

THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

Case No. IT-95-10/1-PT

THE PROSECUTOR AGAINST RANKO CESIC

THIRD AMENDED INDICTMENT

Carla Del Ponte, Prosecutor of the International Criminal Tribunal for the former Yugoslavia, pursuant to her authority under Article 18 of the Statute of the International Criminal Tribunal for the former Yugoslavia ("Tribunal Statute"), charges:

1. Beginning on about 30 April 1992, Serb forces from Bosnia and elsewhere in the former Yugoslavia fought to obtain control of Brcko, a town and municipality in the Republic of Bosnia and Herzegovina in the former Yugoslavia. Serb forces forcibly expelled Croat and Muslim residents from their homes, and, with the assistance of local Serb authorities, held them at collection centres, including Luka camp and the Brcko Partizan Sports Hall, where many were killed, beaten and otherwise mistreated. Many of the women, children and elderly were confined at the nearby village of Brezovo Polje. Most of the men of military age, and a few women, were taken to Luka camp.
2. From about 7 May 1992 until early July 1992, Serb forces confined hundreds of Muslim and Croat men, and a few women, at Luka camp in inhumane conditions and under armed guard. From about 7 May 1992 until about 21 May 1992, detainees were systematically killed at Luka.
3. From about 21 May 1992 until early July 1992, the detainees were subjected to beatings and, less frequently than before, killings.
4. In early July 1992, the surviving Luka detainees were transferred to another detention camp at Batkovic.
5. During the time Luka camp operated, the Serb authorities killed hundreds of Muslim and Croat detainees.

The Accused

6. **Ranko CESIC**, who was born in 1964 in Drvar, lived in Brcko before the war. During May and June 1992, he acted under the apparent authority of the Brcko police.

General Allegations

7. At all times relevant to this indictment, a state of armed conflict existed in the Republic of Bosnia and Herzegovina.
8. At all relevant times, **Ranko CESIC** was required to abide by the laws and customs governing

the conduct of war, including the Geneva Conventions of 1949.

9. **Ranko CESIC** is individually responsible for the crimes alleged against him in this indictment, pursuant to Article 7(1) of the Tribunal Statute. The individual criminal responsibility alleged against **Ranko CESIC** in Counts 1-8 in this indictment is that he committed crimes referred to in Articles 3 and 5 of the Tribunal Statute. The individual criminal responsibility alleged against **Ranko CESIC** in Counts 9-10 and 11-12 is that he committed or aided and abetted in the execution of crimes referred to in Articles 3 and 5 of the Tribunal Statute.

10. All acts and omissions charged as crimes against humanity were part of a widespread, systematic or large-scale attack directed against the Muslim and Croat civilian population of Brcko.

11. Paragraphs 7 to 10 are realleged and incorporated into each of the charges set forth below.

CHARGES

COUNTS 1-2

Killing of Sakib Becirevic and four other men

12. On about 5 May 1992, **Ranko CESIC** went to the Brcko Partizan Sports Hall where Muslim civilians were being confined, and took the Muslim detainee Sakib Becirevic (a/k/a Kibe) and four other men named "Pepa", "Sale" and the two sons of a man called Avdo outside the hall. **Ranko CESIC** lined up and shot and killed the five detainees with bursts of gunfire. By these actions, **Ranko CESIC** committed:

Count 1: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (murder) of the Geneva Conventions;

Count 2: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute.

COUNTS 3-4

Killing of Sejdo

13. On about 9 May 1992, Sejdo, a Muslim fisherman whose last name is unknown, arrived at Luka camp in the trunk of a car. **Ranko CESIC** put Sejdo in a small warehouse, beat him and then shot and killed him. By these actions, **Ranko CESIC** committed:

Count 3: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (murder) of the Geneva Conventions;

Count 4: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute.

COUNTS 5-6

Killing of Mirsad Glavovic

14. On about 11 May 1992, **Ranko CESIC** called the Muslim policeman Mirsad Glavovic from the main hangar building at Luka camp. **Ranko CESIC** ordered Mirsad Glavovic to say good-bye and shake hands with the other detainees. **Ranko CESIC** then took Mirsad Glavovic outside the hangar building, beat him and killed him. By these actions, **Ranko CESIC** committed:

Count 5: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (murder) of the Geneva Conventions;

Count 6: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute;

COUNTS 7-8 Sexual Assault

15. On about 11 May 1992, at Luka camp, **Ranko CESIC** forced, at gunpoint, Muslim detainees A and B, who were brothers detained there, to beat each other and perform sexual acts on each other in the presence of others, causing them great humiliation and degradation. By these actions, **Ranko CESIC** committed:

Count 7: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(c) (humiliating and degrading treatment) of the Geneva Conventions;

Count 8: a **CRIME AGAINST HUMANITY** recognized by Article 5(g) (rape, which includes other forms of sexual assault) of the Tribunal Statute.

COUNTS 9-10 Killing of Nihad Jasarevic

16. On about 12 or 13 May 1992, in the main hangar building at Luka camp, **Ranko CESIC** and Slobodan Popkostic beat the Muslim detainee Nihad Jasarevic with a wooden club that contained a lead cylinder, killing Nihad Jasarevic. By these actions, **Ranko CESIC** committed or aided and abetted:

Count 9: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (murder) of the Geneva Conventions;

Count 10: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute;

COUNTS 11-12 Killing of two unknown males

17. Between about 1 June and 6 June 1992, **Ranko CESIC** took four detainees, whose identities are unknown, from the office building at Luka camp to the paved road in front of the main hangar building and, with the assistance of two guards, Miso Cajevic and Pudic (whose first name is unknown), shot and killed at least two of the detainees. By these actions, **Ranko CESIC** committed or aided and abetted:

Count 11: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (murder) of the Geneva Conventions;

Count 12: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute.

Carla Del Ponte
Prosecutor

Dated this 26th day of November 2002
At The Hague
The Netherlands