

The Indictment***Factual allegations:***

The Indictment that was confirmed on 6 September 2002, alleges that Ljubomir Borovcanin was present in and around the areas of Bratunac, Potocari, Sandici, Kravica, Srebrenica and Zvornik from 11 July to 18 July 1995. Units under his command were deployed in and around the areas of Potocari, Sandici, Kravica and Zvornik from 12 July to 18 July 1995. In the several days following the attack on Srebrenica, the Bosnian Serb Army ("VRS") and Ministry of the Interior ("MUP") forces captured, detained, summarily executed, and buried over 7,000 Bosnian Muslim men and boys from the Srebrenica enclave, and forcibly transferred the Bosnian Muslim women and children of Srebrenica out of the enclave.

The Indictment against Ljubomir Borovcanin refers to his alleged involvement in: opportunist killings in Potocari, opportunistic killings in Bratunac, wide-scale and organised killings in Potocari and Tisca, killings and mistreatment of prisoners captured along the Bratunac/Milici road and wide-scale and organised killings in the Zvornik area, as well as other opportunistic killings. Ljubomir Borovcanin, together with other VRS and MUP officers and units as identified in this Indictment, was a member of and knowingly participated in a Joint Criminal Enterprise, the common purpose of which was, among other things: to forcibly transfer the women and children from the Srebrenica enclave to Kladanj on 12 July and 13 July 1995; and to capture, detain, summarily execute by firing squad, bury, and rebury thousands of Bosnian Muslim men and boys aged 16 to 60 from the Srebrenica enclave from 12 July 1995 until and about 19 July 1995.

Charges:

The Indictment charges Ljubomir Borovcanin on the basis of his individual criminal responsibility (Article 7(1) of the Statute) and superior criminal responsibility (Article 7(3) of the Statute) with:

- One count of complicity in genocide (Article 4 of the Statute - complicity in genocide)
- Four counts of crimes against humanity (Article 5 of the Statute - extermination, murder, persecutions on political, racial and religious grounds, inhumane acts (forcible transfer))
- One count of violations of the laws or customs of war (Article 3 of the Statute - murder)

Joint Criminal Enterprise

The Joint Criminal Enterprise, in which Ljubomir Borovcanin was a member and participant, was conceived and designed by General Ratko Mladic and others on 11 and 12 July 1995, and administered and carried out by members of the VRS and MUP forces through the time period and by the means alleged in this Indictment.

Members of this Joint Criminal Enterprise also included: General Ratko Mladic, the Commander of the VRS, General Milenko Zivanovic, Commander of the Drina Corps through about 2000 hours on July 13 1995; General Radislav Krstic, Chief of Staff/Deputy Commander through about 2000 hours on 13 July 1995 and thereafter Commander of the Drina Corps; Colonel Vidoje Blagojevic, Commander of the Bratunac Brigade; Colonel Vinko Pandurevic, Commander of the Zvornik Brigade; Lieutenant Colonel Dragan Obrenovic, Deputy Commander and Chief of Staff of the Zvornik Brigade; Momir Nikolic, Assistant Commander for Security and Intelligence of the Bratunac Brigade; Dragan Jokic, Chief of Engineering of the Zvornik Brigade and various other individuals and military and police units.

The Accused

Ljubomir BOROVCANIN,
born on 27 February 1960 in Han Pijesak in Bosnia and Herzegovina
(Kept confidential until unsealing on
27 September 2002)

Transferred to the Tribunal: 1
April 2005