

IT-03-69-PT
07605-07588
15 May 2006

7605

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

Case No. IT-03-69-PT

**THE PROSECUTOR
OF THE TRIBUNAL**

AGAINST

**JOVICA STANIŠIĆ
AND
FRANKO SIMATOVIĆ**

REVISED SECOND AMENDED INDICTMENT

The 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 of the former Yugoslavia ("the Statute of the Tribunal"), charges:

**JOVICA STANIŠIĆ
and
FRANKO SIMATOVIĆ**

**With CRIMES AGAINST HUMANITY and VIOLATIONS OF THE
LAWS OR CUSTOMS OF WAR as set forth below:**

THE ACCUSED

1. **Jovica STANIŠIĆ** was born on 30 July 1950 in Ratkovo in the Autonomous Province of Vojvodina, Republic of Serbia. He commenced work in the State Security Service (*Državna bezbednost* or "DB") of the Ministry of the Internal Affairs of the Republic of Serbia (*Ministarstvo Unutrašnjih Poslava* or "MUP") in 1975. He held the position of Deputy Head of the DB throughout 1991 and was *de facto* head of the DB until his formal appointment to the position of Head or Chief of the DB from 31 December 1991 to 27 October 1998.
2. **Franko SIMATOVIĆ**, also known as "Frenki", was born on 1 April 1950 in Belgrade, Republic of Serbia. He commenced work with the DB in 1978 and worked in various roles until 2001. During the time relevant to the Indictment he initially worked counter intelligence and then moved into the newly formed Intelligence Administration (or Second Administration) of the DB and as such was the commander of the Special Operations Unit of the DB.

STATEMENT OF FACTS

3. From no later than May 1991, and at other times during the period relevant to this Indictment, secret units which were not legally authorised were established by or with the assistance of the Serbian DB for the purpose of undertaking special military actions in the Republic of Croatia (hereinafter "Croatia") and Bosnia and Hercegovina (hereinafter "BiH"). These units (hereinafter referred to as "special units of the Republic of Serbia DB") included, but were not limited to, groups known by the following names: Red Berets, Scorpions, Arkan's Tigers also known as Arkan's Men or Arkanovci, "Martić's Police", Militia of the so-called Serbian Autonomous District *Srpska autnomna oblast* (hereinafter "SAO") of Slavonia, Baranja and Western

Srijem/Srem (hereinafter "SBWS"), JSO (*Jedinice specijalne operacije*) and JATD (*Jedinice za antiteroristička dejstva*).

4. In or about April 1991, **Franko SIMATOVIĆ**, under the authority of **Jovica STANIŠIĆ**, helped to establish a training centre in Golubić, near Knin in the SAO Krajina, where armed units were trained. Additional training centres were subsequently established and financed by the Republic of Serbia DB. Volunteers and conscripts trained at these centres were deployed to special units of the Republic of Serbia DB or were deployed to locations in Croatia where they were subordinated to the Territorial Defence (hereinafter "TO") including the TO of the so-called SAO SBWS, "Martić's Police," also known as the "Martićevci," the "SAO Krajina Police" or "SAO Krajina Milicija" (hereinafter "Martić's Police"), the TO or to locations in BiH where they were subordinated to the Bosnian Serb Army or *Vojska Republike Srpske* (hereinafter "VRS"), TO or local SDS units.
5. **Franko SIMATOVIĆ** had responsibility for these special units of the Republic of Serbia DB and directed their involvement in particular operations in Croatia and BiH.
6. From April 1991 through to the end of 1991, Serb forces in Croatia, including forces of the TO and Martić's Police, which were directed, organised, trained, supplied, armed, and financed in part through **Jovica STANIŠIĆ** and **Franko SIMATOVIĆ**, along with Yugoslav People's Army (hereinafter "JNA") and paramilitary forces, attacked and took control of towns and villages in the SAO Krajina and the SAO SBWS.
7. From March 1992 and continuing through 1995, special units of the Republic of Serbia DB, organised, trained and financed in part through **Jovica STANIŠIĆ** and **Franko SIMATOVIĆ**, along with Serb forces in BiH,

attacked and took control of towns and villages in the municipalities of Bijeljina, Bosanski Šamac, Dobož, Sanski Most and Zvornik.

INDIVIDUAL CRIMINAL RESPONSIBILITY

Article 7(1) of the Statute of the Tribunal

8. **Jovica STANIŠIĆ** and **Franko SIMATOVIĆ** are individually criminally responsible for the crimes referred to in Articles 3 and 5 of the Statute of the Tribunal as described in this Indictment, which they planned, ordered, committed or in whose planning, preparation or execution they otherwise aided and abetted. By using the word "committed" in this Indictment, the Prosecutor does not allege that the accused physically committed any of the crimes charged personally. "Committed" in this Indictment includes participation in a joint criminal enterprise.
9. The objective of this joint criminal enterprise was the forcible and permanent removal of the majority of non-Serbs, principally Croats, Bosnian Muslims and Bosnian Croats, from large areas of Croatia and BiH, through the commission of the crimes of Persecutions, Murder, Deportations and Inhumane Acts (Forcible Transfers). **Jovica STANIŠIĆ** and **Franko SIMATOVIĆ** participated in the joint criminal enterprise as co-perpetrators or as aiders and abettors, in the ways set out below.
10. The crimes charged in this Indictment were within the joint criminal enterprise and **Jovica STANIŠIĆ** and **Franko SIMATOVIĆ** held the state of mind necessary for the commission of each of these crimes, that is: Count 1, Persecutions, the intent to violate basic and fundamental rights of Croats, Bosnian Muslims, Bosnian Croats, and other non-Serbs on the basis of religion, race or political beliefs; Counts 2 and 3, Murder, the intent to kill or inflict serious injury in reckless disregard of human life; Counts 4 and 5, Deportations and Inhumane Acts (Forcible Transfers), the knowing and intentional participation in expulsion or coercive conduct to forcibly deport or

transfer one or more persons to another State or location without grounds permitted by international law and/or wilful intention to force persons to leave their territory without grounds permitted by international law. Alternatively, the crimes charged in this Indictment were natural and foreseeable consequences of the execution of the object of the joint criminal enterprise. **Jovica STANIŠIĆ** and **Franko SIMATOVIĆ** were aware that such crimes were the possible outcome of the execution of the joint criminal enterprise.

11. The joint criminal enterprise was in existence no later than 1 August 1991 and continued until at least 31 December 1995.

12. Numerous individuals participated in this joint criminal enterprise. Each participant, by acts or omissions, contributed to achieving the objective of the enterprise. Individuals who participated in this joint criminal enterprise, thereby significantly furthering the objective of the enterprise, included the accused **Jovica STANIŠIĆ** and **Franko SIMATOVIĆ**; **Slobodan MILOŠEVIĆ**; **Veljko KADIJEVIĆ**; **Blagoje ADŽIĆ**; **Ratko MLADIĆ**; **Radmilo BOGDANOVIĆ**; **Radovan STOJIČIĆ**, also known as "Badža"; **Mihalj KERTES**; **Milan MARTIĆ**; **Radovan KARADŽIĆ**; **Biljana PLAVŠIĆ**; **Željko RAŽNATOVIĆ**, also known as "Arkan"; **Vojislav ŠEŠELJ**; and other members of the JNA, later the Army of the Federal Republic of Yugoslavia (hereinafter "VJ"), the VRS and the army of the Republic of Serbian Krajina (hereinafter "VRSK"); the Serb TO of Croatia, BiH, Serbia and Montenegro; local police forces and Serbian MUP, including the DB of Serbia and Martić's Police; and members of Serbian, Montenegrin and Bosnian Serb paramilitary forces units.

13. **Jovica STANIŠIĆ** and **Franko SIMATOVIĆ**, acting individually and/or in concert with other members of the joint criminal enterprise participated in the joint criminal enterprise in the following ways:

They participated in the formation, financing, supply and support of special units of the Republic of Serbia DB;

They directed members and agents of the DB who participated in the perpetration of the crimes in this Indictment;

They provided arms, funds, training, logistical support and other substantial assistance or support to special units of the Republic of Serbia DB that were involved in the commission of crimes in Croatia and BiH between 1 August 1991 and 31 December 1995.

14. **Jovica STANIŠIĆ** and **Franko SIMATOVIĆ** knowingly and wilfully participated in the joint criminal enterprise, while being aware of the foreseeable consequences of this enterprise. On this basis they bear individual criminal responsibility for these crimes under Article 7(1) of the Statute of the Tribunal, in addition to their responsibility under Article 7(1) for having planned, ordered or otherwise aided and abetted in the planning, preparation and execution of these crimes.

GENERAL LEGAL ALLEGATIONS

15. All acts and omissions alleged in this Indictment occurred on the territory of the former Yugoslavia.
16. At all times relevant to this Indictment, a state of armed conflict existed in Croatia and BiH.
17. At all times relevant to this Indictment, **Jovica STANIŠIĆ** and **Franko SIMATOVIĆ** were required to abide by the laws and customs governing the

conduct of armed conflicts, including the Geneva Conventions of 1949 and the Additional Protocols thereto.

18. All acts and omissions charged in this Indictment as crimes against humanity were part of widespread or systematic attacks directed against the Croats, Bosnian Muslims, Bosnian Croats and other non-Serb civilian populations within large areas of Croatia and BiH.

THE CHARGES

COUNT 1

PERSECUTIONS

19. From on or about 1 April 1991 until 31 December 1995, **Jovica STANIŠIĆ** and **Franko SIMATOVIĆ**, acting alone or in concert with members of the joint criminal enterprise, planned, ordered, committed or otherwise aided and abetted the planning, preparation or execution of persecutions of Croats, Bosnian Muslims and Bosnian Croats and other non-Serbs within the SAO Krajina, SAO SBWS and the BiH municipalities of Bijeljina, Bosanski Šamac, Doboj, Sanski Most, Trnovo (of prisoners from Srebrenica) and Zvornik.
20. Throughout this period, Serb forces comprised of special units of the Republic of Serbia DB, acting alone or in conjunction with other Serb forces including: Serbian MUP; the JNA, later divided into the VJ, VRS and VRSK; local TO units; Republika Srpska police forces; and other paramilitary units took control of towns and villages in these territories. After take-over, Serb forces, in co-ordination with local Serb authorities, established a regime of persecutions designed to drive the Croats, Bosnian Muslims, Bosnian Croats and other non-Serbs from these territories.
21. These persecutions were committed on the discriminatory grounds of political affiliation, race or religion and included:

- a) The murder of Croats, Bosnian Muslims, Bosnian Croats and other non-Serb civilians, as described in paragraphs 23 to 60 of this Indictment.
- b) The forcible transfer and deportation of Croats, Bosnian Muslims, Bosnian Croats and other non-Serb civilians, as described in paragraphs 62 to 63 of this Indictment.

22. By these acts and omissions, **Jovica STANIŠIĆ** and **Franko SIMATOVIĆ** acting alone or in concert with members of the joint criminal enterprise, planned, ordered, committed or otherwise aided and abetted the planning, preparation or execution of:

COUNT 1: PERSECUTIONS ON POLITICAL RACIAL OR RELIGIOUS GROUNDS, a CRIME AGAINST HUMANITY, punishable under Articles 5(h) and 7(1) of the Statute of the Tribunal.

COUNTS 2 and 3

MURDER

23. From on or about May 1991 until 31 December 1995, **Jovica STANIŠIĆ** and **Franko SIMATOVIĆ** acting alone or in concert with other members of the joint criminal enterprise planned, ordered, committed or otherwise aided and abetted the planning, preparation or execution of the murder and wilful killing of non-Serbs, principally Croats, Bosnian Muslims and Bosnian Croats. The murder and wilful killing were effected by the killing of Croats, Bosnian Muslims, Bosnian Croats and other non-Serbs in their towns and villages during and after the take-over of the SAO Krajina, SAO SBWS and territories in BiH in the municipalities of Bijeljina, Bosanski Šamac, Doboј, Sanski Most, Trnovo (of prisoners from Srebrenica) and Zvornik.

SAO KRAJINA

24. From on or about 7 October 1991, members of Martić's Police and other Serb forces, in particular the JNA and members of the local Serb TO, were in control of the area of Hrvastka Kostajnica. Most of the Croat civilians fled their homes during the September 1991 attack. Approximately 120 Croat citizens, mostly women, elderly or the infirm remained in the villages of Dubica, Cerovljani and Baćin. On the morning of 20 October 1991, members of Martić's Police and other Serb forces rounded up fifty-three civilians in Dubica and detained them in the village fire station. Over the course of the day and night ten of these civilians were released because they were Serbs or had connections with Serbs. On 21 October 1991, members of Martić's Police and the other Serb forces described above took the remaining forty-three detained Croats to a location near the village of Baćin. Members of Martić's Police and other Serb forces also brought at least thirteen additional non-Serb civilians from Baćin and Cerovljani to this location. All fifty-six non-Serb civilians were executed in this location. At approximately the same time the members of Martić's Police and the other Serb forces described above took away an additional thirty civilians from Baćin and twenty-four from the villages of Dubica and Cerovljani to an unknown location where the civilians were killed.

25. From early August 1991 until 12 November 1991, the Croat villages of Saborsko, Poljanak and Lipovača were attacked by members of Martić's Police and other Serb forces, in particular the JNA and members of the local Serb TO. These attacking forces killed all remaining non-Serb inhabitants of the villages they found as they entered the villages.

26. On 28 October 1991, local TO units entered Lipovača and killed eight civilians.

27. On 7 November 1991, JNA and TO units, in particular a special JNA unit from Niš, entered the hamlet of Vukovići near Poljanak and killed nine civilians.

28. On 12 November 1991, members of Martić's Police and other Serb forces, in particular JNA and TO units, entered the village of Saborsko where they killed at least twenty Croat civilians and razed the village to the ground.
29. In November 1991, members of Martić's Police and other Serb forces, in particular JNA and TO units, attacked the village of Škabrnja, near Zadar. On 18 November 1991, members of Martić's Police and other Serb forces moved from house to house in Škabrnja and killed at least thirty-eight non-Serb civilians in their homes or in the streets.
30. On 19 November 1991, Serb forces attacked Nadin, a neighbour village to Škabrnja described above, and killed seven non-Serb civilians.
31. Between 18 November 1991 and February 1992, all remaining Croat civilians in Škabrnja died. Serb forces killed twenty-six of the remaining elderly and infirm Croat civilians.
32. On 21 December 1991, members of Martić's Police and other Serb forces entered the village of Bruška and the hamlet of Marinović where they killed ten civilians, including nine Croats.

SAO SBWS

33. In September and October 1991, Serb TO forces and Militia of the SAO SBWS arrested Croat civilians and kept them in a detention facility in the police building in Dalj. On 21 September 1991, Goran Hadžić and Željko Ražnatović visited the detention facility and ordered the release of two of the detainees. Members of the TO of the SAO SBWS led by Željko Ražnatović, shot eleven detainees and buried their bodies in a mass grave in the village of Čelije.

34. On 4 October 1991, members of the TO of the SAO SBWS led by Željko Ražnatović entered the detention facility in the police building in Dalj and shot twenty-eight Croat civilian detainees. The bodies of the victims were then taken from the building and dumped into the nearby Danube River.

35. On 9 November 1991, members of the TO of the SAO SBWS led by Željko Ražnatović and members of the Militia of the SAO SBWS arrested ethnic Hungarian and Croat civilians in Erdut, Dalj Planina, and Erdut Planina and took them to the training centre of the TO in Erdut where twelve of them were shot dead the following day. Several days after 9 November 1991, members of the Serb National Security (hereinafter "SNB") of the SAO SBWS in co-operation with several members of Arkan's Tigers arrested and executed three civilians, two of them family members of the original Hungarian victims who had inquired about the fate of their relatives. The bodies of eight of the initial twelve victims were buried in the village of Čelija and one victim was buried in Daljski Atar. The bodies of the three additional victims were thrown into a well in Borovo. On 3 June 1992, members of the SNB, in co-operation with members of "Arkan's Tigers", arrested Marija Senaši (born 1937), a female family member of the original Hungarian victims who had continued to make inquiries about the fate of her relatives. This woman was subsequently murdered and her body was thrown into an abandoned well in Dalj Planina.

36. On 11 November 1991, members of the TO of SAO SBWS, under the command of Željko Ražnatović arrested seven non-Serb civilians in the village of Klisa. Two of the detainees who had Serb relatives were released. The remaining five civilians were taken to the TO training centre in Erdut. After their interrogation, the victims were killed and buried in a mass grave in the village of Čelije.

37. Between 18 and 20 November 1991, after the termination of the military operations in and around Vukovar, the JNA deported thousands of Croat and other non-Serb inhabitants to the territory of the Republic of Serbia. Following a request of Goran Hadžić to retain those non-Serbs who were suspected of participation in the military operations, the JNA transported a large number of inhabitants of Vukovar to the detention facilities in Dalj on or around 20 November 1991. There, Serb TO members selected those suspected of participating in the defence of Vukovar. The selected detainees were interrogated, beaten and tortured. At least thirty-four of these detainees were executed.
38. On 10 December 1991, members of the TO of the SAO SBWS led by Željko Ražnatović and members of the Militia of the SAO SBWS arrested five non-Serb villagers from Erdut. The victims were taken to the TO training centre in Erdut and subsequently killed. The bodies of three of the victims were later disposed of in a well in Daljski Atar.
39. From 22 December 1991 to 25 December 1991, members of the TO of the SAO SBWS led by Željko Ražnatović, and members of the Militia of the SAO SBWS arrested seven ethnic Hungarian and Croat civilians in Erdut and took them to the TO training centre in Erdut. On 26 December 1991, they were shot and killed. The bodies of six of the victims were buried in Daljski Atar.
40. On 21 February 1992, members of the TO of the SAO SBWS led by Željko Ražnatović and members of the Militia of the SAO SBWS arrested four non-Serb civilians in Erdut. All of the victims were interrogated in the Territorial Defence training centre in Erdut and then killed. The bodies of the victims were buried in a mass grave in Daljski Atar.

BOSNIA AND HERZEGOVINA

BIJELJINA

41. On or about 31 March 1992, acting at the request of local Serb leaders in Bijeljina Željko Ražnatović, members of Arkan's Tigers, other Serb forces and special units of the Serbia DB, attacked and took control of the town of Bijeljina.
42. In the early days of April 1992, members of Arkan's Tigers and the other special units of the Serbia DB terrorised the civilian population by killing non-Serb civilians.

BOSANSKI ŠAMAC

43. On or about 11 April 1992, special units of the Republic of Serbia DB arrived in Bosanski Šamac from the Republic of Serbia at the request of local Bosnian Serb leaders. These special units of the Republic of Serbia DB included Dragan Đorđević, also known as "Crni" and Srećko Radovanović, also known as "Debeli", and Slobodan Miljković, also known as "Lugar".
44. On 17 April 1992, Serb forces, including the special units of the Republic of Serbia DB and local forces who had been trained by members of the special units of the Republic of Serbia DB, attacked and took control over the town of Bosanski Šamac.
45. Beginning with the attack of Bosanski Šamac on 17 April 1992, Serb forces, including special units of the Republic of Serbia DB, detained non-Serb civilians at or near the Bosanski Šamac police headquarters (hereinafter SUP) and TO buildings. On several occasions from 17 April 1992 and 31 July 1992 members of the special units of the Republic of Serbia DB beat the non-Serb detainees.

46. On or about 27 April 1992 Slobodan Miljković beat several detainees held in the TO building and killed Anto Brandić, also known as "Dikan" by beating him repeatedly with a wooden club and then shooting him.
47. On or about 6 May 1992, approximately 50 Bosnian Croat and Bosnian Muslim detainees who had been detained at the Bosanski Šamac TO building were moved by the Serb authorities to an agricultural building in the nearby village of Crkvina (hereinafter referred to as "Crkvina"). On or about 7 May 1992, Slobodan Miljković and Dragan Đorđević with other members of the special units of the Republic of Serbia DB went to Crkvina. They beat the non-Serb detainees and shot and killed at least sixteen of the non-Serb civilian detainees.

DOBOJ

48. Special units of the Republic of Serbia DB established a training centre for local Serb forces at Mt. Ozren in the municipality of Doboj in early 1992.
49. On or about the night of 2 May 1992, the take-over of Doboj began when Serb forces, including special units of the Republic of Serbia DB, attacked and took control of the undefended town. Over the next few weeks Serb forces attacked different towns and villages in the municipality.
50. Beginning with the attack Serb forces on the night of 2 May 1992, Serb forces, including special units of the Republic of Serbia DB, detained non-Serb civilians in several locations in Doboj. Members of the special units of the Republic of Serbia DB entered these facilities and killed detainees.
51. On or about July 12, 1992, Serb forces, including special units of the Republic of Serbia DB, used non-Serb detainees as human shields and approximately twenty-seven civilians were killed.

SANSKI MOST

52. In September 1995, Željko Ražnatović and members of Arkan's Tigers, arrived in Sanski Most at the request of local Bosnian Serb leaders.
53. On or about 20 September 1995, members of Arkan's Tigers took twelve non-Serb men from various locations in Sanski Most and transported them in a truck to a site approximately five kilometres from Sanski Most, in the village of Trnova. At this location eleven of the men were executed and the twelfth man was shot and seriously wounded.
54. On or about 21 September 1995, a group of non-Serb civilians were forcibly taken to Sasina. In Sasina, the non-Serb civilians were removed from the vehicles at the western base of the hill near the village church. At this spot, members of Arkan's Tigers shot the group, killing approximately sixty-five non-Serb detainees.

SREBRENICA/TRNOVO

Background facts

55. On 8 March 1995, Karadžić, as the Supreme Commander of the VRS, issued Operational Directive 7, which ordered the Drina Corps of the VRS, in furtherance of two of the "six strategic objectives" adopted at the 16th session of the Bosnian Serb Assembly on 12 May 1992, to "By planned and well-thought-out combat operations create an unbearable situation of total insecurity with no hope of further survival or life for the inhabitants of Srebrenica...".
56. On 6 July 1995, the VRS and other Bosnia Serb forces under the command and control of General Ratko Mladić attacked the Srebrenica enclave. On 11 July 1995 Mladić and VRS and other Bosnian Serb forces under his command and control entered Srebrenica. Between 12 July and about 20 July 1995,

thousands of Bosnian Muslim men and boys were captured by, or surrendered to, Bosnian Serb forces under the command and control of General Ratko Mladić.

Murders at Trnovo

57. In June 1995 **Jovica STANIŠIĆ** and **Franko SIMATOVIĆ** ordered the Scorpions, a special unit of the Serbian DB, to travel from their base in Deletovci in Croatia, to Serb controlled territory near Sarajevo. The Scorpions arrived in BiH in early July 1995 and based themselves in the village of Trnovo, under Treskavica Mountain, near Sarejevo.

58. Between about 12 July and about 25 July 1995, some prisoners captured by Bosnian Serb forces after the fall of the Srebrenica enclave were taken to the base of the Scorpions at Trnovo. On the orders of Slobodan Medić (Boca) members of the Scorpions took six of these prisoners by truck to a secluded rural area at Godinjske Bare, several kilometres from their base, where they murdered the prisoners by shooting them. Acting on Medić's orders, members of the Scorpions videotaped the murders.

59. The murders of these six prisoners were committed either as part of the joint criminal enterprise described in paragraphs 8 to 14 of this indictment, or alternatively, as the natural or foreseeable consequences of that joint criminal enterprise.

ZVORNIK

60. On or about 8 April 1992, Serb forces, including Željko Ražnatović, members of Arkan's Tigers and other special units of the Serbia DB, attacked and took control of Zvornik. During this attack approximately 20 non-Serb civilians were killed in Zvornik.

61. By these acts and omissions, **Jovica STANIŠIĆ** and **Franko SIMATOVIĆ** acting alone or in concert with members of the joint criminal enterprise, planned, ordered, committed or otherwise aided and abetted the planning, preparation or execution of:

COUNT 2: MURDER, a CRIME AGAINST HUMANITY, punishable under Articles 5(a) and 7(1) of the Statute of the Tribunal.

COUNT 3: MURDER, a VIOLATION OF THE LAWS OR CUSTOMS OF WAR, as recognised by Common Article 3(1)(a) of the Geneva Conventions of 1949, punishable under Articles 3 and 7(1) of the Statute of the Tribunal.

COUNTS 4 AND 5


DEPORTATION AND INHUMANE ACTS (FORCIBLE TRANSFERS)

62. From on or about May 1991 until 31 December 1995 **Jovica STANIŠIĆ** and **Franko SIMATOVIĆ** acting alone or in concert with members of the joint criminal enterprise, planned, committed or otherwise aided and abetted the planning, preparation or execution of the unlawful forcible transfer or deportation of thousands of Croats, Bosnian Muslims, Bosnian Croats and other non-Serb civilians from their legal domiciles in the SAO Krajina, SAO SBWS and territories of BiH in the municipalities of Bijeljina, Bosanski Šamac, Doboj, Sanski Most, and Zvornik to other countries or other areas outside their home municipalities.


63. By these acts and omissions, **Jovica STANIŠIĆ** and **Franko SIMATOVIĆ** acting alone or in concert with members of the joint criminal enterprise, planned, ordered, committed or otherwise aided and abetted the planning, preparation or execution of:

COUNT 4: DEPORTATION, a CRIME AGAINST HUMANITY,
punishable under Articles 5(d) and 7(1) of the Statute of the Tribunal.

**COUNT 5: INHUMANE ACTS (FORCIBLE TRANSFER), a CRIME
AGAINST HUMANITY,** punishable under Articles 5(i) and 7(1) of
the Statute of the Tribunal.



Carla Del Ponte
Prosecutor



Dated 15 May 2006

At The Hague

The Netherlands