



(IT-08-91)

STANIŠIĆ & ŽUPLJANIN



MIĆO STANIŠIĆ

Indicted for persecutions on political, racial or religious grounds, extermination, murder, torture, inhumane acts (including forcible transfer), deportation and cruel treatment



From 1 April 1992, Minister of the newly established Serbian Ministry of Internal Affairs in Bosnia and Herzegovina (RS MUP)

STOJAN ŽUPLJANIN

Indicted for persecutions on political, racial or religious grounds, extermination, murder, torture, inhumane acts (including forcible transfer), deportation and cruel treatment



Chief of the Regional Security Services Centre (CSB) of Banja Luka, located in north-western Bosnia and Herzegovina; member of the Autonomous Region of Krajina (ARK) Crisis Staff, and an advisor on internal affairs to the President of Republika Srpska (RS)

Crimes indicted for (examples):

Persecutions on political, racial or religious grounds, extermination, murder, torture, inhumane acts (including forcible transfer) and deportation (crimes against humanity)

Murder, torture, and cruel treatment (violations of laws or customs of war)

- Between 1 April and 31 December 1992, Mićo Stanišić, in concert with other members of a Joint Criminal Enterprise (JCE), committed or individually instigated or otherwise aided and abetted the planning, preparation or execution of persecutions on political, racial or religious grounds; extermination; murder; torture; cruel treatment; inhumane acts; deportation and forcible transfer committed against the Bosnian Muslim and Bosnian Croat populations in the municipalities of Banja Luka, Bileća, Bosanski Šamac, Brčko, Doboj, Donji Vakuf, Gacko, Ilijaš, Ključ, Kotor Varoš, Pale, Prijedor, Sanski Most, Skender Vakuf, Teslić, Vlasenica, Višegrad, Vogošća and Zvornik.

- During the same period, Stojan Župljanin, in concert with other members of the JCE, committed or individually planned, instigated, ordered or otherwise aided and abetted the planning, preparation or execution of persecutions on political, racial or religious grounds; extermination; murder; torture; cruel treatment; inhumane acts; deportation and forcible transfer committed against the Bosnian Muslim and Bosnian Croat populations in the ARK municipalities of Banja Luka, Donji Vakuf, Ključ, Kotor Varoš, Prijedor, Sanski Most, Skender Vakuf and Teslić.

MIČO STANIŠIĆ	
Born	30 June 1954, in the village of Ponor, Pale Municipality, in Bosnia and Herzegovina
Indictment	Initial: 25 February 2005, made public on 10 March 2005; amended: 22 August 2005; revised amended: 11 October 2005; consolidated (joinder): 29 September 2008; amended consolidated: 1 May 2009; second amended consolidated: 10 September 2009
Surrendered	11 March 2005
Transferred to ICTY	11 March 2005
Initial and further appearance(s)	17 March 2005, pleaded not guilty to all charges; 20 November 2008, pleaded not guilty to all new charges from the joinder indictment

STOJAN ŽUPLJANIN	
Born	22 September 1951, in Maslovar, Kotor Varoš, Bosnia and Herzegovina
Indictment	Initial: 14 March 1999; amended: 20 December 1999; second amended indictment: 5 October 2004; consolidated (joinder): 29 September 2008; amended consolidated: 1 May 2009; second amended consolidated: 10 September 2009
Arrested	11 June 2008 in Serbia
Transferred to ICTY	21 June 2008
Initial and further appearances	23 June 2008, postponed his plea for 30 days; 21 July 2008, pleaded not guilty to all charges; 20 November 2008, pleaded not guilty to all new charges from the joinder indictment

STATISTICS

TRIAL	
Commenced	14 September 2009
Trial Chamber II	Judge Burton Hall (presiding), Judge Guy Delvoie, Judge Frederik Harhoff
Counsel for the Prosecution	Thomas Hannis, Joanna Korner
Counsel for the Defence	For Mičo Stanišić: Slobodan Zečević, Slobodan Cvijetić For Stojan Župljanin: Igor Pantelić, Dragan Krgović

RELATED CASES <i>by geographical area</i>	
KARADŽIĆ & MLADIĆ (IT-95-5/18) "BOSNIA AND HERZEGOVINA" & "SREBRENICA"	
KRAJIŠNIK (IT-00-39 & 40) "BOSNIA AND HERZEGOVINA"	
PLAVŠIĆ (IT-00-39 & 40/1) "BOSNIA AND HERZEGOVINA"	
ŠEŠELJ (IT-03-67)	
STANIŠIĆ & SIMATOVIĆ (IT-03-69)	
BRĐANIN (IT-99-36-T) "KRAJINA"	
TALIĆ (IT-99-36/1) "KRAJINA"	

INDICTMENT AND CHARGES

The initial indictment against Stanišić was confirmed on 25 February 2005, and made public on 10 March 2005. Pursuant to the Trial Chamber decisions of 19 July and 22 August 2005, the Prosecution filed an amended indictment on 22 August 2005. On 22 September 2005, following a request for clarification from the Trial Chamber, the Prosecutor filed the revised amended indictment. On 11 October 2005, the Chamber accepted the changes and confirmed the indictment as the operative one in the case (Stanišić's case number was IT-04-79).

The initial indictment against Župljanin, which included as co-accused Radoslav Brđanin and Momir Talić, was confirmed on 14 March 1999. Following the arrests of Brđanin and Talić, an amended indictment against them and a separate amended indictment against Župljanin were confirmed on 20 December 1999. On 6 October 2004, with the leave of the Trial Chamber, the Prosecution filed an amended indictment against Župljanin. This was the last operative indictment against Župljanin (case number IT-99-36/2), who was arrested on 11 June 2008 and transferred to the ICTY on 21 June 2008.

On 16 July 2008, the Prosecution filed a motion requesting that the cases of Stanišić and Župljanin be joined. On 23 September 2008, the Trial Chamber granted the motion and ordered the Prosecution to file an amended consolidated indictment. The joinder (named "consolidated") indictment was filed on 29 September 2008. On 1 December 2008, the Prosecution filed its motion for leave to amend the consolidated indictment in order to further amend the allegations against the accused and to correct a number of typographical errors. The motion was granted on 28 April 2009 and the Prosecution filed the amended consolidated indictment on 1 May 2009.

On 9 June 2009, the Chamber invited the Prosecution to remove a number of events listed in the schedules of the indictment. Subsequently, on 20 July 2009, the Prosecution filed a motion seeking to remove five incidents. The motion was granted on 4 September 2009 and the Prosecution filed the new, second amended consolidated, indictment on 10 September 2009.

The indictment alleges that from 1 April 1992 Stanišić was Minister of the newly established Serbian Ministry of Internal Affairs in Bosnia and Herzegovina (RS MUP). As Minister of the RS MUP, Stanišić was the highest authority in the Ministry and was a member of the Government of the Bosnian Serb Republic/Republika Srpska. Regarding Župljanin, the indictment alleges that from 1991 onwards, he was Chief of the Regional Security Services Centre ("CSB") of Banja Luka. From at least 5 May 1992 until July 1992, he was also a member of the Autonomous Region of Krajina ("ARK") Crisis Staff and in 1992 he became an advisor on internal affairs to the President of Republika Srpska.

According to the indictment, Stanišić and Župljanin participated in a joint criminal enterprise (JCE) as co-perpetrators. A JCE came into existence no later than the establishment of the Assembly of the Serbian People in BiH on 24 October 1991 and continued throughout the period of the conflict in BiH until the signing of the Dayton Accords in 1995. The objective of the JCE was to permanently remove Bosnian Muslims, Bosnian Croats and other non-Serbs from the territory of the planned Serbian state by means which included the commission of the crimes alleged. Numerous individuals participated in this JCE. Stanišić and Župljanin each acted in concert with other members of the JCE including, but not limited to, Momčilo Krajišnik, Radovan Karadžić, Biljana Plavšić, Nikola Koljević (deceased), Momčilo Mandić, Velibor Ostojić, General Ratko Mladić, other members of the Bosnian Serb leadership and leading members of the Serbian Democratic Party (SDS) at republic, regional and municipal levels, leading members of the Yugoslav Army (JNA)/Bosnian Serb Army (VRS) including General Momir Talić (deceased), leading members of the CSBs, leading members of Public Security Services (SJB) including Simo Drljača (deceased), leading members of regional and municipal crisis staffs including Radoslav Brđanin, and leading members of other civilian bodies within BiH.

Stanišić and Župljanin are charged on the basis of their individual criminal responsibility (Article 7(1) of the Statute of the Tribunal) and their superior criminal responsibility (Article 7(3)) with:

- **Persecutions, extermination, murder, torture, inhumane acts (including forcible transfer) and deportation (crimes against humanity, Article 5).**
- **Murder, torture, and cruel treatment (violations of laws or customs of war, Article 3).**

PRE-TRIAL

Stanišić was granted provisional release on 19 July 2005.

On 11 April 2008, the provisional release was suspended and the accused was ordered to return to The Hague by 2 May in order to attend a hearing on 6 May 2008.

On 10 July 2008, the Trial Chamber reinstated the provisional release for Stanišić effective 14 July 2008.

On 26 May 2009, the provisional release was suspended and the accused was ordered to return to The Hague by 8 June in order to attend hearings on 9 and 12 June 2009.

On 19 August 2009, the Trial Chamber terminated the provisional release for Stanišić and ordered him to return to The Hague by 31 August 2009 for the commencement of the trial.

TRIAL

The Prosecution commenced its case on 14 September 2009.