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

**THE PROSECUTOR
OF THE TRIBUNAL**

AGAINST

**GORAN JELISIĆ, a/k/a
Adolf ;
RANKO ČEŠIĆ;**

INDICTMENT

Richard J. Goldstone, Prosecutor of the International Criminal Tribunal for the Former Yugoslavia, pursuant to his 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 Brčko, 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, 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. Almost every day during that time, the accused, often assisted by camp guards, entered Luka's main hangar where most detainees were kept, selected detainees for interrogation, beat them and then often shot and killed them.

3. The accused, often assisted by camp guards, usually shot detainees at close range in the head or back. Often, the accused and camp guards forced the detainees who were to be shot to put their heads on a metal grate that drained into the Sava River, so that there would be minimal clean-up after the shootings. The accused and guards then ordered other detainees to move the bodies to one of two disposal areas where the bodies were piled until they were later loaded on trucks and taken to mass graves outside the town of Brčko or disposed of in other ways.

4. From about 21 May 1992 until early July 1992, the detainees were subjected to beatings and, less frequently than before, killings.
5. In early July 1992, the surviving Luka detainees were transferred to another detention camp at Batković.
6. During the time Luka camp operated, the Serb authorities killed hundreds of Muslim and Croat detainees.

The Accused

7. On about 1 May 1992, **Goran JELISIĆ**, who was born on 7 June 1968 in Bijeljina, came to Brčko from Bijeljina, where he had worked as an agricultural machinery mechanic. During most of May 1992, **Goran JELISIĆ** acted as the commander of Luka camp and called himself the "Serb Adolf".
8. **Ranko ČEŠIĆ**, who was born in 1964 in Drvar, lived in Brčko before the war. During May and June 1992, he acted under the apparent authority of the Brčko police, and held a position of authority at Luka camp.

General Allegations

9. Unless otherwise set forth below, all acts and omissions alleged in this indictment took place between about 17 April and 20 November 1992 in Brčko municipality in the Republic of Bosnia and Herzegovina in the territory of the former Yugoslavia.
10. At all times relevant to this indictment, a state of armed conflict and partial occupation existed in the Republic of Bosnia and Herzegovina.
11. At all times relevant to this indictment, all persons described in this indictment as victims were protected by the Geneva Conventions of 1949.
12. At all relevant times, **Goran JELISIĆ** and **Ranko ČEŠIĆ** were required to abide by the laws and customs governing the conduct of war, including the Geneva Conventions of 1949.
13. **Goran JELISIĆ** and **Ranko ČEŠIĆ** are individually responsible for the crimes alleged against them in this indictment, pursuant to Article 7(1) of the Tribunal Statute. Individual criminal responsibility includes committing, planning, initiating, ordering or aiding and abetting in the planning, preparation or execution of any crime referred to in Articles 2 to 5 of the Tribunal Statute.
14. 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 Brčko.

15. In each count of this indictment charging torture, the acts were committed by, or at the instigation of, or with the consent or acquiescence of, an official or person acting in an official capacity, and for one or more of the following purposes: to obtain information or a confession from the victim or a third person; to punish the victim for an act the victim or a third person committed or was suspected of having committed; to intimidate or coerce the victim or a third person; and/or for any reason based upon discrimination of any kind.

16. Paragraphs 9 to 15 are realleged and incorporated into each of the charges set forth below.

CHARGES

COUNT 1

Genocide

17. In May 1992, **Goran JELISIĆ**, intending to destroy a substantial or significant part of the Bosnian Muslim people as a national, ethnical, or religious group, systematically killed Muslim detainees at the Laser Bus Co., the Brčko police station and Luka camp. He introduced himself as the “Serb Adolf”, said that he had come to Brčko to kill Muslims, and often informed the Muslim detainees and others of the number of Muslims he had killed. In addition to killing countless detainees, whose identities are unknown, **Goran JELISIĆ** ordered or personally killed the victims described in paragraphs 18, 20-30, 35 and 38. By these actions, **Goran JELISIĆ** instigated, ordered, committed or aided and abetted:

Count 1: **GENOCIDE**, a crime recognized by Article 4(2)(a) of the Tribunal Statute.

COUNTS 2-4

Killing of Kemal Sulejmanović

18. On about 5 or 6 May 1992, **Goran JELISIĆ**, accompanied by several soldiers, entered the Laser Bus Company building in Brčko and announced to the detainees that he was the “Serb Adolf.” **Goran JELISIĆ** took the Muslim detainee Kemal Sulejmanović, also known as (hereafter a/k/a) Kemo, from the building and shot and killed him. By these actions, **Goran JELISIĆ** instigated, ordered or committed:

Count 2: a **GRAVE BREACH** recognized by Article 2(a) (wilful killing) of the Tribunal Statute;

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 5-7**Killing of Sakib Bećirević and four other men**

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

Count 5: a **GRAVE BREACH** recognized by Article 2(a) (wilful killing) of the Tribunal Statute;

Count 6: 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 7: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute.

COUNTS 8-10**Killing of unknown male**

20. On about 6 or 7 May 1992, **Goran JELISIĆ** escorted an unknown male detainee down a street near the Brčko police station and then shot him in the head with a Scorpion pistol. By these actions, **Goran JELISIĆ** committed:

Count 8: a **GRAVE BREACH** recognized by Article 2(a) (wilful killing) of the Tribunal Statute;

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 11-13**Killing of Hasan Jašarević**

21. On about 7 May 1992, **Goran JELISIĆ**, using a Scorpion pistol, shot and killed Hasan Jašarević, a Muslim detainee who had fled the Brčko police station. By these actions, **Goran JELISIĆ** committed:

Count 11: a **GRAVE BREACH** recognized by Article 2 (a) (wilful killing) of the Tribunal Statute;

Count 12: 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 13: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute.

COUNTS 14-16

Killing of a young man from Šinteraj

22. On about 7 May 1992, **Goran JELISIĆ** left the Brčko police station with a young man from the neighborhood of Šinteraj, whose identity is unknown. **Goran JELISIĆ** escorted the young man away from the police station to an area where the young man was shot and killed. By these actions, **Goran JELISIĆ** instigated, ordered or committed:

Count 14: a **GRAVE BREACH** recognized by Article 2(a) (wilful killing) of the Tribunal Statute;

Count 15: 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 16: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute.

COUNTS 17-19

Killing of Ahmet Hodžić or Hadžić

23. On about 7 May 1992, **Goran JELISIĆ** took the Muslim detainee Ahmet Hodžić (a/k/a Papa), a leader of the Brčko SDA (Muslim political party) outside the Brčko police station and beat him with a baton. Together with two guards, **Goran JELISIĆ** took Ahmet Hodžić to the same place where **Goran JELISIĆ**, earlier that day, had killed a young detainee from Šinteraj. **Goran JELISIĆ** told Ahmet Hodžić that he was looking at his town for the last time and then killed him. By these actions, **Goran JELISIĆ** instigated, ordered, committed or aided and abetted:

Count 17: a **GRAVE BREACH** recognized by Article 2(a) (wilful killing) of the Tribunal Statute;

Count 18: 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 19: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute.

COUNTS 20-22Killing of Suad

24. On about 7 May 1992, **Goran JELISIĆ** took a Muslim detainee named Suad from the Brčko police station and beat him with a rifle butt. **Goran JELISIĆ**, together with some soldiers, walked Suad to the same area where **Goran JELISIĆ**, earlier that day, had killed Ahmet Hodžić and a young man from Šinteraj. After reaching the area, Suad was shot and killed. By these actions, **Goran JELISIĆ** instigated, ordered, committed or aided and abetted:

Count 20: a **GRAVE BREACH** recognized by Article 2(a) (wilful killing) of the Tribunal Statute;

Count 21: 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 22: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute.

COUNTS 23-25Killing of Amir Novalić

25. On about 7 May 1992, **Goran JELISIĆ** shot and killed the Muslim detainee Amir Novalić (a/k/a Fric) inside the Brčko police station. By these actions, **Goran JELISIĆ** instigated, ordered or committed:

Count 23: a **GRAVE BREACH** recognized by Article 2(a) (wilful killing) of the Tribunal Statute;

Count 24: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 and of the Tribunal Statute and Article 3(1) (murder) of Geneva Conventions;

Count 25: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute.

COUNTS 26-28Killing of Sead Čerimagić and Jasminko Čumurović

26. On about 8 May 1992, **Goran JELISIĆ** and **Ranko ČEŠIĆ** took the Muslim detainee Sead Čerimagić (a/k/a Čita) and Jasminko Čumurović (a/k/a Jašče, Jasmin) from the main hangar building at Luka camp and shot and killed them. By these actions, **Goran JELISIĆ** and **Ranko ČEŠIĆ** instigated, ordered, committed or aided and abetted:

Count 26: a **GRAVE BREACH** recognized by Article 2(a) (wilful killing) of the Tribunal Statute;

Count 27: 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 28: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute.

COUNTS 29-31

Killing of Huso and Smajil Zahirović

27. On about 8 May 1992, at Luka camp, **Goran JELISIĆ** accused two Muslim brothers from Zvornik, Huso and Smajil Zahirović, of fighting for the Muslim resistance. **Goran JELISIĆ** took them outside of the main hangar building where they were shot and killed. By these actions, **Goran JELISIĆ** instigated, ordered or committed:

Count 29: a **GRAVE BREACH** recognized by Article 2(a) (wilful killing) of the Tribunal Statute;

Count 30: 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 31: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute;

COUNTS 32-37

Torture and killing of Naza Bukvić

28. On about 9 May 1992, near the main hangar building at Luka camp, **Goran JELISIĆ**, **Ranko ČEŠIĆ** and others questioned the Muslim detainee Naza Bukvić about the whereabouts and activities of her brother, beat her with police batons and a shovel and then killed her. By these actions, **Goran JELISIĆ** and **Ranko ČEŠIĆ** instigated, ordered, committed or aided and abetted:

Count 32 and 33: **GRAVE BREACHES** recognized by Articles 2(b) (torture) and 2(a) (wilful killing) of the Tribunal Statute;

Count 34 and 35: **VIOLATIONS OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (torture) and (murder) of the Geneva Conventions;

Count 36 and 37: **CRIMES AGAINST HUMANITY** recognized by Articles 5(f) (torture) and 5(a) (murder) of the Tribunal Statute.

COUNTS 38-40**Killing of Muharem Ahmetović**

29. On about 9 May 1992, **Goran JELISIĆ** called the Muslim detainee Muharem Ahmetović, the father of Naza Bukvić, from the main hangar building at Luka camp and killed him. By these actions, **Goran JELISIĆ** instigated, ordered or committed:

Count 38: a **GRAVE BREACH** recognized by Article 2(a) (wilful killing) of the Tribunal Statute;

Count 39: 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 40: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute.

COUNTS 41-43**Killing of Stipo Glavočević**

30. On about 9 May 1992, **Goran JELISIĆ** brought a Croat detainee named Stipo Glavočević (a/k/a Stjepo), who had at least one ear cut off and was covered in blood, into the main hangar building at Luka and forced him to kneel in the center of the hangar. **Goran JELISIĆ** beat Stipo Glavočević. **Goran JELISIĆ** then directed a guard to shoot and kill Stipo Glavočević just outside the entrance to the main hangar. By these actions, **Goran JELISIĆ** instigated, ordered, committed or aided and abetted:

Count 41: a **GRAVE BREACH** recognized by Article 2(a) (wilful killing) of the Tribunal Statute;

Count 42: 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 43: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute.

COUNTS 44-46**Killing of Sejdo**

31. 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 ČEŠIĆ** put Sejdo in a small warehouse, beat him and then shot and killed him. By these actions, **Ranko ČEŠIĆ** committed:

Count 44: a **GRAVE BREACH** recognized by Article 2(a) (wilful killing) of the Tribunal Statute;

Count 45: 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 46: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute.

COUNTS 47-49
Killing of Mirsad Glavović

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

Count 47: a **GRAVE BREACH** recognized by Article 2(a) (wilful killing) of the Tribunal Statute;

Count 48: 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 49: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute;

COUNTS 50-52
Sexual Assault

33. On about 11 May 1992, at Luka camp, **Ranko ČEŠIĆ** 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 ČEŠIĆ** instigated, ordered or committed:

Count 50: a **GRAVE BREACH** recognized by Article 2(b) (inhuman treatment) of the Tribunal Statute;

Count 51: 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 52: a **CRIME AGAINST HUMANITY** recognized by Article 5(g) (rape, which includes other forms of sexual assault) of the Tribunal Statute.

COUNTS 53-55
Beatings of Zejćir and Rešad Osmić

34. Between 10 and 12 May 1992, **Goran JELISIĆ** participated in the interrogation and beating of the Muslim brothers Zejćir and Rešad Osmić. **Goran JELISIĆ** beat Zejćir and Rešad Osmić with a baton and cut Rešad Osmić's forearms with a military knife. Both brothers suffered head injuries, and Rešad lost consciousness as a result of the beatings. By these actions, **Goran JELISIĆ** instigated, ordered or committed:

Count 53: a **GRAVE BREACH** recognized by Article 2(c) (wilfully causing great suffering) of the Tribunal Statute;

Count 54: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (cruel treatment) of the Geneva Conventions;

Count 55: a **CRIME AGAINST HUMANITY** recognized by Article 5(i) (inhumane acts) of the Tribunal Statute.

COUNTS 56-58
Killing of Novalija

35. On about 12 May 1992, in the main hangar building at Luka camp, **Goran JELISIĆ** beat Novalija, an elderly Muslim man, with a metal pipe, shovel, and wooden stick. Novalija died as a result of the beatings. By these actions, **Goran JELISIĆ** instigated, ordered or committed:

Count 56: a **GRAVE BREACH** recognized by Article 2(a) (wilful killing) of the Tribunal Statute;

Count 57: 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 58: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute;

COUNTS 59-61
Killing of Nihad Jašarević

36. On about 12 or 13 May 1992, in the main hangar building at Luka camp, **Ranko ČEŠIĆ** and another person beat the Muslim detainee Nihad Jašarević with a wooden club that contained a lead cylinder, killing Nihad Jašarević. By these actions, **Ranko ČEŠIĆ** instigated, ordered, committed or aided and abetted:

Count 59: a **GRAVE BREACH** recognized by Article 2(a) (wilful killing) of the Tribunal Statute;

Count 60: 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 61: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute;

COUNTS 62-64

Beatings of Muhamed Bukvić

37. On about 13 May 1992, at Luka, **Goran JELISIĆ**, used a baton to beat the Muslim detainee Muhamed Bukvić over his entire body. By these actions, **Goran JELISIĆ** committed:

Count 62: a **GRAVE BREACH** recognized by Article 2(c) (wilfully causing great suffering) of the Tribunal Statute;

Count 63: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (cruel treatment) of the Geneva Conventions;

Count 64: a **CRIME AGAINST HUMANITY** recognized by Article 5(i) (inhumane acts) of the Tribunal Statute.

COUNTS 65-67

Killing of Adnan Kucalović

38. On about 18 May 1992, **Goran JELISIĆ** called the Muslim detainee Adnan Kucalović from the main hangar at Luka. **Goran JELISIĆ** accused Adnan Kucalović of having a brother who was fighting with the Muslim resistance. **Goran JELISIĆ** then participated in the shooting and killing of Adnan Kucalović. By these actions, **Goran JELISIĆ** instigated, ordered, committed or aided and abetted:

Count 65: a **GRAVE BREACH** recognized by Article 2(a) (wilful killing) of the Tribunal Statute;

Count 66: 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 67: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute;

COUNTS 68-70
Beatings of Amir Didić

39. Between about 20 May and 28 May 1992, **Goran JELISIĆ** interrogated and regularly beat the Muslim detainee Amir Didić with a baton, a cable and the nozzle of a fire hose, causing Amir Didić to lose consciousness. By these actions, **Goran JELISIĆ** instigated, ordered or committed:

Count 68: a **GRAVE BREACH** recognized by Article 2(c) (wilfully causing great suffering) of the Tribunal Statute;

Count 69: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (cruel treatment) of the Geneva Conventions;

Count 70: a **CRIME AGAINST HUMANITY** recognized by Article 5(i) (inhumane acts) of the Tribunal Statute.

COUNTS 71-73
Killing of two unknown males

40. Between about 1 June and 6 June 1992, **Ranko ČEŠIĆ** 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, shot and killed at least two of the detainees. By these actions, **Ranko ČEŠIĆ** instigated, ordered, committed or aided and abetted:

Count 71: a **GRAVE BREACH** recognized by Article 2(a) (wilful killing) of the Tribunal Statute;

Count 72: 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 73: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute.

COUNTS 74-76
General conditions at Luka Camp

41. From about 7 May to about 28 May 1992, **Goran JELISIĆ**, acting as the commander of Luka, created an atmosphere of terror by killing, abusing and threatening the detainees, thereby subjecting them to extreme psychological trauma, degradation and fear of bodily injury and death. **Goran JELISIĆ** also created and maintained inhumane conditions at Luka by depriving them of adequate food, water, medical care and sleeping and toilet facilities. **Ranko ČEŠIĆ** assisted **Goran JELISIĆ** in creating the atmosphere of terror and the

inhumane conditions at Luka. By these actions, **Goran JELISIĆ** and **Ranko ČEŠIĆ** instigated, ordered, committed or aided and abetted:

Count 74: a **GRAVE BREACH** recognized by Article 2(c) (wilfully causing great suffering) of the Tribunal Statute;

Count 75: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (cruel treatment) of the Geneva Conventions;


Count 76: a **CRIME AGAINST HUMANITY** recognized by Article 5(i) (inhumane acts) of the Tribunal Statute.

COUNT 77

Plunder of private property

42. From about 7 May to about 28 May 1992, **Goran JELISIĆ** participated in the plunder of money, watches and other valuable property belonging to persons detained at Luka camp, including Hasib Begić, Zejćir Osmić, Enes Zukić and Armin Drapić. By these actions, **Goran JELISIĆ** instigated, ordered, committed or aided and abetted:

COUNT 77: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3(e) (plunder) of the Tribunal Statute.



Richard J. Goldstone
Prosecutor