 1993, participating in operations under BOŽOVIĆ and JOVANOVIĆ in eastern Bosnia. On 9 April 1993, he was killed.²⁹⁵⁶ [REDACTED]
 [REDACTED]²⁹⁵⁷ and posthumously honoured him at the Unit's award ceremony in May 1996.²⁹⁵⁸

922. [REDACTED]²⁹⁵⁹
 [REDACTED]²⁹⁶⁰
 [REDACTED]²⁹⁶¹ [REDACTED]²⁹⁶² [REDACTED]²⁹⁶³

OPAČIĆ, Goran aka KLEMPO

923. Goran OPAČIĆ contributed in multiple capacities to various strategic operations conducted by the SMUP-DB from 1991 until 1995.

924. OPAČIĆ was a police officer from Benkovac Municipality in Croatia and took part in operating the barricades on 17 August 1990.²⁹⁶⁴

925. In early 1991 OPAČIĆ came to Golubić following MARTIĆ's orders.²⁹⁶⁵ He saw SIMATOVIĆ in Golubić²⁹⁶⁶ and trained under CAPTAIN DRAGAN_(DB).²⁹⁶⁷ He became one

²⁹⁵⁴ P3040, p.1 (confidential).

²⁹⁵⁵ P3006, p.1 (public).

²⁹⁵⁶ P3121, p.3 (public); P3122, p.1 (public); P0399, p.2 (public).

²⁹⁵⁷ Cross-reference, Annex B.

²⁹⁵⁸ P1075, p.13 (public).

²⁹⁵⁹ P3178, p.5, 11 (confidential).

²⁹⁶⁰ P3178, p.5 (confidential).

²⁹⁶¹ P3178, p.5 (confidential).

²⁹⁶² P3178, p.11 (confidential).

²⁹⁶³ P3178, p.11 (confidential).

²⁹⁶⁴ P2737, p.1 (confidential); OPAČIĆ:T.18183 (13-Mar-2012) (public).

²⁹⁶⁵ OPAČIĆ:T.18189 (13-Mar-2012) (public).

²⁹⁶⁶ OPAČIĆ:T.18218-9 (13-Mar-2012) (public).

²⁹⁶⁷ OPAČIĆ:T.18187 (13-Mar-2012) (public).

of the first platoon commanders within the officer structure established by SIMATOVIĆ²⁹⁶⁸ and prepared physical fitness courses for recruits.²⁹⁶⁹ His brothers, Miloš_(DB) and Zoran_(DB) OPAČIĆ, also participated in the training.²⁹⁷⁰ OPAČIĆ knew IVANOVIĆ_(DB) and BOŽOVIĆ_(DB) from this period.²⁹⁷¹

926. Goran OPAČIĆ participated in the attack on Škabrnja on 18 and 19 November 1991.²⁹⁷² Members of his group participated in the killings there.²⁹⁷³

927. Between 1993 and 1994, Goran and his brother Miloš trained in the *Alfa* Centre in Bruška under CAPTAIN DRAGAN_(DB).²⁹⁷⁴

928. OPAČIĆ_(DB) received an award during the Krajina Security Service Day commemoration “due to demonstrated bravery, self-sacrifice or exceptional contribution to the successful operation of the internal affairs service.”²⁹⁷⁵ He received this award alongside STANIŠIĆ, KOJIĆ_(DB), Miloš_(DB) and Tošo PAJIĆ_(DB), DRAČA_(DB), MOMČILOVIĆ_(DB) and CAPTAIN DRAGAN_(DB).²⁹⁷⁶ Between 1995 and 1996, OPAČIĆ became part of the *Poskok* Detachment in Ilok.²⁹⁷⁷

929. During his testimony, OPAČIĆ acknowledged receiving a salary from RAIĆ_(DB) while under his command.²⁹⁷⁸ While in the *Poskok* Detachment, RAIĆ_(DB) and the OPAČIĆ brothers engaged in criminal activities together.²⁹⁷⁹ OPAČIĆ remained linked to the SMUP-DB after the war.²⁹⁸⁰

²⁹⁶⁸ [REDACTED] (confidential).

²⁹⁶⁹ OPAČIĆ:T.18237 (13-Mar-2012) (public).

²⁹⁷⁰ [REDACTED] (confidential); OPAČIĆ:T.18252 (13-Mar-2012) (public).

²⁹⁷¹ OPAČIĆ:T.18308-9 (14-Mar-2012) (public).

²⁹⁷² [REDACTED] (confidential). BABIĆ:P1877, p.139 (PriorT.1601) (public). *See* SecondAFD, no.157.

²⁹⁷³ P1209, p.1 (public).

²⁹⁷⁴ P1178, p.4-5 (public); P1185, p.5 (public).; P2823, p.1 (confidential)

²⁹⁷⁵ P0428, p.1-2 (public)

²⁹⁷⁶ P0428, p.1-2 (public).

²⁹⁷⁷ P2741, p.1 (confidential). [REDACTED] (confidential).

²⁹⁷⁸ OPAČIĆ:T.18232-3 (13-Mar-2012) (public).

²⁹⁷⁹ P3103, p.1 (public).

²⁹⁸⁰ OPAČIĆ:T.18219 (13-Mar-2012) (public); OPAČIĆ:T.18221 (13-Mar-2012) (public); OPAČIĆ:T.18238-9 (13-Mar-2012) (public). P2740, p.2 (confidential).

930. OPAČIĆ received many SMUP-DB payments.²⁹⁸¹ During his evidence, OPAČIĆ repeatedly denied his relationship to the Unit.²⁹⁸² However, STANIŠIĆ's acknowledgement of OPAČIĆ's service to the SMUP-DB was apparent during the Kula Ceremony in 1997. He was introduced to MILOŠEVIĆ and STANIŠIĆ as one of the Unit's veteran officers.²⁹⁸³ STANIŠIĆ personally presented an award to OPAČIĆ and spontaneously embraced and kissed OPAČIĆ upon presenting the award.²⁹⁸⁴ In his final speech, STANIŠIĆ remarked that OPAČIĆ's service was worthy of the highest regard.²⁹⁸⁵

OPAČIĆ, Miloš

931. Miloš OPAČIĆ [REDACTED]²⁹⁸⁶ In 1995 RAIĆ appointed him commander of the *Poskok* Detachment.²⁹⁸⁷ He is among the individuals who appear on SMUP-DB payment records during the second half of 1995.²⁹⁸⁸ [REDACTED]²⁹⁸⁹

ORLOVIĆ, Dušan aka DULE

932. ORLOVIĆ_(DB) served as a crucial link between the SAO-Krajina DB and the SMUP-DB. ORLOVIĆ participated in the distribution of weapons at Golubić along with MARTIĆ and BABIĆ on 17 August 1990.²⁹⁹⁰ ORLOVIĆ was one of MARTIĆ's close associates, and in January 1991, ORLOVIĆ became the head of SAO-Krajina DB²⁹⁹¹ and was Aco DRAČA's_(DB) superior.²⁹⁹² Despite ORLOVIĆ's formal subordination to MARTIĆ, in actuality he was closely linked to the SMUP-DB,²⁹⁹³ and sent his reports directly to the

²⁹⁸¹ Cross-reference, Annex B.

²⁹⁸² OPAČIĆ:T.18306-8 (14-Mar-2012) (public).

²⁹⁸³ P0061, (timecode 00:10:02), p.5 (public).

²⁹⁸⁴ P0061, (timecode 00:42:20), p.2 (public).

²⁹⁸⁵ P0061, (timecode00:46:00) (public).

²⁹⁸⁶ P2824, p.1 (confidential).

²⁹⁸⁷ P3108, p.1 (public); P0523, p.6 (confidential); P2824, p.1 (confidential).

²⁹⁸⁸ Cross-reference, Annex B.

²⁹⁸⁹ P2824, p.1 (confidential).

²⁹⁹⁰ [REDACTED] (confidential). *See also* [REDACTED] (confidential). BABIĆ:P1878, p.40 (PriorT.12912) (public).

²⁹⁹¹ [REDACTED] (confidential).

²⁹⁹² DRAČA:T.16770 (01-Feb-2012) (public).

²⁹⁹³ [REDACTED] (confidential). [REDACTED] (confidential).

SMUP-DB.²⁹⁹⁴ SIMATOVIĆ issued orders to ORLOVIĆ, DRAČA_(DB), or RAIĆ_(DB) on at least 10 occasions.²⁹⁹⁵

933. ORLOVIĆ met with SIMATOVIĆ when the latter came to the Krajina.²⁹⁹⁶ ORLOVIĆ informed DRAČA_(DB) of SIMATOVIĆ's arrival²⁹⁹⁷ and was present at a meeting with STANIŠIĆ and BABIĆ in August 1991.²⁹⁹⁸

934. ORLOVIĆ helped plan the attack on Lovinac along with SIMATOVIĆ and MARTIĆ.²⁹⁹⁹ ORLOVIĆ was formally employed by the SMUP-DB beginning on 1 September 1992,³⁰⁰⁰ and continued to be employed by either the SMUP or BIA until March 2005.³⁰⁰¹ [REDACTED]³⁰⁰²

935. At the Kula Ceremony in 1997, ORLOVIĆ was introduced to MILOŠEVIĆ as one of the veteran officers of the JSO.³⁰⁰³

PAJIĆ, Tošo

936. In early 1991, PAJIĆ was appointed police chief in Vojnić.³⁰⁰⁴ Following the acceptance of the Vance Plan, MARTIĆ appointed PAJIĆ as the head of the Vojnić SUP, and he remained the chief of the Vojnić police station.³⁰⁰⁵

937. While PAJIĆ was formally employed by SAO-Krajina/RSK structures, he actually had equal or greater loyalty to the Accused and the SMUP-DB. PAJIĆ_(DB) referred to

²⁹⁹⁴ [REDACTED] (confidential).

²⁹⁹⁵ [REDACTED] (confidential).

²⁹⁹⁶ **DRAČA**:T.16704-5 (31-Jan-2012) (public).

²⁹⁹⁷ **DRAČA**:T.16704 (31-Jan-2012) (public).

²⁹⁹⁸ **BABIĆ**:P1877, p.99 (PriorT.1524) (public).

²⁹⁹⁹ [REDACTED] (confidential).

³⁰⁰⁰ P2684, p.3-4 (confidential). [REDACTED]

[REDACTED] (confidential).

³⁰⁰¹ P2684, p.10 (confidential).

³⁰⁰² P2684, p.10-13 (BCS) (confidential). See P3166, p.3 (BCS) (confidential), [REDACTED], and **MICIĆ**:T.19868 (29-May-2012) (public) (identifying the signature as the facsimile signature of SIMATOVIĆ, but indicating that only SIMATOVIĆ could use that facsimile signature).

³⁰⁰³ P0061, p.5 (00:09:04-00:11:37) (public).

³⁰⁰⁴ [REDACTED] (confidential).

³⁰⁰⁵ [REDACTED] (confidential).

STANIŠIĆ as “daddy”, a term of respect, when he visited.³⁰⁰⁶ [REDACTED]
³⁰⁰⁷ PAJIĆ_(DB) later served as a member of the RSKMUP³⁰⁰⁸ while employed by the SMUP-DB.³⁰⁰⁹ PAJIĆ_(DB) was involved with STANIŠIĆ’s control of Fikret ABDIĆ in Bosnia.³⁰¹⁰ He attended a meeting, along with Miloš PAJIĆ, chaired by STANIŠIĆ, and attended by representatives of the SMUP-DB, RSKMUP-DB and SVK prior to operation *Pauk* in November 1994.³⁰¹¹

938. Tošo PAJIĆ was also one of the leaders sent to participate in the Corridor operation in BiH in June 1992 under the command of MARTIĆ.³⁰¹²

PAVLOVIĆ, Marko aka Branko POPOVIĆ

939. As discussed above,³⁰¹³ Marko PAVLOVIĆ was one of the key players in the events in Zvornik Municipality.

940. Marko PAVLOVIĆ_(DB) had an extremely close relationship with the SMUP-DB, and that relationship was fundamental to his presence and role in Zvornik. He was brought to Zvornik by SMUP-DB member KOSTIĆ_(DB).³⁰¹⁴ PAVLOVIĆ was also a SMUP-DB member and carried out the SMUP-DB’s bidding.³⁰¹⁵ [REDACTED]

[REDACTED]³⁰¹⁶ [REDACTED]³⁰¹⁷
 [REDACTED]³⁰¹⁸ [REDACTED]

³⁰⁰⁶ LAZAREVIĆ:T.3293-94 (public).

³⁰⁰⁷ [REDACTED] (confidential).

³⁰⁰⁸ [REDACTED] (confidential); P0239, p.1 (public).

³⁰⁰⁹ LAZAREVIĆ:T.3293-94 (public); [REDACTED] (confidential); P0239, p.1 (public).

³⁰¹⁰ [REDACTED] (confidential).

³⁰¹¹ NOVAKOVIĆ:T.14152 (public).

³⁰¹² [REDACTED] (confidential).

³⁰¹³ See, “Bijeljina and Zvornik” on page 206.

³⁰¹⁴ [REDACTED] (confidential); T.9685 (confidential); see P2668, p.3 (public).

³⁰¹⁵ See P0593, p.1 (confidential). PAVLOVIĆ was previously known as Branko POPOVIĆ, but adopted the name PAVLOVIĆ in Zvornik.

[REDACTED] (confidential); T.9684 (public); P1700, para.42 (confidential).

³⁰¹⁶ [REDACTED] (confidential).

³⁰¹⁷ [REDACTED] (confidential); [REDACTED] (confidential).

³⁰¹⁸ [REDACTED] (confidential); [REDACTED] (confidential).

3019 [REDACTED] 3020 [REDACTED]
 [REDACTED] 3021 [REDACTED] 3022 [REDACTED]
 [REDACTED] 3023 In June or July 1992, PAVLOVIĆ_(DB) attended a meeting with SIMATOVIĆ, GRUJIĆ and the commanders of other Serb TOs in BiH to discuss setting up camps to train a unit that would be under SIMATOVIĆ's command.³⁰²⁴

PEJIĆ, Marko aka PEJA

941. PEJIĆ was a member of the SDG and participated in the take-overs of Bijeljina and Zvornik,³⁰²⁵ and continued on to the Brčko operations.³⁰²⁶ He was involved in the crimes following the Zvornik take-over.³⁰²⁷ Along with Milorad STRIČEVIĆ aka "PUKI", Marko PEJIĆ commanded the Erdut training centre in early 1992.³⁰²⁸ [REDACTED]

[REDACTED] 3029

PETROVIĆ, Dragan aka KAJMAN

942. PETROVIĆ was one of the founding members of ARKAN's SDG.³⁰³⁰ He participated in operations in Bijeljina, Zvornik, and Brčko and later in the Treskavica/Trnovo, *Pauk* and Sanski Most/Banja Luka operations.³⁰³¹

943. In late June and early July 1995, an SMUP police detachment called the *Kajman* Detachment participated in combat operations at the Trnovo front.³⁰³² This was commanded by PETROVIĆ, who was known as "KAJMAN."³⁰³³

3019 [REDACTED] (confidential).

3020 [REDACTED] (confidential).

3021 [REDACTED] (confidential).

3022 [REDACTED] (confidential).

3023 [REDACTED] (confidential); [REDACTED] (confidential); [REDACTED] (confidential); [REDACTED] (confidential).

3024 **DERONJIĆ**:P2511, para.134-35 (public).

3025 [REDACTED] (confidential).

3026 [REDACTED] (confidential); [REDACTED] (confidential).

3027 P2987, p.2 (confidential); D0162, p.3-4 (confidential); P1403, p.2 (public).

3028 **B-161**:T.6242 (08-Jul-2010) (public); [REDACTED] (confidential); P1622 (public); P1623 (public).

3029 Cross-reference, Annex B.

3030 [REDACTED] (confidential).

3031 [REDACTED] (confidential); P1617, p.2-3 (confidential); **PELEVIĆ**:T.16422-3 (25-Jan-2012) (public). [REDACTED] (confidential).

944. [REDACTED] 3034

[REDACTED]
945. [REDACTED]
[REDACTED]
[REDACTED]

3035

946. [REDACTED]

[REDACTED] 3036

[REDACTED] 3037

[REDACTED] 3038

[REDACTED] 3039

947. [REDACTED]

[REDACTED] 3040

[REDACTED] 3041

[REDACTED]
948. [REDACTED]

[REDACTED] 3042

[REDACTED] 3043

[REDACTED] 3044

³⁰³² P1642, p.1 (public); P1626, p.1 (public).

³⁰³³ [REDACTED] (confidential).

³⁰³⁴ Cross-reference, Annex B

³⁰³⁵ P3195, p.13 (confidential).

³⁰³⁶ P3195, p.13-14 (confidential).

³⁰³⁷ P3195, p.2 (confidential).

³⁰³⁸ P3195, p.13-14 (confidential).

³⁰³⁹ P3195, p.31 (confidential).

³⁰⁴⁰ P3195, p.14 (confidential).

³⁰⁴¹ P3195, p. 6 and 12 (confidential).

³⁰⁴² [REDACTED] (confidential).

³⁰⁴³ P3004, p.1-2 (confidential).

³⁰⁴⁴ [REDACTED] (confidential).

POPOVIĆ, Milenko

949. POPOVIĆ went to Knin as a volunteer in June 1991³⁰⁴⁵ and became a member of the Unit on 2 July 1991.³⁰⁴⁶ After training at Golubić camp,³⁰⁴⁷ he went to the Knin Fortress and participated in all the Unit's Krajina operations.³⁰⁴⁸ POPOVIĆ was a trainer in Pajzoš until the spring of 1992³⁰⁴⁹ after which he participated in the operations in Ozren³⁰⁵⁰ and the Doboj area as a part of BOŽOVIĆ's_(DB) group.³⁰⁵¹ He also served as a trainer in that area.³⁰⁵² In January 1993, he went to Tara and took part in the fighting around Srebrenica. POPOVIĆ was a member of the JATD following its formalisation in 1993.³⁰⁵³ [REDACTED]

[REDACTED]³⁰⁵⁴[REDACTED]³⁰⁵⁵PRICA, Predrag

950. PRICA was present with BOŽOVIĆ_(DB) in Pajzoš.³⁰⁵⁶ Members of BOŽOVIĆ's group personally informed Defence witness KNEŽEVIĆ that they worked for the SMUP-DB.³⁰⁵⁷ PRICA would publicly identify himself as a member of the "Red Berets" and an employee of the SMUP-DB. He would tell others that "no one can touch him because he personally knows Franko SIMATOVIĆ."³⁰⁵⁸ PRICA continued as a member of the JATD of the

³⁰⁴⁵ P3179, p.1, 11, 25 (confidential)

³⁰⁴⁶ P3179, p.1, 3, 11, 18, 26 (confidential)

³⁰⁴⁷ P3179, p.11 (confidential)

³⁰⁴⁸ P3179, p.3, 11 (confidential)

³⁰⁴⁹ P3179, p.11 (confidential).

³⁰⁵⁰ P3179, p.11 (confidential).

³⁰⁵¹ P0089, p.1 (public); P0142, p.2 (public); P0143, p.1 (public).

³⁰⁵² P3179, p.11 (confidential)

³⁰⁵³ P3179, p.14-15 (confidential).

³⁰⁵⁴ P3179, p.14-15,18 (confidential).

³⁰⁵⁵ Cross-reference, Annex B.

³⁰⁵⁶ [REDACTED] (confidential).

³⁰⁵⁷ **KNEZEVIĆ**:T.13453-54 (22-Aug-2011) (public).

³⁰⁵⁸ P3180, p.14-15 (confidential).

SMUP-DB.³⁰⁵⁹ PRICA received payments from the SMUP-DB³⁰⁶⁰ and was present during the Kula ceremony in 1997.³⁰⁶¹

PRODANIĆ, Milan

951. From the beginning of the Indictment period,³⁰⁶² Milan PRODANIĆ was directly subordinated to and “in permanent contact” with Jovica STANIŠIĆ.³⁰⁶³ He was in charge of SMUP-DB employment and finance issues.³⁰⁶⁴ He was involved the formation of the JATD and the hiring of its employees.³⁰⁶⁵ Together with SIMATOVIĆ, PRODANIĆ_(DB) received commendation from the RSMUP.³⁰⁶⁶

952. PRODANIĆ_(DB) played a pivotal role in arranging for weapons to be transported from Belgrade into the RS and RSK from at least 1991-1993.³⁰⁶⁷ PRODANIĆ_(DB) met daily at the SMUP-DB with STANIŠIĆ and others³⁰⁶⁸ to assess the Serb Forces’ military requirements.³⁰⁶⁹ PRODANIĆ arranged many convoys from Bubanj Potok to Croatia and Bosnia.³⁰⁷⁰ A MLADIĆ notebook entry dated 13 October 1994 confirms PRODANIĆ’s role in issuing weapons.³⁰⁷¹

³⁰⁵⁹ P3180, p. 14, 32, 34-37 (Confidential).

³⁰⁶⁰ (confidential). Cross-reference, Annex B.

³⁰⁶¹ P0061, p.5 (public).

³⁰⁶² See (confidential) (); P2669, p.2 (confidential)

³⁰⁶³ (confidential). (confidential); P2669, p.2 (confidential); P0472, p.5-7 (confidential); P1580 (public).

³⁰⁶⁴ P0472, p.5-7 (confidential). P0973, p.2-3 (confidential). **MILOŠEVIĆ**:T.18824 (01-May-2012) (public). **NOVAKOVIĆ**:T.14005 (5-Oct-2011) (public); T.19936-37 (30-May-2012) (public); D0269, p.4 (confidential).

³⁰⁶⁵ P0973, p.2-3 (confidential). (confidential).

³⁰⁶⁶ P0592, p.1 (confidential). See (confidential).

³⁰⁶⁷ (confidential).

³⁰⁶⁸ (confidential). **JF-029**:P1666, p.2 (public); D1097, p.2 (public).

³⁰⁶⁹ (confidential).

³⁰⁷⁰ P0409, p.10, 12, 13 (BCS) () (confidential); P0416, p.1-2 (public); P0412, p.1 (confidential); P0418, p.1 (public); P0414, p.1-2 (public); P0411, p.1 (confidential); P0410, p.1-2 (confidential).

(confidential) (); P0408, p.4, 10, 27-8 (PriorT.26591, 26597, 26614-5) (confidential).

(confidential).

³⁰⁷¹ P2537, p.1-2 (public).

953. In late February or early March 1992, PRODANIĆ met with local Serb leaders from Bosanski Šamac in Belgrade to procure men to assist in operations in Bosanski Šamac.³⁰⁷² Following this meeting, PRODANIĆ conveyed that he would send men for military training at a SMUP camp.³⁰⁷³ Shortly thereafter, as promised, a group of SRS and Bosanski Šamac locals arrived for training at the SMUP-DB camp in Pajzoš, then, under CRNI'S_(DB) command, took over Bosanski Šamac.³⁰⁷⁴

PRODANOVIĆ, Milenko aka MUNGOS

954. In February 1993, PRODANOVIĆ was a member of the Bratunac Red Berets unit commanded by MIJOVIĆ_(DB).³⁰⁷⁵ After MIJOVIĆ's unit disbanded in September 1993, PRODANOVIĆ formed his own special unit called the "Mongooses" (or "*Mungosi*" in BCS, after PRODANOVIĆ's own nickname).³⁰⁷⁶ The *Mungosi* frequently violated law and order in the territory of the Zvornik CJB.³⁰⁷⁷

955. PRODANOVIĆ_(DB) and his unit, including former members of the Bratunac Red Berets,³⁰⁷⁸ received payments from the SMUP-DB through to September 1993.³⁰⁷⁹ Members of the *Mungosi* (those mentioned in P1082) were on the same payment lists as MIJOVIĆ_(DB) and other Unit members in 1995.³⁰⁸⁰

PUPOVAC, Nikola aka PUPE

956. PUPOVAC_(DB) was one of the original members selected as trainers for "FRENKI's unit".³⁰⁸¹ He participated in the attack on the police station in Glina in July 1991.³⁰⁸²

³⁰⁷² **TODOROVIĆ**:P1576, p.9 (PriorT.23431) (public); P1579 (public); *see* P1428, p.4 (public); P1418, p.4 (public).

³⁰⁷³ **TODOROVIĆ**:P1576, p.10 (PriorT.23432) (public).

³⁰⁷⁴ *Cross-reference, "Bosanski Šamac" on page 218.*

³⁰⁷⁵ D1224, p.1-3 (public).

³⁰⁷⁶ P1082, p.1 (public).

³⁰⁷⁷ P1082, p.1 (public).

³⁰⁷⁸ D1224, p.1-3 (public).

³⁰⁷⁹ *Cross-reference, Annex B*

³⁰⁸⁰ *Cross-reference, Annex B.*

³⁰⁸¹ [REDACTED] (confidential); P1001, p.1-2 (confidential).

³⁰⁸² P2872, p.1 (public).

957. In late 1991, he was present at Ležimir with other members of the SMUP-DB special unit.³⁰⁸³ While there, he trained Milan LUKIĆ.³⁰⁸⁴ On 8 June 1992, he set up a training camp in Skelani with instructors from the Unit.³⁰⁸⁵

958. At the time the SMUP-DB Unit was formalised as the JATD, the SMUP-DB requested a background check for PUPOVAC.³⁰⁸⁶ PUPOVAC held a command position despite being on reserve status.³⁰⁸⁷ He was trusted by SIMATOVIĆ³⁰⁸⁸ [REDACTED]
³⁰⁸⁹ PUPOVAC received an award at the Kula ceremony in 1997.³⁰⁹⁰

RADNOV, Žarica

959. Žarica RADNOV joined the SDG on 5 September 1995.³⁰⁹¹ He was killed on 7 October 1995³⁰⁹²—while the SDG were engaged in Sanski Most. RADNOV was paid by the SMUP-DB during his brief period in the SDG.³⁰⁹³

RADONJIĆ, Milan aka MEDO

960. In the summer of 1991, RADONJIĆ was present in Knin along with SIMATOVIĆ.³⁰⁹⁴ FILIPOVIĆ_(DB) was also there and spent most of his time with RADONJIĆ.³⁰⁹⁵ Like SIMATOVIĆ, RADONJIĆ also had a “retroactive deployment” to Kosovo to cover his activities in Croatia.³⁰⁹⁶

³⁰⁸³ P2984, p.3 (confidential).

³⁰⁸⁴ P2448, p.2 (public); **NOVAKOVIĆ**:T.13983 (05-Oct-2011) (public).

³⁰⁸⁵ P0399, p.1 (public); P2104, p.1 (public); P0383, p.5 (public). **DERONJIĆ**:P2511, para.132 (public).

³⁰⁸⁶ P3021, p.10 (confidential).

³⁰⁸⁷ **SLIŠKOVIĆ**:P0441, para.41 (public). ([REDACTED])

³⁰⁸⁸ [REDACTED] (confidential).

³⁰⁸⁹ Cross-reference, Annex B.

³⁰⁹⁰ P0061, p.27 (public).

³⁰⁹¹ P3070, p.1 (public).

³⁰⁹² P3070, p.1 (public).

³⁰⁹³ Cross-reference, Annex B.

³⁰⁹⁴ **DRAČA**:T.16704-8 (31-Jan-2012) (public).

³⁰⁹⁵ [REDACTED] (confidential).

³⁰⁹⁶ P2723, p.1 (confidential).

961. RADONJIĆ helped in the Unit's formalisation as the JATD.³⁰⁹⁷ He served as the Deputy Commander,³⁰⁹⁸ and was directly subordinated to SIMATOVIĆ.³⁰⁹⁹ In his capacity as Deputy Commander, RADONJIĆ signed many unit documents,³¹⁰⁰ including the proposal for employment of BOŽOVIĆ_(DB),³¹⁰¹ a certificate confirming that MIJOVIĆ_(DB) was a member of the JATD,³¹⁰² and a recommendation for the appointment of RAIĆ_(DB).³¹⁰³

962. At some point between 1992 and 1995, RADONJIĆ worked for the SMUP-DB 2nd Administration. He was in contact with RSKMUP-DB chief DRAČA_(DB).³¹⁰⁴

963. RADONJIĆ was also present at *Pauk*.³¹⁰⁵

964. His continued closeness to the Accused after the war is demonstrated by the fact that in 1997, SIMATOVIĆ shielded RADONJIĆ from prosecution for a traffic accident.³¹⁰⁶

965. In 2001, RADONJIĆ and three others were arrested and charged with removing files regarding opposition members from the SMUP-DB. RADONJIĆ was convicted and served a one-year sentence.³¹⁰⁷

³⁰⁹⁷ [REDACTED] (confidential).

³⁰⁹⁸ [REDACTED] (confidential); P2730, p.1 (confidential); P0974, p.1 (confidential); P3018, p.1 (public); P2731, p.1 (confidential); P2726, p.1 (confidential).

VUJOVIĆ:T.19620 (22-May-2012) (public); P0476, p.1 (confidential).

THEUNENS:T.8760-1 (3-Nov-2010) (public).

PLAHUTA:T.19348 (14-May-2012) (public). *See also* **SLIŠKOVIĆ**:P0441, para.1 (public).

³⁰⁹⁹ **SLIŠKOVIĆ**:T.5109-10 (18-May-2010) (public); [REDACTED] (confidential).

³¹⁰⁰ [REDACTED] (confidential).

[REDACTED] (confidential); [REDACTED] (confidential); P2902, p.1 (confidential); P2903, p.1 (confidential); P2890, p.1 (confidential).

P1655, p.6-7 (confidential); P2915, p.1 (confidential); P2921, p.1 (confidential); P2750, p.1 (confidential); P0352, p.1 (public); P2752, p.1 (confidential).

P0479, p.1 (public), P0468, p.21 (confidential), P0456, p.2 (confidential), P0544, p.74 (confidential), P0349, p.68 (confidential), P0347, p.47 (confidential), P0453, p.13 (confidential).

³¹⁰¹ P1655, p.6-7 (confidential). **THEUNENS**:T.8760-1 (3-Nov-2010) (public).

³¹⁰² P0352, p.1 (public).

³¹⁰³ P2750 (confidential).

³¹⁰⁴ [REDACTED] (confidential).

³¹⁰⁵ P3024, p.5 (public); P3165, p.1 (confidential). [REDACTED] (confidential).

³¹⁰⁶ P2728, p.1 (confidential). [REDACTED].

³¹⁰⁷ P2979, p.2-3 (public).

RADOVANOVIĆ, Srekćo aka DEBELI

966. DEBELI commanded a group of approximately 30 SRS volunteers, including LUGAR_(DB), who went with him to SBWS by July 1991, where they participated in combat operations together with ARKAN's men and the JNA.³¹⁰⁸ In February or March, DEBELI's group went to Ležimir to be trained by six instructors from the Unit.³¹⁰⁹ In late March 1992, DEBELI's unit continued on to the Unit's camp in Pajzoš for further training by some of the same instructors, alongside approximately 20 Bosanski Šamac locals.³¹¹⁰ Once trained, DEBELI's unit and the Bosanski Šamac group formed the Grey Wolves or Red Berets unit³¹¹¹ Commanded by CRNI_(DB).³¹¹² DEBELI was his deputy.³¹¹³ This unit took over Bosanski Šamac. After the JNA pulled out of BiH on 19 May 1992, the VRS 2nd Posavina Brigade was formed with CRNI as the commander³¹¹⁴ and DEBELI as CRNI's Chief of Staff.³¹¹⁵ They remained commanders of the Red Berets, under the authority of the Accused.³¹¹⁶

³¹⁰⁸ [REDACTED] (confidential).

³¹⁰⁹ [REDACTED] (confidential).

³¹¹⁰ [REDACTED] (confidential); P1417, p.3 (confidential); P1428, p.4 (public); D1198, p.1 (public). **ĐUKIĆ**:T.18076 (public).

³¹¹¹ FirstAFD-no.305. [REDACTED] (confidential); P1516, para.30-31 (confidential). *See* **TIHIĆ**:P0177, p.5 (PriorT.29883) (public).

³¹¹² FirstAFD-no.300; **TODOROVIĆ**:P1576, p.3-4 (PriorT.23425-26) (public).

JF-047:T.7627, T.7630-31 (4-Oct-2010) (public); P1516, para.34 (confidential); P1580 (public); P1417, p.3 (confidential); D1198, p.1.

³¹¹³ FirstAFD, no.300.

³¹¹⁴ **ĐUKIĆ**:T.17954 (6-Mar-2012) (public) (SIMIĆ and top SDS leadership nominated CRNI to be commander of the 2nd Posavina Brigade, and DENČIĆ, chief of the eastern Bosnian Corps, agreed to the nomination); T.18089 (8-Mar-2012) (public) (CRNI was appointed leader of the 2nd Posavina Brigade by the SDS, with the order issued by DENČIĆ at the insistence of the SDS). D1198, p.1 (public); FirstAFD-no.323 (The Crisis Staff influenced the removal of Colonel ĐURĐEVIĆ, the Commander of the 2nd Posavina Infantry Brigade, and his replacement by "CRNI". The Crisis Staff and the War Presidency, had knowledge of the murders committed by "LUGAR", "CRNI" and the other paramilitaries); P1418, p.2 (public).

³¹¹⁵ **ĐUKIĆ**:T.17954 (6-Mar-2012) (public). P1521 (public) (DEBELI signed a Posavina Brigade combat report as Chief of Staff on 9 July 1992); P1520 (public) (same from combat report as Chief of Staff on 7 July 1992); P1419 (public) (same, from 3 July 1992); P1420 (public) (same from 11 July 1992); D1205 (public) (1 July 1992); P0135 (confidential) ([REDACTED]).

³¹¹⁶ [REDACTED] (confidential); [REDACTED] (confidential).

RAIĆ³¹¹⁷, Zoran aka GAVRAN

967. Like DRAČA and ORLOVIĆ, RAIĆ worked simultaneously for the SMUP-DB and the RSKMUP-DB.³¹¹⁸

968. Following the declaration of war by BABIĆ on 17 August 1990,³¹¹⁹ RAIĆ joined the armed resistance.³¹²⁰ He helped set up barricades and the communication system in Golubić.³¹²¹

969. RAIĆ joined the SAO-Krajina DB when it was formed in January 1991.³¹²² He was present in the Golubić training centre and became one of the original instructors.³¹²³ He was among SIMATOVIĆ's most trusted colleagues.³¹²⁴

970. RAIĆ was engaged with the special purposes unit at Ilok from September 1991 to March 1992.³¹²⁵ While there, he worked with IVANOVIĆ_(DB), Goran STARČEVIĆ,³¹²⁶ LAKA_(DB), KOVAČEVIĆ_(DB)³¹²⁷ and BOŽOVIĆ_(DB)³¹²⁸ and served as an instructor.³¹²⁹ [REDACTED]
[REDACTED]³¹³⁰ [REDACTED]"³¹³¹ On 1 September 1992, he joined the Unit.³¹³²

971. Following the formalisation of the JATD in 1993, the SMUP-DB requested a background check for RAIĆ.³¹³³ In May 1994, RAIĆ received a recommendation for a

³¹¹⁷ Zoran RAIĆ's name has been incorrectly spelt in the trial record of the case. The correct spelling of his name, as found on his official SMUP identification card is "RAIĆ." See P2978, p.4 (public).

³¹¹⁸ [REDACTED] (confidential); [REDACTED] (confidential).

³¹¹⁹ D0302, p.1 (confidential).

³¹²⁰ P2746, p.1 (confidential); P2767, p.1 (confidential); P2766, p.1 (confidential).

³¹²¹ P2766, p.1 (confidential)

³¹²² P2766, p.1 (confidential).

³¹²³ [REDACTED] (confidential).

³¹²⁴ SLIŠKOVIĆ:P0441, para.23 (public).

³¹²⁵ P2766, p.1 (confidential); P2746, p.1 (confidential).

³¹²⁶ P2984, p.10 (confidential).

³¹²⁷ P2984, p.17 (confidential).

³¹²⁸ P2984, p.16 (confidential).

³¹²⁹ [REDACTED] (confidential).

³¹³⁰ [REDACTED] (confidential).

³¹³¹ [REDACTED] (confidential).

³¹³² P2746, p.1 (confidential)

³¹³³ P2747, p.1 (confidential); P2748, p.1 (confidential)

permanent position in the JATD [REDACTED]³¹³⁴ [REDACTED]

[REDACTED]³¹³⁵

972. In 1994, RAIĆ became Assistant Deputy Commander for the Unit along with KRSMANOVIĆ_(DB)³¹³⁶ and was directly subordinated under STANIŠIĆ and SIMATOVIĆ.³¹³⁷

973. In late 1994, RAIĆ was often with KRSMANOVIĆ_(DB),³¹³⁸ BOŽOVIĆ_(DB), FILPOVIĆ_(DB), MIJOVIĆ_(DB), PUPOVAC_(DB), and JOVANOVIĆ_(DB) in Lipovica.³¹³⁹

974. During *Pauk*, RAIĆ worked directly under STANIŠIĆ and SIMATOVIĆ³¹⁴⁰ and had a significant role with respect to the Scorpions' operations in BiH.³¹⁴¹ RAIĆ escorted the Scorpions across the border from Serbia into BiH when they went on SMUP-DB operations.³¹⁴² A member of the Scorpions identified the individual at time code 00:25:09 of video exhibit P2160 as the person who escorted the Scorpions at *Pauk*.³¹⁴³ The Prosecution submits that when that individual is compared to known photos of RAIĆ, it is clear that they are the same person.³¹⁴⁴

975. In August 1995, when the Krajina fell, RAIĆ led the *Poskok* Detachment in Ilok and asked Goran OPAČIĆ_(DB) to be a member of that unit.³¹⁴⁵ From about 1995 to 1996, RAIĆ

³¹³⁴ P2750, p.1-2 (confidential)

³¹³⁵ P0477, p.1-2 (confidential); P2764, p.1 (confidential); P2751, p.1 (confidential); P2752, p.1 (confidential).

³¹³⁶ P0974, p.1 (confidential). [REDACTED] (confidential). MILOŠEVIĆ:T.19193 (09-May-2012) (public) (re RAJIĆ on P0974)

³¹³⁷ SLIŠKOVIĆ:T.5109-10 (18-May-2010) (public).

³¹³⁸ SLIŠKOVIĆ:T.5094 (18-May-2010) (public); P0441, para.18 (confidential).

³¹³⁹ SLIŠKOVIĆ:P0440, para 3 (public); P0441, para 23 (confidential).

³¹⁴⁰ SLIŠKOVIĆ:T.5120-1 (18-May-2010) (public);

³¹⁴¹ SLIŠKOVIĆ: [REDACTED] (confidential); P440, para.19 (public); T.5111 (18-May-2010) (public); T.5198-9 (19-May-2010) (public); T.5120-1 (18-May-2010) (public).

³¹⁴² [REDACTED] (confidential); [REDACTED] (confidential); [REDACTED] (confidential); P2155 (public).

³¹⁴³ [REDACTED] (confidential); P2160, (timecode-00:25:09) (public); *See also* P2159 (public).

³¹⁴⁴ P2978, p.4-6 (public) (photographs of Zoran RAIĆ from the ID card issued on 23 June 1994, and issued on 30 July 2009). The Prosecution did not have RAIĆ's identification card at the time that [REDACTED] testified.

³¹⁴⁵ OPAČIĆ:T.18232 (13-Mar-2012) (public).

was involved with the *Poskok* Detachment based in Ilok.³¹⁴⁶ During this time, he engaged in criminal activities with the OPAČIĆ_(DB) brothers.³¹⁴⁷ In March 1996, RAIĆ wrote to SIMATOVIĆ and RADONJIĆ recommending Miloš and Goran OPAČIĆ be given command responsibilities in the *Poskok* Detachment.³¹⁴⁸

976. On 30 January 1996, SIMATOVIĆ requested Serbian citizenship for RAIĆ.³¹⁴⁹ In that letter SIMATOVIĆ emphasised that RAIĆ was a JATD employee.³¹⁵⁰ In May 1996, RADONJIĆ_(DB) signed a proposal to award RAIĆ, KRSMANOVIĆ_(DB), and NOVAKOVIĆ_(DB), among others, with pistols for their service in the JATD.³¹⁵¹

977. From 1996 to 1997, as the JSO was being formalised, RAIĆ received help from Goran OPAČIĆ to draft a training programme for new recruits.³¹⁵² STANIŠIĆ presented an award to RAIĆ at the Kula Ceremony in 1997.³¹⁵³

978. RAIĆ's name appears on 64 SMUP-DB payment lists.³¹⁵⁴

979. [REDACTED]
[REDACTED]³¹⁵⁵ [REDACTED]
[REDACTED]³¹⁵⁶ [REDACTED]³¹⁵⁷ [REDACTED]
[REDACTED]

³¹⁴⁶ P3103, p.1 (public).

³¹⁴⁷ P3103, p.1 (public); **OPAČIĆ**:T.18279-80 (14-Mar-2012) (public); **OPAČIĆ**:T.18281-82 (14-Mar-2012) (public).

³¹⁴⁸ P3108, p.1 (public).

³¹⁴⁹ P2756, p.1 (confidential).

³¹⁵⁰ P2756, p.1 (confidential).

³¹⁵¹ P3018, p.1 (public); **NOVAKOVIĆ**:T.14080 (06-Oct-2011) (public).

³¹⁵² **OPAČIĆ**:T.18219 (13-Mar-2012) (public).

³¹⁵³ P0061, (timecode:00:45:43) (public).

³¹⁵⁴ Cross-reference, Annex B.

³¹⁵⁵ [REDACTED] (confidential).

³¹⁵⁶ [REDACTED] (confidential); P1615, p.3-4 (confidential); P1617, p.3 (confidential). **DIMITRIJEVIĆ**:T.16152 (18-Jan-2012) (public); [REDACTED] (confidential). *See also* [REDACTED] (confidential).

³¹⁵⁷ [REDACTED] (confidential).

3158 [REDACTED]

3159 [REDACTED]

980. [REDACTED] 3160 [REDACTED]

3161 [REDACTED]

981. [REDACTED] 3162

982. [REDACTED] 3163 [REDACTED]

3164 [REDACTED]

ŠARAC, Lazar

983. ŠARAC was an operative of the Novi Sad CRDB, a division of the SMUP-DB.³¹⁶⁵ From at least as early as April 1991, he gathered information on the SBWS.³¹⁶⁶ There is evidence that STANIŠIĆ, through ŠARAC, personally monitored the situation there.³¹⁶⁷ ŠARAC regularly communicated with a SMUP-DB officer stationed in SBWS, providing suggestions for actions that should be taken.³¹⁶⁸ On at least one occasion he conveyed a suggestion made by STANIŠIĆ himself.³¹⁶⁹

984. As early as April 1991, ŠARAC also worked on behalf of the SMUP-DB in coordination with KOSTIĆ_(DB) to transfer weapons from Serbia across the Danube to Borovo

3158 [REDACTED] (confidential).

3159 [REDACTED] (confidential).

3160 [REDACTED] (confidential).

3161 [REDACTED] (confidential).

3162 Cross-reference, Annex B.

3163 [REDACTED] (confidential).

3164 Cross-reference, Annex B.

3165 See, **SAVIĆ**:T.1803-04 (06-Jul-2009) (public). [REDACTED] (confidential). [REDACTED] (confidential). [REDACTED] (confidential). **N.BOGUNOVIĆ**:T.13191 (16-Aug-2011) (public).

3166 See e.g. P0019 (confidential), P0407 (confidential), P2103 (confidential); D0241 (confidential).

3167 Reports sent to STANIŠIĆ personally: P0019 (confidential); P0407 (confidential); **KNEŽEVIĆ**:T.13542 (23-Aug-2011) (public).

3168 [REDACTED] (confidential); T.13395-97 (22-Aug-2011) (public); [REDACTED] (confidential).

3169 [REDACTED] (confidential); [REDACTED] (confidential).

Selo.³¹⁷⁰ HADŽIĆ, who was with ŠARAC at the left bank of the Danube across from Borovo Selo, referred to ŠARAC as his bodyguard.³¹⁷¹

985. [redacted] 3172 [redacted]
 [redacted] 3173 [redacted] 3174 [redacted]
 [redacted]
 [redacted] 3175 [redacted] 3176 [redacted]
 [redacted] 3177 [redacted]

986. [redacted] 3178 [redacted]
 [redacted] 3179 [redacted]
 [redacted] 3180 [redacted] 3181 [redacted]

987. [redacted] 3182 [redacted]
 [redacted] 3183 [redacted] 3184 [redacted]

³¹⁷⁰ [redacted] (confidential); [redacted] (confidential); T.4645-6 (03-May-2010) (public); [redacted] (confidential); [redacted] (confidential).

³¹⁷¹ **SAVIĆ**:T.1803-4 (06-Jul-2009) (public).

³¹⁷² [redacted] (confidential).

³¹⁷³ [redacted] (confidential); P1617, p.3 (confidential) ([redacted]); P1616, p.8-9 (confidential).

³¹⁷⁴ [redacted] (confidential); [redacted] (confidential).

³¹⁷⁵ [redacted] (confidential).

³¹⁷⁶ P1616, p.8 (confidential).

³¹⁷⁷ Cross-reference, Annex B.

³¹⁷⁸ P2820, p.1 (confidential).

³¹⁷⁹ P2820, p.1 (confidential); P2810, p.1 (confidential).

³¹⁸⁰ P2820, p.1 (confidential).

³¹⁸¹ P2820, p.1 (confidential).

³¹⁸² [redacted] (confidential); P1617, p.3 (confidential).

³¹⁸³ [redacted] (confidential).

³¹⁸⁴ Cross-reference, Annex B.

SIMIĆ, Nikola aka CIGO/CIGA³¹⁸⁵

988. SIMIĆ was in the first group of men trained at Golubić by CAPTAIN DRAGAN_(DB)³¹⁸⁶ and was a member of the Unit³¹⁸⁷ known as the “Knindžas”.³¹⁸⁸ He served as one of CAPTAIN DRAGAN’S_(DB) commanders.³¹⁸⁹

989. As a member of the Unit, SIMIĆ took part in the attack on Glina.³¹⁹⁰

990. In 1993, SIMIĆ served as an instructor at the *Alfa* camp in Bruška.³¹⁹¹ [REDACTED]

[REDACTED]³¹⁹²

SPASOJEVIĆ, Predrag

991. SPASOJEVIĆ joined the SMUP-DB Unit on 20 November 1991, apparently in Ležimir.³¹⁹³ In the second half of April 1992, SPASOJEVIĆ introduced himself to DERONJIĆ and showed DERONJIĆ his ID from the SMUP-DB.³¹⁹⁴ In June 1992, the Red Berets camp was set up in Skelani, and SPASOJEVIĆ served as an instructor there.³¹⁹⁵ He told DERONJIĆ that his task was mostly to co-operate with the police.³¹⁹⁶ SPASOJEVIĆ recruited young men from Bratunac municipality to be trained in Skelani.³¹⁹⁷

STOJANČEVIĆ, Slobodan aka LAKI

992. STOJANČEVIĆ joined the SDG in 1992.³¹⁹⁸ He participated in operations in Bijeljina, Zvornik and Brčko as well as the Velika Kladuša operation.³¹⁹⁹ He also appears to

³¹⁸⁵ P2997, p.1 (confidential) ([REDACTED]).

³¹⁸⁶ BOSNIĆ:D0313, para.59 (public).

³¹⁸⁷ P2875, p.1 (public).

³¹⁸⁸ BOSNIĆ:T.12837 (14-Jul-2011) (public).

³¹⁸⁹ BABIĆ:P1878, p.9 (PriorT.13123) (public).

³¹⁹⁰ P2875, p.1 (public).

³¹⁹¹ BOSNIĆ:D0313, para.59 (public); T.12839 (14-Jul-2011) (confidential).

³¹⁹² Cross-reference, Annex B.

³¹⁹³ P3181, p.5 (confidential).

³¹⁹⁴ DERNOJIĆ:P2511, para.131 (public).

³¹⁹⁵ DERNOJIĆ:P2511, para.132 (public); P2104, p.1 (public).

³¹⁹⁶ DERNOJIĆ:P2511, para.132 (public).

³¹⁹⁷ DERNOJIĆ:P2511, para.140 (public).

³¹⁹⁸ [REDACTED] (confidential).

³¹⁹⁹ [REDACTED] (confidential); [REDACTED] (confidential); D0147, p.2 (confidential).

have been involved in fighting around Sarajevo in May 1992.³²⁰⁰ [REDACTED]

[REDACTED]³²⁰¹

STRIČEVIĆ, Milorad

993. Before the war, STRIČEVIĆ was a driver³²⁰² and a repeat criminal who spent several years in prison.³²⁰³ As of August 1991, STRIČEVIĆ began introducing himself as “Puki”, “Pukovnik”, a Serbian word for colonel, and ARKAN addressed him as a colonel in the SDG.³²⁰⁴ After the take-over of Dalj, in October 1991 he became the Head of Security of the TO Crisis Committee in Dalj alongside MILOVANOVIĆ.³²⁰⁵ STRIČEVIĆ was subordinate to ARKAN³²⁰⁶ and saluted him as “Commander”.³²⁰⁷ STRIČEVIĆ was one of ARKAN’s men to receive a SNB ID card.³²⁰⁸ He was in charge of the prison in ARKAN’s training camp in Erdut³²⁰⁹ and passed detention orders from the SAO-SBWS Government to soldiers.³²¹⁰ STRIČEVIĆ interrogated³²¹¹, tortured³²¹² and killed non-Serb prisoners³²¹³ arrested by ARKAN’s men.³²¹⁴ Dead bodies of prisoners were usually thrown into the river

³²⁰⁰ P0707, p.2, 4 (public).

³²⁰¹ Cross-reference, Annex B.

³²⁰² [REDACTED] (confidential); P1078, p.4-5 (public).

³²⁰³ P0334, p.1 (public). [REDACTED] (confidential).

³²⁰⁴ [REDACTED] (confidential). [REDACTED] (confidential); P0494, p.5 (confidential). [REDACTED] (confidential); P1078, p.4-5 (public). **THEUNENS:P1575**, p.237 (Part II, p.94) (public).

³²⁰⁵ [REDACTED] (confidential); [REDACTED] (confidential); P0011, p.1 (public); P0334, p.1 (public).

³²⁰⁶ [REDACTED] (confidential).

[REDACTED] (confidential); *See also* P0918, p.13 (public) (STRIČEVIĆ also conducted house searches together with ARKAN’s men).

³²⁰⁷ [REDACTED] (confidential); P0023, p.7 (confidential).

³²⁰⁸ [REDACTED] (confidential); [REDACTED] (confidential).

³²⁰⁹ [REDACTED] (confidential); [REDACTED] (confidential).

³²¹⁰ [REDACTED] (confidential).

³²¹¹ P0011, p.1 (public). [REDACTED] (confidential). **ŠUTALO:T.3974**, T.4005 (05-Mar-2010) (public); [REDACTED] (confidential); [REDACTED] (confidential); P0024, p.1 (confidential); P0028, p.1 (confidential); [REDACTED] (confidential); P0032, p.2 (confidential); [REDACTED] (confidential).

³²¹² P0011, p.2 (public); P0334, p.1-2 (public); [REDACTED] (confidential); P0329, p.1-2 (public).

³²¹³ P0334, p.1-2 (public). [REDACTED] (confidential). **THEUNENS:P1575**, p.234 (public); P0329, p.1-2 (public). [REDACTED] (confidential). [REDACTED] (confidential); P0011, p.2 (public).

³²¹⁴ [REDACTED] (confidential); [REDACTED] (confidential); P0011, p.1 (public); P0024, p.1 (confidential). [REDACTED] (confidential). **ŠUTALO:T.3974**, T.4005 (05-Mar-2010) (public). [REDACTED]

Danube.³²¹⁵ Often the interrogations were attended by ARKAN and his men.³²¹⁶ ARKAN sometimes conferred with STRIČEVIĆ on whether to release a prisoner.³²¹⁷

994. STRIČEVIĆ was ultimately arrested by ARKAN and his men and accused of having copied certain documents and having protected a collaborator.³²¹⁸ During his interrogation, ARKAN tore off STRIČEVIĆ's epaulettes calling him "a disgrace to the Serbian nation and the Serbian army and ARKAN's uniform".³²¹⁹

SUBOTIĆ, Davor aka RIKI

995. SUBOTIĆ was associated with the Accused and the SMUP-DB from the inception of the Unit in Golubić to the end of the Indictment period. [REDACTED]

[REDACTED]³²²⁰ At the Kula ceremony in 1997, he was introduced to MILOŠEVIĆ as a "Major" and one of the "Unit's veteran officers."³²²¹

996. SUBOTIĆ trained under CAPTAIN DRAGAN_(DB) in Golubić,³²²² and became part of the initial group of instructors.³²²³ He participated in the early operations including the attacks on Glina.³²²⁴ SUBOTIĆ also underwent further training at the Ležimir camp in Fruška Gora and fought in SBWS.³²²⁵

997. SUBOTIĆ was BOŽOVIĆ's deputy at the Pajzoš camp,³²²⁶ [REDACTED]

[REDACTED]³²²⁷ [REDACTED]

[REDACTED] (confidential). [REDACTED] (confidential); P0028, p.1 (confidential); P0032, p.1 (confidential); [REDACTED] (confidential); P0315, p.1 (public).

³²¹⁵ P0329, p.2 (public); *see also*, [REDACTED] (confidential).

³²¹⁶ P0011, p.2 (public); [REDACTED] (confidential); [REDACTED] (confidential); [REDACTED] (confidential).

³²¹⁷ [REDACTED] (confidential); [REDACTED] (confidential).

³²¹⁸ [REDACTED] (confidential); [REDACTED] (confidential).

³²¹⁹ [REDACTED] (confidential).

³²²⁰ D0457, p.4 (confidential).

³²²¹ P0061, p.4-6, timecode 00:09:06-00:10:40 (public). [REDACTED] (confidential).

³²²² D0457, p.5, p.8-9 (confidential). **JF-005**: T.2811 (20-Jan-2010) (public); P0138, para.4 (confidential). [REDACTED] (confidential). **OPAČIĆ**:T.18253 (13-Mar-2012) (public).

³²²³ [REDACTED] (confidential).

³²²⁴ D0457, p.4-5, p.9 (confidential).

³²²⁵ D0457, p.5 (confidential).

³²²⁶ D0457, p.18 (confidential).

³²²⁸ He also received weapons in February 1992.³²²⁹

998. SUBOTIĆ was deployed with a group of men to Mt. Ozren, where he participated in the Doboj and Bosanski Šamac operations.³²³⁰

999. In August 1994, SUBOTIĆ was seen with BOŽOVIĆ_(DB) and other Red Berets at the Mt. Tara camp. LEGIJA_(DB) was also at the training camp at the time.³²³¹ SUBOTIĆ was BOŽOVIĆ's deputy during *Pauk*,³²³² the same position he previously held when BOŽOVIĆ_(DB) commanded the Pajzoš and Mt. Ozren camps.

1000. The Accused's contacts with SUBOTIĆ continued in 1995. SUBOTIĆ was part of a group briefed by MILOŠEVIĆ regarding the UN hostages at the SMUP building in Belgrade. STANIŠIĆ gave further instructions to approximately ten individuals from the larger group. These individuals included SUBOTIĆ, SIMATOVIĆ, ARKAN_(DB) and LEGIJA_(DB).³²³³

1001. ³²³⁴

TEOFANOVIĆ, Žarko

1002. TEOFANOVIĆ was killed in an ambush while with the Skelani Red Berets in eastern BiH in 1993.³²³⁵ ³²³⁶ and honoured him at a JSO ceremony in 1996.³²³⁷

³²²⁷ D0457, p.9 (confidential).

³²²⁸ D0457, p.6 (confidential). ³²³⁶. See, D0457, p.1-2 (confidential). See, D0457, p.3 (confidential).

³²²⁹ D0457, p.10 (confidential).

³²³⁰ (confidential).

³²³¹ (confidential).

³²³² (confidential).

³²³³ (confidential).

³²³⁴ Cross-reference, Annex B.

³²³⁵ P3121, p.3 (public); P3122 (public); P0399, p.2 (public).

³²³⁶ Cross-reference, Annex B.

³²³⁷ P1075, p.5, 13 (public).

TEPAVČEVIĆ. Milan aka TEPA³²³⁸

1003. TEPAVČEVIĆ was an employee of the SMUP-DB between 1991 and 1995 and acted as Deputy Chief.³²³⁹ He reported to the head of the SMUP-DB,³²⁴⁰ STANIŠIĆ.

1004. Pursuant to SMUP-DB regulations in 1992, TEPAVČEVIĆ's tasks included the preparation and implementation of work programmes and organisation of [REDACTED]

[REDACTED]³²⁴¹

1005. [REDACTED]

[REDACTED]³²⁴² [REDACTED]

[REDACTED]³²⁴³

1006. STANIŠIĆ and deputies TEPAVČEVIĆ and PRODANIĆ_(DB) met regularly, as they were involved in arming Serb Forces.³²⁴⁴ TEPAVČEVIĆ also approved "most" of the decisions concerning the destruction of documents in the possession of the SMUP-DB.³²⁴⁵

1007. TEPAVČEVIĆ was involved with SMUP-DB activities in BiH during 1992.³²⁴⁶ PAVLOVIĆ_(DB), who was also involved in Zvornik with KOSTIĆ_(DB), had a very close relationship with STANIŠIĆ's assistant, TEPAVČEVIĆ.³²⁴⁷

1008. In December 1993, TEPAVČEVIĆ attended a meeting between representatives of Serbia and Republika Srpska, where key JCE members met to discuss realisation of the six strategic objectives.³²⁴⁸

³²³⁸ P0590, p.1 (confidential); [REDACTED] (confidential).

³²³⁹ P0429, p.1 (confidential); P2388, p.2 (public); P1585, p.8 (confidential).

³²⁴⁰ ČORBIĆ:D0451, para.11 (public).

³²⁴¹ D0115, p.3 (confidential); [REDACTED] (confidential).

³²⁴² P3227, p.14 (confidential); P3230, p.5, (confidential); P3229, p.6 (confidential).

³²⁴³ P3239, p.6 (confidential).

³²⁴⁴ [REDACTED] (confidential).

³²⁴⁵ [REDACTED] (confidential).

³²⁴⁶ [REDACTED] (confidential), [REDACTED] (confidential) ([REDACTED]).

³²⁴⁷ [REDACTED] (confidential).

³²⁴⁸ P2532, p.1-10 (public).

1009. TEPAVČEVIĆ assisted with the formalisation of the Unit as the JATD.³²⁴⁹ He came to Lipovica to visit members of the JATD between 1994 and 1995.³²⁵⁰ He was involved with the re-assignment of SMUP personnel from SAJ to be instructors for the JATD.³²⁵¹

1010.

[REDACTED]
 [REDACTED] 3252 [REDACTED]
 [REDACTED] 3253 [REDACTED]
 3254 [REDACTED] 3255

1011.

[REDACTED]
 [REDACTED] 3256 [REDACTED] 3257 [REDACTED]
 [REDACTED]
 [REDACTED]

1012.

[REDACTED]
 [REDACTED] 3258 [REDACTED] 3259 [REDACTED]
 [REDACTED] 3260 [REDACTED]
 [REDACTED] 3261 [REDACTED]
 3262

³²⁴⁹ [REDACTED] (confidential).

³²⁵⁰ **PLAHUTA:T.19349** (14-May-2012) (public).

³²⁵¹ [REDACTED] (confidential). **SLIŠKOVIĆ:P0441**, p.5-6 (public); P2886, p.1-2 (confidential).

³²⁵² P3198, p.2 (confidential).

³²⁵³ P3183, p.1 (confidential).

³²⁵⁴ P3198, p.16 (confidential).

³²⁵⁵ P3198, p.16 (confidential).

³²⁵⁶ P3198,p.14-15 (confidential).

³²⁵⁷ P3198, p.1 (confidential).

³²⁵⁸ P3183, p.20 (confidential)

³²⁵⁹ P3183, p.10,18,19 (confidential).

³²⁶⁰ P3183, p.7 (confidential).

³²⁶¹ P3183, p.25 (confidential).

³²⁶² P3183, p.25 (confidential).

1013. [REDACTED]³²⁶³ [REDACTED]³²⁶⁴
 [REDACTED]³²⁶⁵ [REDACTED]³²⁶⁶.

TRIFUNOVIĆ, Milenko

1014. On 25 May 1992, the Skelani TO sent TRIFUNOVIĆ to Ilok for training.³²⁶⁷ He returned to Skelani, and by 9 April 1993 he was a member of the Red Berets Special Purposes Unit in Skelani under BOŽOVIĆ's command.³²⁶⁸

ULEMEK, Mihajlo aka MILE³²⁶⁹

1015. ULEMEK was a member of the SDG between 1991³²⁷⁰ and 1995.³²⁷¹ In 1991, SNB members took orders from Mihajlo ULEMEK.³²⁷² ULEMEK participated in the Zvornik/Bijeljina/Brčko operations.³²⁷³

1016. ULEMEK participated in *Pauk*³²⁷⁴ with other members of the SDG, Scorpions and the Unit. ARKAN became upset with ULEMEK_(DB) after Operation *Pauk* because ULEMEK_(DB) gave an interview to a Belgrade magazine in which he described the operation.³²⁷⁵ [REDACTED]

[REDACTED]³²⁷⁶

³²⁶³ P3183, p.8-9 (confidential).

³²⁶⁴ P3183, p.1 (confidential).

³²⁶⁵ P3183, p.3,5,11,19 (confidential).

³²⁶⁶ P3183, p.4-5 (confidential), D0458, p.35 (confidential).

³²⁶⁷ P3138, p.3 (confidential).

³²⁶⁸ P0399, p.1-3 (public).

³²⁶⁹ [REDACTED] (confidential).

³²⁷⁰ [REDACTED] (confidential).

³²⁷¹ [REDACTED] (confidential) ([REDACTED]).

³²⁷² [REDACTED] (confidential); [REDACTED] (confidential).

[REDACTED] (confidential).

³²⁷³ [REDACTED] (confidential).

³²⁷⁴ [REDACTED] (confidential), P1617, p.2-3 (confidential), P1632, p.5 (confidential).

See [REDACTED] (confidential).

³²⁷⁵ [REDACTED] (confidential), P1616, p.5 (confidential).

³²⁷⁶ [REDACTED] (confidential).

1017. On 13 September 1995, the SDG moved to the region of Mrkonjić Grad and established a base at Manjača for the Sanski Most/Banja Luka operations.³²⁷⁷ ULEMEK_(DB) was responsible for the capture and arrest of members of the VRS in Banja Luka, Sanski Most, Ključ and Prijedor. After two weeks, he was brought back to Erdut because his approach was deemed excessive.³²⁷⁸

1018. [REDACTED]³²⁷⁹

ULEMEK, Milorad aka LEGIJA

1019. LEGIJA was recruited by the SMUP-DB as a training instructor and became a Deputy Commander of the SDG.³²⁸⁰ [REDACTED]

[REDACTED]³²⁸¹

1020. At the beginning of 1992, LEGIJA_(DB) was a member of the SDG and took part in the Zvornik operations.³²⁸² During 1992 and 1993, LEGIJA_(DB) was the leader of the SDG sub-unit known as the Special Tigers.³²⁸³

1021. LEGIJA_(DB) led the SDG during *Pauk*.³²⁸⁴ In addition, LEGIJA_(DB) and BOŽOVIĆ_(DB) jointly commanded forces belonging to Fikret ABDIĆ.³²⁸⁵ LEGIJA commanded one group and BOŽOVIĆ commanded the other group. The deputy to LEGIJA_(DB) was RAKONJAC_(DB) and BOŽOVIĆ's deputy was SUBOTIĆ_(DB).³²⁸⁶ LEGIJA_(DB) and BOŽOVIĆ_(DB) took their respective units back to Erdut and Belgrade at the end of Operation *Pauk* in August 1995.³²⁸⁷

1022. LEGIJA_(DB) met with STANIŠIĆ and SIMATOVIĆ for weekly, and sometimes daily, briefings in Petrova Gora during *Pauk*. LEGIJA_(DB) arrived wearing the

³²⁷⁷ [REDACTED] (confidential).

³²⁷⁸ [REDACTED] (confidential).

³²⁷⁹ Cross-reference, Annex B.

³²⁸⁰ **JF-005:P0053**, para.7 (public).

³²⁸¹ **SLIŠKOVIĆ:P0441**, para.45 (public).

³²⁸² [REDACTED] (confidential). *See also*, [REDACTED] (confidential).

³²⁸³ [REDACTED] (confidential).

³²⁸⁴ [REDACTED] (confidential).

³²⁸⁵ [REDACTED] (confidential).

³²⁸⁶ [REDACTED] (confidential).

³²⁸⁷ [REDACTED] (confidential), P1616, p.7 (confidential).

JATD insignia.³²⁸⁸ When returning from one of these meetings at Petrova Gora, LEGIJA_(DB) said “he saw the boss”.³²⁸⁹ LEGIJA_(DB) and BOŽOVIĆ_(DB) also went to Belgrade on several occasions to meet with STANIŠIĆ and SIMATOVIĆ.³²⁹⁰ In May 1995, SIMATOVIĆ visited with BOŽOVIĆ_(DB) and LEGIJA_(DB) at the headquarters of ABDIĆ’s army in Kladuša; LEGIJA_(DB) addressed SIMATOVIĆ as his “boss”.³²⁹¹

1023. In 1995, the SMUP-DB special units returned to SBWS with LEGIJA_(DB) as the commander.³²⁹² LEGIJA_(DB), RAKONJAC_(DB), and PETROVIĆ_(DB) were in Sanksi Most as part of the SDG just before it fell to the ABiH in 1995.³²⁹³ During these operations approximately 16 Tigers were killed. LEGIJA_(DB), upset about the many fatalities, returned to Erdut.³²⁹⁴

1024. [REDACTED]³²⁹⁵ LEGIJA_(DB) became a commander of the JSO in 1996. He attended the Kula Cremony in 1997.³²⁹⁶

VASILJKOVIĆ, Dragan aka CAPTAIN DRAGAN aka Daniel SNEDDEN

1025. CAPTAIN DRAGAN_(DB) was associated with the SMUP-DB from the beginning of the Indictment period. Additional information regarding his relationship to the SMUP-DB can be found in the main body of the brief.³²⁹⁷

1026. On 19 March 1991, CAPTAIN DRAGAN_(DB) called a contact and informed him that he needed a military manual for basic infantry training because “some sort of army is being formed here, and since I am working on it as an advisor, a set of manuals would be

³²⁸⁸ SLIŠKOVIĆ:P0441, para.47 (public).

³²⁸⁹ [REDACTED] (confidential).

³²⁹⁰ [REDACTED] (confidential).

³²⁹¹ [REDACTED] (confidential).

³²⁹² P1080, p.1 (confidential).

³²⁹³ [REDACTED] (confidential).

³²⁹⁴ [REDACTED] (confidential).

³²⁹⁵ [REDACTED] (confidential).

³²⁹⁶ P0061 (timecodes - 00:00:20-00:00:29; 00:05:56-00:06:10), p.3 (public). (LEGIJA_(DB) uses the name LUKOVIĆ_(DB) in this video. LUKOVIĆ_(DB) is the same person as LEGIJA_(DB). [REDACTED] (confidential)).

³²⁹⁷ Cross-reference. “Founding of the Unit” on page 92.

useful to me.”³²⁹⁸ This corroborates CAPTAIN DRAGAN_(DB)’s later statement that FRENKI asked him to prepare the training course:

... they asked me if I could write it down. Of course, I did, I wrote it down, a short 21-day course, roughly speaking. Then is when I became friends with FRENKI, in a way. It went much further than that official conversation.³²⁹⁹

1027. There is extensive evidence of CAPTAIN DRAGAN_(DB)’s relationship with the SMUP-DB. He worked for the SMUP-DB from April 1991 onwards.³³⁰⁰ He was recruited by the SMUP-DB and sent as an instructor to SAO-Krajina following a decision of the SMUP.³³⁰¹

3302

³³⁰³ The minutes of a meeting between the Minister of Defence of the Republic of Serbia, Tomislav SIMOVIĆ_(DB) and CAPTAIN DRAGAN_(DB), reflect that CAPTAIN DRAGAN_(DB) was invited by the SMUP-DB to train volunteers, and that he “collaborated” with STANIŠIĆ and BOGDANOVIĆ.

3304

1028. In 1992, CAPTAIN DRAGAN_(DB) established a training centre in Divič, in Zvornik municipality, with the approval of KARADŽIĆ, RS government ministers and military authorities.³³⁰⁵ After the Zvornik take-over in April 1992, CAPTAIN DRAGAN_(DB) recruited trainees from Zvornik³³⁰⁶ and provided equipment.³³⁰⁷ The Divič centre had instructors but did not have a unit of its own.³³⁰⁸ CAPTAIN DRAGAN_(DB)’s group included a “larger number of persons criminally inclined, persons prone to robbery,

³²⁹⁸ D0578, p.4-5, (confidential).

³²⁹⁹ P2976, p.5 (public).

³³⁰⁰ (confidential); P1062, p.1-3 (confidential); P1069, p.2 (public); P1178, p.5 (public); P1400, p.14 (public); P1601, p.1 (public).

³³⁰¹ P1062, p.1 (confidential).

³³⁰² P1062, p.1 (confidential).

³³⁰³ P0992, p.1 (confidential).

³³⁰⁴ P1069, p.2 (public).

³³⁰⁵ P1405, p.1 (public); P1406, p.5 (public); P2528, p.21-25 (public).

³³⁰⁶ B-161:P0589, p.91 (PriorT.21080) (PPCE); (confidential); P2528, p.21-22 (public).

³³⁰⁷ P2528, p.21, 25 (public).

terror, rapes etc. who looted and caused other problems for Zvornik's Serb municipal authorities".³³⁰⁹ They used Muslim prisoners for target practice;³³¹⁰ killing Muslim prisoners who could be used for exchanges.³³¹¹ Despite local leaders' complaints about CAPTAIN DRAGAN_(DB), KARADŽIĆ supported him.³³¹² By early July 1992, VRS forces nevertheless closed down the Divič camp.³³¹³

1029. In early 1993, CAPTAIN DRAGAN_(DB) returned to the Krajina and opened the *Alfa* training centre in Bruška.³³¹⁴ He personally brought the people in key positions at the *Alfa* centre, including original members of the Unit such as Rade and Božo BOŽIĆ.³³¹⁵ CAPTAIN DRAGAN_(DB) left Bruška in 1993, but continued to visit the area.³³¹⁶ The Accused's contacts with CAPTAIN DRAGAN_(DB) continued in 1995. An intelligence report on the *Alfa* centre states that CAPTAIN DRAGAN_(DB) was "cordial in his contacts" with STANIŠIĆ and the other SMUP-DB operatives who were in Bruška in 1995 during the UNPROFOR hostage crisis in Bosnia.³³¹⁷

1030. CAPTAIN DRAGAN_(DB) was present at the Kula Ceremony in 1997. He acknowledged that the SMUP-DB's entire leadership was filmed in Kula.³³¹⁸ STANIŠIĆ and CAPTAIN DRAGAN_(DB) embraced each other during the awards ceremony.³³¹⁹

VUČKOVIĆ, Borjan aka BOKI

1031. Borjan VUČKOVIĆ was one of the original trainers at Golubić,³³²⁰ and also participated in the attack on Glina.³³²¹ In December 1991, he became the first member of

³³⁰⁸ B-161:P0589, p.91 (PriorT.21080) (PPCE); [REDACTED] (confidential).

³³⁰⁹ P1406, p.5 (public); P2528, p.5, 18-19 (public).

³³¹⁰ B-161:P0589, p.93 (PriorT.21082) (PPCE).

³³¹¹ P1406, p.5 (public).

³³¹² P2528, p.25 (public).

³³¹³ P1408, p.1-2 (public).

³³¹⁴ P2976, p.26, (timecode-00:52:20-00:52:33) (public); [REDACTED] (confidential); [REDACTED] (confidential); P2832, p.1 (confidential); P3061, p.1 (public).

³³¹⁵ P1178, p.4-5 (public); P1184, p.1-2 (public); P2610, p.4 (public). [REDACTED] (confidential); *see* P2832 (confidential).

³³¹⁶ P1178, p.5 (public); DFS-14:T.15819 (15-Dec-2011) (public).

³³¹⁷ P1178, p.5 (public).

³³¹⁸ P2977, p.21, (timecode-00:39:15-00:39:23) (public).

³³¹⁹ P0061, p.27, (timecode-00:43:18-00:43:54) (public).

³³²⁰ [REDACTED] (confidential); P2984, p.1-2 (confidential).

the DB unit to die when he was killed in a land-mine accident at Ležimir/Pajzoš.³³²² After his death, his remains were escorted by BOŽOVIĆ_(DB), SIMIĆ_(DB), PUPOVAC_(DB), and other early members of the SMUP-DB special unit.³³²³ He was subsequently honoured at a JSO ceremony in 1996.³³²⁴

VUČKOVIĆ, Ilija aka RAMBO

1032. VUČKOVIĆ was one of the original trainers at Golubić.³³²⁵ He participated in the attack on Glina in July 1992.³³²⁶ VUČKOVIĆ was also present at the camp in Korenica around August 1991.³³²⁷ VUČKOVIĆ arrived at the camp in Fruška Gora in November or December 1991, and later went to Ilok.³³²⁸

VUKOVIĆ, Aleksandar aka VUK

1033. VUKOVIĆ participated in combat operations in the Krajina between September and November 1991.³³²⁹ During these two months, he was a member of a platoon in Knin under the Command of Dragan KARNA.³³³⁰

1034. VUKOVIĆ joined the Unit on 5 February 1992.³³³¹ He was one of the trainers at the SMUP-DB camp at Pajzoš.³³³² VUKOVIĆ travelled by helicopter to Bosanski Šamac along with other Unit members prior to the attack and take-over there.³³³³

³³²¹ P2878, p.1 (public).

³³²² P2984, p.1, 3 (confidential). *See also* [redacted] (confidential) (corroborating the presence of someone named VUČKOVIĆ); T.13453-6 (22-Aug-2011) (public) (corroborating the association of the unit at Pajzoš with the DB of Serbia.)

³³²³ P2984, p.3 (confidential).

³³²⁴ P1075, p.5, 13 (public). *See also* P2984, p.4-5 (confidential) (letter from the Assistant Minister of Defence of the RSK in Knin to the MUP of Serbia in Belgrade stating that VUČKOVIĆ died “as a member of a unit of the Serbian State Security Service.”)

³³²⁵ [redacted] (confidential).

³³²⁶ P2879, p.1 (public).

³³²⁷ [redacted] (confidential); P1001, p.3 (confidential).

³³²⁸ [redacted] (confidential).

³³²⁹ P3154, (public); P3185, p.10 (confidential).

³³³⁰ P3185, p.10 (confidential).

³³³¹ P3154, p.1 (public).

³³³² **TODOROVIĆ**:P1576, p.12, 16 (PriorT.23434, 8) (public).

³³³³ [redacted] (confidential) P3117, p.4-5 (public).

1035. VUKOVIĆ was killed in Bosanski Šamac, and his coffin was transported from Bijeljina to Serbia in a helicopter that was also transporting non-Serb prisoners from Bosanski Šamac.³³³⁴

ZBUĆNOVIĆ, Perica

1036. ZBUĆNOVIĆ was a Unit member whose name appears on payment records for BOŽOVIĆ's group during the Doboj operation,³³³⁵ thus indicating that he participated with BOŽOVIĆ and RIKI in their activities in the Doboj area.

1037.

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³³³⁴ [REDACTED] (confidential); P1834, p.27 (public).

TIHIĆ:P0173, p.17-18 (public).

³³³⁵ P0089, p.1 (BCS) (note that the English version misreads the name as "KOUĆINOVIĆ") (public); P0142, p.1 (public). [REDACTED], e.g., P1585, p.27 (confidential).

³³³⁶ P2984, p.10 (confidential).

³³³⁷ P3199, p.5, 7 (confidential).

³³³⁸ P3199, p.1 (confidential).

³³³⁹ P3199, p.20 (confidential).

**THE INTERNATIONAL CRIMINAL TRIBUNAL
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IT-03-69-T

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JOVICA STANIŠIĆ
and
FRANKO SIMATOVIĆ**

Public

**Annex B
to**

P R O S E C U T I O N F I N A L T R I A L B R I E F

Payments Made by the Serbian State Security Service

Annex B: Payments Made by the Serbian State Security Service

Annex B.1: Individual Per Diem Payments

1038. The table below sets out the payment lists on which many of the persons discussed in Annex A appear. For payment lists followed by the notation “***” the relevant year does not appear on the face of the list, though the month and days (where indicated) do. It is the Prosecution case that the years can be deduced from the format of the lists and the other similar lists for which years are available.

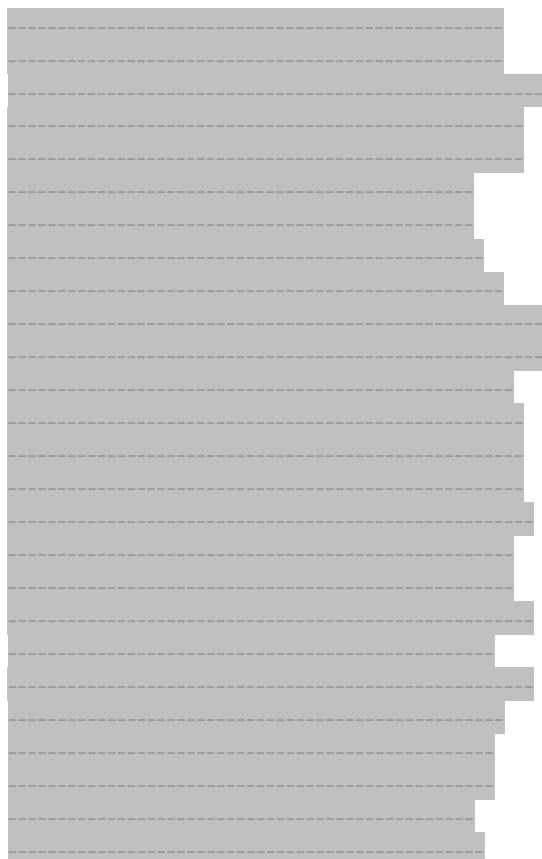
A V R A M O V I Ć , Ž i v o m i r



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B A K L A I Ć , Ž i v k o

(father of Predrag who died as a member)



A table with approximately 20 rows and 2 columns, completely redacted with grey bars.

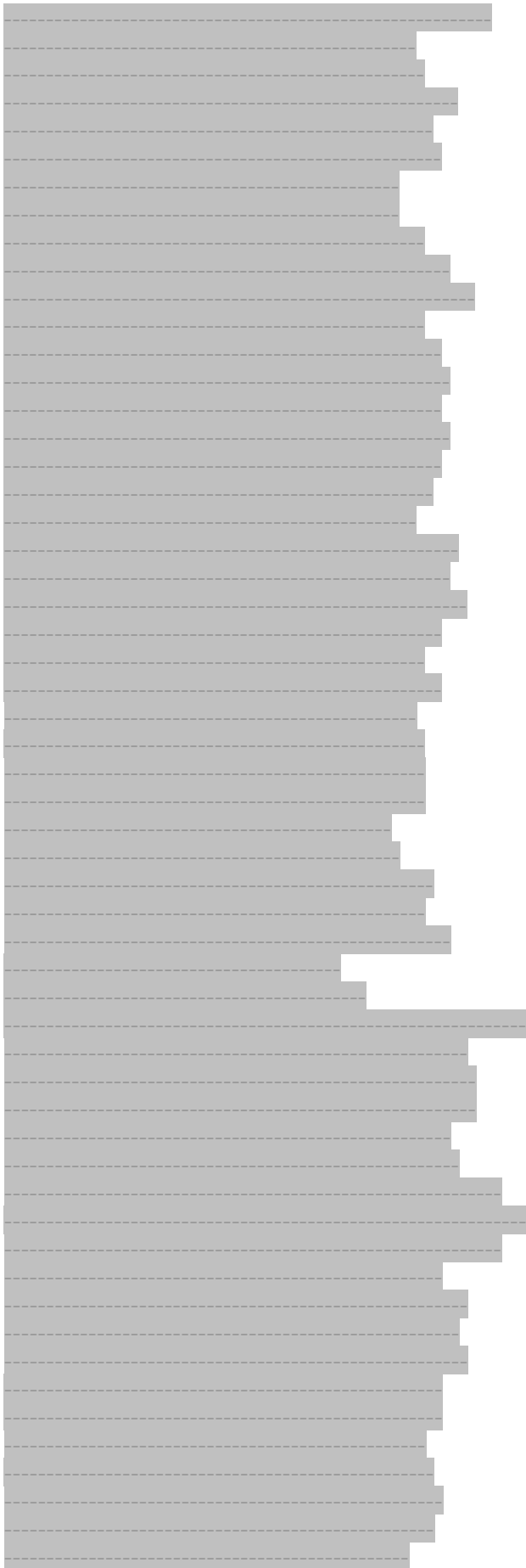
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BANJAC, Đurica

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BOŽOVIĆ, Radojica

[Redacted text block]



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[Redacted text block]

[REDACTED]

ĐORĐEVIĆ, Dragan

[REDACTED]

ĐORĐEVIĆ, Nebojša

[REDACTED]

FILIPOVIĆ, Dragan

[REDACTED]

GAVRILOVIĆ, Momir

[REDACTED]

GOLUBOVIĆ, Srđan

[Redacted]

I V A N O V I Ć , Ž i v o j i n

[Redacted]

J O V A N O V I Ć , Z v e z d a n

[Redacted]

[REDACTED]

K O V A Č , N e d e l j k o

[REDACTED]

K R S M A N O V I Ć , D r a g o s l a v

[REDACTED]

[REDACTED]

KUŠIĆ, Njegoslav

[REDACTED]

LAZIĆ, Miodrag

[REDACTED]

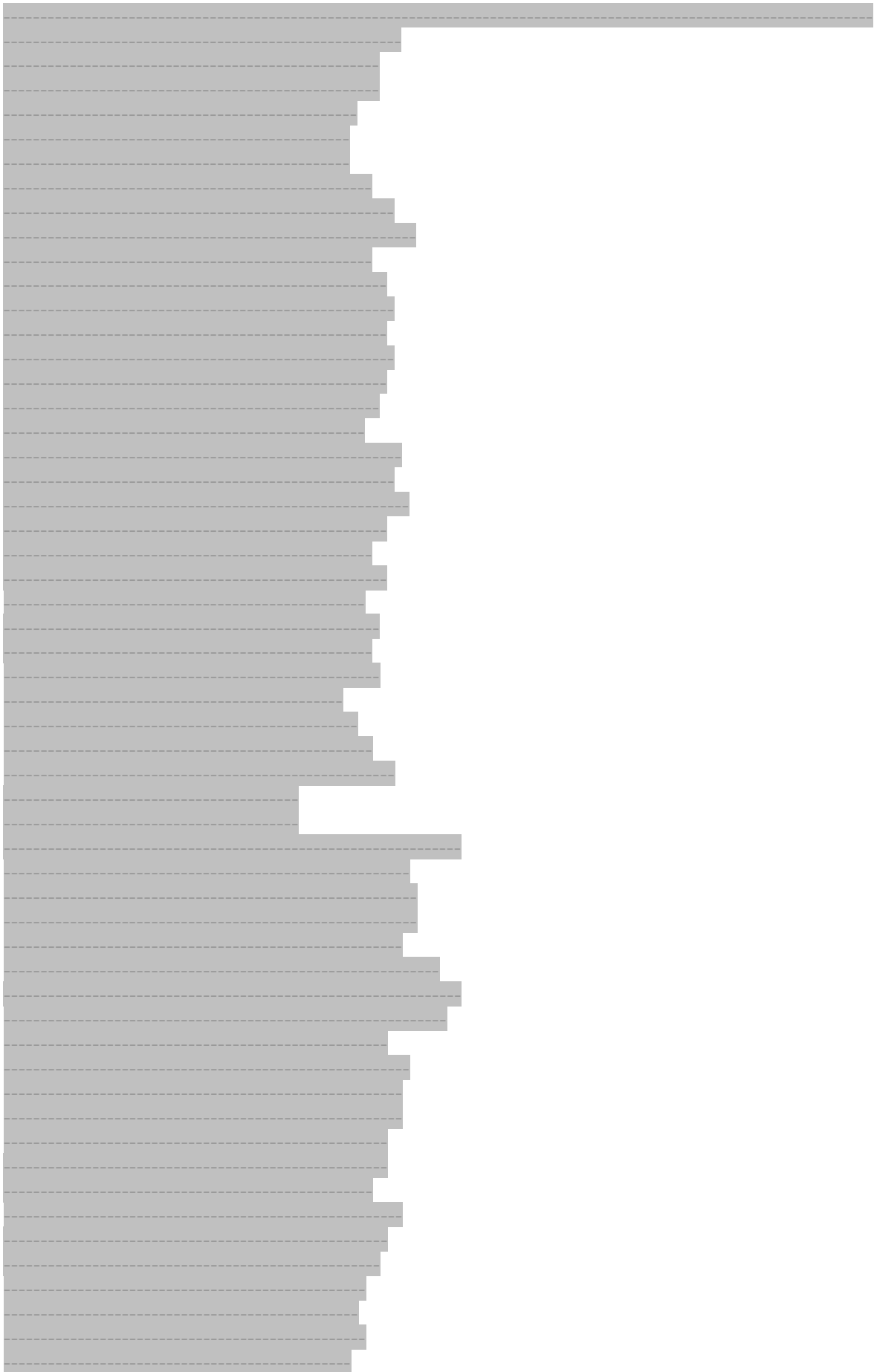
LONČAR, Nikola

[REDACTED]

[REDACTED]

MAJSTORVIĆ, Slobodan

[REDACTED]



[Redacted]

[Redacted]

[Redacted]

MIJOVIĆ, Vasilije

[Redacted]

[REDACTED]

MILJKOVIĆ, Slobodan

[REDACTED]

MOMČILOVIĆ, Dušan

[REDACTED]

[Redacted]

[Redacted]

[Redacted]



[Redacted]

[Redacted]

[REDACTED]

OPAČIĆ, Goran

[REDACTED]

OPAČIĆ, Miloš

[REDACTED]

PEJIĆ, Marko

[REDACTED]

PETROVIĆ, Dragan

[REDACTED]

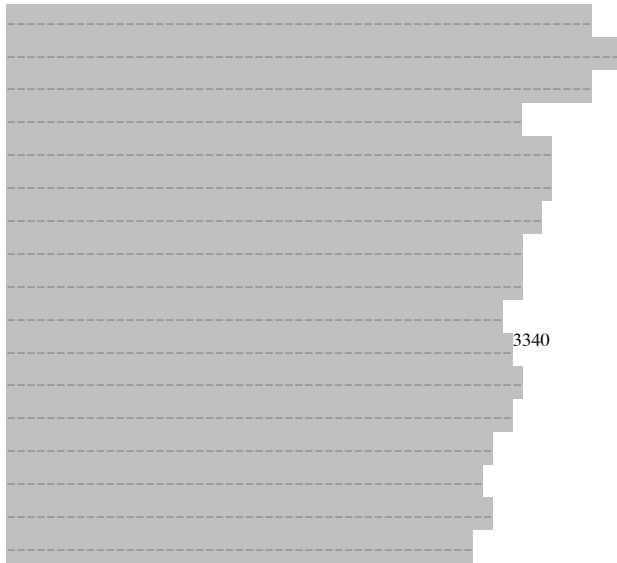
POPOVIĆ, Milenko

[REDACTED]

[Redacted text block]

PRICA, Predrag

[Redacted text block]



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³³⁴⁰ *Note*, The Prosecution has discovered that some pages of the English translation of P1508 are missing. The Prosecution is in the process of obtaining these pages and will bring the matter to the attention once these pages are received and ready for uploading into E-court.

PRODANOVIĆ, Milenko

[Redacted text block]

PUPOVAC, Nikola

[Redacted text block]

[Redacted text block]

RADONJIC, Milan

[Large redacted text block]

[Redacted text]

RADNOV, Žarica

[Redacted text]

RAIĆ, Zoran

[Large redacted text block]



[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

S A V I Ć , M i l o š

[REDACTED]

[REDACTED]

[REDACTED]

S I M I Ć , N i k o l a

[REDACTED]

S T E F A N O V I Ć , Z o r a n

[REDACTED]

S T O J A N Ć E V I Ć , S l o b o d a n

[REDACTED]

[Redacted text]

SUBOTIĆ, Davor

[Redacted text]

[Redacted]

[Redacted]

[Redacted]

TRIFUNOVIĆ, Milenko

[Redacted]

U L E M E K , M i h a j l o

[REDACTED]

U L E M E K , M i l o r a d

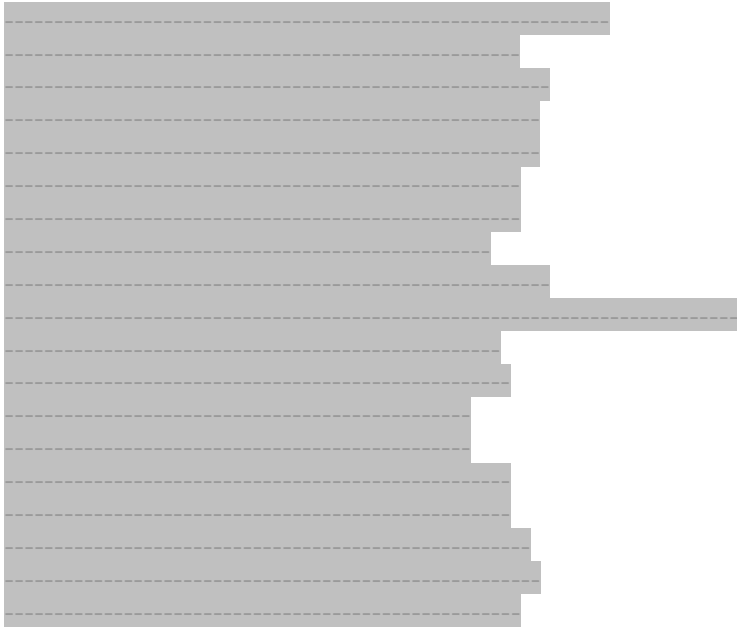
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Z B U Ć N O V I Ć , P e r i c a

[REDACTED]

Z E Ć E V I Ć , B u d i m i r

[REDACTED]

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Annex B.2: Group SMUP-DB Payments

SMUP-DB Payment Lists (and Names)

Bratunac Red Berets & *Mungosi*

The table content is entirely redacted with a solid grey fill. The redaction covers all rows and columns of data, leaving only the header information visible.

SMUP-DB Payment Lists (and Names)

[Redacted]

Skelani Red Berets

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

SMUP-DB Payment Lists (and Names)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Deceased Members

Evidence showing that the persons listed on the following DB payment lists are family members of the deceased Unit members:

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

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[Redacted]

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[Redacted]

[Redacted]

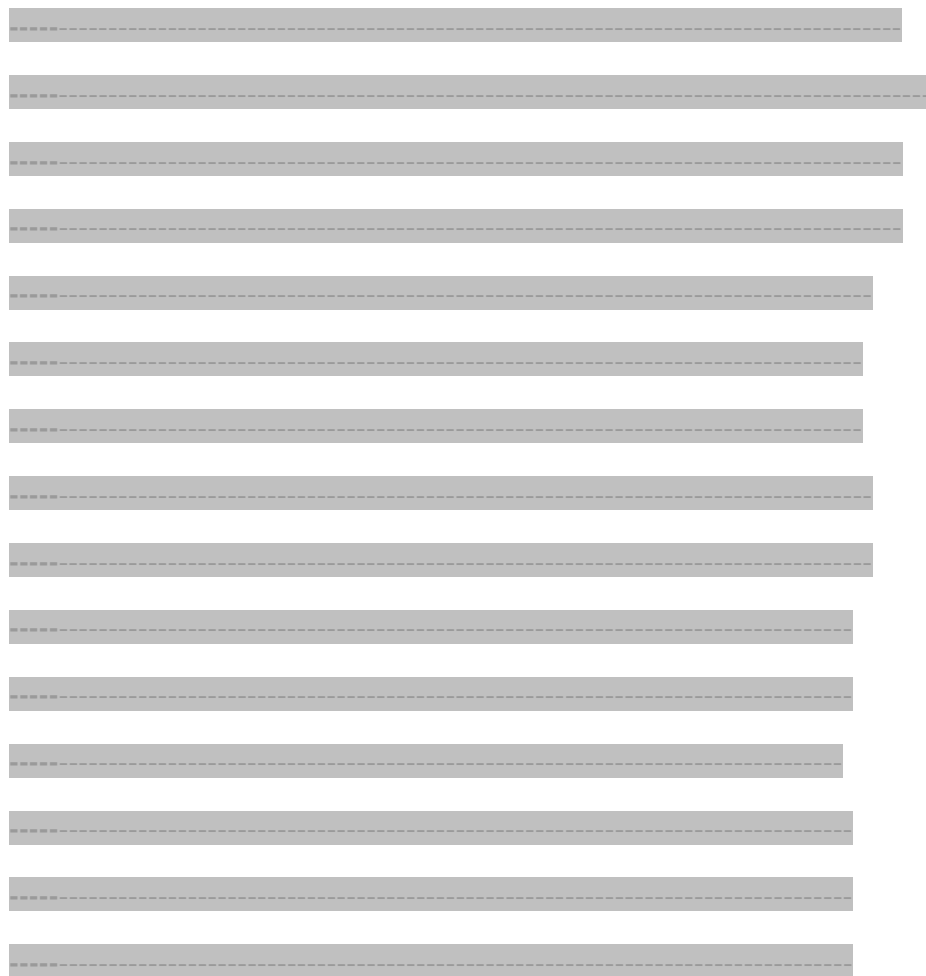
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[Redacted]

Deceased Members



[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Annex B.3: SMUP-DB Payment Lists Signed by Franko SIMATOVIĆ

1. [Redacted]
2. [Redacted]
3. [Redacted]
4. [Redacted]
5. [Redacted]

**THE INTERNATIONAL CRIMINAL TRIBUNAL
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P R O S E C U T I O N F I N A L T R I A L B R I E F

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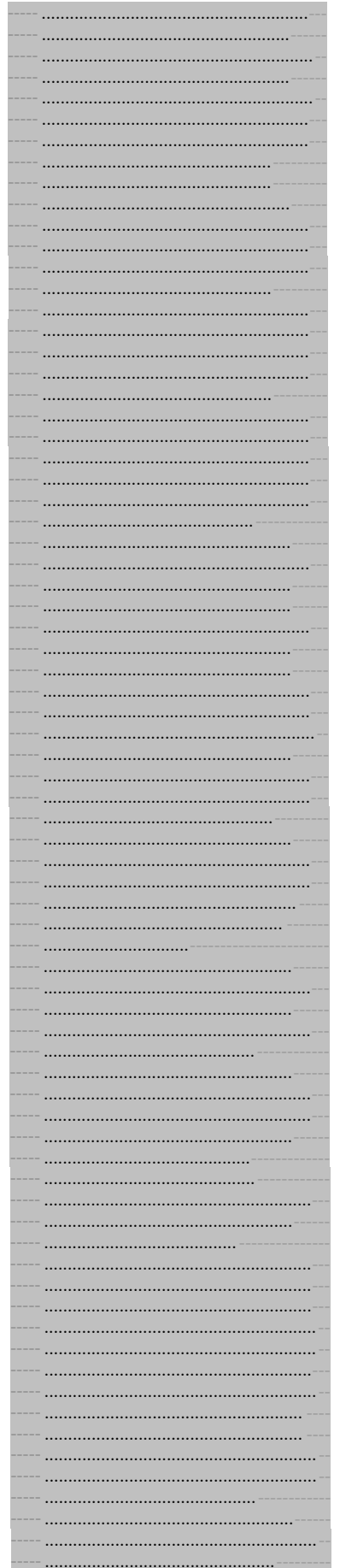
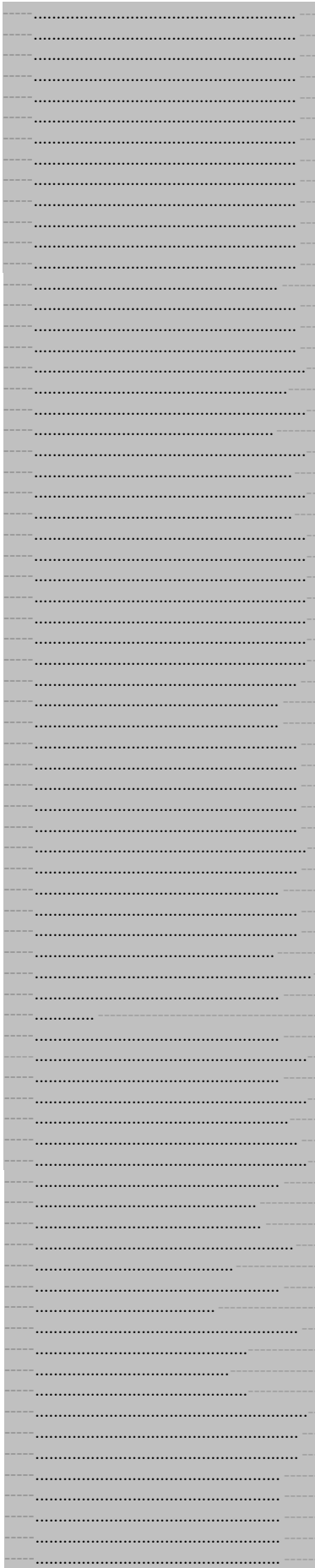
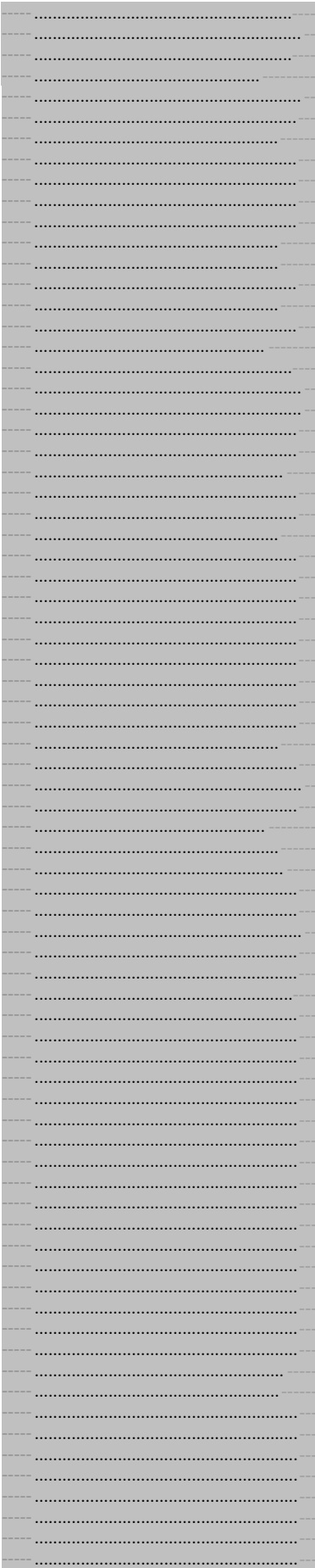
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**Annex D
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P R O S E C U T I O N F I N A L T R I A L B R I E F

Glossary of Terms and Abbreviations

Glossary of Terms and Abbreviations

Term	English	B/C/S
ABiH	Army of the Republic of Bosnia and Herzegovina	Armija Bosne i Hercegovine
ARK	Autonomous Region of Krajina	Autonomna regija Krajina
BiH	Bosnia and Herzegovina	Bosna i Hercegovina
CRDB	RDB Centre	Centar resora državne bezbednosti
CSB	Security Services Centre	Centar službi bezbjednosti
FRY	Federal Republic of Yugoslavia	Savezna Republika Jugoslavija
IKM	Forward Command Post	Istureno komandno mesto
JATD	Unit for Anti-Terrorist Activities (SMUP-DB)	Jedinice za antiteroristička dejstva
JNA	Yugoslav People's Army (ceased to exist in May 1992 when it was divided into the VJ and VRS)	Jugoslovenska narodna armija
JPN	Special Purpose Unit (SMUP-DB)	Jedinica posebne namene
JSO	Unit for Special Operations (SMUP-DB)	Jedinice za specijalne operacije
KDF	Captain Dragan Fund	Fond Kapetan Dragan
MOD	Ministry of Defence	Ministarstvo odbrane
MUP	Ministry of Internal Affairs / Police	Ministarstvo unutrašnjih poslova
OG	Operational Group	Operativna grupa
PJM	Special Police Unit (public security)	Posebna jedinica milicije
RDB	State Security Department	Resor državne bezbednosti
RS	Republika Srpska	Republika Srpska
RSK	Republic of Serbian Krajina	Republika Srpska Krajina
RSKMUP	Republic of Serbian Krajina Ministry of Internal Affairs	Ministarstvo unutrašnjih poslova Republike Srpske Krajine
RSKMUP-DB	Republic of Serbian Krajina State Security Department (or Service)	Resor (ili Služba) državne bezbednosti Republike Srpske Krajine
RSMUP	Republika Srpska Ministry of Internal Affairs	Ministarstvo unutrašnjih poslova Republike Srpske
RSMUP-DB	Republika Srpska State Security Department (or Service)	Resor (ili Služba) državne bezbednosti Republike Srpske
RS-SNB	Republika Srpska National Security Service	Služba narodne bezbednosti Republike Srpske
SAJ	Special Anti-Terrorist Unit (public security)	Specijalna anti-teroristička jedinica
SAO	Serbian Autonomous Region	Srpska autonomna oblast
SAO-Krajina	Serbian Autonomous Region of Krajina	Srpska autonomna oblast Krajina
SAO-SBWS	Serbian Autonomous Region of Eastern Slavonia, Baranja and Western Srem	Srpska autonomna oblast Istočna Slavonija, Baranja i Zapadni Srem
SČP	Serbian Chetnik Movement	Srpski četnički pokret
SDA	Party of Democratic Action	Stranka demokratske akcije
SDB	State Security Service	Služba državne bezbednosti
SDG	Serbian Volunteer Guard aka "ARKAN's Tigers", a paramilitary group lead by Željko RAŽNATOVIĆ aka ARKAN	Srpska dobrovoljačka garda
SDS	Serbian Democratic Party	Srpska demokratska stranka
SerBiH	Republic of the Serbian People of Bosnia and Herzegovina (predecessor of RS)	Republika srpskog naroda Bosne i Hercegovine
SFRY	Socialist Federal Republic of	Socijalistička Federativna Republika

Term	English	B/C/S
	Yugoslavia	Jugoslavija
SJB	Public Security Station	Stanica javne bezbjednosti
SMUP	Ministry of Internal Affairs of Serbia / Police	Ministarstvo unutrašnjih poslova Srbije
SMUP-DB	State Security Service or Department of the Serbian MUP. Note that this encompasses the State Security Service (SDB) and the State Security Department (RDB), names for the same organisation during different time periods.	Služba (ili Resor) državne bezbednosti
SNB	National Security Service (unless otherwise indicated, this refers to the SNB in SBWS)	Služba nacionalne bezbednosti
SNC	Serbian National Council	Srpsko nacionalno veće
SOS	Serbian Defence Forces	Srpske odbrambene snage
SPS	Socialist Party of Serbia	Socialistička partija Srbije
SRS	Serbian Radical Party	Srpska radikalna stranka
SSNO	Federal Secretary of National Defence	Savezni sekretar za narodnu odbranu
SUP	Secretariat of Internal Affairs (precursor to the MUP)	Sekretarijat za unutrašnje poslove
SVK	Army of the Serbian Krajina	Srpska vojska Krajine
TG	Tactical Group	Taktička grupa
TO	Territorial Defence	Teritorijalna odbrana
UNPROFOR	United Nations Protection Force	
VJ	Army of the Federal Republic of Yugoslavia (came into existence after May 1992 when the JNA ceased to exist)	Vojska Jugoslavije
VRS	Army of Republika Srpska (came into existence after May 1992 when the JNA ceased to exist)	Vojska Republike Srpske
ZCC	Zadar Crisis Committee	Krizni štab Zadar
ZNG	Croatian National Guard	Zbor narodne garde

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

IT-03-69-T

**THE PROSECUTOR
v.
JOVICA STANIŠIĆ
and
FRANKO SIMATOVIĆ**

Public

**Annex E
to**

P R O S E C U T I O N F I N A L T R I A L B R I E F

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Abbreviation Used	Full Citation
Chamber	Trial Chamber in <i>Prosecutor v. Jovica Stanišić & Franko Simatović</i> , Case No. IT-03-69-T.
Indictment	<i>Prosecutor v. Jovica Stanišić & Franko Simatović</i> , Case No. IT-03-69-T, T.Ch., Third Amended Indictment, 9 July 2008.
Prosecution Pre-Trial Brief	<i>Prosecutor v. Jovica Stanišić & Franko Simatović</i> , Case No. IT-03-69-T, Prosecution Consolidated Pre-Trial Brief, 2 April 2007 <i>as modified by</i> Corrigendum to Prosecution Consolidated Pre-Trial Brief, 15 May 2007.
Citation Decision	<i>Prosecutor v. Jovica Stanišić & Franko Simatović</i> , Case No. IT-03-69-T, Decision on Requests Related to Final Trial Briefs and Revised Scheduling Order, 11 September 2012.
Victim Lists	<i>Prosecutor v. Jovica Stanišić & Franko Simatović</i> , Case No. IT-03-69-T, Prosecution Submission of Revised Victim Lists with Confidential Annex, 15 July 2009.
Additional Victims Decision	<i>Prosecutor v. Jovica Stanišić & Franko Simatović</i> , Case No. IT-03-69-T, T.Ch., Decision on the Prosecution Submission on Additional Victims and on Motion to Add Some Source Documents to the Rule 65 ^{ter} Exhibit List and to Admit the Report of Dr. Ewa Tabeau with the Source Documents, 24 March 2011.
Additional Victims Submission	<i>Prosecutor v. Jovica Stanišić & Franko Simatović</i> , Case No. IT-03-69-T, T.Ch., Prosecution Submission on Additional Victims, 14 January 2011.
FirstAFD	<i>Prosecutor v. Jovica Stanišić & Franko Simatović</i> , Case No. IT-03-69-T, T.Ch., Decision on Prosecution's Motion for Judicial Notice of Adjudicated Facts, 25 November 2009 (referencing the adjudicated facts enumerated in <i>Prosecutor v. Jovica Stanišić & Franko Simatović</i> , Case No. IT-03-69-T, T.Ch., Prosecution's Motion for Judicial Notice of Adjudicated Facts, 1 May 2007), <i>as supplemented by</i> <i>Prosecutor v. Jovica Stanišić & Franko Simatović</i> , Case No. IT-03-69-T, T.Ch., Decision on Taking Judicial Notice of Adjudicated Facts, 16 December 2009, <i>and as corrected by</i> <i>Prosecutor v. Jovica Stanišić & Franko Simatović</i> , Case No. IT-03-69-T, T.Ch., Decision on Taking Judicial Notice of Adjudicated Facts and Corrigendum to the Chamber's First, Second and Third Adjudicated Facts Decisions, 17 September 2010 ("Adjudicated Facts Corrigendum").
SecondAFD	<i>Prosecutor v. Jovica Stanišić & Franko Simatović</i> , Case No. IT-03-69-T, T.Ch., Decision on Second Prosecution Motion for Judicial Notice of Adjudicated Facts, 28 January 2010 (referencing the adjudicated facts enumerated in <i>Prosecutor v. Jovica Stanišić & Franko Simatović</i> , Case No. IT-03-69-T, T.Ch., Second Prosecution Motion for Judicial Notice of Adjudicated Facts with Annex, 12 December 2008), <i>as corrected by</i> Adjudicated Facts Corrigendum.
ThirdAFD	<i>Prosecutor v. Jovica Stanišić & Franko Simatović</i> , Case No. IT-03-69-T, T.Ch., Decision on Third Prosecution's Motion for Judicial Notice of Adjudicated Facts, 23 July 2010 (referencing the adjudicated facts enumerated in <i>Prosecutor v. Jovica Stanišić & Franko Simatović</i> , Case No.

Abbreviation Used	Full Citation
	IT-03-69-T, T.Ch., Third Prosecution Motion for Judicial Notice of Adjudicated Facts, 5 January 2010), <i>as amended and corrected by Adjudicated Facts Corrigendum.</i>
Other ICTY Jurisprudence	
<i>Aleksovski</i> AJ	<i>Prosecutor v. Zlatko Aleksovski</i> , Case No. IT-95-14/1-A, App.Ch., Judgement, 24 March 2000
<i>Aleksovski</i> TJ	<i>Prosecutor v. Zlatko Aleksovski</i> , Case No. IT-95-14/1-T, T.Ch., Judgement, 25 June 1999
<i>Babić</i> SJ	<i>Prosecutor v. Milan Babić</i> , Case No. IT-03-72-S, T.Ch., Sentencing Judgement, 29 June 2004
<i>Banović</i> SJ	<i>Prosecutor v. Predrag Banović</i> , Case No. IT-02-65/1-S, T.Ch., Sentencing Judgement, 28 October 2003
<i>Blaškić</i> AJ	<i>Prosecutor v. Tihomir Blaškić</i> , Case No. IT-95-14-A, App.Ch., Judgement, 29 July 2004
<i>Blaškić</i> TJ	<i>Prosecutor v. Tihomir Blaškić</i> , Case No. IT-95-14-T, T.Ch., Judgement, 3 March 2000
<i>Blagojević</i> AJ	<i>Prosecutor v. Vidoje Blagojević & Dragan Jokić</i> , Case No. IT-02-60-A, App.Ch., Judgement, 9 May 2007
<i>Blagojević</i> TJ	<i>Prosecutor v. Vidoje Blagojević & Dragan Jokić</i> , Case No. IT-02-60-T, T.Ch., Judgement, 17 January 2005
<i>Boškoski</i> AJ	<i>Prosecutor v. Ljube Boškoski & Johan Tarčulovski</i> , Case No. IT-04-82-A, App.Ch., Judgement, 19 May 2010
<i>Bralo</i> SAJ	<i>Prosecutor v. Miroslav Bralo</i> , Case No. IT-95-17-A, App.Ch., Judgement on Sentencing Appeal, 2 April 2007
<i>Brđanin</i> AJ	<i>Prosecutor v. Radoslav Brđanin</i> , Case No. IT-99-36-A, App.Ch., Judgement, 3 April 2007
<i>Brđanin</i> Prosecution Appeal Brief	<i>Prosecutor v. Brđjanin</i> , Case No. IT-99-36-A, Prosecution's Brief on Appeal, 28 January 2005
<i>Brđanin</i> TJ	<i>Prosecutor v. Radoslav Brđanin</i> , Case No. IT-99-36-T, T.Ch., Judgement, 1 September 2004
<i>Čelebići</i> AJ	<i>Prosecutor v. Zejnil Delalić, Zdravko Mucić, a.k.a. "Pavo", Hazim DeliĆ & Esad Landžo, a.k.a. "Zenga"</i> , Case No. IT-96-21-A, App.Ch., Judgement, 20 February 2001
<i>Čelebići</i> TJ	<i>Prosecutor v. Zejnil Delalić, Zdravko Mucić, a.k.a. "Pavo", Hazim DeliĆ & Esad Landžo, a.k.a. "Zenga"</i> , Case No. IT-96-21-T, T.Ch., Judgement, 16 November 1998
<i>Češić</i> SJ	<i>Prosecutor v. Ranko Češić</i> , Case No. IT-95-10/1-S, T.Ch., Sentencing Judgement, 11 March 2004
<i>Deronjić</i> SAJ	<i>Prosecutor v. Miroslav Deronjić</i> , Case No. IT-02-61-A, App.Ch., Judgement on Sentencing Appeal, 20 July 2005
<i>Đorđević</i> TJ	<i>Prosecutor v. Vlastimir Đorđević</i> , Case No. IT-05-87/1-T, T.Ch.,

Abbreviation Used	Full Citation
	Judgement, 23 February 2011
<i>Furundžija</i> TJ	<i>Prosecutor v. Anto Furundžija</i> , Case No. IT-95-17/1-T, T.Ch., Judgement, 10 December 1998
<i>Galić</i> AJ	<i>Prosecutor v. Stanislav Galić</i> , Case No. IT-98-29-A, App.Ch., Judgement, 30 November 2006
<i>Galić</i> TJ	<i>Prosecutor v. Stanislav Galić</i> , Case No. IT-98-29-T, T.Ch., Judgement and Opinion, 5 December 2003
<i>Jelisić</i> AJ	<i>Prosecutor v. Goran Jelisić</i> , Case No. IT-95-10-A, App.Ch., Judgement, 5 July 2001
<i>Jelisić</i> TJ	<i>Prosecutor v. Goran Jelisić</i> , Case No. IT-95-10-T, T.Ch., Judgement, 14 December 1999
<i>Jokić</i> SJ	<i>Prosecutor v. Miodrag Jokić</i> , Case No. IT-01-42/1-S, T.Ch., Sentencing Judgement, 18 March 2004
<i>Karadžić</i> JCE III Decision	<i>Prosecutor v. Karadžić</i> , Case No. IT-95-5/18, Decision on Prosecution Motion Appealing Trial Chamber's Decision on JCE III Foreseeability, 25 June 2009.
<i>Kordić</i> AJ	<i>Prosecutor v. Dario Kordić & Mario Čerkez</i> , Case No. IT-95-14/2-A, App.Ch., Judgement, 17 December 2004
<i>Kordić</i> TJ	<i>Prosecutor v. Dario Kordić & Mario Čerkez</i> , Case No. IT-95-14/2-T, T.Ch., Judgement, 26 February 2001
<i>Krajišnik</i> AJ	<i>Prosecutor v. Momčilo Krajišnik</i> , Case No. IT-00-39-A, App.Ch., Judgement, 17 March 2009
<i>Krajišnik</i> TJ	<i>Prosecutor v. Momčilo Krajišnik</i> , Case No. IT-00-39-T, T.Ch., Judgement, 27 September 2006
<i>Krnojelac</i> AJ	<i>Prosecutor v. Milorad Krnojelac</i> , Case No. IT-97-25-A, App.Ch., Judgement, 17 September 2003
<i>Krnojelac</i> TJ	<i>Prosecutor v. Milorad Krnojelac</i> , Case No. IT-97-25-T, T.Ch., Judgement, 15 March 2002
<i>Krstić</i> AJ	<i>Prosecutor v. Radislav Krstić</i> , Case No. IT-98-33-A, App.Ch., Judgement, 19 April 2004
<i>Krstić</i> TJ	<i>Prosecutor v. Radislav Krstić</i> , Case No. IT-98-33-T, T.Ch., Judgement, 2 August 2001
<i>Kunarac</i> AJ	<i>Prosecutor v. Dragoljub Kunarac, Radomir Kovač & Zoran Vuković</i> , Case No. IT-96-23 & IT-96-23/1-A, App.Ch., Judgement, 12 June 2002
<i>Kunarac</i> TJ	<i>Prosecutor v. Dragoljub Kunarac, Radomir Kovač & Zoran Vuković</i> , Case No. IT-96-23-T & IT-96-23/1-T, T.Ch., Judgement, 22 February 2001

Abbreviation Used	Full Citation
<i>Kupreškić</i> TJ	<i>Prosecutor v. Zoran Kupreškić, Mirjan Kupreškić, Vlatko Kupreškić, Drago Josipović, Dragan Papić & Vladimir Šantić, a.k.a. "Vlado",</i> Case No. IT-95-16-T, T.Ch., Judgement, 14 January 2000
<i>Kvočka</i> AJ	<i>Prosecutor v. Miroslav Kvočka, Mlado Radić, Zoran Žigić & Dragoljub Prcać,</i> Case No. IT-98-30/1-A, App.Ch., Judgement, 28 February 2005
<i>Kvočka</i> TJ	<i>Prosecutor v. Miroslav Kvočka, Milojica Kos, Mlado Radić, Zoran Žigić & Dragoljub Prcać,</i> Case No. IT-98-30/1-T, T.Ch., Judgement, 2 November 2001
<i>Lukić</i> TJ	<i>Prosecutor v. Milan Lukić & Sredoje Lukić,</i> Case No. IT-98-32/1-T, T.Ch., Judgement, 20 July 2009
<i>Martić</i> AJ	<i>Prosecutor v. Milan Martić,</i> Case No. IT-95-11-A, App.Ch., Judgement, 8 October 2008
<i>Martić</i> TJ	<i>Prosecutor v. Milan Martić,</i> Case No. IT-95-11-T, T.Ch., Judgement, 12 June 2007
<i>D.Milošević</i> AJ	<i>Prosecutor v. Dragomir Milošević,</i> Case No. IT-98-29/1-A, App.Ch., Judgement, 12 November 2009
<i>D.Milošević</i> TJ	<i>Prosecutor v. Dragomir Milošević,</i> Case No. IT-98-29/1-T, T.Ch., Judgement, 12 December 2007
<i>Milošević</i> Decision on Motion for Judgement of Acquittal	<i>Prosecutor v. Slobodan Milošević,</i> Case No. IT-02-54-T, Decision on Motion for Judgment of Acquittal, 16 June 2004
<i>Milutinović</i> TJ	<i>Prosecutor v. Milan Milutinović, Nikola Šainović, Dragoljub Ojdanić, Nebojša Pavković, Vladimir Lazarević & Sreten Lukić,</i> Case No. IT-05-87-T, T.Ch., Judgement, 26 February 2009
<i>Mrkšić</i> AJ	<i>Prosecutor v. Mile Mrkšić & Veselin Šljivančanin,</i> Case No. IT-95-13/1-A, App.Ch., Judgement, 5 May 2009
<i>Naletilić</i> AJ	<i>Prosecutor v. Mladen Naletilić & Vinko Martinović,</i> Case No. IT-98-34-A, App.Ch., Judgement, 3 May 2006
<i>Naletilić</i> TJ	<i>Prosecutor v. Mladen Naletilić & Vinko Martinović,</i> Case No. IT-98-34-T, T.Ch., Judgement, 31 March 2003
<i>D.Nikolić</i> SAJ	<i>Prosecutor v. Dragan Nikolić,</i> Case No. IT-94-02-A, App.Ch., Judgement on Sentencing Appeal, 4 February 2005
<i>D.Nikolić</i> SJ	<i>Prosecutor v. Dragan Nikolić,</i> Case No. IT-94-02-S, T.Ch., Sentencing Judgement, 18 December 2003
<i>M.Nikolić</i> SJ	<i>Prosecutor v. Momir Nikolić,</i> Case No. IT-02-60/1-S, T.Ch., Sentencing Judgement, 2 December 2003
<i>Obrenović</i> SJ	<i>Prosecutor v. Dragan Obrenović,</i> Case No. IT-02-60/2-S, T.Ch., Sentencing Judgement, 10 December 2003
<i>Orić</i> TJ	<i>Prosecutor v. Naser Orić,</i> Case No. IT-03-68-T, T.Ch., Judgement, 30 June 2006
<i>Perišić</i> TJ	<i>Prosecutor v. Momčilo Perišić,</i> Case No. IT-04-81-T, T.Ch., Judgement, 6 September 2011
<i>Plavšić</i> SJ	<i>Prosecutor v. Biljana Plavšić,</i> Case No. IT-00-39&40/1-S, T.Ch., Sentencing Judgement, 27 February 2003

Abbreviation Used	Full Citation
<i>Popović TJ</i>	<i>Prosecutor v. Vujadin Popović, Ljubiša Beara, Drago Nikolić, Ljubomir Borovčanin, Radivoje Miletić, Milan Gvero & Vinko Pandurević</i> , Case No. IT-05-88-T, T.Ch., Judgement, 10 June 2010 (Public Redacted)
<i>Simić TJ</i>	<i>Prosecutor v. Blagoje Simić, Miroslav Tadić & Simo Zarić</i> , Case No. IT-95-9-T, T.Ch., Judgement, 17 October 2003
<i>Stakić AJ</i>	<i>Prosecutor v. Milomir Stakić</i> , Case No. IT-97-24-A, App.Ch., Judgement, 22 March 2006
<i>Stakić TJ</i>	<i>Prosecutor v. Milomir Stakić</i> , Case No. IT-97-24-T, T.Ch., Judgement, 31 July 2003
<i>Strugar AJ</i>	<i>Prosecutor v. Pavle Strugar</i> , Case No. IT-01-42-A, App.Ch., Judgement, 17 July 2008
<i>Strugar TJ</i>	<i>Prosecutor v. Pavle Strugar</i> , Case No. IT-01-42-T, T.Ch., Judgement, 31 January 2005
<i>Tadić AJ</i>	<i>Prosecutor v. Duško Tadić</i> , Case No. IT-94-1-A, App.Ch., Judgement, 15 July 1999
<i>Tadić Jurisdiction AD</i>	<i>Prosecutor v. Duško Tadić a/k/a “Dule”</i> , Case No. IT-94-1-AR72, App.Ch., Decision on the Defence Motion for Interlocutory Appeal on Jurisdiction, 2 October 1995
<i>Tadić SAJ</i>	<i>Prosecutor v. Duško Tadić</i> , Case No. IT-94-1-A and IT-94-1-Abis, App.Ch., Judgement on Sentencing Appeal, 26 January 2000
<i>Tadić TJ</i>	<i>Prosecutor v. Duško Tadić a/k/a “Dule”</i> , Case No. IT-94-1-T, T.Ch., Opinion and Judgement, 7 May 1997
<i>Todorović SJ</i>	<i>Prosecutor v. Stevan Todorović</i> , Case No. IT-95-9/1-S, T.Ch., Sentencing Judgement, 31 July 2001
<i>Vasiljević AJ</i>	<i>Prosecutor v. Mitar Vasiljević</i> , Case No. IT-98-32-A, App.Ch., Judgement, 25 February 2004
<i>Vasiljević TJ</i>	<i>Prosecutor v. Mitar Vasiljević</i> , Case No. IT-98-32-T, T.Ch., Judgement, 29 November 2002
ICTR Jurisprudence	
<i>Akayesu AJ</i>	<i>Prosecutor v. Jean-Paul Akayesu</i> , Case No. ICTR-96-4-A, App.Ch., Judgement, 1 June 2001
<i>Akayesu TJ</i>	<i>Prosecutor v. Jean-Paul Akayesu</i> , Case No. ICTR-96-4-T, T.Ch., Judgement, 2 September 1998
<i>Kambanda SJ</i>	<i>Prosecutor v. Jean Kambanda</i> , Case No. ICTR-97-23-S, T.Ch., Judgement and Sentence, 4 September 1998
<i>Kayishema TJ</i>	<i>Prosecutor v. Clément Kayishema & Obed Ruzindana</i> , Case No. ICTR-95-1-T, T.Ch., Judgement, 21 May 1999
<i>Musema AJ</i>	<i>Alfred Musema v. Prosecutor</i> , Case No. ICTR-96-13-A, App.Ch., Judgement, 16 November 2001
<i>Musema TJ</i>	<i>Prosecutor v. Alfred Musema</i> , Case No. ICTR-96-13-A, T.Ch., Judgement and Sentence, 27 January 2000

Abbreviation Used	Full Citation
<i>Nahimana</i> AJ	<i>Ferdinand Nahimana, Jean-Bosco Barayagwiza & Hassan Ngeze v. Prosecutor</i> , Case No. ICTR-99-52-A, App.Ch., Judgement, 28 November 2007
<i>Ndindabahizi</i> AJ	<i>Emmanuel Ndindabahizi v. Prosecutor</i> , Case No. ICTR-01-71-A, App.Ch., Judgement, 16 January 2007
<i>Ntagerura</i> AJ	<i>Prosecutor v. André Ntagerura, Emmanuel Bagambiki & Samuel Imanishimwe</i> , Case No. ICTR-99-46-A, App.Ch., Judgement, 7 July 2006
<i>Ntakirutimana</i> AJ	<i>Prosecutor v. Elizaphan Ntakirutimana & Gérard Ntakirutimana</i> , Case Nos. ICTR-96-10-A and ICTR-96-17-A, App.Ch., Judgement, 13 December 2004
<i>Ruggiu</i> TJ	<i>Prosecutor v. Georges Ruggiu</i> , Case No. ICTR-97-32-I, T.Ch., Judgement and Sentence, 1 June 2000
<i>Rutaganda</i> AJ	<i>Georges Anderson Nderubumwe Rutaganda v. Prosecutor</i> , Case No. ICTR-96-3-A, App.Ch., Judgement, 26 May 2003
<i>Rutaganda</i> TJ	<i>Prosecutor v. Georges Anderson Nderubumwe Rutaganda</i> , Case No. ICTR-96-3-T, T.Ch., Judgement, 6 December 1999
<i>Seromba</i> AJ	<i>Prosecutor v. Athanase Seromba</i> , Case No. ICTR-2001-66-A, App.Ch., Judgement, 12 March 2008
<i>Serushago</i> SJ	<i>Prosecutor v. Omar Serushago</i> , Case No. ICTR 98-39-S, T.Ch., Sentence, 5 February 1999
Other Relevant Law	
	Criminal Code of the SFRY Arts.38 (1), 38 (2), 142-144; Criminal Code of the Socialist Republic of Bosnia and Herzegovina, Art.36; Common Criminal Code of the Republic of Croatia of 16 April 1993, NN 31/93, Arts.119-122, 123.