

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

Case No. IT-08-91-T

IN TRIAL CHAMBER II

Before: Judge Burton Hall, Presiding
Judge Guy Delvoie
Judge Frederik Harhoff

Registrar: Mr. John Hocking

Date filed: 12 July 2012

PROSECUTOR

v.

**Miéo STANIŠIĆ
Stojan ŽUPLJANIN**

PUBLIC

**PROSECUTION'S NOTICE OF FILING A PUBLIC REDACTED
VERSION OF THE PROSECUTION'S FINAL TRIAL BRIEF**

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1. The Prosecution hereby files a public redacted version of the Prosecution's Final Trial Brief,¹ attached at Annex A, pursuant to the Trial Chamber's 4 June 2012 "Order on filing of public redacted versions on final trial briefs"².
2. The Prosecution has redacted information that identifies protected witnesses,³ information that was brought into the court in private or closed session and information that reveals the content of exhibits filed under seal.
3. The corrections to the Final Trial Brief contained in the recently filed Corrigendum⁴ have been included in the public redacted version of the Prosecution's Final Trial Brief.

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Tom Hannis
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Dated this 12th day of July 2012
At The Hague, The Netherlands

¹ *Prosecutor v. Stanišić and Župljanin*, Case No. IT-08-91-T, Prosecutor's Final Trial Brief, 14 May 2012, confidential.

² *Prosecutor v. Stanišić and Župljanin*, Case No. IT-08-91-T, Order on filing of public redacted versions on final trial briefs, submitted by Trial Chamber II, 4 June 2012.

³ *The Prosecutor v. Prlić et al.*, Case No. IT-04-74-T, Decision on Prosecution Motion for Clarification Concerning Preparation of Public Version of Final Trial Briefs, 25-Mar-2011, public, pp.3-4.

⁴ *Prosecutor v. Stanišić and Župljanin*, Case No. IT-08-91-T, Prosecution's Corrigendum to the Prosecution's Final Trial Brief, 12th July 2012, confidential.

ANNEX A
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I. OVERVIEW

A. Introduction

1. In peacetime, the police serve an important role in protecting the citizenry through the enforcement of law and order. In times of ethnic strife, their role becomes critical. They either continue to perform their legal duties indiscriminately and diligently in order to reduce ethnic tension and crime, or they side with one ethnic group thereby propagating a culture of impunity and a climate of fear among the other ethnic groups. The evidence shows that during the Indictment period the police took the latter course, which resulted in the detention, death and expulsion of tens of thousands of non-Serbs from newly claimed RS territory.

2. The police were the first organised armed forces of the RS. This fact alone brings the RSMUP to the front and centre of the implementation of the JCE. However, whilst this case has concentrated on the role of the police in the undisputed crimes, they formed but one part – a vital part – of the triumvirate which took part in the planning and execution of the enterprise to create an ethnically pure Serbian state within BiH.

3. The political leadership of the SDS was the architect of the criminal plan, but it could not have been executed without the wholehearted participation of the civilian, military/TO and police authorities acting together in pursuit of the common goal. Accordingly the role played by the other actors in this joint criminal enterprise is equally as important as that of the RSMUP. Although the evidence about the actions of the military and other civilian bodies has, of necessity, been less extensive, it needs to be considered in conjunction with the evidence which specifically relates to police conduct, particularly the that which relates to the two Accused.

4. This consideration is of importance, as part of the defence for both Accused has been to suggest - through cross-examination and witnesses called on their behalf - that as a result of “interference” by military and civilian organs (CSs), they lost their authority to control, discipline, remove or prosecute their subordinates who committed breaches of the rules or committed crimes. Such suggestions are easy to make in the absence of accused persons who were part of the impugned bodies. As will be seen, these suggestions are incompatible with the weight of the evidence. Moreover as was stated both in documents and by witnesses, the civilian, military and police authorities had “common goals” and therefore “interference” even if it took place was intended to forward the enterprise. Accordingly the Accused rarely sought to complain about or rescind decisions, which it is now claimed meddled with their authority. For example, the Accused

appear to be asserting that Todorović (SJB chief for Bosanski Šamac) and Drljača (SJB Chief for Prijedor), both of whom are now dead, were put in place by Serb municipal authorities and were out-of-control rogues. Accordingly they had no command authority over either chief and therefore bear no responsibility for the crimes committed by the chiefs or their subordinates. As will be seen below the evidence shows this is a travesty of the truth.

5. The major allegation of interference, leading to a loss of command authority, has been in relation to the re-subordination of police units to the military. The evidence of documents and testimony from those with proper expertise in the matter shows that re-subordination of police units to the army was a formal process which took place for limited purposes and over a limited time-span. None of the crimes alleged in this indictment were committed by re-subordinated police units. In any event the preponderance of the evidence is to the effect that their police superiors retained authority over police in such units and were not absolved from a duty to investigate and punish their subordinates for offences committed during the time of re-subordination

6. The RSMUP, as the BIHMUP which preceded it, was a hierarchical institution based on military command and control principles. Regular reporting to superior levels was mandated and notwithstanding the difficulties caused by the conflict, the evidence shows it took place. Despite this, it appears to be the case for both Accused (as it is for many of the former RSMUP officials who testified) that either they were unaware of even the most notorious killings, or that they were unable to find the perpetrators, even when those perpetrators were members of the police. The killings at Korićanske Stijene and those outside the Health Centre in Kotor Varoš were committed by members of special police units and were known to all immediately after the killings and reported in official police and military documents. Not only did many of the RSMUP witnesses deny all knowledge of the former incident until much later (years in some cases), but neither Accused took any steps to ensure that the perpetrators were arrested let alone prosecuted. By contrast, where the victims were Serbs, such as was the case in respect of the activities of the Miće group (mixed police and army), or the paramilitary group the "Yellow Wasps", then both Accused were able to act with speed and efficiency. Much time was devoted to documenting war crimes committed against Serbs and dealing with economic crime such as the theft of Volkswagens from the "TAS" factory in Vogošća

7. This failure to take measures against the perpetrators of crimes where the victims were non-Serbs was so flagrant and so consistent across the geographical spread of municipalities that it can only have resulted from a policy decision. Given the Accused's affirmative duty to protect the

population at large which includes non-Serbs, as well as those held in police custody (therefore under the control of their subordinates), this failure to take measures both contributed to the JCE and aided and abetted the underlying crimes. Moreover the negative actions in pursuit of the criminal enterprise were accompanied by the positive. The RSMUP was pro-active in ridding its ranks of non-Serbs (replacing them often with well-known criminals); thereafter its members harassed and assaulted non-Serbs, took part in attacks on non-Serb villages and areas, looted and destroyed buildings, unlawfully imprisoned non-Serbs in facilities with appalling conditions, beat and killed them therein and transported those who survived into exile. Their activities during the indictment period were little less than a perversion of that part of the solemn declaration taken by members of the BiH MUP (but dropped from the one taken by members of the RSMUP) "to protect with all my power the rights, freedoms and safety of working people and citizens".

8. The constraints of a trial at this Tribunal have made it impossible to present fully the voice of the victims of the egregious crimes charged. The word limit imposed on this Final Brief has had something of the same effect, in that the municipality sections have had to be drastically curtailed. Accordingly very little description has been provided of the evidence given by the victims sometimes in testimony, usually by way of statement or the record of their previous testimony. However, it is often they who provide the compelling evidence of police involvement in the crimes. Furthermore whilst this Final Brief has concentrated on the evidence which implicates the Accused it cannot rehearse all the evidence on which the Prosecution relies to prove the case. A selection has been made. If the Trial Chamber finds that there is evidence outside that cited below, which lends support to the submissions made by the Prosecution, then its omission in this Final Brief should not be taken as an indication that the Prosecution does not rely on this evidence.

9. The Prosecution avers that the evidence set out in the following sections establishes beyond a reasonable doubt that both Accused were party to the joint criminal enterprise which had as its object the creation of an ethnically pure Bosnian Serb State.

B. Stanišić's Interview

10. **STANIŠIĆ's** suspect interviews¹ demand careful scrutiny. The Trial Chamber should give weight to **STANIŠIĆ's** incriminating statements, but should reject his numerous self-serving statements unless corroborated by other credible evidence.

¹ P2300-P2313.

11. It is not unreasonable for the Trial Chamber to accept certain parts of a witness's evidence while rejecting others.² In this case, the Trial Chamber has good reasons to accept only those parts of **STANIŠIĆ** suspect interview which incriminate him, they have, by their nature, strong indicia of reliability. As it has been noted, "[r]easonable people, even reasonable people who are not especially honest, tend not to make self-inculpatory statements unless they believe them to be true."³

12. On the other hand, **STANIŠIĆ**'s self-serving statements should be rejected such as his attempt to blame ŽUPLJANIN for a cover-up of the Koričanska killings.⁴ The jurisprudence of the Tribunal recognises that individual circumstances of a witness, including his or her possible involvement in the events or fear of self-incrimination or other underlying motives, which could affect the witness's credibility, should be considered when weight is given to his or her evidence. At the time of the suspect interview, **STANIŠIĆ** had been indicted for more than two years and therefore had a strong motive to shape his testimony to evade criminal liability.⁵ That **STANIŠIĆ**, tailored his evidence is clear in numerous passages of the suspect interview such as in his refusal to answer questions about some matters and certain documents saying that he would address them in his testimony.⁶ Yet, he ultimately declined to testify. While no adverse inferences as to **STANIŠIĆ**'s guilt may be drawn from his decision not to testify,⁷ his decision not to testify negatively undermines the probative value of his self-serving statements in his suspect interview.

C. Insider Witnesses

13. A number of witnesses were called by the Prosecution, Defence and the Trial Chamber who clearly were parties to the joint criminal enterprise or, at best, came into the category of tools of such parties. Many of them had been interviewed as suspects by the Prosecution. Most were seen by the Defence shortly before their testimony. During that testimony, many reneged on what they had said on important issues, in interview. It will be for the Trial Chamber to assess the overall reliability of their evidence, but the Prosecution suggests that the Chamber should consider the following factors when assessing that evidence:

²Kupreškić AJ, para.333; Blagojević AJ, para.82.

³ *Williamson v. U.S.*, 512 U.S. 594, 599 (1994). See Comment of the Advisory Committee for the Federal Rules of Evidence to FRE 804(b)(3) ("The circumstantial guaranty of reliability for declarations against the interest is the assumption that persons do not make statements which are damaging to themselves unless satisfied for good reason that they are true").

⁴ See P2303, pp.2-3; P2310, pp.20-2.

⁵ Stanišić was indicted on 25 February 2005 and had his initial appearance on 17 of March 2005. The suspect interview was conducted more than two years later, in July 2007.

⁶ See e.g. P2307 p.2, P2309 p.26, P2310, p.23 P2311 p.21

⁷ This would circumvent the purpose of Article 21(4)(g) of the Statute.

- was there bias shown by the witness;
- did the witness have a motive for giving false testimony;
- was there a lack of candour;
- was the witness truthful on some issues but not on others.

II. THE JOINT CRIMINAL ENTERPRISE

14. STANIŠIĆ and ŽUPLJANIN are responsible for the crimes alleged in the Indictment under JCE I, the elements of which are set out in the jurisprudence of this Tribunal.⁸ The common purpose shared by the Accused and the other JCE members was to permanently,⁹ and forcibly, remove Muslims, Croats and other non-Serbs from the territory of the planned Serbian state through the commission of crimes alleged in the Indictment, namely, persecution, extermination, murder, torture, cruel treatment, inhumane acts, deportation and forcible transfer. Although the common purpose must constitute one or more crimes, these crimes need not be a necessary means of achieving the JCE.¹⁰

15. The JCE came into existence no later than 24 October 1991 and continued throughout the 1992-1995 conflict, and the Accused participated in the JCE from no later than 1 April until at least 31 December 1992. While some JCE members physically carried out the crimes charged in the Indictment, most did not, including the Accused. Rather, the Accused and other JCE members used members of the Serb forces – including the police, army, TO and paramilitary organisations – as “tools” to implement the common criminal purpose.¹¹ For JCE members to be liable for the criminal conduct of these physical perpetrators, the perpetrators’ conduct must be imputed to at least one member of the JCE.¹² It is sufficient that the physical perpetrators were either under the control of a JCE member or closely cooperating with the organisations controlled by a JCE member in implementing the common purpose.¹³ The *mens rea* of the physical perpetrator acting as a tool is irrelevant.¹⁴

⁸ *Milutinović* TJ (Vol.I), para.97; *Brdanin* AJ, paras.364,365,418; *Stakić* AJ para.64; *Tadić* AJ, para.227; see Section II.2; *Kvočka* AJ, paras.82,115-9; *Krajišnik* AJ, para.215; *Vasiljević* AJ, paras.97,101; *Blaškić* AJ, para.33.

⁹ Although the evidence shows that the common plan was aimed at *permanently* removing the non-Serb population from the Serbian state, this is not a element of JCE liability. *Stakić* AJ, paras.307,317.

¹⁰ *Tadić* AJ, para.227.

¹¹ *Brdanin* AJ, para.413; *Martić* AJ, para.168; *Krajišnik* AJ, para.225.

¹² *Brdanin* AJ, para.413.

¹³ See *Martić* AJ, para.195; *Brdanin* AJ, para.410.

¹⁴ See *Brdanin* AJ, paras.362,410-3,430; *Martić* AJ, paras.168-72; *Krajišnik* AJ, para.226.

16. The evidence in this Section shows a clear pattern of events across the 20 charged municipalities. The level of organisation, cooperation, coordination and consistency in implementing the alleged measures and crimes demonstrates a high degree of control exercised by JCE members at the upper echelons of the BSL at the republic, regional and municipal level. As such, the evidence allows for only one reasonable conclusion: the crimes alleged in the Indictment served a common purpose. However, in the event the Trial Chamber finds that any of the crimes alleged in the Indictment were not part of the common plan, the Accused are still liable for those crimes under JCE III, as they were the natural and foreseeable consequences of the implementation of the JCE, and the Accused willingly took that risk.¹⁵

17. One of the primary means through which the Accused and other JCE members achieved their common purpose was through forcible displacement of the non-Serb population. Forcible displacement encompasses forcible transfer and deportation. Forcible transfer has been defined as the forcible displacement of persons which may take place within national boundaries.¹⁶ Under certain circumstances displacement across a *de facto* border may be sufficient to amount to deportation. In general, the question whether a particular *de facto* border is sufficient for the purposes of the crime of deportation should be examined on a case by case basis in light of customary international law.¹⁷ For the purposes of persecutions, it is irrelevant whether “deportation” encompasses a border element, because acts of “forcible displacement” are equally punishable as underlying acts of persecutions whether or not a border is crossed.¹⁸ Deportation is the forced displacement of persons by expulsion or other forms of coercion from the area in which they are lawfully present, across a *de jure* state border or, in certain circumstances, a *de facto* border, without grounds permitted under international law.¹⁹

18. The *actus reus* of forcible displacement is the displacement of persons by physical expulsion or by “other coercive acts”.²⁰ Acts that deprive the target group of any “genuine choice” about whether to leave their homes are unlawful,²¹ including the shelling of civilian objects, the burning of civilian property and the commission of or the threat to commit other crimes “calculated to terrify the population and make them flee the area with no hope of return.”²² Such acts can also include subjecting the target group to “intolerable living conditions” which make it “impossible for

¹⁵ *Brdanin* AJ, para. 411.

¹⁶ *Krnjelac* TJ para. 474; *Krstić* TJ, para. 521.

¹⁷ *Stakić* AJ, para. 300.

¹⁸ *Naletilić* AJ, Judge Schomburg dissent, paras. 3-9.

¹⁹ *Stakić* AJ, para. 278.

²⁰ *Krnjelac* TJ, para. 474.

²¹ *Krnjelac* AJ, para. 229; *Blagojević* TJ, para. 596; *Brdanin* TJ, para. 543; *Stakić* AJ, para. 279.

²² *Simić et al.* TJ, para. 126.

them to continue living there”, including movement restrictions, requiring them to pledge their loyalty to their oppressors, dismissing them from their jobs, stripping them of health insurance²³ and cutting off their water, electricity and telephone services.²⁴

19. In determining whether the crimes charged were part of a widespread or systematic attack on a civilian population, the Trial Chamber can rely on evidence of incidents not charged in the Indictment.²⁵ Hence, this Brief will address some of the evidence presented at trial that related to uncharged municipalities or crimes.

A. Emergence and Development of the Common Plan

20. Before dealing with the specifics of the RSMUP’s role in the common plan, it is necessary to look at the other aspects of the development of the plan.

1. Regionalisation

21. “Regionalisation” is the name given to the SDS campaign in BiH to gain one-party rule and single-nationality (Serb) control in order to remove territory inhabited by Serbs from the jurisdiction of BiH.²⁶ Although the HDZ and SDA took similar actions, the SDS was the first to do so, and it was “the most consistent and persistent in universally carrying our regionalisation.”²⁷

22. Before the Serbs could create their new state in the territory of BiH it was necessary to break apart the existing state. One of the earliest steps in the process was the creation of SAOs. In early 1991 the SDS began to organise Serb-majority municipalities into communities of municipalities. By November 1991 SAOs had been formed covering the areas of Krajina, Herzegovina, Northern Bosnia, Northeastern Bosnia, Romanija and Birač.²⁸

23. The Krajina region was the first to establish this type of regional organisation and eventually transform it into a functioning part of what became the RS.²⁹ The founding assembly of ZOBK was held on 25 April 1991 headed by Kuprešanin and Brdanin.³⁰ The municipalities involved (but for Ključ) were all ones with Serb majority populations.³¹ The 14 May 1991 session minutes reveal a

²³ *Brdanin* TJ, para. 551.

²⁴ *Krajišnik* TJ, para. 729.

²⁵ See *Galić* AJ, paras. 218-9, 231; *Lukić* TJ, para. 890; *Dorđević* TJ, paras. 1596-1598.

²⁶ AF84; P30, p. 23.

²⁷ P30, p. 23.

²⁸ AF85; P771; P772; P774; P1353.19; P1880.

²⁹ See AF738-743.

³⁰ P2078; P67.

³¹ *Donia*, P31, pp. 48-9.

political, SDS-driven bias, and show that the aim was not purely based on geographical and economic grounds, as the integration of the regional SUP and the judiciary was proposed.³² By 16 September 1991, all pretence that this was anything other than a Serb political organ was abandoned when the ZOBK Assembly transformed itself into the ARK and adopted a statute.³³ Although some non-Serbs had been present at the founding assembly of ZOBK, there were only Serbs at this debut of the ARK, including several who went on to play significant roles in the JCE: Brdanin, Mišković, Drljača, Vrkeš and Rašula.³⁴

24. Faced with criticism concerning this campaign, SDS leaders contended that it was being done only for economic, cultural and informational purposes.³⁵ Their true intention was more nefarious. In conversation with Slobodan Milošević on 9 September 1991, Karadžić said:

Today I'm meeting with Izetbegović again. They're simply going for a separation of BH and we are going to implement a regionalisation and introduce our MUP wherever we are in power [...].³⁶

25. The effectiveness of the SAOs in interfering with the functioning of the BiH authorities was enhanced by the creation of Serb municipal bodies as called for in the Variant A/B Instructions.³⁷

26. At the 20th BSA session, the purpose of regionalisation was spelt out:

At a time when we had to destroy a unitary Bosnia, the SAO regions and districts were politically and territorially the best solution because with them we could round off our territories locally [...].³⁸

Last year we built up the region and made it strong with a clear purpose and goal. The task of the Region of Krajina was to destroy Alija's [Izetbegović's] state. I think that other regions followed suit and we were successful in that respect.³⁹

27. While regionalisation was crucial in breaking BiH apart, SAO leaders were later reluctant to surrender power. By September 1992, the ARK was the only active one and was effectively abolished during the 20th BSA session.⁴⁰

³² P2055.

³³ P770,P1353.26.The entire process bore great similarity to activities of the Croatian Serbs who eventually formed an SAO Krajina in December 1990 and then a year later into the RSK. See [REDACTED].

³⁴ P68, at 70,116,122,165,195, respectively.

³⁵ P30,pp.23-4.

³⁶ P23,p.2.

³⁷ See Sections II.A.2 and 4.

³⁸ P430,p.68(ST-215).

³⁹ P430,p.70(Kuprešaniin, Banja Luka).

⁴⁰ P199,pp.16-7;Hanson,T.4400-8;Đokanović,T.3572-5;L65;P397.06;P430(Karadžić),p.16.

2. Creation of Parallel Structures (Bosnian Serb Laws and Institutions)

28. The creation of parallel Serb structures began shortly after the tumultuous 8th Joint Session of the BiH Assembly on 14 October 1991 during which Serb deputies walked out in protest over a proposal to declare BiH a sovereign and independent republic.⁴¹ Ten days later, the Serbs convened and established their own separate Assembly.⁴² During that first session it was resolved that Serb representatives in BiH republican bodies would not relinquish their offices but would continue to carry out their duties.⁴³ In addition, the delegates voted to conduct a plebiscite on 9-10 November at which the Serbian people would “state their position on remaining in the joint state of Yugoslavia.”⁴⁴

29. On 26 October 1991, Karadžić met in Banja Luka with ARK municipal SDS presidents and gave an “order” calling for, among other things, the formation of town commands, increased mobilisation of the TO, formation of military units and the take-over of various public bodies.⁴⁵

30. At the second BSA session, the successful results of the plebiscite were reported and it was decided that municipalities where more than 50% of registered Serbian citizens voted for a common state “shall be considered the territory of the Federal State of Yugoslavia.”⁴⁶ Two other actions at this session furthered the creation of parallel organs: the Decision on verification of the Serbian Autonomous Regions and Districts, and the appointment of a commission on the adoption of a constitution.⁴⁷

31. On 21 December 1991, one day after failing to block a BiH Government and Presidency decision to apply to the European Community for recognition of BiH as an independent state, the BSA issued a decision to set up the RS “as a federal unit within the Federal State of Yugoslavia.”⁴⁸ The Assembly also decided to establish a Ministerial Council which included STANIŠIĆ as a Minister without portfolio.⁴⁹

32. On 9 January 1992, the BSA unanimously proclaimed the Republic of Serbian People of BiH to be a federal unit of the “Federal State of Yugoslavia” and that this newly established

⁴¹ 1D92;P13.

⁴² P1931;P2067.

⁴³ P1931,p.15.

⁴⁴ P1931,p.45.

⁴⁵ P960.12.

⁴⁶ P1932;P11,p.25;P2068.

⁴⁷ P11;P2068;P2095.

⁴⁸ P10,pp.3-15;P179.11.

⁴⁹ P180.

republic was in the area of “the Serbian autonomous regions and districts and other Serbian ethnic entities in Bosnia and Herzegovina, including the areas where the Serbian people are a minority due to genocide committed against them during the Second World War [...]”⁵⁰

33. On 11 February, in Banja Luka a group of senior Serb BiH MUP members, including STANIŠIĆ and ŽUPLJANIN, met to discuss the creation of a Serb MUP in BiH.⁵¹ Additional steps in establishing parallel structures were taken on 28 February when the BSA unanimously adopted the RS Constitution.⁵² Several other key laws were adopted at this 9th session including the Law on Defence and the Law on Internal Affairs (LIA).

34. On 24 March, the BSA issued a decision verifying the proclamation of various Serb municipalities.⁵³ In addition, the Assembly elected Branko Đerić as Prime Minister and STANIŠIĆ as Minister of the Interior.⁵⁴ During discussions on March 24th, the Assembly proposed that the new Government should prepare “an operational plan for assuming power [...] in particular in the field of internal affairs, national defence and money transactions [...] in all municipalities where we already have Serbian authorities, and in those municipalities where we have only recently established Serbian municipalities.”⁵⁵ Contrary to any Defence suggestions, there is no evidence of any similar activity by Muslims and Croats.

35. Just three days later at the 14th session, the BSA announced the official promulgation of the RS Constitution. One other pertinent act at this session was the Decision to establish the National Security Council (“NSC”) which was headed by Karadžić and included the Prime Minister, Ministers for National Defence and Foreign Affairs, and the Minister of the Interior STANIŠIĆ.⁵⁶

36. As a result of the actions above, by late March, the nascent RS was well situated to implement the takeover of political and military control of territories in BiH they wished to include within their boundaries. As described in more detail herein, the physical takeovers began at this time and continued into the summer.

⁵⁰ P1934;P1935,p.10;L.29.

⁵¹ 1D135. More detail in Section III.B.2 and C.2.

⁵² P1997.

⁵³ P439,p.24.

⁵⁴ P439,pp.24-5;P198,pp.6-9.

⁵⁵ P439,pp.24-5;P198,pp.12-3.

⁵⁶ P1838,pp.2-12,14;L.327.

3. Climate of Fear (including propaganda)

37. After the 1990 elections, the initial cooperation and goodwill between the nationalist parties began to give way to suspicion and distrust, exacerbated by Serb concerns that the BiH would declare independence and that Serbs would become an ethnic minority in an independent Bosnia.⁵⁷

38. One solution in the eyes of many was the concept of a “Greater Serbia” which envisioned the expansion of Serbian territory beyond the borders of Serbia proper into portions of BiH and Croatia that contained substantial Serb populations.⁵⁸ Propaganda supporting this movement recalled atrocities committed against Serbs by the Croat “Ustaša” in World War II and suggested that Serbs could again be victimised if they failed to unite.⁵⁹ The “fundamentalist” Muslim community was also represented as a threat.⁶⁰ Numerous witnesses testified to the pervasive effect that ethnic hate speech and propaganda had on them, their families, and entire communities.⁶¹

39. In many ways the Muslims were viewed as an even bigger threat than the Croats. In autumn 1991, the SDA and SDS failed to reconcile differences over their views of the future status of BiH. Hostile rhetoric used by the leaders of both parties carried in the public media created mutual suspicions and increased inter-ethnic tension.⁶² Karadžić speaking in November 1991 about the upcoming Serb plebiscite said:

The Muslim gentlemen are now establishing a ministry for emigrants. Yesterday I told Izetbegović openly [...] you want to move all that rabble, beggars and scoundrels from Turkey and settle them in our territories [...] [W]hatever Bosnia we have one day, no Muslim foundation shall ever be laid in Serb areas and Serb villages [...] all foundations that are laid will be blown up [...] [W]e will not allow the demographic picture to change, either naturally or artificially[...] You must not sell land to Muslims. You must not.’ Because this is a fight to the finish, a battle for living space.⁶³

40. Ethnic propaganda and a climate of fear created by these wars of words continued throughout the conflict wherever there were still substantial non-Serb populations in RS territory.⁶⁴ The atmosphere of fear was useful to keep Serb support for the discriminatory measures being implemented against non-Serbs and it encouraged non-Serbs to leave the territory⁶⁵.

⁵⁷ AF82;AF87-AF89.

⁵⁸ AF31.

⁵⁹ AF32.

⁶⁰ AF32. *See also* P30,pp.36-41.

⁶¹ A.Draganović,P411.6,T.3775,[REDACTED];ST-080,P2116,T3382-83,Karabeg,P60,T.6319-21;AF74;AF127;AF762-63.

⁶² AF89.

⁶³ P2059,p.6.

⁶⁴ *See, e.g.*,P110.

⁶⁵ *See* Section II.D.2.

4. Variant A/B

41. One of the earliest and starkest manifestations of the existence and nature of a common plan can be found in the SDS Main Board/SDS BiH CS document entitled “Instructions for the Organisation and Activity of Organs of the Serbian People in Bosnia and Herzegovina in Extraordinary Circumstances” and dated 19 December 1991.⁶⁶ These Variant A/B Instructions were distributed by the SDS leadership the next day to municipal SDS leaders who in turn relayed them to their own municipal boards.⁶⁷ The contents are self explanatory and the issuing/distribution of this document has not been challenged.⁶⁸

42. Immediately after the Instructions were issued, several local SDS municipal boards began to form CSs and took actions to carry out the first stage.⁶⁹ On 26 January, Jovan Čizmović, the republic coordinator with the ARK and other SAOs, told the BSA that “tasks set out in the Instructions of 19 December 1991 should be carried out.”⁷⁰ On 14 February, at an extended session of the SDS Main and Executive Boards, Karadžić called for activation of the second stage of the Instructions “to intensify the functioning of the government at any cost and on every single millimeter of our territory.”⁷¹ Finally, on 24 February, the SDS Executive Board appointed coordinators to work with regional CSs, including the ARK.⁷²

5. The Strategic Goals

43. At the 16th session of the RS Assembly in Banja Luka on 12 May, Karadžić announced the six strategic goals of the Serbian People in BiH.⁷³ He noted that these had been formulated by “the Presidency, the Government, (and) the Council for National Security.”⁷⁴

44. Karadžić stated that the first strategic goal was the separation from the other two national communities.⁷⁵ The next three strategic goals were related to territorial boundaries: a corridor between Semberija and Krajina; a corridor in the Drina River valley to eliminate the border separating “Serbian states”; and a border on the Una and Neretva Rivers.⁷⁶

⁶⁶ P69;AF100.

⁶⁷ P447;P1153;P1154;P1610,p.100.

⁶⁸ The covert nature of these instructions and their importance was made clear by Karadžić at the 50th BSA. P438,p.306.

⁶⁹ P436;P447;P522.

⁷⁰ P1845;P706,p.13.

⁷¹ P1841,p.24. *See also* P1610,p.122.

⁷² Hanson,P434,para.23;P1848;P1849;P1850.

⁷³ P74,p.13;P24.

⁷⁴ P74,p.13. *See also* P1753,p.252.

⁷⁵ P74,p.13.

⁷⁶ P24,P74,p.14.

45. Strategic goal number five was to divide Sarajevo into two parts, one Serbian and one Muslim. Karadžić noted that this goal was of “decisive importance” because as long as Serbs had a part of Sarajevo, Muslims would “not have a state.”⁷⁷ He added that fighting in Sarajevo kept the Muslims tied down and kept the fighting away from the Krajina, Semberija and the Drina, areas where the Serbs could possibly have conflicts with Muslims.⁷⁸

46. The final strategic goal was access to the sea. Karadžić noted that this would require the RS to “dispute a part of the territory there and not recognise that area as part of the Croatian state.”⁷⁹ Assembly President Krajišnik told the delegates that the first goal of separation was the “most important one” and that all the others were “sub-items.”⁸⁰

47. It is clear that the Assembly members were informed about recent events on the ground and the manner in which these goals were going to be achieved. Vječtica, from Bosanska Krupa stated that there are “no more Muslims” in Bosanska Krupa as “we have evacuated them” and that there was no place for them since Karadžić “told us the happy news that the right bank of the Una was the border”. He added that Bosanski Novi was sealed off, a deadline set for Muslims to surrender their weapons and that the same was going on in Sanski Most.⁸¹

48. At this same session, the VRS was established by unanimous vote, and the newly-appointed commander, General Mladić, spoke about the strategic goals:

To achieve a goal you need forces [...] As for defining the goal, it would be very useful to determine and to define the territory of the Serbian Republic of Bosnia and Herzegovina [...] If we have taken something in this war that was not ours, we need to keep hold of it so that in political negotiations we can get those things that were ours, and that we cannot get in any other way.⁸²

The thing that we are doing needs to be guarded as our deepest secret.⁸³

General Mladić’s own notes indicate that he was involved in formulating the strategic goals with Krajišnik and Karadžić on 7 May.⁸⁴

49. During the ensuing course of the conflict, the VRS Main Staff issued a number of “Directives” for further actions that guided the military operations necessary to achieve the strategic

⁷⁷ P74,p.14.

⁷⁸ P74,p.14.

⁷⁹ P74,p.14.

⁸⁰ P74,p.52.

⁸¹ P74,p.26.

⁸² P74,p.38.

⁸³ P74,p.40; *See also* P24.

⁸⁴ P1753,pp.262-3 (Note here that strategic goal one is written “to separate from the Croats and Muslims forever”). For an analysis of the importance of the Strategic Goals *see* Brown P1803 paras.1.41-1.60

goals.⁸⁵ The first “Directive” was issued on 6 June, and related to strategic goals two and five, that is, to opening a corridor between the Krajina and Semberija, and dividing Sarajevo.⁸⁶

50. Worthy of special note is Directive #4 of 19 November, which refers to various corridors (relating to strategic goals 2-4), as well as to “access to the sea.”⁸⁷ The task assigned to the Drina Corps included persistent defence of Višegrad dam, Zvornik and the “corridor” by the main forces, whilst the remainder “shall exhaust the enemy, inflict the heaviest possible losses on him and force him to leave the Birač, Žepa and Goražde areas together with the Muslim population.”⁸⁸ Forcing the Muslim population to leave those areas is consistent with the primary strategic goal of “separation from the other two national communities.”⁸⁹

51. Directive #4 was issued shortly after an 8 November meeting between the RS political leaders and top-level VRS commanders, during which Krajišnik commented:

We have a disproportionate engagement of the army in relation to the strategic objectives. We have not achieved: the Neretva, the sea, and the Podrinje area. We have achieved: the corridor, separation with the Muslims [...] The Muslims must not stay with us and they should not be given any kind of autonomy [...] The most important task is separation from the Muslims.⁹⁰

B. Background to the Creation of the RSMUP

52. In the course of 1991, Serbs employed in the BiHMUP and the SDS leadership were in regular disagreement about “personnel questions” relating to the appointment and dismissal of Serbs.⁹¹ These tensions were apparent on the regional and municipal levels as seen in a complaint from ŽUPLJANIN.⁹²

53. Karadžić was in frequent contact with Žepinić and Mandić about personnel issues and insisted those matters be decided by the SDS Main Board.⁹³ On 17 June 1991 Karadžić told Žepinić:

There’s no way that an appointment or a change in personnel could happen without the approval of the SDS. Anything that concerns nominations and appointments! Not a single situation concerning staff!⁹⁴

⁸⁵ P1794;P1797;P1780.

⁸⁶ P1794,pp.2-3.

⁸⁷ P1780,p.4.

⁸⁸ P1780,p.5.

⁸⁹ P74,p.13.

⁹⁰ P1764,pp.146-7.

⁹¹ Nielsen,P508,para.10.

⁹² Nielsen,P508,para.11;1D112.

⁹³ Nielsen,P508,para.14;P885.

⁹⁴ P717. See also P894;P899.

54. Five weeks later, on 24 July, Karadžić reiterated to Žepinić his mantra. He went on to speak these prophetic words:

I was with Izetbegović last night and with Zulfikarpašić. And I told him, right into his face, we'll establish a parallel government, parallel police, we'll withdraw our people and they'd have to be paid by the Government. We'll withdraw all our people under arms. We'll establish an entire parallel state if you keep on screwing us [...] Not even God could stop us in that, because they started to fuck with us and to fuck us up. And there's no doubt, we'll do all that in a week. So let there be war, let there be war, but we'll finish the job for once.⁹⁵

55. As mentioned above, Karadžić had already announced his intentions to Milošević.⁹⁶ On 17 September 1991 after learning about Vlaški's removal, Karadžić declared:

That is the last straw [...]. If Čedo Kljajić and Vlaški are not back on their positions tomorrow, all of them must resign. And a separate MUP will be made, we'll make that MUP from the persons we choose and appoint [...] we shall withdraw all our cadres and we'll make our Government and our own MUP.⁹⁷

56. The notion of a separate Serb police in BiH was the subject of careful analysis as early as 17 October in a document entitled "Possibilities of Organising a Serbian Ministry for Internal Affairs."⁹⁸ This paper described four alternative means of achieving the stated goal; two of which presumed co-operation with the existing BiH MUP and two of which were based on independent initiatives of the BSA and the as yet to-be-formed Serbian "Government" in BiH.⁹⁹

57. Radovan Karadžić told Milošević on 24 October 1991 that there was no way that the Bosnian Serbs would continue to live in a country with the Muslims and that they were "moving on" with a goal that they would control 65% of the territory.¹⁰⁰ On 9 January 1992 at the BSA, which proclaimed the establishment of the "Republic of Serbian Bosnia and Herzegovina", Karadžić affirmed:

There is no going back, and I think there is not even any possibility of a return to a united Yugoslavia, or a united Bosnia and Herzegovina, nor should there be one.¹⁰¹

58. Final preparations for a new Serbian MUP continued simultaneously with political developments described in Section II.A.2. On 11 March, at the tenth BSA session, the delegates

⁹⁵ P897. See also P768,p.4;P1106.

⁹⁶ P23,p.2; Section II.A.1.

⁹⁷ P903,pp.2-3.

⁹⁸ P521.

⁹⁹ P521;Nielsen,P508,paras.41-2.

¹⁰⁰ P1130,p.1,7.

¹⁰¹ P1935,p.49.

unanimously called for implementation of the LIA.¹⁰² One week later, at the eleventh BSA session, Krajišnik told the delegates what needed to be done next:

[I]t would be good if we could do one thing for strategic reasons: if we could start implementing what we have agreed upon, the ethnic division on the ground. That we start determining the territory, and once the territory is determined, it remains to be established in additional negotiations whose authorities are to function and in what way [...].¹⁰³

I have realised that responsible government should be established in Serbian Bosnia and Herzegovina [...] urgently form MUP, national defence; money transfer systems; take the Serbian territories [...].¹⁰⁴

59. Karadžić also spoke at length at this session about what was achieved and the work ahead to create an independent Serbian state in BiH:

I think that the Council of Ministers will have to work around the clock to...prepare some additional laws, establish the SDK and so forth. We shall announce our withdrawal from MUP, not to mention that we have already obtained the badges.

Once we have attained an independent Serbian Bosnia and Herzegovina [...] the possibility will open to us for establishing state, economic, cultural and any other links that we want. We do not have to say everything yet [...]. The ultimate strategic goal must still remain a secret.¹⁰⁵

60. On 23 March, the new LIA was published in the RS Official Gazette. By its terms it was to “enter into effect eight days after its publication” in the Gazette.¹⁰⁶ On 24 March Karadžić informed the BSA of imminent instructions that “the actual and sovereign authority of the Serbian Assembly be established on the ground as soon as possible,” assured them that “the police is absolutely sufficient” and declared that “what is important to us at this moment is the Minister of the Interior.”¹⁰⁷ At a second BSA session that day, at the insistence and with the support of Karadžić, STANIŠIĆ was appointed RSMUP minister.¹⁰⁸

61. On 31 March, Mandić sent a dispatch to all BiHMUP personnel informing them STANIŠIĆ’s appointment and that the RS LIA was to be uniformly applied from 1 April.¹⁰⁹

62. Alija Delimustafić, Minister of the BiHMUP, immediately tried to stop the split.¹¹⁰ On 5 April, Mandić was formally dismissed from the BiHMUP.¹¹¹ That day, Žepinić was forced to resign

¹⁰² P707,p.54.

¹⁰³ P708,p.12.

¹⁰⁴ P708,p.45.

¹⁰⁵ P708,p.44.

¹⁰⁶ P530,p.18.

¹⁰⁷ P439,pp.16,21-22.

¹⁰⁸ P198,p.9;Mandić,P1318.08,T.9289-90.

¹⁰⁹ P353.

¹¹⁰ ID136;P2320. It should be noted that this dispatch was signed not only by Delimustafić and Mandić, but all members of the Collegium except STANIŠIĆ. One reason STANIŠIĆ did not sign is because he was physically absent, being in Trebinje for another review event like in Sokolac on 30 March. Kruļj,T.1969-1970;2210-2214.

by the SDS leadership, including STANIŠIĆ.¹¹² On 6 April, when Mandić and Milenko Karišik carried out the physical takeover of the Vraca police school, the split was clearly beyond repair and there was no looking back for the new RSMUP.¹¹³ Within the first weeks of April, Serb SJBs and CSBs were already using the new RSMUP letterhead or addressing reports to the RSMUP.¹¹⁴

C. Membership of the Joint Criminal Enterprise

63. While the crimes alleged in the indictment did not occur until after the outbreak of the conflict in April 1992, the contribution of the major participants, particularly those who held positions of authority at the three levels of the RSMUP i.e. Republic, Regional and Municipal, in many cases began at an earlier stage. Both Accused were major participants in the JCE.

64. STANIŠIĆ was closely connected with the development of the enterprise, together with Karadžić, Krajišnik, Plavšić, Koljević, Mandić, Rajko Đukić and other leading members of the SDS. Other members of the BSA and the government in which STANIŠIĆ was a Minister such as Đerić, Ostojić and Subotić were equally leading participants in the JCE. Those STANIŠIĆ appointed as his assistant ministers, such as Kljajić and Kovač all played their role in the development of the enterprise. The co-operation between RSMUP and the JNA/VRS in the securing of territory meant that STANIŠIĆ had to have close contact with the military leadership, in particular with Mladić, the leading army participant in the enterprise and other members of the VRS Main Staff who were issuing directives to achieve the strategic goals set by the political leadership.

65. On 1 April, STANIŠIĆ appointed four of his CSB chiefs, namely ŽUPLJANIN (Banja Luka), Ječurić (Bijeljina), K.Savić (Trebinje), Bjelošević (Doboj). All four had attended the key February 11th meeting in Banja Luka. They, together with Cvijetić (Sarajevo), were the leading RSMUP and JCE members at the regional level. The creation of the SAOs had increased the importance of the CSB chief's role. CSB chiefs (with SNB regional chiefs such as Kesić) co-operated with their political and military counterparts in the achievement of the common goals. At the regional political level, Brdanin (also a member of the BSA) was a key member of the JCE together with other members of the ARK CS which included ŽUPIJANIN. Whilst the relationship between the army political and RSMUP may have been a fractious one, they shared the same goals

¹¹¹ ID00256.

¹¹² Section III.B.2.

¹¹³ Nielsen,P508,para.94.

¹¹⁴ P547;P325;P1093;1D137;P355,p.5;P2072.

and, at the regional levels, corps commanders such as Talić (a member of the VRS Main Staff and the ARK CS), their immediate staff and regional subordinates were participants in the JCE.

66. From December 1991, the parallel organs of government were established by a number of people including Rašula and Vrkeš in Sanski Most, Stakić in Prijedor, Prodrag Radić (also a member of the ARK CS) in Banja Luka, ST-215 and Tintor in Vogošća. SJB chiefs such as Drljača in Prijedor, Maksimović in Vogošća, Todorović in Bosanski Šamac and Kondić in Ključ, together with their station commanders, were (as the Variant A/B instructions dictated) members of the local CSs and played their part in the enterprise. Replicating the regional level, but having an even closer relationship with the RSMUP and political leadership (as a result of regular CS meetings and geographical proximity), the local VRS commanders such as Arsić in Prijedor, ST-197, Basara in Sanski Most and Stanković in Doboј were major participants in the enterprise.

67. The crimes alleged, committed during and after the physical take-over of territory, were physically perpetrated primarily by members of the police, army, TO and paramilitary organisations. Some, such as those in charge of detention facilities or special police units (however described) or leaders of paramilitary groups, had roles of sufficient importance which they would not have been allocated, or undertaken, had they not been participants in the JCE. The first of these categories would include Mejakić (Omarska) and ST-137; the second would include Ljuban Ećim, Slobodan Dubočanin; the third, Arkan, Veljko Milanković (“Wolves of Vučjak”) and Vujin Vučković (“Yellow Wasps”). However, in respect of those physical perpetrators of crimes for whom there is insufficient evidence to show that they were participants in the JCE, they were acting as “tools” under the direction of participants in the JCE¹¹⁵. The paramount examples of such “tools” being ST-023 and Daniluško Kajtez.

68. The indictment and trial has focused on key members of the JCE, particularly those persons who interacted with the two Accused. However, previous decisions in this Tribunal have established that there is no limit to the size of the JCE¹¹⁶ and the evidence shows that there were many others involved at all levels.

¹¹⁵ See Section II.D.2.

¹¹⁶ *Milutinović* TJ(Vol.I),para.98;*Krajišnik* TJ,para.1086.

D. Implementation of the Common Plan

1. Introduction

69. The implementation of the plan through the physical perpetrators was carried out in the municipalities across Bosnia including the indictment municipalities; therefore the evidence of its implementation and manifestation at the municipal level will be examined first and its connections with the BSL second.

70. The pattern evidence demonstrates that the crimes charged in the indictment occurred as a direct result of implementation of the common plan. [REDACTED]¹¹⁷ [REDACTED]¹¹⁸

(a) Pattern of Attacks and Crimes

71. The attacks on, and crimes committed in, the various indictment municipalities reveal a clear pattern indicating that they cannot have happened *par hasard* but reflect the implementation of a common plan which included many, or all, of the following matters:

- a) The Serb population was clandestinely armed¹¹⁹ while the non-Serb population was systematically disarmed;¹²⁰
- b) False reports that non-Serbs were preparing to commit atrocities against Serbs;¹²¹
- c) The SDS established parallel government organs;¹²²
- d) Non-Serb civilians were harassed and arrested at checkpoints manned by Serb police, soldiers and paramilitaries;¹²³
- e) Dismissals of non-Serbs, in particular in the police force and municipal institutions;¹²⁴
- f) Utilities to non-Serbs were cut off, and non-Serbs were required to report for work assignments;¹²⁵

¹¹⁷ [REDACTED].

¹¹⁸ [REDACTED].

¹¹⁹ AF698;AF770;AF840;AF1237;AF1297;P27,p.5;P756,p.3;P1353.25.

¹²⁰ AF698;AF710;AF1002;AF1131;AF1171;AF1286;AF1298;AF1357;P372,p.2;P373;P411.20;P780.

¹²¹ AF36;AF37. *See also* P110.

¹²² AF97;AF98;AF102;AF104;AF105;P435;P1838.

¹²³ AF96;AF822;P1016;P1813;A.Džafić,T.6179-81;ST-79,T.2244-53.

¹²⁴ AF752-AF754;P450.

¹²⁵ P1318.33;P2042.

- g) MUP, VRS, TO and Serb paramilitary forces, working in coordination with CSs, intimidated and terrorised non-Serbs. These forces shelled non-Serb areas of towns and villages and took control of important facilities;¹²⁶
- h) Unarmed non-Serbs were executed following arrest;¹²⁷
- i) Many non-Serbs were detained and robbed;¹²⁸
- j) Non-Serbs, including some women and children, were arrested and detained in military camps and in makeshift detention centres guarded by police, army, and sometimes by paramilitaries;¹²⁹
- k) Conditions at these overcrowded detention centres were appalling;¹³⁰
- l) Detainees were beaten by Serb guards, police, army and visitors who were permitted access to the camps; many were beaten to death. Some detainees were taken away and executed;¹³¹
- m) Detainees were subjected to acts of humiliation;¹³²
- n) The remaining non-Serb population was terrorised by various Serb armed groups (including the police, VRS, TO and paramilitaries) through house searches, looting, beatings, rapes and killings;¹³³
- o) Non-Serbs had to sign documents purporting to confirm their “voluntary” departure from a municipality, and their “voluntary” decision to turn over their property to Serb municipal authorities. Many were then transferred by bus and/or trains out of Serb-held territory;¹³⁴
- p) Abandoned Muslim houses were looted and then allocated to Serbs;¹³⁵
- q) Religious buildings and other culturally significant non-Serb sites were deliberately destroyed or damaged. Serb cultural property was protected;¹³⁶

¹²⁶ AF165;AF220-AF221;AF232;AF233;AF238;AF473;AF474;AF500-AF503.

¹²⁷ AF558-AF563;AF564-AF566;AF638;[REDACTED];ST-015,T.2666-75;ST-080,T.7556-65;S.Džafić,2281,pp.6-9.

¹²⁸ AF474,AF569;Arifagić,P2284,T.7078-83;Čutura,P2184,pp.5-7.

¹²⁹ AF242,AF305-AF306,AF308,AF310-AF313,AF78,AF453,AF887;Islamović,p1525.01,T.887-96;Karabeg,P60,T6139-6144;[REDACTED].

¹³⁰ AF332-AF334;AF336-AF339;AF341-AF345;AF379-AF385;AF392;AF454-AF455;AF1019-AF1024.

¹³¹ AF330;AF331;AF335-AF337;AF346;AF390-AF391;AF456-AF463;AF888-AF892.

¹³² AF372;AF373;AF892;AF893.

¹³³ AF501-AF503;AF806.

¹³⁴ AF800-AF802;Egrlić,P960.02,T.10618-9;P46;P411.23;P1899;P1905.

¹³⁵ AF243-AF244;AF474;AF966;P1863.

r) Non-Serb civilians who survived were forcibly removed from the RS;¹³⁷

(i) Takeovers in each municipality

72. In the period from March to May there were several attacks and takeovers by the JNA of areas that constituted main entry points in Bosnia or were situated on major logistics or communications lines such as those in Bosanski Brod, Derventa, Bijeljina, Kupres, Foča, Zvornik, Višegrad, Bosanski Šamac, Vlasenica, Brčko and Prijedor.¹³⁸

73. The takeovers in Serb-minority (Variant B) municipalities were characterised by a sudden seizure of power carried out by taking over key sites and facilities such as police stations, TO armouries, municipal government buildings and radio stations. In Serb-majority (Variant A) municipalities, the takeover process was slower and did not immediately involve violence

74. Nonetheless, regardless of the method involved, the takeover of power was accomplished in all indictment municipalities between the end of March and mid-June 1992.¹³⁹

(ii) The Killing and Forcible Transfer of Non-Serbs

75. In all municipalities charged in the Indictment, non-Serbs were systematically deported or forcibly transferred following a similar pattern, either by spreading fear (through killings, arrests, beatings), forcing non-Serbs to flee or by organising convoys to forcibly remove non-Serbs and transfer them outside the RS.

76. The last census in BiH was in April 1991.¹⁴⁰ It provided the best available demographic picture of pre-war Bosnian society - no better source is available. The census collected individual, personal data containing information about, *inter alia*, the name, identification number, locality, municipality, ethnicity and religion of individuals living in BiH

77. In 1997, OSCE supervised two elections in BiH in which 2.7 million individuals participated, providing, at the time of registering for voting, their full name, identification number,

¹³⁶ AF237,AF246,AF275-AF281,AF283,AF963-AF966,AF970-AF972,AF1007-AF1011,AF1036-1038. *See also* Riedlmayer,P1396,paras.17-45.

¹³⁷ AF929-AF930,AF958-AF960;P432.17,p.3.

¹³⁸ AF160.

¹³⁹ *See* Section II.2

¹⁴⁰ AF77.

date of birth and current residence. Voter's registers were created enabling Ewa Tabeau to link and compare statistics concerning ethnicity and address in indictment municipalities both in 1991 and 1997 to obtain a picture of internally-displaced persons. The approach was to identify an individual as internally displaced if, in 1997 they lived in a different municipality from 1991.¹⁴¹ The combined Tabeau reports present a picture of massive population changes across the indictment municipalities that are only explained by policies of persecution and ethnic cleansing directed against non-Serbs.¹⁴²

78. The Muslim population in the indictment municipalities underwent a dramatic drop. From a pre-war share of the total population of 35.2% in 1991 the same municipalities by area had a Muslim population of 18.4% of the total, a drop of almost 50%. Croats also underwent a significant drop in population in the 18 indictment municipalities; their share of the population in the indictment municipalities underwent drops of 84.9% in the RS and 37.6% in BiH Federation. In the case of Serbs, the demographic processes in the indictment municipalities were the exact opposite. In the entire area of the 18 indictment municipalities, their share increased from 44.7% to 72.1%.¹⁴³ In the light of all the evidence in the case, this shift in population profile is clearly consistent with the BSL's policies.

79. P426 and P1625 provide an even more compressed time span for looking at population changes for some of the indictment municipalities and, once again, an identical pattern emerges. P1625 provides statistics for Kotor Varoš between the pre-war period and June 1994. Kotor Varoš was attacked in June 1992 and thus the numbers in P1625 must show changes that occurred in a two year period.¹⁴⁴ Serbs remained at around 14,000 individuals but Muslims fell from a pre-war number of 11,161 to 1,800. The number of Croats fell from 10,640 to 850. Such extreme alteration in population numbers can only be satisfactorily explained by policies of ethnic cleansing within such a short time span. Harsh conditions imposed on a population by conflict would normally result in the movement of all groups, not merely Muslim and Croat groups.

80. Defence witness Pašalić made it abundantly clear that he neither attempted to, nor was able to, provide any expert commentary on population movements during the war. He was unable to conduct any research in areas held by non-Serb forces¹⁴⁵ and conduct no research in later years in

¹⁴¹ Tabeau, Žótkowski, Bijak, Hetland, P1627, pp. 4-7.

¹⁴² Tabeau, Žótkowski, Bijak, Hetland, P1627-P1628. *See also* Tabeau, P1626.

¹⁴³ Tabeau, Žótkowski, Bijak, Hetland, P1628, pp. 8, 11, 17.

¹⁴⁴ AF1198.

¹⁴⁵ ID541, para. 78.

preparing his reports.¹⁴⁶ The major components of his statistics were summary tables of destroyed Serb settlements and expulsion of Serbs, (Annex A of his report). His statistics are useless for a study of population movements during the war as they exclude non-Serbs.¹⁴⁷ His perverted definition of deportation, voluntary migration and ethnic cleansing showed a lack of precision.¹⁴⁸ For example, deportation, to Pašalić, meant expulsion but not by force.¹⁴⁹ His evidence and his report are wholly unreliable and of no use to this case.

81. Tabeau's study of victims of war in the area covered by the indictment municipalities and the time span of the indictment, was part of a wider study to estimate the number of conflict-related deaths in BiH as a whole.¹⁵⁰ The methodology adopted in preparation of the report was not challenged.¹⁵¹

82. The war victims report concluded that the absolute minimum number of victims was 12,047 and the *estimated* overall number of victims was 17,060. Of these deaths, 59% were civilians and 41% were soldiers. Overall, most victims were of Muslim ethnicity (79%), jointly all non-Serbs accounted for 85% of victims and the remaining victims were Serbs. The ratios of civilian to military deaths were above 1:1 and for April to July were at a rate of about 3:1.¹⁵² These statistics show that Muslims, and especially civilians, were killed during the indictment period and area at a significantly higher rate than other ethnic groups. This significant difference between the number of Serb and Muslim/Croat deaths is visually depicted in Figure 4(b) of P1632.¹⁵³

83. The Tabeau report also provides insight into the main areas where the killings took place. Maps 1 & 2 in the report provide visual depictions of the geographic distribution of death.¹⁵⁴ Tables A2.8(a) and (b) show that amongst all the victims (including both military and civilians), most deaths occurred in northern and eastern Bosnian municipalities.¹⁵⁵ Tabeau noted that the seven municipalities of Prijedor, Zvornik, Višegrad, Vlasenica, Brčko, Doboj and Kotor Varoš accounted for 74.2% of war victims for the Stanišić-Župljanin indictment area.¹⁵⁶

¹⁴⁶ Pašalić, T.20720-23.

¹⁴⁷ Pašalić, T.20638-40.

¹⁴⁸ Pašalić, T.20488.

¹⁴⁹ Pašalić, T.20541-5.

¹⁵⁰ P1630, p.1.

¹⁵¹ Tabeau, T.15553.

¹⁵² Tabeau, P1630, p.24.

¹⁵³ Tabeau, P1632, p1.

¹⁵⁴ Tabeau, P1630, pp.22-3.

¹⁵⁵ Tabeau, P1631, p.38 (includes the corrected pp.38-9 from the main Victims of War Report, P1630).

¹⁵⁶ Tabeau, P1630, p.20.

84. Table A2.8 (b) establishes significantly disproportionate death rates as between the ethnic groups in these particular municipalities.¹⁵⁷ For instance, in Prijedor 2,249 civilian Muslims were killed as opposed to 16 civilian Serbs.

(b) Crimes that were the Natural and Foreseeable Consequence of the Implementation of the Common Plan

85. The Prosecution alleges that the objective of the JCE included not only the crimes of deportation and forcible transfer, but all crimes charged. However, if the Trial Chamber is not satisfied beyond a reasonable doubt that this was indeed the case, then in the alternative, it alleges that these crimes were the natural and foreseeable consequence of the implementation of the common plan.

86. It is an agreed fact that until the outbreak of the conflict in BiH, more than any other of the Yugoslav Republics was a multi-ethnic society.¹⁵⁸ Moreover it was a society in which there were good inter-communal relations, friendship and intermarriage between ethnic and religious divides.¹⁵⁹ An overview of the municipalities which made up BiH, shows that with the exception of some 8-12 which had “large virtually overwhelming ethnic majorities” the remainder was “ethnically complex.”¹⁶⁰ The profound mixture of ethnicities was also marked by the fact that there was no single national majority in BiH.¹⁶¹

87. Accordingly, to divide BiH into ethnically separate geographical zones was an impossible task.¹⁶² Nonetheless, at the first BSA on 24 October, reference was already made to Serbs discerning “between its friends and enemies” and “to round out our entity in such a way that it will never again find itself endangered from within.”¹⁶³ By 11 December 1991, separation was part of the BSL plan: “In this Republic the life of the three national communities overlaps in places, in places they have things in common. But to my mind, the more separate things there are the better it will be.”¹⁶⁴ Kuprešanin made it even clearer:

¹⁵⁷ Tabeau P1631, p.38.

¹⁵⁸ AGF1.

¹⁵⁹ AGF14; Donia, T.349.

¹⁶⁰ P1; Donia, T.346-7.

¹⁶¹ AGF71; AGF77.

¹⁶² Donia, T.349.

¹⁶³ P1931, p.55.

¹⁶⁴ P1933, pp.12-13 (Karadžić); *see also* P1933 (Kuprešanin), p.25 (Nadaždin) p.42 (“there is not a single metre of land which we can or should share for ever with anyone. Those who do not like it with us and among us can seek their own space”).

Therefore, I am against any kind of joint institution with the Muslims and Croats of BH. I personally consider them to be our natural enemies. You already know what natural enemies are and that we can never again live together. We can never again do anything together.¹⁶⁵

88. The permanent removal of Muslims, Croats and other non-Serbs from the territory of the planned Serbian state in Bosnia therefore would inevitably involve uprooting thousands of non-Serb individuals from their towns, villages and homes. The methods used to achieve this would, of necessity, involve grave crimes.

89. Furthermore the events of the Croatian conflict were well known to those who conceived the criminal enterprise. The warning Karadžić delivered at the last joint BiH Assembly on 24 October 1991 demonstrates his awareness of the consequences of any attempt to create an independent state:

This is the road that you want Bosnia and Herzegovina to take, the same highway of hell and suffering that Slovenia and Croatia went through. Don't think you won't take Bosnia and Herzegovina to hell and the Muslim people to possible extinction. Because, Muslim people will not be able to defend itself if it comes to war here!¹⁶⁶

At the 21 December 1991 session of the BSA Karadžić showed just how familiar he was with the consequences of separation:

We know what civil war means; the experience of Croatia tells us exactly what civil war has done to us. Apart from causing the deaths of several hundred thousand people and complete destruction of several hundred towns, a civil war in [BiH] would also result in massive and rapid population movements; in other words, it would lead to population homogenisation [...]. We think that a war in Bosnia and Herzegovina would, through some intermediary stages and terrible killings, lead to the same starting position.¹⁶⁷

90. Compounding this situation was the inflammatory propaganda and rhetoric accompanying Bosnian political commentary.¹⁶⁸ The language of the Bosnian Serb leaders however made it plain that violence, intimidation and violent destruction of existing Bosnian society was going to occur as part of the project to create the planned Serbian state.

91. On 24 March, at the BSA session, Karadžić had this to say about the role of the police in the inferno he had been predicting "The police, that is, our organs must be positioned at the border. If it is this street, then /let it be/ this street. No one is allowed to cross the street without the control and approval of our organs."¹⁶⁹

¹⁶⁵ P427.9,p.59.

¹⁶⁶ P13,p.3.

¹⁶⁷ P10,pp.40-1.

¹⁶⁸ AF31;AF32;AF33;AF35;AF36;AF37;AF89.

¹⁶⁹ P439,p.17.

92. The predictions made by Karadžić, as to what would happen if the BSL pursued its plans, were clear to any rational observer. [REDACTED]¹⁷⁰

93. With the clearest pronouncements on what might be required to create the planned state and the role of the police in that project spelled out, the crimes that did occur in the Indictment municipalities in 1992 involving police were the natural and foreseeable consequences of the implementation of the common plan.

2. Implementation of the Common plan at the Municipal Level

(a) Pale

94. Pale was a majority Serb municipality.¹⁷¹ Located close to Sarajevo, it was the seat of the RS Government. The takeover by Serb forces in Pale was accomplished more gradually than in other indictment municipalities. It involved a series of measures which gradually tightened physical control over this Serb-majority municipality especially during April and May.

95. Serbs started arming themselves from October 1991,¹⁷² and this was accompanied by the mobilisation of Serb men;¹⁷³ this was common knowledge in Pale.¹⁷⁴ Concerns about shooting at Muslim houses were brought to SJB Chief Koroman's attention.¹⁷⁵ By March/April, local Serbs were armed and assisting at checkpoints.¹⁷⁶ At the same time, non-Serbs were disarmed, and some were arrested by the police, taken to the SJB and beaten.¹⁷⁷ In mid-March, Koroman called for non-Serbs to surrender weapons at the SJB [G.13].¹⁷⁸

96. In March, a campaign commenced, led by the police and paramilitaries, threatening Muslims by asking them to leave Pale peacefully, or face trouble later.¹⁷⁹ The media was harnessed to carry out the anti-Muslim/anti-Croat propaganda campaign.¹⁸⁰ It intensified over time, including accusations of non-Serbs plotting genocide against Serbs.¹⁸¹

¹⁷⁰ [REDACTED].

¹⁷¹ AF1304;P1449.

¹⁷² P649.

¹⁷³ P649.

¹⁷⁴ Crnčalo,P1466.1,T. 5304-6. STANIŠIĆ was reportedly accused of supplying weapons to Serbs in Pale;P533.

¹⁷⁵ ID329,p.2.

¹⁷⁶ AF1307.

¹⁷⁷ Crnčalo,P1466.1,T.5300-8,T.5310,T.5315.

¹⁷⁸ Crnčalo,T.11962-3;P1466.1,T.5317-8.

¹⁷⁹ AF1305.

¹⁸⁰ AF37.

¹⁸¹ AF36.

97. A Serb-only SJB was created during a 23 March meeting in Pale, where Koroman, accompanied by armed policemen, asked all non-Serb police to surrender their weapons and equipment;¹⁸² non-Serbs were removed from service.¹⁸³ In addition “weapons owned by non-Serb citizens were seized, whether they had permits or not.”¹⁸⁴

98. Following the 31 March Mandić dispatch,¹⁸⁵ STANIŠIĆ appointed Mičić as Head of CID in SJB Pale on 1 April, one of the first appointments in the new RSMUP.¹⁸⁶ By 1 April the new Serb-only SJB was functioning with Koroman as its chief and an area of responsibility including Stari Grad and Centar municipalities.¹⁸⁷

99. By late March, the SDS CS was established per the Variant A/B instructions.¹⁸⁸ A Muslim delegation was told by Nikola Koljević that local Serbs did not want Muslims living in Pale. Koroman added that he could no longer guarantee the safety of Muslims as he could not control the Red Berets who had arrived in Pale.¹⁸⁹ Despite assurances provided to the Muslim population by the CS, convoys of Muslims commenced less than two months later.¹⁹⁰

100. From early April, checkpoints, manned by armed local Serbs, including police, reserve soldiers and paramilitaries, restricted the movements of non-Serbs.¹⁹¹ Buses were stopped and men were taken off and harassed.¹⁹² On 7 May, telephone lines of various Muslims were disconnected by the CS.¹⁹³ They were now isolated from Sarajevo.¹⁹⁴

101. Attacks against non-Serbs areas¹⁹⁵ coincided with, or were followed by widespread imprisonment of non-Serbs. In addition to the sports complex or gym in Pale [C14.2], Croats and Muslims were detained at other detention centres including a movie theatre and military barracks in Renovica.¹⁹⁶ The gym was an old cultural centre that in 1992 had become a sports hall or gym.¹⁹⁷

¹⁸² P650;ST-127,T.11837.

¹⁸³ Nielsen,P508,para.92.

¹⁸⁴ P1457,p.1.

¹⁸⁵ AF115;P353.

¹⁸⁶ P1448.

¹⁸⁷ P1452,[REDACTED].

¹⁸⁸ AF97,AF100-4;Trbojević,T.4236-7;Crnčalo,T11982-3.

¹⁸⁹ AF1306.

¹⁹⁰ AF1312.

¹⁹¹ AF1307;Crnčalo,P1466.2,T5389-90;AF1308.

¹⁹² ST-057,P2178,p.9

¹⁹³ P1466.3;Crnčalo,P1466.1,T.5338.

¹⁹⁴ ST-057,P2178,p.9.

¹⁹⁵ AF1313;P2178.

¹⁹⁶ AF1311.

102. Non-Serbs were arrested by policemen and brought to the SJB [C.14.1] or to the gym (or “scout house”) located behind the SJB. Mistreatment and torture took place in both buildings, [D.14.1] with prisoners having ribs and teeth broken, as Serb soldiers had free access to the prison.¹⁹⁸ Some prisoners were held at the gym for 50 days,¹⁹⁹ where Muslim men were regularly and badly beaten[14.2]. Three men were beaten to death [B.11.1].²⁰⁰ Men were often taken away and not seen again. In early August inmates were transferred to Kula prison.²⁰¹

103. Muslims captured from Renovica were transported to SJB Pale where they were attacked by a mob²⁰² of reserve police, special policemen and men in camouflage uniforms; beatings ceased only upon the order of Koroman[D.14.1].²⁰³ The men were then taken from the SJB to the cultural centre or gym and imprisoned.²⁰⁴ It was guarded by reserve police. Four men were beaten to death there, one of them by members of a special police unit.²⁰⁵

104. On 15 May around 430 non-Serb men from Bratunac arrived, showing signs of severe torture.²⁰⁶ Previously, on 10 May these and additional non-Serb men from Bratunac, had been taken to Bratunac sports hall where many were beaten and tortured, and some killed.²⁰⁷ Surviving prisoners were transported in four trucks to Pale.²⁰⁸ Serb policemen escorted the convoy.²⁰⁹ They were imprisoned in the Pale sports hall/gym guarded by police.²¹⁰ Food was inadequate, and men were beaten regularly. One assailant described himself as the police commander in Pale.²¹¹ On 16 May, these men were taken to the front lines and told to walk towards them.²¹²

¹⁹⁷ Hujdur,T.18207;P1749.

¹⁹⁸ Smajš,P2179,p.3.

¹⁹⁹ ST-057,P2178,pp.5-9.

²⁰⁰ ST-057,P2178,p.9.

²⁰¹ ST-057,P2178,p.9.

²⁰² Hujdur,T.18205-6.

²⁰³ Hujdur,T.18208.

²⁰⁴ Hujdur,T.18207-8.

²⁰⁵ Hujdur,T.18209.

²⁰⁶ Smajš,P2179,p.4

²⁰⁷ ST-015,P2180,T.2374-6.

²⁰⁸ ST-015,P2180,T.2407. *See also* P427.25,P427.15,P427.16 dealing with the involvement of the Bosnian Serb Government in this particular deportation as well as the involvement of the CSs of Pale and Sokolac. Four hundred men were transported in this convoy,P179.17.

²⁰⁹ ST-015,P2180,T.2409-10.

²¹⁰ ST-015,P2180,T.2412.

²¹¹ ST-015,P2180,T.2413.

²¹² ST-015,P2180,T.2413-8.

105. Disarmament of Muslims continued into May with the attack on the predominantly Muslim village of Renovica;²¹³ this was discussed at the 14th session of Pale's Serbian Assembly.²¹⁴ ST-127 claimed this was part of a disarmament operation to strip lawfully-held weapons from non-Serb inhabitants, who had already been disarmed.²¹⁵ The creation of an informal village defence was unsuccessful.²¹⁶ On 22 May Renovica and surrounding hamlets were attacked by men in blue reserve police uniforms[F.13].²¹⁷ Prisoners were taken to the military barracks in Renovica, where other local people were imprisoned.²¹⁸ The destruction of the area that day was severe.²¹⁹ 26 men were tied up and taken to SJB Pale.²²⁰ Koroman said the attack was carried out in conjunction with the VRS.²²¹ Later Koroman boasted that police "took control" of Serbian regions, namely the villages of Renovica and Goražde.²²²

106. Despite assertions that this attack was the result of an agreement over voluntary surrender of weapons,²²³ victims describe the events as a surprise attack.²²⁴ The Serbian Municipality referred to this operation and the death of two policemen but made no mention of the betrayal of any agreement to surrender weapons, which would be expected.²²⁵

107. The RSMUP and the CS acted together in organising the removal of Muslims from Pale on buses. Non-Serbs were able to apply for a change of residence²²⁶ by registering with the police who kept a register and compiled "a list of all property" owned by such persons.²²⁷

108. Pale Municipal Assembly deliberations are revealing. Opinions were divided upon the manner of moving out Muslims and the "justification" for doing so. The political leadership disagreed with the SJB because it had organised the moving out of Muslims "without a political decision"; this leadership wished to give the appearance that such a departure was voluntary. Nonetheless, it is clear that such a decision lay with the Pale Municipal Assembly and the

²¹³ P1748.

²¹⁴ P1455,p.3.

²¹⁵ ST-127,T.11858-9;Hujdur,T.18183-4.

²¹⁶ Hujdur,T.18186,18187,18194.

²¹⁷ Hujdur,T.18201-22.

²¹⁸ Hujdur,T.18196-9.

²¹⁹ Hujdur,T.18205-6;AF1313.

²²⁰ Hujdur,T.18205-7.

²²¹ P1455,p.3.

²²² P22,p.2.

²²³ ST-127,T.11858-9,11932.

²²⁴ Crnčalo,T.11991-2.

²²⁵ P1455,p.3.

²²⁶ P2027.

²²⁷ P2027 (the decision was actually taken on 18 June 1992).

RSMUP.²²⁸ In June and July, SJB Pale bussed away 1,042 non-Serbs in convoys.²²⁹ Notices were put up stating that Muslims living in a designated street had to move away.²³⁰ They were forced to give away their home to Serbs.²³¹ RSMUP officers escorted buses to the front lines and non-Serbs were told to cross no-man's land.²³²

(b) Bijeljina

109. Bijeljina was a Variant A municipality with a Serb majority.²³³ However, the majority of the population in Bijeljina, Janja and Novo Naselja were Muslim.²³⁴ As it was one of the first municipalities taken over by Serbs,²³⁵ by violent means, including the removal of non-Serbs, it served as a model for other municipalities that subsequently became part of the RS.²³⁶ [REDACTED]²³⁷

110. After the 1990 elections, the SDS began pressuring government officials to join the party. Those like the Serb SJB chief who refused to join lost their positions; he was replaced by Ješurić, one of the SDS's main ideologues in Bijeljina. SDS supporters replaced non-Serb policemen and judges who had fled Bijeljina. Like Ješurić, such supporters had criminal histories and no police experience.²³⁸ Ješurić also personally participated in the illegal arming of Serbs.²³⁹

111. On 19 September 1991, despite SDA objections, Serb representatives proclaimed Bijeljina's unification with the Serb Autonomous Region of Northeastern Bosnia (later SAO Semberija).²⁴⁰

112. The town was taken over on 31 March by Arkan's men who had arrived earlier in March and had started terrorising the local population.²⁴¹ Arkan was assisted by TO units comprised of

²²⁸ P1455,p.4-5;P1459.

²²⁹ P1458.

²³⁰ Crnčalo,T.12045; Crnčalo, P1466.1,T.5348-9.

²³¹ P1464;Crnčalo,P1466.1,T.5351.

²³² Crnčalo,T.12040;AF1312.

²³³ AF1418.

²³⁴ P2429.

²³⁵ AF1419.

²³⁶ For instance, after the paramilitary groups finished "liberating" Bijeljina, they then went on to Brčko and Zvornik to cleanse them of Muslims and to repeat what they had done in Bijeljina; M.Davidović,P1557.1,para.118

²³⁷ [REDACTED];Sejmenović,T.17396-7.

²³⁸ M.Davidović,P1557.1,paras.10-13;M.Davidović,P1557.3,T.14153-6. P199,pp.71;P1325;L64;Simeunović,T.13391-2. Even a token number of non-Serb appointments was criticized before the RS Assembly as assisting in the creation of a "state in which Muslims and Muslim ideology would judge and where their justice was done"; P199,pp.71-2;P1325.

²³⁹ P160,p.13.

²⁴⁰ P772.

²⁴¹ AF1419;ST-088,P2189,p.2;M.Davidović,P1557.1,para.117;P1989,p.3.

hundreds of local Serbs: the Serb Voluntary Guard led by local Serbian Radical Party leader, Mirko Blagojević, and the Serb National Guard led by Mauzer from the SDS.²⁴² The JNA took part as well, surrounding the town.²⁴³ Despite some disorganised resistance, Serb forces quickly took control of Bijeljina and controlled all access points.²⁴⁴ Prominent Muslims called for Muslim citizens to voluntarily surrender their weapons. The non-Serb population, having no desire to fight the Serbs, readily complied.²⁴⁵

113. During the takeover, Serb forces killed many non-Serb civilians.²⁴⁶ Around 3 April, the police collected dead bodies from around the town in anticipation of a visit by a delegation of high-ranking BiH officials, including Plavšić, Fikret Abdić and Jerko Doko, as well as JNA General Praščević and RSK President Goran Hadžić.²⁴⁷ A total of 48 bodies, including those of women and children, were collected from streets and houses.²⁴⁸ By 4 April Serb flags had been hoisted on the two town mosques, and Arkan's men were installed in the local SDS building.²⁴⁹ The delegation visited Bijeljina on 4 April, in the absence of journalists and international monitors who were prevented from entering the town by Serb soldiers.²⁵⁰ Arkan gave the delegation a tour of the town.²⁵¹ When Plavšić asked Arkan to hand over Bijeljina to the JNA, he replied that he had not yet finished his "business" there. Plavšić did not persist, but rather publicly thanked and kissed Arkan for saving the local Serb population from the threat of the Muslims. At a dinner with UNPROFOR representative Cedric Thornberry on 20 April, Plavšić described Bijeljina as a "liberated" town. Arkan's men remained in the municipality until at least May.²⁵²

114. From 31 March, SJB Bijeljina severed contact with the BiHMP and began operating pursuant to the RSMUP guidelines.²⁵³ On 1 April, STANIŠIĆ promoted SJB Chief Ječurić to acting chief of the newly establish CSB Bijeljina, an appointment he made permanent on 15 May.²⁵⁴ Although the police did not participate directly in the armed attack on Bijeljina, they did nothing to

²⁴² AF1420;AF1422;AF1435;P1387;Nielsen,P508,para.210;Andan,T.21437;M.Davidović,P1557.4,T.14261, T.14263,T14269,T14274;M.Davidović,P1557.1,para.118;P1989,pp.4-5. Prior to the takeover, members of Mauzer's unit received training organised by Arkan;M.Davidović,P1557.4,T.142613;P1994,p.2.

²⁴³ AF1421.

²⁴⁴ AF1422;P1989,pp.4-5.

²⁴⁵ P1989,p.5;P199,pp.14,20,85.

²⁴⁶ AF1419;AF1423; ST-088,P2189.

²⁴⁷ AF1424;AF1425;P1989,p.5.

²⁴⁸ AF1424.

²⁴⁹ AF1422.

²⁵⁰ AF1426;P1989,p.7.

²⁵¹ AF1428;P1989,pp.6-10 (Mauzer shown at 1:55:18);P1840.

²⁵² AF1429;P1989,pp.7-10.

²⁵³ P1387;Nielsen,P508,para.210.

²⁵⁴ P1409;P456.

interfere with the activities of the paramilitaries and TO.²⁵⁵ After the takeover, Arkan's and Mauzer's men worked jointly with SJB employees by, *inter alia*, accompanying regular police patrols, establishing checkpoints and arresting Bijeljina's SDA leadership.²⁵⁶ Several of Arkan's men were given positions within the SJB.²⁵⁷ Firearms handed over by Muslims were stored at the SJB;²⁵⁸ some were appropriated by Arkan's men with Ješurić's knowledge.²⁵⁹

115. The takeover was followed by terrorising of the Muslim population on a massive scale through arrest, killings, rapes, house searches and looting.²⁶⁰ Two mosques in Bijeljina municipality were damaged or destroyed.²⁶¹ These crimes were committed by the police and paramilitary forces as part of an organised plan to rid Bijeljina of its non-Serb population. This "was a deliberate and conscious policy within the [SDS]"²⁶² conducted in a systematic and coordinated manner with the participation of the CSB and SNB chiefs, Mauzer, and Vojkan Đurković, an SDS field operative who had authorisation from Krajišnik to carry out the "humanitarian" resettlement of the Muslim population.

116. The Serb leadership put into place a 3-phase strategy approved by Ješurić and Drago Vuković, the SNB chief in Bijeljina.²⁶³ In the first phase, Bijeljina was divided into three concentric circles and a Muslim family was murdered in each area,²⁶⁴ for example the murders of 22 members of the Sarajlić, Sejmenović and Malagić families on 23-24 September by the RSMUP Special Police Unit led by Duško Malović, and stationed at CSB Bijeljina since July.²⁶⁵ News of the murders spread quickly, creating an atmosphere of fear among Muslims, who thereafter were easily convinced to surrender their property and leave the RS.²⁶⁶ The police never investigated the crime or reported it to the judicial authorities.²⁶⁷ The second phase of the SDS plan, also led by Vuković

²⁵⁵ P1387;P1989,p.6.

²⁵⁶ AF1422;P410,p.2;Nielsen,P508,para.269;P638,pp.2-4;P1890.

²⁵⁷ M.Davidović,P1557.1,para.117;1D97,p.2.

²⁵⁸ P1387.

²⁵⁹ P410,p.2.

²⁶⁰ AF1436;AF1441;[REDACTED];M.Davidović,P1557.3,T.14231-3;1D97,pp.2-3;P1889,pp.2-3.

²⁶¹ AF1436;Njeguš,T.11500-1.

²⁶² M.Davidović,P1557.1,para.69;M.Davidović,P1557.3,T.14229. *See also* M.Davidović,P1557.1,para.96.

²⁶³ *See generally* M.Davidović,P1557.1,paras.70,89,158-65;M.Davidović,P1557.3,T14227-

37;M.Davidović,P1557.4,T.14317-22. Notwithstanding the widespread notoriety of this systematic expulsion, Đuković maintained he was deserving of a Nobel Peace Prize;P140,p.1

²⁶⁴ P1543,pp.30-1,42;M.Davidović,P1557.1,para.149;P160,p.13.

²⁶⁵ *See generally* M.Davidović,P1557.1,paras.150-2;M.Davidović,P1557.4,T.14314-

7;P1543;M.Davidović,T.13546,T.13551-54;[REDACTED];Andan,T.21737-42,21823-7;P2347. The Serb Radical Party announcement implicated the RSMUP in the crime, and the general belief around town was that the RSMUP Special Unit perpetrated the murders. *See* P1543,pp.11,37-8,45,85,91,109;Andan,T.21825-6.

²⁶⁶ P1543,pp.17,23,43,45,82-3,85. M.Davidović,P1557.1,para.151.

²⁶⁷ P2347,p.2;P1543,pp.5,12,17,23-4;Simeunović,T.13409-10.

and Ješurić, involved the dismissal of all Muslims; they were forced to dig trenches along the frontlines for the army.²⁶⁸ Mauzer, as president of the CS, announced that Muslim homes abandoned in the aftermath of the takeover would be seized and sealed, and Muslims advised not to return.²⁶⁹ The third phase of the SDS plan was to humiliate wealthy or educated Muslims by assigning them menial tasks such as sweeping the streets.²⁷⁰

117. Muslims who refused work obligations, or opposed the repressive measures, were detained at Batković camp [C19.1] and eventually expelled from RS territory.²⁷¹ Formally established by the VRS as a prisoner of war camp in early July, non-Serbs were held at this former farm from at least June until the summer of 1993.²⁷² Besides Muslims from Bijeljina, non-Serbs were also transferred from other municipalities (including Brčko, Ključ, Vlasenica, Zvornik, Bosanski Šamac, Prijedor, Kotor Varoš, Sanski Most and Banja Luka) and detained throughout 1992.²⁷³ Large numbers of detainees were transferred from Sušica detention facility in June and from Manjača camp in late 1992.²⁷⁴ Approximately 1,600 Muslim and Croat prisoners (including women, children, elderly and the disabled)²⁷⁵ were detained at Batković in a single hangar until August when a second hangar was adapted for accommodating prisoners in anticipation of an ICRC visit.²⁷⁶ [REDACTED]²⁷⁷ The sanitary conditions at the camp were poor,²⁷⁸ and detainees were beaten and robbed of their valuables.^{279,280}

118. Detainees were forced to perform manual labour daily, digging trenches and carrying munitions at front lines (where at least three detainees were killed and two wounded)²⁸¹, and

²⁶⁸ M.Davidović,P1557.1,paras.98,153;M.Davidović,P1557.4,T.14315.

²⁶⁹ AF1437.

²⁷⁰ M.Davidović,P1557.1,paras.154-5;M.Davidović,P1557.7,T.15268.

²⁷¹ M.Davidović,P1557.1,para.153;M.Davidović,P1557.4,T.14315.

²⁷² 1D157;AF1430;P1048;1D766;[REDACTED];Osmanović,T.733-5;[REDACTED];[REDACTED].

²⁷³ AF1430;AF672;P1048;[REDACTED];Osmanović,T.7323-4;Osmanović,P1041.1,T.5240;[REDACTED];Smajilović, T.2748;Panić,T.2902;[REDACTED].

²⁷⁴ AF1065;AF1430;Egrlić,P960.5,T.4796;Osmanović,P1041.1,T.5240,5277;Osmanović,P1041.2,p.13; [REDACTED];[REDACTED].

²⁷⁵ AF1431;Osmanović,P1401.1,T.5241;[REDACTED];1D769;1D772.

²⁷⁶ [REDACTED];AF1431;Osmanović,P1041.1,T.5241;[REDACTED];1D770;[REDACTED].

²⁷⁷ [REDACTED];[REDACTED];Osmanović,P1041.1,T.5241-2;[REDACTED]. *See also* 1D767 (establishing procedures to prevent the "escape" of "prisoners", including shooting them).

²⁷⁸ AF1431;Osmanović,P1041.1,T.5242.

²⁷⁹ Osmanović,P1041.2,pp.13-4;[REDACTED];AF1431;[REDACTED];Osmanović,P1041.1,T.5244-5;Osmanović,P1041.2,p.14;[REDACTED];[REDACTED];Egrlić,P960.5,T.4797. *See also* M.Davidović,P1557.5,T.14405.

²⁸⁰ AF1431;[REDACTED];Osmanović,P1041.1,T.5244-5;Osmanović,P1041.2,p.14;Ferhatović,P2315,T.491-2;[REDACTED];Egrlić,P960.5,T.4797. *See also* M.Davidović,P1557.5,T.14405 (naming two additional Muslim civilians who he believed were killed at Batković camp).

²⁸¹ Osmanović,T.5243;[REDACTED].

burying bodies.²⁸² During ICRC visits, badly beaten detainees, the old and young, were temporarily removed.²⁸³

119. RSMUP members took part in transferring detainees to and from the camp, beating detainees and providing security for the camp.²⁸⁴ All but perhaps two detainees were civilians and no criminal reports or requests for detention were submitted to support their detention.²⁸⁵

120. Other detention facilities holding non-Serbs included SJB Bijeljina, JNA barracks,²⁸⁶ and a slaughterhouse controlled by Mauzer,²⁸⁷ where non-Serb civilians were threatened, repeatedly beaten and sexually assaulted.²⁸⁸ Detainees were given insufficient food, water and space, kept under unhygienic conditions and not given access to sufficient medical care.²⁸⁹

121. The police were aware of these crimes²⁹⁰ and had the capacity to prevent or investigate these crimes,²⁹¹ but lacked the desire to do so.²⁹² This lack of willpower originated from the political and police leadership at the republican level, which like the politicians and police at the regional and municipal levels, maintained direct links with paramilitary groups operating in Bijeljina (including STANIŠIĆ), as well as profiting from criminal activity in the municipality (including RSMUP Undersecretary Čedo Kljajić).²⁹³

²⁸² AF1432;[REDACTED];Osmanović,T.5242-3;[REDACTED];[REDACTED].

²⁸³ AF1433;[REDACTED];[REDACTED];1D770 (ordering that the camp be “prepared” for a visit by foreign journalists and the ICRC).

²⁸⁴ Osmanović,T.7322-3;Osmanović,P1041.2,p.14;[REDACTED];[REDACTED];1D395;[REDACTED]. Although one witness claimed that police had no role in transporting detainees from Zvornik to Batković camp, he agreed that the police cooperated with the military by providing security and loading the prisoners onto the trucks, based on orders received from the police chain of command. Panić,T.3050-1;1D766;Panić,T.3038;P1984;Andan,T.21470-1;P1882.

²⁸⁵ Osmanović,P1041.1,T.5241;[REDACTED];Simeunović,T.13319;P1978,p.5.

²⁸⁶ AF669;AF1434;Lukač,P2160,T.1685.

²⁸⁷ M.Davidović,P1557.4,T.14268-9;P640;1D550;1D97,p.3.;M.Davidović,P1557.1,para.95;M.Davidović,P1557.4,T.14269;P640.

²⁸⁸ AF676;AF680;AF681;AF683. In addition to beatings, at least one detainee was killed at the JNA barracks; Lukač, P2155,T.646.

²⁸⁹ AF683.

²⁹⁰ M.Davidović,P1557.1,paras.153,169;M.Davidović,P1557.3,T.14237;P1890.

²⁹¹ M.Davidović,P1557.3,T.14206;M.Davidović,P1557.4,T.14244-5;P1387;P338,p.6;P410;P638. Indeed, when it came to unauthorised looting, the police could investigate and arrest members of the TO,paramilitary units and military when it chose to do so. *See*1D549;P639;1D555;1D556. Regarding SJB Bijeljina’s police force; P1387;M.Davidović,P1557.7,T.15292-3. A special police unit was created as well; Nielsen,P508,para.230;P639,p.5;P338,p.7.

²⁹² M.Davidović,P1557.4,T.14244;M.Davidović,P1557.3,T.14233;M.Davidović,P1557.1,para.153.

²⁹³ M.Davidović,P1557.1,paras.65,70,77,84-6,91,117-8,125;M.Davidović,P1557.3,T.14203-7,14218-21,14230-2;M.Davidović,P1557.4,T.14251-8,14319-20;M.Davidović,P1557.5,T.14356-7;[REDACTED];P410;P1889,pp.2-3.

122. A unit of 16 federal police officers from Belgrade were sent to Bijeljina at the end of July following Karadžić's public complaint.²⁹⁴ This unit prevented paramilitary activities in the municipality, but left after two weeks in the face of criticism by Serb authorities for protecting Muslims.²⁹⁵ During their brief stay in Bijeljina, this unit was offered no help from RSMUP special police units even though by that time the RSMUP was headquartered in the municipality.²⁹⁶

123. Police indifference is reflected by their poor reporting, as only one crime of violence in which the alleged perpetrators were Serbs, and the victim non-Serb, was filed between April-December,²⁹⁷ being a murder.²⁹⁸ No criminal reports were filed against Serb police officers for committing crimes against non-Serbs and there is no evidence that they were disciplined for such crimes either.²⁹⁹ In contrast, the police reported crimes committed against Serb victims.³⁰⁰

124. As a result of the events described above, many Muslims who remained in Bijeljina after the takeover were forced to leave the RS.³⁰¹ Of 17,000 Muslims who lived in Bijeljina town prior to the conflict, only 500 to 1000 remained at the time the Dayton Accord was signed.³⁰² At least 10,000 Muslims had been forcibly deported.³⁰³

(c) Banja Luka

125. Banja Luka, with a pre-conflict population consisting of 55% Serbs, was a Variant A municipality, and throughout 1992 it was not threatened by any internal or external non-Serb armed

²⁹⁴ M.Davidović,P1557.1,paras.73-7. By July, Mauzer's Serb National Guard were placed under the command of the VRS East Bosnia Corps and housed within the garrison compound. P1884;P858;P2000,p.1.

²⁹⁵ M.Davidović,P1557.1,paras.87-99,149.

²⁹⁶ M.Davidović,P1557.4,T.14296;M.Davidović,P1557.1,para.68.

²⁹⁷ Simeunović,T.13329-30;P1540;P1542;[REDACTED];[REDACTED];Gačinović,P1609.4,Revised Annex 12. Both the civilian and military prosecutor's offices were fully functional in 1992. Simeunović,T.13297;P1540; P1978. *See also* AF1441;M.Davidović,P1557.1,para.92;AF1424.

²⁹⁸ P1890,p.5;1D551;1D343. The only other murder of non-Serbs between April-December 1992 reported by the Bijeljina police was not investigated or reported to the prosecutor's office until 1993, after the perpetrator, Zoran Tomić, participated in the killing of two Serb victims, only to be dismissed; 1D344,pp.7-12;Simeunović,T.13380-1,T.13411-3;1D105,p.4;P1541. Only after the war were two of the four perpetrators eventually prosecuted for this crime. M.Davidović,P1557.1,para.92;Gačinović,P1609.4,Revised Annex 12;P1540;P1542.

²⁹⁹ Simeunović,T.13335. Although CSB Bijeljina reported at the end of July that employees with a history of unlawful conduct and criminal activities were removed from SJB Bijeljina, there is no evidence that these crimes were committed against non-Serbs. 1D97,p.4;P845,p.1

³⁰⁰ [REDACTED];Simeunović,T.1333-4;P1542. Although Simeunović suggested that there were more Serb murder victims than non-Serb victims in 1992, she based this solely on her attendance at onsite investigations. She did not account for instances where no onsite investigations were conducted, such as the murder of the three families in September 1992; Simeunović,T.13386-7,13409.

³⁰¹ AF1419.

³⁰² M.Davidović,P1557.1,para.164.

³⁰³ M.Davidović,P1557.5,T.14388-9.

attacks.³⁰⁴ It was the second largest city in BiH, the seat of the ARK government and the destination of Serb refugees from Croatia. Maintaining a sizeable non-Serb population, no matter how submissive, was therefore politically and strategically untenable. As a result, beginning in late 1991, Serb authorities imposed repressive living conditions on the non-Serb population. Fearing for their lives, non-Serbs left the municipality in droves.³⁰⁵

126. By autumn 1991, ethnic tensions were rising as Serb soldiers and paramilitary groups returned from the Croatian front and began harassing the non-Serb population, destroying non-Serb property by explosives.³⁰⁶ Propaganda targeting non-Serbs increased.³⁰⁷ Non-Serbs were dismissed from managerial positions,³⁰⁸ as well as the TO when mobilisation began³⁰⁹; [REDACTED]³¹⁰

127. Objections from the SDS to the large number of non-Serbs remaining in Banja Luka culminated on 3 April when the SDS-backed SOS unit (composed of Serb soldiers and civilians including SDB Banja Luka members and criminals) established blockades throughout the city with the support of the Serb military, police and political leadership.³¹¹ [REDACTED]³¹²

128. This signalled that Banja Luka had been taken over. On that day, the SOS issued various demands including the implementation of the new RS LIA, the signing of solemn declarations, the wearing of new RS insignia by police officers, and the dismissal of non-Serbs in managerial positions.³¹³ The general message was clear³¹⁴; the Serb police, military and SDS leadership supported it and created a CS.³¹⁵

³⁰⁴ P1075;AF1050;Krzić,P459.2,T.1526-9;Krzić,P459.3,T.1576;[REDACTED];Radulović,T.11218-9;[REDACTED];[REDACTED];[REDACTED];P459.18,p.2.

³⁰⁵ Traynor,P1356.2,pp.7-8.

³⁰⁶ Krzić,P459.1.T.1439-40;[REDACTED];[REDACTED];[REDACTED].

³⁰⁷ [REDACTED];Krzić,P459.1.T.1440-1.

³⁰⁸ Krzić,P459.1.T.1440-5,T.1448-50;Krzić,T.5107-

10;[REDACTED];[REDACTED];[REDACTED];P461;P1098.11;Radić,P2096,T.7374-7;P459.6.

³⁰⁹ [REDACTED]. Non-Serbs who did not respond to mobilisation were prosecuted: Džonlić,P2287,T.2310-7;[REDACTED]. This was not the case for Serbs who failed to respond. Krzić,P459.1,T.1445

³¹⁰ [REDACTED];[REDACTED];[REDACTED];AF159;P1098.11.[REDACTED].

³¹¹ [REDACTED];P539;P1369;[REDACTED];[REDACTED];[REDACTED];Radić,P2105,T.22218-20,T.22246-9. At a meeting on the day before the blockades, Milorad Sajić (an official with the Banja Luka municipal TO) informed ST-183, CSB official Duro Bulić, Nenad Stevandić, Bogdan Subotić and others about the decision to blockade Banja Luka town the next day, which had been approved by General Talić. [REDACTED];[REDACTED]. At least initially, the SOS was based at the JNA Mali Logor barracks. ST-183,T.8956-7;[REDACTED].

³¹² [REDACTED];[REDACTED]Radić,P2105,T.22215-6;Tutuš,T.7633;Kovačević,T.14187.

³¹³ P536;P1098.22;AF1053.

³¹⁴ ST-225,T.17201;[REDACTED].

³¹⁵ [REDACTED];Džonlić,P2287,T.2328;[REDACTED];[REDACTED];Radić,P2105,T.22216-8,T.22226,T.22247-9 (SOS demands consistent with instructions from SDS leadership in Pale);[REDACTED];P536;P1079;P1098.25,p.1;ID137,pp.3-4;AF1054;AF1055. The CS included ŽUPLJANIN and SJB Banja Luka Chief Vladimir Tutuš as well as Subotić, Dr. Vukić, Brđanin and Stevandić. P536,p.6;P542,p.1.

129. The SOS was in contact with and had the support of CSB and SNB officials in Banja Luka including ŽUPLJANIN and SNB Chief Kesić,³¹⁶ despite the SOS's violent crimes such as robbing and extorting money from non-Serbs, destroying their shops and killing, raping and physically abusing them.³¹⁷ Both Kesić and ŽUPLJANIN considered the SOS to be "Serbian knights."³¹⁸ The police had the manpower to arrest the SOS members, but rarely did so.³¹⁹ Instead, ŽUPLJANIN and Predrag Radić advocated absorbing the SOS members into the police;³²⁰ indeed, they became officers in various police units, including the newly establish Special Detachment.³²¹

130. The arrival of the SOS had its desired effect. Restrictions were imposed on non-Serbs,³²² which included a curfew, an order to surrender weapons,³²³ dismissals, evictions,³²⁴ and the seizure of their property.³²⁵ Propaganda, intimidation, and destruction of non-Serb property increased without police interference.³²⁶ Large numbers of non-Serbs were murdered and persecuted by criminals linked to Serb authorities including policemen.³²⁷ [REDACTED]³²⁸

131. ŽUPLJANIN gave non-Serb police officers at CSB and SJB Banja Luka until 15 April to sign a loyalty oath to RS and begin wearing new insignia in order to keep their jobs.³²⁹ Non-Serbs were excluded from this decision-making process,³³⁰ and were opposed to it.³³¹ Even those who

³¹⁶ Radulović,[REDACTED],T.10778-83;[REDACTED];[REDACTED];[REDACTED];P591,pp.4-5;P1371. Members of the SOS were also seen escorting leading SDS officials and guarding all important buildings in Banja Luka.[REDACTED];[REDACTED].

³¹⁷ [REDACTED];[REDACTED];Radulović,T10776-7;[REDACTED];Rodić,T.8843-4;[REDACTED];P1372.

³¹⁸ Radulović,[REDACTED],T.10777.

³¹⁹ [REDACTED];[REDACTED];Tutuš,T.7606-7.[REDACTED]. Although Tutuš claimed the police filed criminal reports against SOS members, he could not remember any individual cases;Tutuš,T.7647-8

³²⁰ [REDACTED];[REDACTED];[REDACTED];Tutuš,T.7649-53.

³²¹ Radulović,T.10779,T.10781,T.10783-5;P552;P560,pp.3-4;P591,pp.4-5;2D55.

³²² Krzić,P459.1,T.1458-9;Krzić,T.5132-3;[REDACTED];[REDACTED];[REDACTED];P459.20.

³²³ Krzić,T.5128-31;P467;[REDACTED];Traynor,P1356.2,pp.8-9;1D235,p.5;1D235,pp.6-11;Krzić,T.5130-1.

³²⁴ Krzić,P459.1,T.1460-4;Krzić,P459.4,T.1752-3;Krzić,T.5113,5121,5133;[REDACTED];Radić,P2111,T.7409-21;[REDACTED];Džonlić,P2287,T2328-35;Džonlić,P2288,T.2450-3,T.2458,T.2463;[REDACTED];Selak,T.18108-10,T.18117;[REDACTED];[REDACTED];[REDACTED];[REDACTED];[REDACTED];[REDACTED];[REDACTED];[REDACTED];Radić,P2096,T.7400;[REDACTED];Traynor,P1356.2,p.8;P1098.24,pp.23;[REDACTED];P459.13;P459.14;P459.18;P1295.18;P459.20;P1098.23;[REDACTED];P1098.21,p.57;P264;P462;P463;P464;P465;P466.

³²⁵ Džonlić,P2289,T.2448-9,T.2457-8,T.2465;P441,pp.15,26;L329,pp.13-4.

³²⁶ P1356.10,p.1;Traynor,P1356.2,p.8;[REDACTED]. [REDACTED];[REDACTED];[REDACTED]. *See also* Džonlić,P2287,T.2304-8;P459.7;P459.21,pp.2-4;[REDACTED];[REDACTED];Radić,P2107,T.22312-5;P459.21

³²⁷ [REDACTED];[REDACTED];[REDACTED];P459.13;AF1057;AF1067;P459.14;P459.16;P459.19;P356.9;1D201,pp.23,53-8;[REDACTED].

³²⁸ [REDACTED].

³²⁹ P536,p.6;P539;1D137,p.3 (ŽUPLJANIN instructing SJBs to execute SOS demands regarding police);[REDACTED].

³³⁰ [REDACTED];1D137,p.3;P344,p.3.

³³¹ [REDACTED];Radulović,T.10740-2;1D280;P470,p.3.

signed the declaration were dismissed and³³² replaced by Serbs - many of whom had dubious histories.³³³

132. [REDACTED]³³⁴ These were conducted by members of the CSB Banja Luka Special Police Detachment, notorious for committing crimes,³³⁵ or by a team of Serb police officers who drove around Banja Luka in a red kombi van wearing blue camouflage uniforms and led by a policeman named Boško Vuksan.³³⁶ They operated from spring to the end of 1993 and were based at the CSB.³³⁷ [REDACTED]³³⁸ frequently in broad daylight. They severely beat non-Serbs and then left them in the outskirts of town. The primary purpose and effect of the red kombi team was clear: to force the non-Serb population to leave the RS.³³⁹ The CSB leadership denied any connection to the unit and refrained from interfering.³⁴⁰

133. Arrests of non-Serbs were followed by detention in the CSB building for lengthy and often violent interrogation [C1.1] before transferring them to other detention facilities [D1.1].³⁴¹ Non-Serbs were never prosecuted for any crime.³⁴²

134. No measures were ever taken against these crimes,³⁴³ even when these crimes were brought to the attention of the military and police.³⁴⁴ In most cases, the police failed to identify perpetrators³⁴⁵ despite the fact that they had the capacity to do so.³⁴⁶ Moreover, Serb perpetrators of

³³² Džonlić, P2288, T.2470-1; [REDACTED]; [REDACTED]; [REDACTED]; Radulović, T.10755-6, T.10787-8; Tutuš, T.7577-82; P470, p.3; P631; P1077; P1373; 1D814. Although Tutuš testified that 73 percent of non-Serbs signed the declaration, his claim is inconsistent with the evidence. Compare Tutuš, T.7774-5; P624, p.2 with P160 (ŽUPLJANIN reporting in July “[a] present there are about 8,500 active duty and reserve policemen in the region, of whom 142 are from other nations or nationalities”); P865, p.2.

³³³ [REDACTED]; P355, p.4; Nielsen, P508, para.209.

³³⁴

[REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; P459.7; P459.13, p.2;

P459.16; [REDACTED]; P1356.10, p.1; P1356.11, p.1.

³³⁵ Radulović, T.10809-11; P459.14; P1081; P1082; P1084; P1088; P1089; [REDACTED].

³³⁶ ST-223, T.18017; [REDACTED]; [REDACTED]; Radulović, T.10814, T.10819; [REDACTED]; Radić, P2107, T.22347-8; [REDACTED].

³³⁷ Radulović, T.10813-4; ST-223, T.18018; [REDACTED]; Krzić, P459.2, T.1487.

³³⁸ [REDACTED]; Radulović, T.10812-3; [REDACTED]; [REDACTED]; [REDACTED]; Krzić, P459.2, T.1487-8.

³³⁹ Radulović, T.10813, T.10815; [REDACTED].

³⁴⁰ ST-223, T.18030; Radulović, T.10815, T.10818-9, T.10822-3; Radić, P2107, T.22348; [REDACTED].

³⁴¹ AF1066; [REDACTED]; ST-223, T.18023-6; [REDACTED]; Radulović, T.10823-8; [REDACTED]; [REDACTED]. See also Krzić, P459.3, T.1625-8; [REDACTED]; [REDACTED]; [REDACTED]; P35.

³⁴² ST-27, T.754, T.837; [REDACTED]; ST-223, T.18025; Radulović, T.10824.

³⁴³ ST-223, T.18027-8, T.18080-1; Krzić, T.5127; Krzić, P459.3, T.1587-

8; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED];

[REDACTED]; P1711. Although during his testimony in this case, Davidović accepted the Defence position that the Banja Luka police were performing their duties based on a few documents shown to him, his prior testimony in *Brdanin* and *Krajišnik* contain his personal perception of the situation in 1992. See ST-139, T.8663, T.8749-53.

³⁴⁴ Krzić, P459.2, T.1528-42; Krzić, T.5138-42; ST-223, T.1802731; [REDACTED]; [REDACTED]; [REDACTED]; P459.7; P459.15; P459.18; P459.19; P470; P1079.

³⁴⁵ 1D198, 1D371; 1D372; 1D373; 1D374; [REDACTED]; [REDACTED]; Kovačević, T.14304-7, 14311-2; 2D127, p.4.

serious crimes against non-Serbs were often freed from detention soon after arrest, signalling to them and other Serb criminals that they could commit crimes against non-Serbs with impunity.³⁴⁷ For example, the only two members of the CSB Banja Luka Special Police Detachment to be arrested for crimes against non-Serbs were set free within days of their arrest,³⁴⁸ and the same applied to 1KK members.³⁴⁹

135. Out of fear, non-Serbs had no choice but to leave the RS.³⁵⁰ These departures were controlled by the Serb police, military and political leadership.³⁵¹ Non-Serbs had to relinquish their property before leaving “voluntarily”.³⁵² The CSB was aware of the extortion of non-Serbs organised by “resettlement” agencies and it took no action to prevent this criminal activity.³⁵³ The work of these agencies resulted in the expulsion of at least 15,000 non-Serbs from Banja Luka in this manner.³⁵⁴ The removal of non-Serbs from ŽUPIJANIN’s backyard was ruthless and carried on throughout the summer.³⁵⁵ Both the RS leadership and the 1KK Command complained that this process was too slow.³⁵⁶

i. Manjača Camp

136. Manjača camp, situated approximately 35 kilometres from Banja Luka town was one of only two detention facilities under the jurisdiction of the 1KK[C1.2].³⁵⁷ Established by Talić, the camp received between 5,500 to 8,000 non-Serb detainees from various municipalities between 15 May and mid-December [D1.2].³⁵⁸ Detainees were predominantly civilians³⁵⁹ of Muslim and Croat

³⁴⁶ Appendix IV;1D233,p.6. See 1D233,p.12;Tutuš,T.7853. In one case, a perpetrator was charged posthumously 2D57 pp.1-2.

³⁴⁷ See generally P1826,p.2;[REDACTED];[REDACTED].

³⁴⁸ P584,P585,P586,P588,P628,p.12;P1091;2D72;Tutuš,T.7708-12;Nielsen,P508,para.226.

³⁴⁹ [REDACTED];Tutuš,T.7575;SZ-003,T.24434-5. 1D201,pp.1-2. Other examples at 2D59,pp.1,52-4;2D60,p.1;1D207,p.1. See also P1275;P1284.58;ST-223,T.18045-6;Kovačević,T.14314-7;Gaćinović,P1609.4,Revised Annex 15,pp.62-4. The investigation of another Serb for murdering a non-Serb was dropped. 1D206;Kovačević,T.14314-5.

³⁵⁰ Krzić,P459.2,T.1533;Krzić,P459.1,T.1453-4;[REDACTED];Traynor,P1356.2,pp.7-8;ST-223,T.18020;Džonlić,P2288,T.2401;[REDACTED];[REDACTED];[REDACTED].

³⁵¹ Džonlić,P2288,T.2395-2401;[REDACTED];P411.29,p.1.

³⁵² Džonlić,P2288,T.2455-7;P441,p.21;Krzić,T.5134-5;Krzić,P459.2,T.1484;ST-223,T.18022,T.18035-43,T.18076-80;Džonlić,P2288,T.2401;P459.13,p.2;L329,pp.13-4.

³⁵³ Krzić,P459.2,T.1484-5;Krzić,T.5134-7;Traynor,P1356.1,pp.1-2;Traynor P1356.1-2,p.9;ST-223,T.18020-2;Džonlić,P2288,T.2397-2400;[REDACTED];Radić,P2107,T.22304-7;P441,p.29;AF799;AF800;AF801;AF802;AF1059.

³⁵⁴ Džonlić,P2288,T.2401;P1356.9;[REDACTED];[REDACTED].

³⁵⁵ Krzić,P459.2,T.1488-94;Traynor,P1356.2,p.8;P459.7;[REDACTED];[REDACTED];[REDACTED];[REDACTED];[REDACTED];Radulović,T.10988;Krzić,T.5225-6;P1356.9,p.1.

³⁵⁶ P432.22,p.1;[REDACTED];[REDACTED].

³⁵⁷ AF449;AF450;AF919;P55;P56. Jovičinac,T.26779-80. The second camp was in Kamenica.

³⁵⁸

AF919;AF1065;[REDACTED];P1792;P194,p.5;[REDACTED];[REDACTED];P473;[REDACTED];A.Draganović,P411.4,T.5103;A.Draganović,P411.10,T.5867-8;Šabanović,P61,T.6508-9,T.6550;[REDACTED];[REDACTED];P2025.

ethnicity, and a few Serbs suspected of having fought for the enemy.³⁶⁰ Amongst the non-Serb detainees were significant numbers of religious officials, politicians, minors, the sick and elderly.³⁶¹ Colonel Božidar Popović was commander of Manjača camp, and Predrag Kovačević, nicknamed “Spaga”, was commander of the prison guards.³⁶² Upon instructions of CSB Banja Luka, SJBs routinely sent police to assist the military with security.³⁶³

137. Although Manjača was a military facility, the prisoners were effectively under the control of the civilian police who brought non-Serb detainees from other facilities,³⁶⁴ including Prijedor (at least 1,630 detainees),³⁶⁵ Sanski Most (1,450),³⁶⁶ and Ključ (1,160).³⁶⁷ SJB officials interrogated and categorised the prisoners, and filed criminal reports in some cases.³⁶⁸ SNB officials processed camp detainees, and occasionally recommended the release of those who were prepared to work for the service.³⁶⁹ Pursuant to RS authorities directives, ŽUPLJANIN ordered all ARK SJBs to prepare and keep dossiers on the detainees they brought to Manjača. ŽUPLJANIN also instructed SJBs to liaise with municipal authorities to decide the fate of detainees for whom there was no evidence they had committed crimes.³⁷⁰ Police were an integral part of the functioning of Manjača.

138. The majority of detainees were civilians and this is largely supported by the evidence.³⁷¹ 1KK officials complained about the large number of civilians in the light of the international media’s attention.³⁷² This problem was attributed to the civilian police.³⁷³ Of the thousands of civilians held at Manjača, only 16 non-Serbs were the subject of a criminal report.³⁷⁴ To disguise

³⁵⁹ AF452.

³⁶⁰ AF453; [REDACTED]; [REDACTED]; [REDACTED]; A.Draganović, P411.4, T.5103-4; ST-172, T.5279.

³⁶¹ [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; P489; [REDACTED]; [REDACTED]; P500; P1904; [REDACTED]; A.Draganović, P411.4, T.5076; ST-172, T.5288-9.

³⁶² AF451; A.Draganović, P411.4, T.5074, T.5080-1, T.5093.

³⁶³ P61.1; A.Draganović, P411.5, T.5452-4; A.Draganović, T.3915; Nielsen, T.4791; [REDACTED]; ST-172, T.5265-9; Murselović, T.15732-3; [REDACTED]; P1645, pp.140,142; P392; ST-161, T.3420-1.

³⁶⁴ ST-172, T.5275. *See also* P391, p.5; A.Draganović, P411.3, T.5002-4; A.Draganović, P411.5, T.5506-7; [REDACTED]; [REDACTED]; Brown, P1803, paras.2.46, 2.55, 2.101, 2.111; Nielsen, P508, para.315; P117; P389; P1807.

³⁶⁵ P670; P496; [REDACTED].

³⁶⁶ P117; 1D162.

³⁶⁷ P972. *See also* P1928, p.2; 1D691; Radulović, T10913.

³⁶⁸ P60.10; P427.26; P478; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; P499; P691; A.Draganović, P411.4, T.5117; [REDACTED]; [REDACTED]; Nielsen, P508, paras.290, 317.

³⁶⁹ P699; P700; P818; P2404, p.3; Nielsen, P508, paras.349-50.

³⁷⁰ P603; P607; P608; P677; P678

³⁷¹ AF1064; [REDACTED]; [REDACTED]; A.Draganović, P411.3, T.5002-4; A.Draganović, P411.4, T.5103; P411.8, T.5717; Šabanović, P61, T.6498-9; Subašić, T.16025; Karabeg, P60, T.6192; P10.10; [REDACTED]; P459.19; McLeod, P1727.1, T.7318; McLeod, T.17760-2; P1599, p.53; Basara, T.1343-5.

³⁷²

[REDACTED]; [REDACTED]; P2025; [REDACTED]; [REDACTED]; [REDACTED]; P2032; 1D17; [REDACTED]; P488; P500; ST-172, T.5293, T.5295-6, T.5301-2, T.5386-7; [REDACTED]; [REDACTED]; Radulović, T.10835.

³⁷³ P611, pp.3-4.

³⁷⁴ [REDACTED]; [REDACTED]. [REDACTED]; P389 (BCS) (entries 24, 34, 116, 143, 684); Karabeg, P60, T.6189-91; [REDACTED]; P60.12, p.3; P2025; P1284.12, pp.713-7 (entry 572). P960.24, pp.9-10.

their civilian status, camp detainees were forced to wear old JNA uniforms during visits by the international and Serbian media.³⁷⁵

139. Poor conditions were the norm at Manjača, marked by unhygienic conditions, forced labour³⁷⁶ and beatings,³⁷⁷ leading to the death of many detainees.³⁷⁸ The inhumane conditions at the camp were apparent to anyone who visited it, including high-ranking ARK politicians (such as Radoslav Brdanin, Vojo Kuprešanin and Predrag Radić),³⁷⁹ police officials (such as ŽUPIJANIN, Vaso Škondrić, Mirko Bojinović, Vinko Kondić and Predrag Radulović),³⁸⁰ and members of the judiciary.³⁸¹

140. Empty assurances were given to detainees both by ŽUPIJANIN and Kuprešanin during their visits.³⁸² Despite these visits, nothing improved at the camp.³⁸³ International organisations were allowed limited opportunities to witness firsthand the atrocious conditions at the camp, despite the fact that the camp was “prepared” and limits were imposed during visits.³⁸⁴ ICRC representatives prematurely terminated their first visit to Manjača on 16 July after seeing the poor conditions and signs of prisoner abuse.³⁸⁵ Serb authorities eventually denied them access to the camp,³⁸⁶ [REDACTED]³⁸⁷

141. The physical mistreatment of Manjač detainees commenced with their transportation to the camp by the civilian police in convoys, or on foot.³⁸⁸ During a day-long journey from Sanski Most,

³⁷⁵ P505;P962.8;A.Džafić,P962.1,p.18-9;ST-172,T.5318.

³⁷⁶ P61.1,p.2;P502;Brown,P1803,para.2.123;A.Draganović,P411.4,T.5083;A.Džafić,P962.1,p.18;Šabanović,P61,T.6530-3.

³⁷⁷ A.Draganović,P411.4,T.5096-5100,T.5101-6;A.Draganović,P411.5,T.5451;A.Draganović,T.3909,T.3911-2;[REDACTED];Karabeg,T.855-6;Egrlić,P960.2,T.10608-9;Egrlić,P960.5,T.4797,T.4799;A.Džafić,P962.1,pp.17-8;Šabanović,P61,T.6510-5;Subašić,T.16026;Kirudja,P2241,T.3146;AF454-455;AF920-924;P2262,p.3;[REDACTED];P179.13,pp.10-2;P1727.3,p.57;P411.40,pp.3-5;P2244,pp.24-5;P1599,pp.54-6;P962.11;P962.12;P58;[REDACTED];P496,p.2;P459.19;P491;P962.14;P179.13 (BCS),pp.11-2. 1D13;1D14;Brown,P1803,para.2.119;Šabanović,T.936-8;Šabanović,P61,T.6529-30.

A.Draganović,P411.4,T.;Egrlić,P960.2,T.10609.

³⁷⁸ [REDACTED];A.Draganović,P411.10,T.5860;A.Draganović,T.3912.

³⁷⁹ Šabanović,P61,T.6573-7;[REDACTED].

³⁸⁰ P500,p.1;[REDACTED];A.Draganović,P411.4,T.5109-10;Šabanović,P61,T.6577-8;ST-172,T.5280-1;Radulović,T.10828-9.

³⁸¹ [REDACTED];A.Draganović,P411.4,T.5116-7;Radulović,T.10828-9.

³⁸² [REDACTED];ST-172,T.5310;A.Draganović,P411.4,T.5114-5;Egrlić,P960.2,T.10610;A.Draganović,T.3902-5;A.Džafić,T.6265-6;Šabanović,T.909-14;AF1063;AF1064;P459.19;A.Džafić,P962.1,p.18;Šabanović,P61,T.6572-3;Krzić,P459.2,T.1539-41.

³⁸³ A.Džafić,P962.1,p.20;Karabeg,P60,T.6187-8 (inhumane conditions at camp continued past August).

³⁸⁴ A.Draganović,P411.5,T.5454-5. T.5471-2;A.Džafić,P962.1,p.18-9;[REDACTED];P1683;1D12;P411.40,pp.4-5;McLeod,P1727.1,T.7306-19; Brown,P1803,paras.2.112-

5,2.121,2.247;P500,p.1;[REDACTED];P2032;A.Draganović,P411.3,T.5089-90.

³⁸⁵ P491;P179.13,p.10.

³⁸⁶ P491;1D87;[REDACTED];Brown,P1803,paras.2.247-8;1D104. p.1.

³⁸⁷ [REDACTED];[REDACTED].

³⁸⁸ AF457;[REDACTED];[REDACTED];A.Džafić. T.6228-30,T.6272;A.Džafić,P962.1,p.16;[REDACTED];ST-172,T.5259-60; AF464;AF499;P432.15 (Sanski Most CS order to SJB Sanski Most to “evacuate” 150 prisoners to

prisoners were forced to endure extremely hot and cramped conditions without water.³⁸⁹ On arrival, police escorts beat and killed at least seven of the prisoners.³⁹⁰ Another similar incident ended with the killing of six detainees.³⁹¹ CSB Banja Luka was informed of these incidents.³⁹² A third transport of 64 non-Serbs [B1.1]³⁹³ resulted in at least 24-25 prisoners suffocating to death or rendered unconscious.³⁹⁴ The unconscious and ill detainees were returned to Sanski Most, killed and thrown in the Vrbas River, and at least 2-3 Betonirka detainees who helped remove the bodies were likewise killed.³⁹⁵ In total, approximately 28 non-Serb detainees died during this entire incident.³⁹⁶ A fourth incident during the day-long transfer of approximately 1,460 non-Serb detainees from Omarska detention facility to Manjača camp by police on 6 August in unbearable conditions [B1.2],³⁹⁷ involved the beating of prisoners by the police escort, and the killing of some prisoners at night.³⁹⁸ At least 10 prisoners died during this incident, which was reported by the IKK.³⁹⁹

142. The prisoners' physical mistreatment occurred not only outside Manjača but also inside the camp. Prisoners were regularly beaten and humiliated by Serb military and civilian police officers,⁴⁰⁰ and this also occurred before, during and after their interrogations,⁴⁰¹ forcing some

Manjača);P60.11 (SJB Sanski Most informing Manjača camp commander that it is sending them a group of prisoners);Šabanović,T.909;Šabanović,P61,T.6488-9.

³⁸⁹ AF467;AF499.

³⁹⁰ AF926;Šabanović,P61,T.6501-3.

³⁹¹ P382;P1910;A.Draganović,T.3899-3900.

³⁹² P383;[REDACTED];ST-161,T.3407-10. *See also* P396 (in which Danilusko Kajtez confesses to participating in the murder of 12 detainees transported to Manjača upon orders of ST-161 and SZ-007, among others);A.Daganović,P411.3,T.4993-4;A.Draganović,P411.5,T.5506-8.

³⁹³ ST-172,T.5293-4;Šabanović,P61,T.6541;AF465;AF466;1D162.

³⁹⁴

AF467;AF468;[REDACTED];[REDACTED];P411.32;P391,p.3;P602,p.6;A.Draganović,T.4008;A.Draganović,P411.6,T.5551-2;ST-172,T.5293-4.

³⁹⁵ Šabanović,P61,T.6538-44.

³⁹⁶ A.Draganović,P411.4,T.5094-6.

³⁹⁷ Murselović,T.15717-15733;ST-228,T.18581-95,T.18606-8;ST-226,T.16050-62. *See also*

[REDACTED];AF469;P496;[REDACTED];P670;[REDACTED];ST-226,T.16050-3;Murselović,T.15720-3;[REDACTED];P807,pp.1-2.

³⁹⁸ [REDACTED];[REDACTED];2D71,pp.13-6;AF1062;AF470;Murselović,T.15725-32;ST-228,T.18587-94;[REDACTED];ST-226,T.16056-62;Šabanović,P61,T.6544-6;[REDACTED];Rodić,T.14512.

³⁹⁹ [REDACTED];2D71,pp.4-11,16.

⁴⁰⁰ A.Draganović,P411.3,T.5008-11;A.Draganović,P411.4,T.5069-

75,T.5088,T.5093,T.5101;A.Draganović,P411.5,T.5448-51,T.5453-4,T.5507;A.Draganović,T.3915-6;A.Džafić,P962.1,pp.17-8;Egrlić,P960.2,T.10606-7;Egrlić,P960.5,T.4796-

8;[REDACTED];P1599,p.54;Karabeg,P60,T.6188;Šabanović,P61,T.6515,T.6523,T.6569-70;ST-172,T.5299-5300. AF456;AF457;P459.19;P491;[REDACTED];[REDACTED];P179.13 (BCS),p.10;P2032.

⁴⁰¹ AF458;A.Draganović,P411.4,T.5077,T.5093 (two police inspectors from SJB Sanski Most involved in beatings during interrogations);A.Džafić,P962.1,p.17;Šabanović,P61,T.6527-8;Karabeg,P60,T.6188.

detainees to sign or read false confessions to the media.⁴⁰² Some detainees received serious injuries from their beatings,⁴⁰³ and at least 10-15 died as a result of them.⁴⁰⁴

143. With few exceptions,⁴⁰⁵ only detainees who were minors, elderly or severely sick were released from the camp during the early phase and only as a result of interventions by the ICRC or Merhamet.⁴⁰⁶ It was not until 14 November that any significant release (700 detainees) was made.⁴⁰⁷ The remaining detainees were either transferred to Batković detention facility or Kula prison or escorted outside the RS on or about 16 December.⁴⁰⁸ None were allowed to return home, and the handful that attempted to do so, were mostly killed.⁴⁰⁹ The camp's ultimate purpose therefore was not to criminally investigate but to remove non-Serbs from the RS.⁴¹⁰

144. In total, Serb forces killed at least 60 non-Serbs on the way to, or inside, Manjača camp.⁴¹¹ Serb authorities, including the civilian police, failed to adequately investigate or prosecute these crimes even though the identities of the perpetrators were readily available.⁴¹² Likewise, although CSB Banja Luka was aware that SJB Prijedor transported Omarska detainees to Manjača on 6 August,⁴¹³ it only filed an unknown perpetrator criminal report.⁴¹⁴ No investigations were taken with regard to the 11 June and 7 July incidents despite the fact that the CSB was aware of these crimes and the potential involvement of police officers.⁴¹⁵

(d) Zvornik

145. Zvornik witnessed some of the worst excesses of the war in 1992. Serb forces subjected the non-Serb population of Zvornik to a prolonged and brutal campaign characterised by, *inter alia*, the expulsion of non-Serb villages, arbitrary detention, killings, torture of detainees and the plunder and

⁴⁰² A.Draganović,P411.4,T.5067-8;Egrlić,P960.1,T.10568-78;Egrlić,P960.2,T.10603-5,T.10665-71;Egrlić,P960.6,T.4825-7;P960.25.

⁴⁰³ AF460.

⁴⁰⁴ AF461-AF463;AF925;[REDACTED];[REDACTED];[REDACTED];[REDACTED] (false report of death due to "natural causes");Šabanović,P61,T.6516-22;A.Draganović,T.4007-9;A.Draganović,P411.4,T.5082,T.5088-93;Egrlić,P960.3,T.10698-9.

⁴⁰⁵ A.Draganović,P411.4,T.5115-6.

⁴⁰⁶ P488;ST-172,T.5297.

⁴⁰⁷ P2025;Brown,P1803,para.2.130;A.Draganović,P411.10,T.5862-3;ST-172,T.5316,T.5362;McLeod,P1727.1,T.7334-6.

⁴⁰⁸ P1792;P1819;AF817;AF1065;A.Draganović,P411.5,T.5455-6.

⁴⁰⁹ P1356.10,p.2;P750.

⁴¹⁰ Brown,P1803,paras.2.132-3.

⁴¹¹ A.Draganović,T.4008;A.Draganović,P411.4,T.5088.

⁴¹² P459;ID601;A.Draganović,P411.4,T.5092;ST-172,T.5281.

⁴¹³ P670;2D71,pp.13-4;Rodić,T.8911-14.

⁴¹⁴ 2D71;M.Kovačević,T.14142-5,T.14155-69. Murselović,T.15732-3;ST-226,T.16063;ST-228,T.18595.

⁴¹⁵ P383;P391,p.3;[REDACTED];[REDACTED];Delić,T.1725. At most, SJB Sanski Most proposed a medical examination of some of the bodies. P411.32,p.2.

destruction of non-Serb property and religious monuments. Zvornik's location on the west side of the Drina River forming the border with Serbia made it of strategic importance to the Serbs.⁴¹⁶

146. The first multi-party elections in 1990 signaled a change in inter-ethnic relations in Zvornik which was exacerbated by the war in Croatia.⁴¹⁷ [REDACTED]⁴¹⁸ By August 1991, Zvornik SDS was covertly arming Serbs and by late 1991, Serbs had established armed guards, ostensibly to protect themselves from Muslims.⁴¹⁹ [REDACTED]⁴²⁰ This arming continued into 1992 with the involvement of local Serb policemen.⁴²¹

147. On 22 December 1991, the Variant A/ B instructions were implemented and a Serbian CS was formed in Zvornik (Variant B municipality).⁴²² SJB Zvornik's Serb Commander was a member of the CS.⁴²³ On 27 December, the Serbian Municipality of Zvornik was declared, explicitly citing Article 4 of the Variant A/B as the legal basis.⁴²⁴ This was followed by SJB Zvornik's split along ethnic lines.⁴²⁵ Although SJB Zvornik members were initially opposed to the split,⁴²⁶ on 6 April the SJB leadership ordered Serb policemen to take their vehicles and equipment and relocate to the Alhos factory in Karakaj.⁴²⁷ [REDACTED].⁴²⁸ [REDACTED].⁴²⁹ On 5 April, the Serb CS ordered mobilisation of the Serb TO and, this coincided with the arrival of paramilitary groups in Zvornik at the invitation of the CS President.⁴³⁰ Rumours of the slaughter of Muslims in Bijeljina committed by Arkan's men spread in Zvornik.⁴³¹ [REDACTED].⁴³² [REDACTED].⁴³³ [REDACTED].⁴³⁴

148. With the splitting of the SJB, Serb police and paramilitaries established checkpoints at several locations around Zvornik.⁴³⁵ On 6 April, the CS declared a state of war over the radio⁴³⁶ and

⁴¹⁶ Strategic objective number three of the Serbian People in BiH was to "establish a corridor in the Drina River valley, that is, to eliminate the Drina as a border separating Serbian States." P24.

⁴¹⁷ AF74; Smajilović, P314, para.2.

⁴¹⁸ [REDACTED].

⁴¹⁹ P1180.

⁴²⁰ [REDACTED].

⁴²¹ P348, p.20.

⁴²² Hanson, T.4382. *See also* P434, para.19; P436.

⁴²³ P436; ST-215, T.14859-14860.

⁴²⁴ P437.

⁴²⁵ *See* P69, p.8.

⁴²⁶ P635; *See also* Nielsen, T.4727; Nielsen, P508, para.92; Mandić, P1318.02 T.8683-4.

⁴²⁷ Panić, T.2870-2871; ST-215, T.14871-2; ST-14, T.2625-6. *See* P1698 for the location of the Alhos factory in Karakaj.

⁴²⁸ [REDACTED].

⁴²⁹ [REDACTED].

⁴³⁰ AF1373.

⁴³¹ ST-088, P2189, p.2.

⁴³² [REDACTED].

⁴³³ [REDACTED]; [REDACTED].

⁴³⁴ [REDACTED].

⁴³⁵ Panić, T.2870-2; *See also* ST-215, T.14868-14870; AF1374.

⁴³⁶ Panić, T.2875-6.

specified that defence duties were to be taken over by the TO and reserve police.⁴³⁷ By 7 April, the plan of attack was finalised, whereby Serb police were to provide support for Arkan's men.⁴³⁸

149. On 8 April, Serb and Muslim leaders held a meeting in Mali Zvornik, with Arkan in attendance, and Serbs gave Muslims an ultimatum: surrender all weapons they supposedly held, or suffer the consequences.⁴³⁹ That day, the police, the TO, the JNA and Arkan's men launched their attack on Zvornik town [G.17] [F.17],⁴⁴⁰ supported by artillery. Arkan's men moved from house to house, beating Muslims in the streets⁴⁴¹ [REDACTED].⁴⁴² [REDACTED].⁴⁴³ Journalists interviewed fleeing civilians, recording the palpable fear and tension amongst them.⁴⁴⁴ Serb policemen saw bodies dressed in civilian clothes lying in the streets.⁴⁴⁵ Horrific images of Serb workers sweeping the streets for dead bodies and throwing them onto the back of a truck were captured on film.⁴⁴⁶ With little or no resistance from the Muslim population, Serbs quickly took control of Zvornik and raised the Serbian flag over the main town mosque.⁴⁴⁷

150. Muslims from Zvornik town fled to nearby Muslim villages,⁴⁴⁸ and representatives of non-Serb villages hurriedly entered into negotiations hoping to avoid the violence inflicted upon non-Serbs in town.⁴⁴⁹ The living conditions for Muslims remaining in Zvornik rapidly deteriorated as a series of increasingly harsh and persecutory measures were imposed, such as the signing of a loyalty pledge,⁴⁵⁰ which was not always an option,⁴⁵¹ house searches and interrogations of Muslims by the Serb police,⁴⁵² little access to food and medical care, and no security.⁴⁵³

151. Once Serb forces had secured Zvornik town, they concentrated on Muslim settlements in the municipality [F17]. This included attacks; on Kula Grad (by JNA, paramilitary groups and Serb

⁴³⁷ P323;ST-215,T.14868-9;14873.

⁴³⁸ Panić,T.2876-7.

⁴³⁹ ST-215,T.14874-7.

⁴⁴⁰ AF1377;ST-125,T.14874-7;Smajilović,P314,para.3;[REDACTED];[REDACTED];([REDACTED]);Panić,T.2876-7;2879-80;P348,p.22

⁴⁴¹ ST-088,P2189,p.3.*See* P1698 for the location of Kula Grad in relation to Zvornik town.

⁴⁴² [REDACTED];AF1378;AF1416.

⁴⁴³ [REDACTED].

⁴⁴⁴ P908,at 19:37-23:03. *See also* ST-221,T.17031-35 commenting on P908.

⁴⁴⁵ Panić,T.2880-1. *See also* P908,at 20:16-20:30: a UN representative in Zvornik on 8 April could see artillery and small arms fire being directed at Zvornik from the Serbian side of the Drina River.

⁴⁴⁶ P908,at 21:15-22:03.

⁴⁴⁷ [REDACTED];Panić,T.2880,T.2885;AF1378;[REDACTED];[REDACTED] ST-088,P2189,p.3;Smajilović,P314,para.3.

⁴⁴⁸ AF1379;Panić,T.2880;ST-221,T.17023;[REDACTED].

⁴⁴⁹ ST-088,P2189,p.3;ST-088,P2191,T.15729-30,T.15734-35;[REDACTED];[REDACTED].

⁴⁵⁰ AF1382.

⁴⁵¹ [REDACTED];[REDACTED].

⁴⁵² AF1397;P346,p.2.

⁴⁵³ ST-215,T.14892;[REDACTED];Smajilović,P314,para.5.

police)⁴⁵⁴ where many Muslims had fled to⁴⁵⁵ (26 April); on Divić (Arkan's men, White Eagles and reserve police, supported by JNA artillery)⁴⁵⁶ in early May;⁴⁵⁷ followed by another attack by the Yellow Wasps on about 26 May;⁴⁵⁸ [REDACTED]⁴⁵⁹ [REDACTED]⁴⁶⁰ on Kozluk (end of May and a second attack on 20 June) by soldiers, TO and paramilitary⁴⁶¹ transporting approximately 1,800 non-Serb residents out of Kozluk to Serbia [F.17].⁴⁶²

152. A highly-organised operation to expel non-Serbs was co-coordinated by municipal authorities. Women and children were removed, while men fit for military service were placed in detention facilities, supposedly to be exchanged.⁴⁶³ [REDACTED]⁴⁶⁴ Serb forces removed some 5,000-6,000 civilians from Đulići.⁴⁶⁵ [REDACTED]⁴⁶⁶ From June, Serbs moved into the homes of evicted Muslims, with the approval of the provisional government.⁴⁶⁷ Zvornik was emptied of its Muslim population.⁴⁶⁸

153. On 30 June Karadžić and Mladić led a meeting in Zvornik with local civilian and police.⁴⁶⁹ Mladić noted in his notebook comments from Grujić and Pavlović to the effect that they had successfully implemented the President's decision to "settle Divić and Kozluk with our children" and that "we were most active in evicting the Muslims".⁴⁷⁰

154. The takeover was followed by the large-scale detention of non-Serbs in 25 different detention facilities, where they were severely beaten and large groups executed.⁴⁷¹ Many of these facilities were, at least initially, established by the military, paramilitary groups or the TO, before being taken over by the police.⁴⁷² These non-Serbs were arrested and detained without any proper legal procedures being followed to establish a proper basis for their detention.⁴⁷³

⁴⁵⁴ ST-221,T.17023;[REDACTED];AF1379;[REDACTED];Panić,T.2909.

⁴⁵⁵ AF1379;AF1416;[REDACTED].

⁴⁵⁶ AF1383;ST-088,P2189,pp.3-4;ST-088,P2191,T.15730-3.

⁴⁵⁷ ST-088,P2189,p.3 AF1384.

⁴⁵⁸ ST-088,P2189,p.4-6;ST-088,P2191,T.15741-44;AF1385.

⁴⁵⁹ [REDACTED];[REDACTED];[REDACTED].

⁴⁶⁰ [REDACTED].

⁴⁶¹ AF1388;[REDACTED];AF1389;AF1392.

⁴⁶² AF1395;AF1393.

⁴⁶³ AF1386;AF1405;Panić,T.2896.

⁴⁶⁴ [REDACTED];[REDACTED]; [REDACTED].

⁴⁶⁵ Panić,T.2896,2899-900,2988-9;[REDACTED].

⁴⁶⁶ [REDACTED];[REDACTED];[REDACTED];Panić,T.2898.

⁴⁶⁷ AF1387.

⁴⁶⁸ Dokanović,T.3577;Dokanović,P397.2,T.10593-5;Panić,T.2942-2943.

⁴⁶⁹ Dokanović,T.3585-6;P1755,pp.246-72.

⁴⁷⁰ P1755,pp.252-3. (Grujić);P1755,pp.253-4. (Pavlović);P1755,p.270 (Karadžić)

⁴⁷¹ AF1417.

⁴⁷² Panić,T.2896,T.3004;P338,p.4.

⁴⁷³ Panić,T.3056-7.

155. These detention facilities included the SJB Building[C18.1] where arrested non-Serbs were interrogated by police and State Security,⁴⁷⁴ and transferred to a larger detention facility in the municipality.⁴⁷⁵ The Drinjača school, was used as a detention facility following the attack on 30 May [C18.7].⁴⁷⁶ [REDACTED]⁴⁷⁷ [REDACTED].⁴⁷⁸ [REDACTED]⁴⁷⁹ [REDACTED]⁴⁸⁰ [REDACTED]⁴⁸¹ Another detention facility was the Ekonomija Farm [C18.8]⁴⁸² in the Karakaj industrial area, and run by the Serb police, where several Muslims were detained,⁴⁸³ some severely mistreated [D17.7], with one dying as a result [D17.6].⁴⁸⁴ This was with the knowledge of the SJB chief,⁴⁸⁵ [REDACTED]⁴⁸⁶ Karakaj Technical School (KTS), where Muslim civilians⁴⁸⁷ were also detained [C18.3],⁴⁸⁸ numbering approximately 750 men, was another facility.⁴⁸⁹ It was initially established by paramilitaries, and authority over the prison was later assumed at different times by the military and the police, respectively.⁴⁹⁰ Approximately 20 detainees died from heat stroke and lack of water within hours of their detention.⁴⁹¹ [REDACTED]⁴⁹² [REDACTED]⁴⁹³ Thereafter Serb guards and paramilitary groups interrogated and beat detainees, executing 160-180 [B14.3].⁴⁹⁴ [REDACTED]⁴⁹⁵ [REDACTED]⁴⁹⁶ [REDACTED]⁴⁹⁷ Gero's slaughterhouse, where detainees from other facilities⁴⁹⁸ were taken to be executed[C18.4][D17.3] was a detention facility.⁴⁹⁹ 64 men

⁴⁷⁴ Panić, T.2939-40.

⁴⁷⁵ ST-222, T.17066.

⁴⁷⁶ [REDACTED]; P294.

⁴⁷⁷ [REDACTED]; [REDACTED].

⁴⁷⁸ [REDACTED]; [REDACTED]; [REDACTED].

⁴⁷⁹ AF1401; [REDACTED]; [REDACTED]; [REDACTED].

⁴⁸⁰ AF1402; [REDACTED]. See also P294; [REDACTED]. See also

P296; P297; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED].

⁴⁸¹ [REDACTED]; [REDACTED]

⁴⁸² Panić, T.2897; ST-215, T.14883-5; [REDACTED]. For the location of Ekonomija Farm see P1697. Ekonomija Farm is marked with the number 2. See also ST-221, T.17038; P1702 (a video clip showing Ekonomija Farm); See ST-222, T.17050-1 for comments.

⁴⁸³ AF1398; Panić, T.2897; ST-222, T.17049-50, 17056, 17068-9; ST-222, T.17056. The witness names police reservists who guarded the detainees at Ekonomija. See P326 (Zvornik SJB playlist July 1992), numbers 101, 189-92.

⁴⁸⁴ AF1399.

⁴⁸⁵ ST-222, T.17054.

⁴⁸⁶ [REDACTED], ST-222, T.17162-3; [REDACTED]; Panić, T.2933-4; P343; [REDACTED].

⁴⁸⁷ See, e.g. Panić, T.3050. The witness indicates that not only were the detainees at Karakaj Technical School civilians and not combatants, but that the Serb police were aware of this fact.

⁴⁸⁸ For the location of KTS, see P1697; ST-221, T.17037-8.

⁴⁸⁹ AF1406; ST-215, T.14891-3; [REDACTED]; [REDACTED]; [REDACTED]; Panić, T.2896, T.2988-9.

⁴⁹⁰ Panić, T.2896-8; ST-222, T.17059, T.17064, [REDACTED], T.17163, [REDACTED].

⁴⁹¹ AF1407; [REDACTED]; [REDACTED].

⁴⁹² AF1408; ST-215, T.14893-4, [REDACTED]; [REDACTED]; [REDACTED].

⁴⁹³ [REDACTED]; [REDACTED].

⁴⁹⁴ AF1409; [REDACTED]; [REDACTED]; Panić, T.2902. For names of some of those killed at KTS, see [REDACTED] in conjunction with [REDACTED]; See also [REDACTED], in conjunction with [REDACTED]; [REDACTED].

⁴⁹⁵ [REDACTED].

⁴⁹⁶ [REDACTED]; [REDACTED]; [REDACTED]

⁴⁹⁷ [REDACTED]. That the majority of those 750 detainees were killed is confirmed by Panić, T.2902-3.

⁴⁹⁸ AF1410; [REDACTED]; [REDACTED].

⁴⁹⁹ AF1410; [REDACTED]; [REDACTED]; Panić, T.2902-3; [REDACTED] See also P1692; [REDACTED].

were taken there by the Serb police,⁵⁰⁰ [REDACTED]⁵⁰¹ [REDACTED]⁵⁰² Two more groups were taken that day and a total of 190 men were executed [B14.4]. Novi Izvor established by paramilitaries and taken over by the police [C18.5],⁵⁰³ was located in the municipal compound in Zvornik, along with the SJB Building and the Misdemeanour Court.⁵⁰⁴ The commander was ST-222, a police officer.⁵⁰⁵ Hundreds of Muslim detainees⁵⁰⁶ were often brought in by police without any explanation for their arrest.⁵⁰⁷ Detainees were tortured and this lasted at least four months, some by “Gogić’s group” while the police gave paramilitary groups unfettered access [D17.4].⁵⁰⁸ Detainees disappeared;⁵⁰⁹ others were forced to perform sexual acts upon one another.⁵¹⁰ [REDACTED]⁵¹¹ On one occasion, a group of 10-12 detainees was issued reserve police uniform and taken out for forced labour, only to be killed [B14.5];⁵¹² Čelopek Dom Kulture was a detention facility. Police escorted buses bringing in remaining detainees from Divič [C18.2].⁵¹³ Detainees were guarded by Serb police,⁵¹⁴ locked without food or water, beaten, tortured and some killed.⁵¹⁵ Various paramilitary groups including the Yellow Wasps had access and would viciously beat detainees [D17.1].⁵¹⁶ On 11 June, “Repić”⁵¹⁷ and some of his men entered Dom Kulture for an orgy of sadistic violence in which they sexually mutilated many detainees [D17.1].⁵¹⁸ Repić also randomly killed a number of prisoners with his pistol [D17.1].⁵¹⁹ On 27 June, Repić ordered prisoners to line up and began shooting them one by one [B14.2],⁵²⁰ killing 20 prisoners and

⁵⁰⁰ P1697 (Gero’s slaughterhouse is marked with the number 3, as per ST-221, T.17038).

⁵⁰¹ [REDACTED].

⁵⁰² AF1410; [REDACTED]; [REDACTED]; Panić, T.2902-3. These killings were also witnessed by [REDACTED]. See also P1692 [REDACTED]; [REDACTED] [REDACTED].

⁵⁰³ Panić, T.2894-7, T.3016-7.

⁵⁰⁴ P1706; ST-222, T.17066-8.

⁵⁰⁵ Smajilović, T.2752.

⁵⁰⁶ ST-088, P2189, p.6; [REDACTED].

⁵⁰⁷ Smajilović, T.2743-5, 2756; P314, paras.5-6.

⁵⁰⁸ Smajilović, T.2754; Smajilović, P314, para.9; ST-222, T.17071-3.

⁵⁰⁹ Smajilović, P314, para.21.

⁵¹⁰ Smajilović, P314, paras.22-3.

⁵¹¹ [REDACTED].

⁵¹² [REDACTED]. See also Panić, T.2932-3. While Panić describes this incident as having occurred in January 1993, he is clearly mistaken, as ST-222 places it as occurring while he was still overseeing the guards at Novi Izvor. [REDACTED]. See [REDACTED]; [REDACTED].

⁵¹³ ST-088, P2189, p.6; [REDACTED]. The presence of detainees from Divič at Čelopek Dom Kulture is confirmed by P1696 (list of prisoners). See also ST-221, T.17030, 17037-8; ST-215, T.14884; [REDACTED]. For location of Dom Kulture see P1697; P1695 and ST-221, T.17029-30.

⁵¹⁴ ST-088, P2189, p.6; [REDACTED]; [REDACTED]; Panić, T.3015; ST222, T17079-80, T.17130.

⁵¹⁵ ST-088, P2189, pp.6-7; AF1411.

⁵¹⁶ ST-088, P2189, p.7; AF1412.

⁵¹⁷ P1539, p.1. This official note of an interview by Duško Vučković establishes that he is the person known as “Repić.” See also M.Davidović, P1557.1, para.126. This witness establishes that Duško Vučković, a.k.a. “Repić” was a member of the Yellow Wasps. See also [REDACTED].

⁵¹⁸ AF1413; ST-088, P2189, pp.7-8; [REDACTED]; P1539, pp.1-2.

⁵¹⁹ ST-088, P2189, pp.7-8.

⁵²⁰ [REDACTED].

wounding 22.⁵²¹ Local Serb women protested and the police moved the prisoners to the Misdemeanour Court.⁵²² However, paramilitary groups continued to gain access to the prisoners and beat them and this continued until the surviving prisoners from Divić were transferred to Batković camp.⁵²³

156. Quotes attributed to the Serb mayor of Zvornik, Branko Grujić, provide a chilling insight into the changing nature of the municipality. In 1993, he stated that “Zvornik once had a population of almost 70,000 – with more than 60 percent being Muslims. Today, the mosque has been blown up, and the city is more than 90 percent Serb, maybe even 99.9 percent Serb.”⁵²⁴ A year later, he was quoted as saying that “there were only five Muslims left in Zvornik.”⁵²⁵ The non-Serbs’ cultural and religious heritage was also irreparably damaged. Between April and spring of 1993, Serb forces destroyed 46 Islamic sites (including 36 mosques) [E17],⁵²⁶ forty of which were damaged or destroyed in 1992, as a result of deliberate attacks.⁵²⁷

(e) Gacko

157. Muslims made up one third of the Gacko’s population in 1991,⁵²⁸ but had only two Muslim villages, Fazligića Kula and Borać.⁵²⁹ Despite high level reassurances of safety,⁵³⁰ the Muslim population was expelled within a few months in 1992.⁵³¹

158. [REDACTED]⁵³² [REDACTED]⁵³³ Covert signals were used to designate Serb homes destined to receive weapons.⁵³⁴ [REDACTED]⁵³⁵ TO and police erected barricades in March.⁵³⁶

⁵²¹ AF1414;P321,p.2;ST-088,P2189,p.9;ST-121,T.3685-7;P1539,p.2.

⁵²² ST-088,P2189,p.10;ST-088,P2191,T.15757;Panić,T.2932;ST-222,T.17081-2.

⁵²³ ST-088,P2189,p.10;[REDACTED].

⁵²⁴ P1399,para.36.

⁵²⁵ P1399,para.37.

⁵²⁶ P1399,para.35.

⁵²⁷ P1397,p.11. The mosques whose damage was documented by Riedlmayer and were reported to have been damaged or destroyed by the Serb forces in 1992 include: Divić mosque,P1406,pp.1009-10;Glumina mosque,P1406,pp.1015-6;Donja Kamenica mosque,P1406,p.1018;Drinjača mosque,P1406,pp.1033-4;Dulići mosque,P1406,pp.1036-8;Klisa mosque,P1406,pp.1078-9;Kozluk mosque,P1406,pp.1087-8;Kula Grad mosque,P1406,pp.1096-7;Novo Selo mosque,P1406,pp.1108-9;Skočić mosque,P1406,pp.1114-5;Svrake mosque,P1406,pp.1120-1;Rijeka mosque,P1406,pp.1132-5;Snagovo mosque,P1406,p.1138. P2466,entries 7425-7558.

⁵²⁸ P2434.

⁵²⁹ AF1280;P2321;P914,Bašić,T.5980.

⁵³⁰ On 28 April, General Perišić attended a meeting in Gacko with Serb and Muslim representatives and reassured them that he would protect all citizens.[REDACTED];ST-003,P2152 T.27760.

⁵³¹ AF1290;P162,p.2;Bašić,T.5979.

⁵³² [REDACTED];Musić,P2177 p.2.

⁵³³ [REDACTED].

⁵³⁴ Musić,P2177,p.3.

⁵³⁵ [REDACTED].

⁵³⁶ AF1281.

Checkpoints were established.⁵³⁷ From March, the White Eagles were billeted in local JNA barracks and patrolled the town.⁵³⁸

159. [REDACTED]⁵³⁹ [REDACTED]⁵⁴⁰ After killings began, Muslims reacted by organising a protest. [REDACTED].⁵⁴¹ [REDACTED]⁵⁴² Serbs fired at the mosque [E11].⁵⁴³ Muslims shops and cafes were blown up.⁵⁴⁴ STANIŠIĆ was aware of this by April and reported it in his daily bulletins.⁵⁴⁵ [REDACTED]⁵⁴⁶

160. On 1 June, mass arrests of Muslims began,⁵⁴⁷ coordinated and orchestrated by Popić and Jorgić.⁵⁴⁸ [REDACTED]⁵⁴⁹ Police claimed it was a routine operation to find hidden weapons, however 120 Muslims were imprisoned in the SJB building and taken to the Dom Kulture.⁵⁵⁰

161. Remaining Muslims withdrew into their two villages. ST-003 was arrested and taken to Popić's office. [REDACTED]⁵⁵¹ 800 women and children were moved to Macedonia.⁵⁵² Later a further 270 Muslims were arrested and six detention facilities set up, one in the basement of the Power Station Hotel 500 metres from the police station [C12.2].⁵⁵³ Popović and Popić⁵⁵⁴ were in charge.⁵⁵⁵

162. Osman Musić was arrested by the White Eagles and taken to the police station. He was transferred to the JNA barracks and then to the Power Station Hotel. Twelve days later, Popić interrogated and beat him [D12.2]. [REDACTED]⁵⁵⁶ He was exchanged on 18 August.⁵⁵⁷

⁵³⁷ P168,p.4.

⁵³⁸ ST-003,P2152,T.27758-60.

⁵³⁹ [REDACTED].

⁵⁴⁰ [REDACTED].

⁵⁴¹ [REDACTED];P915;P2016;Bašić. T.5989-90.

⁵⁴² [REDACTED],Bašić,T.5989-90.

⁵⁴³ Musić,P2177,p.3.

⁵⁴⁴ Bašić,T.5989-90.

⁵⁴⁵ P156;P1432;P1434;Kruļj,T.1984-5.

⁵⁴⁶ [REDACTED].

⁵⁴⁷ ST-003,P2152,T.27761-2

⁵⁴⁸ Musić P2177,pp.3-4.

⁵⁴⁹ [REDACTED].

⁵⁵⁰ AF1284;[REDACTED];P917.

⁵⁵¹ [REDACTED].

⁵⁵² AF1290.

⁵⁵³ AF1288;P916;Bašić T.5996-7;Musić,P2177,p.4.

⁵⁵⁴ Bašić,T.6014. "Vitimir Popić, the police commander. He was the Alpha and Omega of everything. The same as Karadžić was in the Republika Srpska,Popić was the same thing in this region."

⁵⁵⁵ Musić,P2177 p.5.

⁵⁵⁶ [REDACTED].

⁵⁵⁷ Musić,P2177 pp.3-9.

163. [REDACTED]⁵⁵⁸ [REDACTED]⁵⁵⁹ Although initially released, the next day a policeman re-arrested him and took him back to the police station where he remained for 25 days [REDACTED]⁵⁶⁰ [REDACTED]⁵⁶¹

164. Bašić was a mining engineer, and resident of Fazligića Kula.⁵⁶² He stopped working when the harassment became too much. In June he fled, taking his children with him into the hills.⁵⁶³ Villagers who did not flee were killed.⁵⁶⁴ Bašić stayed in the hills for two months with 500-600 Muslims. When they returned to their village to get food, they saw police in blue uniforms, looting, burning homes, and arresting remaining villagers [F11].⁵⁶⁵

165. Gacko War Presidency demanded the surrender of these villagers.⁵⁶⁶ The men were to be prisoners of war, women, children and elderly would be expelled. Bašić's family surrendered, but he did not. He tried to flee but was caught, and detained in a school before being transported to the SJB Gacko. He was interrogated and beaten in Popović's presence. Conditions were atrocious.⁵⁶⁷

166. Bašić remembers the people who took him to Kotlina bridge including a reserve policemen.⁵⁶⁸ His hands were bound as he left the SJB Building and had to pass through a gauntlet of Serbs who beat him with sticks and metal rods. At the bridge, Bašić was shot twice. Nine members of his family died on the bridge [B15.2]. Bašić survived. He saw Popović push bodies into the ravine below.⁵⁶⁹

167. RSMUP officers were involved in crimes committed in Gacko. STANIŠIĆ visited Trebinje on 1 April to attend a ceremonial opening of the new CSB. Many active policemen from various SJBs attended.⁵⁷⁰ He appointed the police chief Popović and his commander Popić to SJB Gacko.⁵⁷¹

⁵⁵⁸ [REDACTED].

⁵⁵⁹ [REDACTED].

⁵⁶⁰ [REDACTED].

⁵⁶¹ [REDACTED].

⁵⁶² Bašić, T. 5978-89.

⁵⁶³ Bašić, T. 5996-6000.

⁵⁶⁴ AF1285.

⁵⁶⁵ Bašić, T. 6001-3; P918.

⁵⁶⁶ P919; Bašić, T. 6004.

⁵⁶⁷ Bašić, T. 6004-14.

⁵⁶⁸ P918; P920; Bašić T. 6014-6, T. 6025.

⁵⁶⁹ Bašić, T. 6018-24.

⁵⁷⁰ Krulj, T. 2206-7, T. 2210-4.

⁵⁷¹ P2016.

In September STANIŠIĆ was informed in a CSB Trebinje report that some reserves had committed crimes.⁵⁷²

168. The Gacko SJB reported throughout May, June and July to CSB Trebinje.⁵⁷³ In early July, Karadžić knew that paramilitary groups were causing problems in Gacko and ordered the RSMUP to investigate.⁵⁷⁴ CSB Trebinje chief attended the 11 July meeting in Belgrade and expressed concerns about the lack of control in the area.⁵⁷⁵ He called meetings with SJB chiefs every 10-15 days between April and September.⁵⁷⁶ However no steps were taken to prevent crimes or investigate the police involved.⁵⁷⁷

(f) Višegrad

169. Višegrad, was made infamous in 1992, when two police officers leading a group of armed men forced over 70 women, children and elderly non-Serbs into a house and set fire to it, killing almost all of them [A4.1].⁵⁷⁸ By August, no non-Serbs remained in Višegrad town other than those married to Serbs or detained at the VRS military barracks.⁵⁷⁹ By the end of the conflict, the non-Serb population in Višegrad municipality was negligible, while the Serb population had increased substantially.⁵⁸⁰

170. From early 1992, Muslims were disarmed whereas Serbs armed themselves and organised military training.⁵⁸¹ Some Muslims also attempted to organise themselves, but were less successful.⁵⁸² From 4 April, Serb politicians in Višegrad repeatedly insisted upon the division of the police along ethnic lines.⁵⁸³ This division occurred at the beginning of the conflict. Serb officers remained at the SJB in Višegrad town whilst Muslim officers transferred to other police stations.⁵⁸⁴

⁵⁷² P634,p.5.

⁵⁷³ P168.

⁵⁷⁴ P578.

⁵⁷⁵ P160,p.11.

⁵⁷⁶ Krulj,T.1979.

⁵⁷⁷ Gaćinović,P1609.4,p.4;Vasić,T.13788.

⁵⁷⁸ [REDACTED].

⁵⁷⁹ Draško,T.12281.

⁵⁸⁰ Tabeau,P1628,Tables 1M and 1S.

⁵⁸¹ AF698.

⁵⁸² AF699.

⁵⁸³ AF1336.

⁵⁸⁴ AF1446.

171. Soon after 4 April, barricades around Višegrad were raised, which was followed by random acts of violence. During one such incident, mortars were fired at Muslim neighborhoods. Consequently many civilians began to flee in fear.⁵⁸⁵

172. On 13 April, Serb paramilitary groups secured the mountain pass village of Prosjak, east of Višegrad, clearing the way for the JNA Užice Corps, to enter the municipality from the Republic of Serbia.⁵⁸⁶ In close coordination with Serb paramilitary groups, the JNA transported military equipment into the municipality, including heavy weaponry.⁵⁸⁷ As Serb forces approached Višegrad town, Murat Sabanović, a local Muslim, released water from the local dam, damaging properties downstream.⁵⁸⁸ Fearful that the Užice Corps would commit atrocities against them, practically all non-Serbs fled Višegrad.⁵⁸⁹ The bulk of the Serb civilian population also left Višegrad in anticipation of events to come.⁵⁹⁰

173. On 14 April, the Užice Corps and Serb paramilitary groups began bombing Višegrad town and surrounding villages, aiming to blockade it and demanding its surrender.⁵⁹¹ As they advanced, they destroyed Muslim villages [F16].⁵⁹² This force entered a virtually deserted town.⁵⁹³ Over ensuing days, Serb forces secured bridges and dams around Višegrad and, through “cleansing operations” using Serbian gunmen, eliminated remaining non-Serb resistance.⁵⁹⁴ The Commander of the Užice Corps, justified this operation to a foreign journalist on the basis that “[t]he Muslim leaders in this area are very extremist [...] Iran and Libya are supporting the Muslims. Tehran to Sarajevo will be one Muslim land is the song they sing.”⁵⁹⁵ However, it was evident to the journalist that the capture of Višegrad was “central to the wider campaign, since it straddles the main mountain pass that leads from eastern Serbia directly to Sarajevo [and] sits beside the River Drina, which for most its course forms the Serbian-Bosnian border.”⁵⁹⁶ Serb military and paramilitary forces did not suffer any casualties during the attack on Višegrad.⁵⁹⁷

⁵⁸⁵ AF700.

⁵⁸⁶ P1356.3;AF705.

⁵⁸⁷ Traynor,P1356.1,p.1;Traynor,P1356.3;Traynor,P1356.4.

⁵⁸⁸ AF701;AF702;Traynor,P1356.3.

⁵⁸⁹ [REDACTED];Traynor,P1356.5;AF704.

⁵⁹⁰ Traynor,P1356.3;Traynor,P1356.5.

⁵⁹¹ AF703;Traynor,P1356.4;Traynor,T.10337-8;Traynor,P1356.1,p.1.

⁵⁹² Traynor,P1356.4.

⁵⁹³ Traynor,P1356.5.

⁵⁹⁴ AF703;Traynor,P1356.4;Traynor,P1356.5;Traynor,T.10339.

⁵⁹⁵ Traynor,P1356.5.

⁵⁹⁶ Traynor,P1356.4.

⁵⁹⁷ Traynor,P1356.5.

174. After taking over the town, the Užice Corps issued an invitation, jointly with local Muslim leaders, for people to return to their homes. [REDACTED]⁵⁹⁸ [REDACTED]⁵⁹⁹ [REDACTED]⁶⁰⁰

175. Serbs returned once the Užice Corps and Serb paramilitary groups arrived.⁶⁰¹ The Serbian Municipality of Višegrad and a War Commission was established, to govern the municipality.⁶⁰² The Serb population resumed arming itself with weapons from Serbia.⁶⁰³ [REDACTED]⁶⁰⁴

176. SJB Višegrad Chief Risto Perišić and SJB commander Dragan Tomić, resumed operating immediately after the takeover.⁶⁰⁵ Serb police officers from Višegrad and the surrounding areas who reported for work at the SJB and who signed the RSMUP oath, were employed by the SJB.⁶⁰⁶ Local Serbs were mobilised into the Višegrad reserve police, increasing numbers of the police force to 220-250 men.⁶⁰⁷ Reserve police were tasked with guarding the SJB, manning checkpoints, distributing mobilisation orders, and participated in combat activities. Membership of the reserve police and the army were mutually exclusive.⁶⁰⁸

177. Non-Serbs who returned to Višegrad realised that guarantees of safety provided by the JNA were a sham. They found their mobility severely restricted.⁶⁰⁹ The Serb military and civilian police established checkpoints around Višegrad at which non-Serbs were stopped and their names checked against lists of Muslims.⁶¹⁰ Non-Serbs who did not have an appropriate permit issued by SJB Višegrad were not allowed to leave Višegrad on their own accord or travel to their jobs.⁶¹¹ Muslim citizens who had been arrested when the Užice Corps took over Višegrad had to report to the SJB every two hours and some never returned from the police station and remain missing to this day.⁶¹² [REDACTED]⁶¹³

178. Non-Serbs were taken from their work or homes and executed. Initially prominent non-Serbs and then “less educated” non-Serbs were targeted. Paramilitaries looted non-Serb property

⁵⁹⁸ [REDACTED];AF705.

⁵⁹⁹ [REDACTED];[REDACTED].

⁶⁰⁰ [REDACTED].

⁶⁰¹ AF1450.

⁶⁰² P633,p.5;Draško,T.12332-3.

⁶⁰³ AF1450.

⁶⁰⁴ [REDACTED];AF1450.

⁶⁰⁵ AF1447;P633,p.3.

⁶⁰⁶ P633,p.3;P2047;P1480;Draško T.12293-4.

⁶⁰⁷ AF1446,AF1450.

⁶⁰⁸ AF1449.

⁶⁰⁹ AF1443.

⁶¹⁰ [REDACTED];[REDACTED];ST-079,T.2244-5.

⁶¹¹ AF1443.

⁶¹² ST-079,T.2245-6.

⁶¹³ [REDACTED];ST-079,T.2260.

and broadcast lurid screams from loudspeakers. Clearly, the RSMUP knew this was happening. Relatives of non-Serbs taken away by paramilitaries reported the abductions to the RSMUP which said it had no control over paramilitaries.⁶¹⁴

179. Muslim homes were looted and often burnt down.⁶¹⁵ Non-Serb citizens were subjected to mistreatment and humiliation including rapes and beatings.⁶¹⁶ Nine Muslim monuments in Višegrad municipality, were completely destroyed by fire and explosives [E14].⁶¹⁷

180. Serb authorities used bus convoys to expel thousands of non-Serbs, emptying villages. The Serb Red Cross facilitated this and the RSMUP provided escorts. On one occasion thousands of non-Serbs were concentrated into the Višegrad stadium and informed that those living on the left side of the Drina could return but those from the right could not. Many fled or went into hiding.⁶¹⁸

181. On 19 May, the JNA withdrew from Višegrad, leaving the remaining non-Serb population at the mercy of Serb paramilitary groups which were augmented by local Serbs.⁶¹⁹ These groups continued to commit widespread crimes against non-Serbs.⁶²⁰ As a result, non-Serbs found themselves trapped, disarmed and at the mercy of paramilitary groups.⁶²¹ The disappearances of non-Serb civilians escalated, with 62% of those who went missing in the municipality in 1992 disappearing during June and July. Most were civilians.⁶²² In June and the months that followed, more than 266 non-Serb civilians were killed in Višegrad municipality.⁶²³ Some were executed on a bridge over the Drina and their bodies pushed over the side [B12.1].⁶²⁴ Many were later exhumed from mass graves.⁶²⁵

182. Around the time of the takeover of Višegrad, Milan Lukić arrived in the municipality along with a group called the Obrenovac detachment.⁶²⁶ Non-Serbs associated the Obrenovac detachment with the White Eagles, however Lukić and the group were in fact members of the Serb reserve police from Višegrad,⁶²⁷ under the command of Niko Vujičić and Sredoje Lukić, two active police

⁶¹⁴ [REDACTED];ST-079,T.2245;ST-079,T.2247;P633,p.5.

⁶¹⁵ AF719.

⁶¹⁶ AF716.

⁶¹⁷ AF720;AF1338;Draško,T.12302;Riedlmayer,T.11264-5;P1402,pp.1014-40;P1403,pp.35-7,41-3;P1400;P1392,pp.11,13.

⁶¹⁸ AF706,AF717;P633,p.6;SF718;P633,p.6;AF706;AF708;[REDACTED].

⁶¹⁹ AF709.

⁶²⁰ AF725;SF1337.

⁶²¹ SF710.

⁶²² AF714.

⁶²³ AF1339;AF1340.

⁶²⁴ AF1339.

⁶²⁵ AF1340.

⁶²⁶ P2058,p.2;P1484,p.2.

⁶²⁷ AF1452.

officers from SJB Višegrad.⁶²⁸ Lukić often wore a blue uniform, and was often in company with Višegrad Police Commander Tomić, Vidoje Andrić, the personal escort of SJB Chief Perišić and other police officers.⁶²⁹ In addition to robbing non-Serbs of their valuables,⁶³⁰ the Obrenovac detachment participated in the ethnic cleansing of the municipality. As Lukić told Serbian authorities in November, “I personally liquidated many Muslims [...] I came ready to kill anyone who was threatening Serbdom. I dispensed with tolerance in advance, and so did the whole group which I lead.”⁶³¹

183. On 7 June Lukić abducted ST-079 and six Muslim neighbours and took them to Vilina Vlas Hotel. Lukić drove the vehicle of a Muslim woman he had murdered. On the way he boasted to an RSMUP officer at a checkpoint of capturing “Balijs”. After briefly detaining these people at the hotel he took them back to the checkpoint and ordered the Muslims to walk towards the Drina where they were forced to strip and face the river [B12.1]. One of the Muslim begged Mitar Vasiljević not to kill them. Lukić and the armed Serbs fired. Somehow ST-079 survived. Later he saw the bodies of his fellow Muslims lying on the river bank before they were carried away by the river.⁶³²

184. On 14 June a group of non-Serb civilians were forced to flee their village of Koritnik. They went to SJB Višegrad searching for a convoy but were directed to a hotel. From there they were re-directed to a house in Pionirksa street in Mahala not far from the police station. Shortly after Milan and Sredoje Lukić and armed Serbs arrived and robbed the group, abducted two women and raped them. They then moved the group into an adjoining house and locked them in a room and set the house on fire. Those who tried to escape were shot. Approximately 66 people were burnt alive [A4.1].⁶³³

185. By July, Serb civilian and military authorities controlled 80% of Višegrad municipality.⁶³⁴ By August, Serb municipal authorities began announcing over the radio that Višegrad had been “ethnically cleansed” of Muslims and inviting Serbs to come to the municipality and live in the now

⁶²⁸ P2058,p.2;P1484,p.2;P2047. See entries 9 and 10; ST-079,T.2255.

⁶²⁹ AF1451; ST-079,T.2248-9;[REDACTED];[REDACTED];P176;P177.

⁶³⁰ SF1337.

⁶³¹ P1484,p.2.

⁶³² [REDACTED];[REDACTED];[REDACTED]; ST-079,T.2247-9;P176;[REDACTED];[REDACTED]; ST-079,T.2251-2;P178;[REDACTED];[REDACTED];[REDACTED];[REDACTED]; ST-079,T.2253-5.

⁶³³ SF726;AF1341;AF1342;Draško,T.12325-

6;P1485;SF1344;AF1345;SF726;AF1346;SF1347;AF727;AF728,AF1348;AF1349;AF1350;AF727;AF728; AF729;[REDACTED].

⁶³⁴ P633,pp.1-2.

vacant non-Serb homes.⁶³⁵ A commission allocated Muslim residences to newly arriving Serb families, promising them that they could keep the houses permanently because the Muslims would never return.⁶³⁶ Upon arriving in Višegrad in August, Lazar Draško, a Bosnian Serb Prosecutor, was offered a house on Pionirska Street which was damaged by a fire. However, his relative advised him against taking it, saying, “[y]ou don’t want to live in a house where people were killed and live among their ghosts and have people on your conscience.”⁶³⁷

186. Despite the widespread nature of the crimes committed against the non-Serb population in Višegrad during the Indictment period, including hundreds of killings, the perpetrators of these crimes operated with the acquiescence of the Serb authorities, and RSMUP.⁶³⁸ Despite the fact that the Višegrad Prosecutor’s Office was functioning from the beginning of September,⁶³⁹ the RSMUP did not file a single criminal report for a crime of violence committed against a non-Serb victim between 1 April and 31 December, either in 1992 or in the subsequent years of the conflict.⁶⁴⁰ In fact, SJB Chief Perišić and his Police Commander Milan Josipović prevented criminal reports from being sent to the Prosecutor’s Office.⁶⁴¹ Nor did the police provide any information to the Višegrad prosecutor about any of the crimes committed by Milan Lukić, Sredoje Lukić and the other members of the Obrenovac detachment, or concerning the destruction of the mosques in Višegrad municipality.⁶⁴²

187. Instead, the SJB Višegrad police participated in crimes committed against the non-Serb population. SJB Chief Perišić reported directly to the RSMUP, saying the police displayed considerable professional shortcomings.⁶⁴³ The Višegrad Prosecutor complained of police involvement in serious crimes against the civilian population to Commander Josipović, and chief Perišić but received no satisfaction.⁶⁴⁴ Although Sredoje Lukić, was suspended from the police on 19 August,⁶⁴⁵ it was only for releasing a Serb woman from custody and failing to report to duty, not for committing egregious crimes against non-Serbs.⁶⁴⁶ Similarly, Milan Lukić was arrested in

⁶³⁵ Draško T.12280-1;P633. p.6.

⁶³⁶ Draško,T.12282-3.

⁶³⁷ Draško,T.12284-6.

⁶³⁸ SF710; ST-079,T.2247;*See also* P633,pp.4-5.

⁶³⁹ Draško,T.12265-7,T.12291-3,T.12377-9.

⁶⁴⁰ Draško,T.12299-300,T.12303-12;Gojković,T.11766-8;Gačinović,P1609.1,paras.33-7;Appendix IV. 3;P1481;[REDACTED].

⁶⁴¹ Draško,T.12299-300.

⁶⁴² Draško,T.12303-4,T.12313-5.

⁶⁴³ P633,p.4.

⁶⁴⁴ Draško,T.12294-9.

⁶⁴⁵ P1480.

⁶⁴⁶ Draško,T.12293-4. Sredoje Lukić remained a member of the police until January 1993. *See* P2058,p.2.

October by the Republic of Serbia police, but was only charged with illegal weapons possession and released after 10 days. He returned to Višegrad and established a business.⁶⁴⁷

(g) Bosanski Šamac

188. Bosanski Šamac (“Šamac”) is located in northern Bosnia, bordering Croatia, with a majority Croat population.⁶⁴⁸ It straddles the corridor connecting the Serbian Krajina to Serbia.⁶⁴⁹ It was taken over by police, army and paramilitaries on 17 April [G8]. Non-Serbs were arrested, detained and mistreated for months with the approval of local, regional and republican authorities. Various detention facilities were established where civilians were systematically beaten, killed, and humiliated. At Crkvina, 18 civilians were executed.

189. Violence increased in autumn 1991,⁶⁵⁰ exacerbated by the war in Croatia.⁶⁵¹ [REDACTED]⁶⁵² In November, the Serb Municipality of Bosanski Šamac and Pelagićevo was created and was part of SAO Northern Bosnia;⁶⁵³ in May and June, it received RS instructions through SAO Semberija and Majeвица. Blagoje Simić, SDS President, was vice-president of the SAO.⁶⁵⁴ In December, Karadžić visited Šamac to discuss the formation of the Serbian municipality of Šamac.⁶⁵⁵ By late January, no Serb policemen worked.⁶⁵⁶ Their intention was to weaken the police and justify a JNA presence.⁶⁵⁷

190. Around January, the JNA established checkpoints, restricting the movement of citizens.⁶⁵⁸ JNA units patrolled the municipality, occasionally releasing paramilitary members who had been arrested by police.⁶⁵⁹ Local JNA units were commanded by Lt.Col. Nikolić commander of the 17TG,⁶⁶⁰ which armed Serbs and established the 4th Detachment, a new unit constituted by local Serbs, including criminals.⁶⁶¹ On 29 February, the Assembly of the Serbian People of the

⁶⁴⁷ Draško, T.12315-22; P1484.

⁶⁴⁸ AF596; P2431.

⁶⁴⁹ AF595.

⁶⁵⁰ AF603; AF604; Lukač, P2159, T.1584.

⁶⁵¹ AF605.

⁶⁵² [REDACTED].

⁶⁵³ AF598; P1556.11; Tihić P1556.2, T.1306, 1312; AF623.

⁶⁵⁴ Tihić, P1556.2, T.1306.

⁶⁵⁵ AF624.

⁶⁵⁶ Lukač, P2159, T.1604.

⁶⁵⁷ Lukač, P2159, T.1604.

⁶⁵⁸ Lukač, P2159, T.1565.

⁶⁵⁹ Tihić, P1556.3, T.1331.

⁶⁶⁰ Tihić, P1556.3, T.1329; Lukač, P2159, T.1556-7.

⁶⁶¹ Tihić, P1556.3, T.1327, T.1340; Tihić, P1556.8, T.3677. Lukač, P2159, T.1555, T.1564.

Municipality of Bosanski Šamac and Pelagićevo was established, pursuant to a recommendation of the BSA.⁶⁶² Non-Serbs could not be elected.⁶⁶³

191. By March, parallel institutions were almost established. Preparations were made for an armed takeover.⁶⁶⁴ On 28 March, SDS member,⁶⁶⁵ Todorović was elected SJB chief by the Serb Assembly.⁶⁶⁶ He had no police experience. On 11 April, trained local Serbs returned from Ilok to Batkuša village with experienced criminal paramilitaries including Dragan Đorđević, Slobodan Miljković (aka Lugar), and Srećko Radanović.⁶⁶⁷ Todorović greeted them,⁶⁶⁸ [REDACTED]⁶⁶⁹ This group was incorporated into the 17TG.⁶⁷⁰

192. Šamac was attacked between 16 and 17 April, by the RSMUP, the 17TG, paramilitary forces and the Serb TO.⁶⁷¹ There was no significant resistance [F8].⁶⁷² [REDACTED]⁶⁷³ On 17 April, ST-144 informed Lt.Col. Nikolić that important facilities were under control.⁶⁷⁴ Within days, most of the municipality was under Serb control.⁶⁷⁵

193. CSB Doboj was informed of the takeover and Todorović's appointment as SJB chief the next day.⁶⁷⁶ This information was "certainly passed on, on the very same day" to RSMUP headquarters.⁶⁷⁷ The RSMUP was informed of the takeover and Todorović's appointment by 30 April,⁶⁷⁸ as Todorović spoke about this with SNB head, Škipina.⁶⁷⁹

194. Throughout 1992 Todorović kept his position without an official appointment. In June 1993 he was appointed, backdated to 28 March.⁶⁸⁰ Bjelošević testified that his lack of appointment in 1992 was the reason not taking measures taken against him.⁶⁸¹

⁶⁶² AF625;P1556.11.

⁶⁶³ AF627;P1556.11,Article 5.

⁶⁶⁴ AF613.

⁶⁶⁵ Todorović,P2127,T.9005.

⁶⁶⁶ AF629;Todorović,P2127,T.9020;Lukač,P2159,T.1611.

⁶⁶⁷ AF617;Lukač,P2159,T.1612;[REDACTED].

⁶⁶⁸ AF617;Lukač,P2159,T.1612;[REDACTED].

⁶⁶⁹ [REDACTED].

⁶⁷⁰ Todorović,P2128,T9139-40.

⁶⁷¹ AF640;Lukač,P2160,T.1664;P2164;P2165.

⁶⁷² AF643;AF644;[REDACTED];Tihic,P1556.3,T.1357,T.1360,T.1365;Lukač,P2160,T.1641,T.1653,T.1658.

⁶⁷³ [REDACTED].

⁶⁷⁴ AF645.

⁶⁷⁵ AF652.

⁶⁷⁶ P2335.

⁶⁷⁷ Bjelošević,T.21101.

⁶⁷⁸ P1254.

⁶⁷⁹ Škipina,T.8334;[REDACTED].

⁶⁸⁰ P2438.

⁶⁸¹ 1D518.

195. RSMUP, JNA, and paramilitaries took measures to seize weapons from non-Serbs and then re-distribute some to Serbs.⁶⁸² RS level decisions were implemented in Šamac, such as the 12 June decision to ban active political parties, except the SDS,⁶⁸³ or orders to implement wartime taxes.⁶⁸⁴

196. The CS introduced movement restrictions, ostensibly applying to all persons, but in fact directed to or applied against non-Serbs.⁶⁸⁵ SDA leader Tihic was forced to sweep streets in the town.⁶⁸⁶ Non-Serbs did not receive the same medical treatment as Serbs.⁶⁸⁷ Cumulatively, this made life for non-Serbs intolerable. Arrests of non-Serbs began after the takeover by RSMUP, JNA and paramilitary forces. Arrests were made on the pretext of armed rebellion, or based on political affiliation, or ethnicity. Detainees were used in exchanges. Detainees were the responsibility of the police and Todorović. No detainee was convicted of illegal possession of weapons.⁶⁸⁸

197. Arrests and detention continued until the SJB was full with around 50-100 detainees [C9.1].⁶⁸⁹ Large numbers of detainees were kept at the TO building [C9.5], school [C9.4], Crkvina [C9.2], Omladinski Dom, and Zasavica without lawful criminal proceedings being instituted. They were forced from their homes, and often extracted from police controlled detention facilities for exchange. They were hidden from ICRC scrutiny.⁶⁹⁰

198. [REDACTED]⁶⁹¹ Only one report against a Serb for a serious crime with non-Serb victim in both CSB Doboj and SJB Šamac logbooks was recorded.⁶⁹² [REDACTED]⁶⁹³ [REDACTED],⁶⁹⁴ [REDACTED].⁶⁹⁵ Disciplinary procedures against police were not used. Reserve police were punished only by removal from the reserve police list and being deployed in the JNA.⁶⁹⁶

⁶⁸² P2137;Todorović,P2127,T.9089;AF647;Todorović,P2132,T.9817;P742;[REDACTED]; Todorović,P2134,T.10138.

⁶⁸³ P2138;Todorović,P2129,T.9211;P02135,T.10215.

⁶⁸⁴ Todorović,P2133,T.9844.

⁶⁸⁵ P1836;[REDACTED];AF984.

⁶⁸⁶ Tihic,P1556.4,T.1414;Todorović,P2135,T.10224.

⁶⁸⁷ AF984.

⁶⁸⁸ P1980;AF660;AF978;Todorović,P2128,T.9109;Todorović,P2134,T.10156;Tihic,P1556.9,T.3838; Todorović,P2128,T.9107;Todorović,P2128,T.9150;AF678;Tihic,P1556.3,T.1372;Todorović,P2128,T.9130;Todorović, P2134,T.10114,T.10123;[REDACTED];AF662;AF665;AF666;AF979;Todorović,P2128,T.9109,T.9138;[REDACTED] ;Lukač,P2162,T.2078;AF677.

⁶⁸⁹ AF660;Tihic,P1556.7,T.3611;Todorović,P2128,T.9109.

⁶⁹⁰ Todorović,P2128,T.9109;AF660;AF661;[REDACTED];P408;AF660;AF661;AF669;⁶⁹⁰ Z.Hodžić,P2168,pp. 3-6;Z.Hodžić,P2168,pp. 3-6;AF661;AF660;AF671;AF979;AF671;Todorović,P2131,T.9646;[REDACTED]; Sekulić,1D604,p.15;P409.

⁶⁹¹ [REDACTED].

⁶⁹² [REDACTED];Gačinović,P1609.1,paras 53-57.

⁶⁹³ [REDACTED].

⁶⁹⁴ M.Davidović,T.13544;Vlaški,T.6336.

⁶⁹⁵ [REDACTED].

⁶⁹⁶ Sekulić,1D605,pp.14-6.

199. Detention facilities did not meet basic standards. [REDACTED]⁶⁹⁷ [REDACTED]⁶⁹⁸ They were not given medical care.⁶⁹⁹ In the SJB, conditions were equally inadequate.⁷⁰⁰ The RSMUP placed detained non-Serbs in military target areas in Zasavica to deter shelling endangering their lives.⁷⁰¹ Detainees were also subjected to forced labour.⁷⁰² They were taken from facilities under RSMUP control to perform work such as trench digging.⁷⁰³

200. On 7 May, Lugar and his paramilitaries entered the Crkvina warehouse and murdered eighteen detainees [B10.1].⁷⁰⁴ RSMUP officials ordered prisoners to clean the scene. Bodies were concealed with the help of the SJB.⁷⁰⁵ [REDACTED]⁷⁰⁶

201. Physical and mental abuse occurred in every detention facility.⁷⁰⁷ Detainees were severely beaten by paramilitaries in the Crkvina Warehouse and Omladinski Dom [D9.2].⁷⁰⁸ From 18 April in the SJB building, police and paramilitary units regularly beat detainees [D9.1].⁷⁰⁹ Daily abuse occurred in the TO building by police and paramilitaries [D9.3].⁷¹⁰ Detainees were beaten with instruments and forced to sing Chetnik songs.⁷¹¹ In the TO, prisoners were beaten, or forced to beat each other [D9.3].⁷¹²

202. Prisoners were mutilated, tortured, and humiliated. Women were not spared. Prisoners were murdered at the TO and school, and Todorović committed a murder for which he was never punished despite RSMUP and CS knowledge of his crime.⁷¹³

203. Non-Serb civilians were expelled.⁷¹⁴ "Prisoner exchanges" were used to bus out non-Serbs from the region, in exchange for Serbs. These exchanges were involuntary,⁷¹⁵ or were the

⁶⁹⁷ [REDACTED].

⁶⁹⁸ [REDACTED].

⁶⁹⁹ AF683.

⁷⁰⁰ Lukač,P2316,T.1746;Lukač,P2054,T.1769,T.1782;Todorović,P2134,T.10154.

⁷⁰¹ Todorović,P2130,T.9284.

⁷⁰² Todorović,P2128,T.9176,T.9179.

⁷⁰³ Todorović,P2128,T.9176.

⁷⁰⁴ AF638;Z.Hodžić,P2168,pp.3-6;P2466,entries 240-304.

⁷⁰⁵ Z.Hodžić,P2168,pp.6-7.

⁷⁰⁶ [REDACTED].

⁷⁰⁷ AF679;AF680;AF681.

⁷⁰⁸ AF661;AF683;Z.Hodžić,P2168,p.9;[REDACTED].

⁷⁰⁹ Lukač,P2054,T.1761;[REDACTED];Lukač,P2054,T.1761;Lukač,P2316,T.1746;Tihic P1556.5,T.1435,T.1436;Tihic,P1556.3,T.1382,T.1385;Tihic,P1556.4,T.1390.

⁷¹⁰ Lukač,P2160,T.1676,T.1683,T.1687,T.1689;Lukač,P2054,T.1794;Lukač,P2316,T.1698;Tihic,P1556.4,T.1394; Z.Hodžić,P2168 pp. 3,8-10.

⁷¹¹ AF679;Z.Hodžić,P2168,pp.9,11.

⁷¹² Tihic P1556.4,T.1399.

⁷¹³ Z.Hodžić,P2168 p.9;Sekulić,1D604,pp.32-4,48-

9;AF981;AF981;Z.Hodžić,P2168,pp.9,11;AF983;Tihic,P1556.5,T.1440;Lukač,P2160,T.1687;Lukač P2316,T.1697;[REDACTED];Todorović,P2128,T.9139;[REDACTED];[REDACTED];Lukač,P2054,T.1763; [REDACTED];Todorović,P2128,T.9140;[REDACTED];[REDACTED].

consequence of fear resulting from atrocities committed in detention facilities.⁷¹⁶ Todorović decided who would be transferred.⁷¹⁷ The RSMUP was responsible for the operation of detention facilities.⁷¹⁸ [REDACTED]⁷¹⁹ He agreed this was persecution.⁷²⁰

204. After the takeover, looting occurred on a large scale. All sorts of property was stolen from non-Serbs⁷²¹ by Serb paramilitaries.⁷²² The CS knew this occurred.⁷²³

205. Paramilitaries stole property from interrogated detainees at the SJB.⁷²⁴ The CS rewarded paramilitaries with “war booty” for combat services.⁷²⁵ [REDACTED]⁷²⁶

206. Non-Orthodox religious sites were destroyed [E8]. The Azizija mosque was blown up at the end of April and the site bulldozed. The offices of the Islamic Community were destroyed.⁷²⁷ The Catholic Church was demolished.

207. In Šamac, crimes were committed by paramilitaries, the RSMUP and VRS, who all worked together. The town housed an army battalion.⁷²⁸ Todorović and Bogdanović sent local Serbs to be trained in Ilok,⁷²⁹ and they returned with 30 Serbian paramilitaries including Lugar and Debeli.⁷³⁰ These forces used a police vehicle during the takeover.⁷³¹ [REDACTED]⁷³² [REDACTED]⁷³³ Todorović often went to the command of the Posavina Brigade⁷³⁴ and police were sent to hold the frontline in Orašje and Domaljevac and carried out defence tasks for the army.⁷³⁵

⁷¹⁴ AF661;AF684;AF685;AF686;AF687;AF688;AF692;Lukač,P2054,T.1790,T.1794;[REDACTED].

⁷¹⁵ Lukač,P2156, T.1939;[REDACTED].

⁷¹⁶ Lukač,P2054,T.1814.

⁷¹⁷ Todorović,P2128,T.9114.

⁷¹⁸ Todorović,P2128,T.9161.

⁷¹⁹ [REDACTED];Todorović,P2134,T.10156,P1882.

⁷²⁰ Todorović,P2134,T.10174.

⁷²¹ AF654.

⁷²² Todorović,P2129,T.9203.

⁷²³ Todorović,P2129,T.9203.

⁷²⁴ Sekulić,1D604,pp.28-30.

⁷²⁵ 1D498,Article 5;Todorović,P2129,T.9188;[REDACTED];[REDACTED].

⁷²⁶ [REDACTED].

⁷²⁷ P1405.

⁷²⁸ Sekulić,1D605,p.31.

⁷²⁹ AF613.

⁷³⁰ AF617;AF618.

⁷³¹ Lukač,P2160,T.1653.

⁷³² [REDACTED];[REDACTED].

⁷³³ [REDACTED].

⁷³⁴ Sekulić,1D605,p.25.

⁷³⁵ Sekulić,1D603,T.18071.

208. [REDACTED]⁷³⁶ Before April, MUP officers had regular contact with CSB Doboj,⁷³⁷ and submitted regular reports to CSB Doboj.⁷³⁸ The RSMUP knew Todorović had been appointed SJB chief and that the takeover had been successful. After June inspectors from CSB Doboj came to Šamac to supervise the SJB and had full access to files.⁷³⁹ For a period of time, due to communication difficulties, the SJB reported through CSB Bijeljina.⁷⁴⁰

209. [REDACTED]⁷⁴¹ Todorović personally called Škipina in late April to provide information relating to conditions in Šamac. This information was in the 30 April RSMUP daily bulletin.⁷⁴² By 10 July, Todorović was attending regular meetings held by Bjelošević with his SJB Chiefs.⁷⁴³ [REDACTED]⁷⁴⁴

210. As discussed in Section II.D.3(b), Bjelošević informed STANIŠIĆ and the RSMUP of crimes committed by Todorović in late August or early September. Despite this, Todorović kept his post until 1994 and remained in the RSMUP until 1996.

(h) Sanski Most

211. Sanski Most was a Serb-minority (Variant B) municipality. It was strategically placed in the heartland of the ARK and straddled the corridor from Bosanska Krajina to Serbia.

212. The JNA and SDS provided arms and equipment to the Serbs in Sanski Most from late 1991.⁷⁴⁵ In early April, the JNA 6KK was transferred to Sanski Most in secrecy and a clandestine operation to arm Serbs was undertaken. The 6KK commander noted that arming Serbs could not be done publicly and developed a ruse to disguise such arming.⁷⁴⁶ Working with the 6KK as an “intervention platoon”, the SOS transported weapons into Sanski Most to distribute amongst Serbs.⁷⁴⁷ Helicopters transported weapons to Serb villages close to Sanski Most town in March.⁷⁴⁸

⁷³⁶ [REDACTED];P2128,T.9140.

⁷³⁷ Lukač,P2159,T.1609.

⁷³⁸ Sekulić,1D604,pp.41-4.

⁷³⁹ Sekulić,1D604,pp.59-60.

⁷⁴⁰ P2337,p.3.

⁷⁴¹ [REDACTED].

⁷⁴² P1254.

⁷⁴³ P2336,P2337.

⁷⁴⁴ [REDACTED].

⁷⁴⁵ AF158;[REDACTED].

⁷⁴⁶ P113,p.2.

⁷⁴⁷ P411,31,[REDACTED].

⁷⁴⁸ Karabeg,P60,T.6093-5.

213. During March, Serbs repeatedly demanded that the Municipal Assembly issue a declaration that Sanski Most municipality become part of the RS. When the Assembly refused the SDS called for a division of the municipality along ethnic lines.⁷⁴⁹ On 25 March, the SDS issued a proclamation declaring all "Serb" territories in Sanski Most to be part of the RS.⁷⁵⁰ On 3 April the Serb Assembly of Sanski Most decided the municipality would become part of the ARK. It also issued a statement that from 20 April only the Constitution and laws of the RS would apply.⁷⁵¹

214. During March and April Serb forces erected checkpoints in Sanski Most town and around non-Serb villages. The checkpoints were manned by police and military [G5].⁷⁵² [REDACTED]⁷⁵³ In April and May bomb explosions were almost a daily occurrence.⁷⁵⁴ There were 44 bombings during the first part of 1992.⁷⁵⁵ The deliberate destruction of Muslim houses, businesses and Mosques continued into August.⁷⁵⁶ The destruction was not confined to residences or business premises but extended to religious buildings. Sanski Most municipality had 27 mosques all of which were destroyed as well as 4 Catholic churches [E5].⁷⁵⁷ This atmosphere of menace and violence directed against non-Serbs was ever present throughout late 1991 and early 1992.

215. [REDACTED]⁷⁵⁸ The SOS carried out a bombing campaign against civilian targets in Sanski Most to incite unrest and ethnic hatred.⁷⁵⁹

216. Separation of the police along ethnic lines was organised, and started on 17 April. Demonstrations of loyalty were required. Dismissal of non-Serb officers occurred. Following that armed Serb groups including SDS and SOS members, attacked municipal buildings and non-Serb property. This was coordinated with other takeovers in adjacent municipalities.⁷⁶⁰

217. Harassment and persecution of non-Serbs accompanied the attacks and imprisonment. Both before and after the attack on the municipal building on 19 April, non-Serbs were systematically dismissed from their employment including in the courts, public companies, radio stations and the

⁷⁴⁹ AF1117,P411.14.

⁷⁵⁰ AF1118,P411.14.

⁷⁵¹ P60.04,AF1119.

⁷⁵² P361,para.5.

⁷⁵³ [REDACTED].

⁷⁵⁴ A.Draganović,P411.9,T.5,790-3.

⁷⁵⁵ A.Draganović,P411.8,T.5,748.

⁷⁵⁶ AF1147.

⁷⁵⁷ A.Draganović,P411.3,T.4997.

⁷⁵⁸ [REDACTED].

⁷⁵⁹ Basara,T.1277-8;[REDACTED];[REDACTED].

⁷⁶⁰ P60.13,p.15;AF1124;see P386,p.4,describing the event as Muslims and Croats separating themselves off;P60.13,p.13;AF1125;AF1126;ST-140,P432.2,T.3752-3,P371.

health services.⁷⁶¹ Many more non-Serbs simply gave up going to work because of the treatment they received there.⁷⁶² Sympathetic Serbs who tried to keep non-Serbs in work, were dismissed.⁷⁶³

218. Serbs were armed and non-Serbs disarmed. Armed forces other than the TO, Serb police and JNA were defined as paramilitary units needing disarming. Surrender of weapons was demanded and enforced. Disarmament continued into May in Sanski Most and the ARK. Non-Serbs were the real targets of disarmament, which was coordinated with other municipalities.⁷⁶⁴

219. Disarmament in May was initially peaceful but after that descended into attacks on non-Serb areas and villages including Vrhpolje, Hrustovo, Lukavica, and Mahala[F5].⁷⁶⁵ This was accompanied by arrests by military and SJB officers, and destruction of homes. Most Muslims surrendered weapons voluntarily. ST-161 reported disarmament accomplished by early July.⁷⁶⁶

220. The CS established Betonirka, Krings Hall and the Hasan Kikić School as detention facilities at the beginning of May [C6.2] [C6.3].⁷⁶⁷ Twelve other detention centres were set up including the Gornja Mahala elementary school, Krkojevci sports hall and the SUP building [C.6.1] at Lušci Palanka.⁷⁶⁸ SJB Sanski Most functioned as both interrogation centre and prison. Although initially to imprison non-Serbs SJB Sanski Most was too small to facilitate the numbers of persons detained [C6.1].⁷⁶⁹

221. The CS targeted non-Serb leaders for arrest. Betonirka was established and the number of detainees increased. It was staffed by TO and reserve police. Torture and mistreatment occurred [D.6.2]. Cells were inadequate [D6.2]. Prisoners were severely beaten or instructed to beat fellow prisoners [D6.2]. There was no medical treatment, conditions and ventilation were very bad [D6.2]. The sounds of torture could be heard in the SJB building close by. Betonirka prisoners transferred to the SJB bore signs of beating.⁷⁷⁰

⁷⁶¹ AF1120.

⁷⁶² AF1120.

⁷⁶³ AF1121.

⁷⁶⁴ P411.17;P1803,paras.2.18-9;P60.6;P1803,paras. 2.12-8;[REDACTED];P467;P371;Kirudja,P2244,p.20, noting that Kuprešanin recognised the disarmament process was one-sided and caused non-Serbs to distrust Serb authorities. *See also* [REDACTED];[REDACTED].

⁷⁶⁵ AF1133;AF1134;AF1147.

⁷⁶⁶ AF1140;AF1147;P411.20;P117.

⁷⁶⁷ AF1139.

⁷⁶⁸ AF1146.

⁷⁶⁹ P117;P411.20.

⁷⁷⁰ AF1140,AF1141,AF1143;P60.13,pp.38-9;P59;P391,p.1;Šabanović,T.902-7;Šabanović,P61,T.6476-8;Karabeg,P60,T.6163-6;Karabeg,P60,T.6170-1;Karabeg,P60,T.6166-8;A.Draganović,T.3895-6.

222. The Hasan Kikić Sports Hall was located about 300-400 metres away from Betonirka.⁷⁷¹ It was guarded by police [C.6.3].⁷⁷² Initially there were 300-400 prisoners there with a further 200 men brought in from Ključ.⁷⁷³ There was no bedding, prisoners were subjected to frequent and severe beatings, and washing facilities were non-existent [D6.3].⁷⁷⁴

223. Krings Hall was a detention centre. Muslims who gathered in Tomina school were rounded up along with those from Hrustovo, Trnopolje, and Kamičak and detained at Krings Hall with 600 other prisoners.⁷⁷⁵ ST-161 knew the numbers in the detention facilities. In July he briefed the Executive Committee of the Sanski Most Municipal Assembly. The overflow of non-Serb prisoners at the SJB led to the use of Krings Hall, and other places, as detention facilities.⁷⁷⁶

224. Draganović and other non-Serbs were arrested and imprisoned at SJB Sanski Most. Prisoners were interrogated and beaten at the SJB, as they were at Krings Hall and Hasan Kikić school. SJB prisoners bore signs of beating after interrogation [D6.1]. Conditions at the SJB were very bad. Beatings by police or soldiers were regular.⁷⁷⁷

225. Both ST-161 and the CS reported on the arrest, processing and deportation to Manjača of non-Serb prisoners. SJB Sanski Most played an important role in deporting prisoners to Manjača and other detention facilities. ST-161 liaised with CSB Banja Luka and the Manjača commander over these prisoner transfers. Convoys of prisoners to Manjača took place in June, July and August. Some were sent to Omarska, Keraterm, and Trnopolje. Prisoners were taken from Betonirka, Krings, and Hasan Kikić school and sent to Manjača, and other camps. Prisoners perished en route from suffocation. Despite this, in August Sanski Most SJB was still holding prisoners.⁷⁷⁸

226. During March-April, and as a result of attacks, non-Serbs departed the Sanski Most area.⁷⁷⁹ The process accelerated during the second half of 1992. In late July, ST-161 addressed the Executive Committee of the Sanski Most Municipal Assembly. He estimated that 4,500 Muslims and Croats had left, but 18,000 still remained.⁷⁸⁰ The Assembly concluded its deliberations by

⁷⁷¹ P416-P417; Šabanović, T.906.

⁷⁷² Šabanović, T.907.

⁷⁷³ Šabanović, P61, T.6,478. *See also* P117 (places the number of inmates in the sports hall at 500 men).

⁷⁷⁴ Šabanović, P61, T.6,478-81.

⁷⁷⁵ AF1145.

⁷⁷⁶ Majkić, T.3176-7.

⁷⁷⁷ AF1141; A.Draganović, T.3898; A.Draganović, T.3898; A.Draganović, T.3889; AF1142; P380; A.Draganović, T.3887-9; ST-217, T.14, 763-70.

⁷⁷⁸ P378, P432.15, AF464; P60.11; A.Draganović, P411.05, T.5506; P411.09, T.5851-2; P411.07, T.5686-8; P389; P432.15; P383; [REDACTED]; P1803, para.2.104; P60.10; P1803, paras.2.103-

8; AF1139; AF465, AF466, AF467, AF468; see A.Draganović, P411.04, T.5093-5; P60; P391, p.3; P124.

⁷⁷⁹ AF1127.

⁷⁸⁰ P387, p.3.

stating that the 18,000 Muslims and Croats remaining in Sanski Most presented a danger to Serbs and that it was necessary to organise their “voluntary resettlement.”⁷⁸¹

227. In October CSB Banja Luka noted that 20,000 Muslims had moved out of Sanski Most because of fears for their safety, abuse directed towards them and the theft of their property.⁷⁸² By the end of 1992 almost all Muslims had left the municipality of Sanski Most.⁷⁸³

(i) Vlasenica

228. Vlasenica was a Muslim-majority municipality on the Pale-Zvornik route traversed by RS officials on their way to Belgrade.⁷⁸⁴ It is therefore unsurprising (and uncontested) that, after the Serbs took control of Vlasenica, the SJB chief was able to keep his superiors at CSB Sarajevo and the RSMUP constantly informed of events in his municipality, including the massacre of non-Serbs at Drum, and the beatings of non-Serbs at the SJB building.⁷⁸⁵ At trial, the main issue concerning Vlasenica centered around whether the police were primarily responsible for the thousands of non-Serb civilian detainees at Sušica detention facility who were held there under inhumane conditions until expelled from RS, transferred to Batković camp, or killed. The overwhelming evidence establishes that police were responsible.

229. On 24 October 1991, the municipal SDS formed the Serbian Assembly of Vlasenica,⁷⁸⁶ citing the SDS decision to found a Serb assembly at the republican level.⁷⁸⁷ The Vlasenica SDS also designated Vlasenica as the capital of SAO Birač,⁷⁸⁸ and Milenko Stanić became president of the Serb municipal assembly and the SAO.⁷⁸⁹

230. In late 1991, Muslims were dismissed from managerial positions and Muslim shopkeepers feared keeping their businesses open. At the local bauxite company, under the general management of Rajko Đukić, president of the SDS Republican Main Board, Muslim workers were no longer paid while their Serb colleagues continued to receive salaries.⁷⁹⁰ The local SDS also began secretly and

⁷⁸¹ P387,p.8.

⁷⁸² P693.

⁷⁸³ AF1148.

⁷⁸⁴ Andan,T.21514;D.Kezunović,T.11578-9.

⁷⁸⁵ ST-179,T.7423-4,T.7451,T.7458-9,T.7472-6,T.7491,T.7500-1,T.7506,T.7524.

⁷⁸⁶ P1055.

⁷⁸⁷ P1931,pp.8-9.

⁷⁸⁸ P1055,p.2;ST-179,T.7418-20.

⁷⁸⁹ ST-179,T.7418-20.

⁷⁹⁰ AF1352;Andan,T.21580-1;P427.24.

illegally arming the Serb population with weapons supplied by the JNA.⁷⁹¹ On 4 April, following instructions from the SDS Republican Main Board, a CS was established to take over the role of the municipal assembly and executive committee, headed by Stanić and including the SJB chief, Bjelanović,⁷⁹² who regularly attended CS meetings.⁷⁹³ Preparations to take over the town included demands by the SDS, to partition Vlasenica along ethnic lines, based on orders from “higher up” and threats of an armed intervention if Muslims refused.⁷⁹⁴ JNA troops and reservists began concentrating, bringing with them tanks, armored vehicles and artillery.⁷⁹⁵ It became clear that a Serb takeover was imminent and both Serbs and non-Serbs began leaving the municipality.⁷⁹⁶

231. Until then, SJB Vlasenica remained ethnically mixed and operated under the BiHMP, although SJB personnel knew of the creation of the RSMUP and Serb policemen began gravitating towards the chief.⁷⁹⁷ This changed on 19 April and all non-Serb policemen were dismissed.⁷⁹⁸ Prior to this, the CS had issued orders to (1) take over power in Vlasenica; (2) establish a Serb TO; (3) declare an imminent threat of war;⁷⁹⁹ (4) ensure non-Serbs surrendered their “illegal” firearms to the SJB or JNA, and arrange searches and “measures of criminal responsibility” to be imposed on citizens who failed to do so.⁸⁰⁰ In effect only non-Serbs were required to surrender weapons, even if legally possessed.⁸⁰¹ Official justifications were used at the time⁸⁰² although the SJB chief knew these measures to be discriminatory.⁸⁰³

232. On the night of 20-21 April, the JNA Novi Sad Corps and a Serbian Guard unit from Šekovići took control of all municipal institutions in Vlasenica, in cooperation with the CS, the Serb TO and reserve police [G14].⁸⁰⁴ The non-Serb population offered no resistance.⁸⁰⁵ The takeover and a call for surrender was announced through town that day,⁸⁰⁶ and was complied with.⁸⁰⁷

⁷⁹¹ ST-179,T.7429,T.7551;P1755,p.234.

⁷⁹² P1056;ST-179,T.7421-2..

⁷⁹³ ST-179,T.7417-8,T.7424;Osmanović,P1041.1,T.5277-8.

⁷⁹⁴ AF1354;AF1355.

⁷⁹⁵ AF1353.

⁷⁹⁶ ST-179,T.7428-9,T.7431.

⁷⁹⁷ ST-179,T.7415-6;T.7428,7440-1.

⁷⁹⁸ ST-179,T.7428,T.7441-2,T.7445-6;Osmanović,P1041.1,T.5246. P1060

⁷⁹⁹ P1058;P1064;P1057;ST-179,T.7430-6;P204.

⁸⁰⁰ P1059.

⁸⁰¹ AF1357;Osmanović,P1041.1,T.5224-5;ST-137,T.14617,T.14620.

⁸⁰² ST-179,T.7531-2.

⁸⁰³ ST-179,T.7551. *See also* P997,p.2 (reporting that Serbs sold weapons to Muslims in Vlasenica).

⁸⁰⁴ [REDACTED];Osmanović,T.7327;Osmanović,P1041.1,T.5245;Osmanović,P1041.2,pp.2-3;ST-179,T.7443-4;P1871;P625,p.7.

⁸⁰⁵ Osmanović,T.7335.

⁸⁰⁶ Osmanović,T.7301;ST-179,T.7439;[REDACTED];AF773.

⁸⁰⁷ ST-179,T.7437,T.7444;Osmanović,T.7301;[REDACTED].

233. Following the takeover, Muslims were subjected to various discriminatory measures⁸⁰⁸ including dismissals,⁸⁰⁹ restrictions on freedom of movement imposed by the SJB,⁸¹⁰ and had to sign a document stating their departure was voluntary.⁸¹¹ [REDACTED]⁸¹² and the SJB collected the signed statements before allowing them to depart.⁸¹³ The CS organised buses to transport the Muslims en masse, under police escort, to the separation line.⁸¹⁴

234. SJB Vlasenica replenished its ranks with a large reserve police contingent of 70-100 Serb officers.⁸¹⁵ SJB Vlasenica also acquired a special police platoon of 30-38 Serb officers from the TO soon after the takeover.⁸¹⁶ The platoon, headed by Miroslav Kraljević, was formed “to realise goals, and on the basis of agreement and suggestions of the Birač SAO Government.”⁸¹⁷ This was carried out according to Stanišić’s 15 May order.⁸¹⁸

235. ST-179 sought to minimise his authority over the police and the special police platoon. He maintained it was imposed upon the SJB by the CS.⁸¹⁹ He admitted, however, that he signed documents and received a salary as SJB chief and was authorised by both CSB Chief Cvijetić and Bjelanović (whom Cvijetić had made police coordinator for the Birač region) to take decisions normally reserved for the SJB chief.⁸²⁰

236. Moreover, as an *ex officio* member of the CS, the SJB chief would have participated in any decision to resubordinate the special police platoon to the SJB and any influence the CS could have exerted over the police would have been limited and short-lived because the SJB strictly maintained a separate chain of command. The CS was disbanded by mid-June.⁸²¹ Furthermore, the evidence shows that once the platoon was transferred to the police, it was under the effective control of the SJB.⁸²² Platoon members reported to SJB Commander Stanić and received their assignments in front of the SJB building each morning.⁸²³ [REDACTED]⁸²⁴ ST-179 exercised authority over

⁸⁰⁸ AF1370.

⁸⁰⁹ AF1370;P199,p.71.

⁸¹⁰ ST-179,T.7454-5;Osmanović,P1041.3,p.3;Osmanović,P1041.1,T.5217-9;AF1356;[REDACTED];P1041.5;AF1356.

⁸¹¹ P1063;Osmanović,P1041.1,T.5262,T.5216-9;Osmanović,P1041.3,p.3;ST-179,T.7477-9;ST-137,T.14631-2.

⁸¹² [REDACTED].

⁸¹³ ST-179,T.7479.

⁸¹⁴ ST-179,T.7479-80.

⁸¹⁵ ST-179,T.7453-6,T.7539-40;P730,p.4;[REDACTED];[REDACTED];[REDACTED];[REDACTED].

⁸¹⁶ [REDACTED];P1586;[REDACTED];ST-179,T.7459 (Special Police Platoon was “resubordinated” to the police).

⁸¹⁷ [REDACTED].

⁸¹⁸ ST-179,T.7446-7;1D46.

⁸¹⁹ ST-179,T.7450-1,T.7458.

⁸²⁰ ST-179,T.7447,T.7449-52;[REDACTED].

⁸²¹ ST-179,T.7422-6;P397.7.

⁸²² P1755,p.233 (ST-179 informing Mladić that the police had 142 police officers,2 personnel carriers and a platoon for special purposes).

⁸²³ ST-179,T.7457-9. *See also* [REDACTED] (ST-179 and Police Commander Stanić were sometimes present at these morning roll calls).

platoon assignments and signed the platoon's payrolls and exercised disciplinary authority over them.⁸²⁵ Once the platoon was subordinated to SJB Vlasenica, any members who subsequently joined the platoon were mobilised directly into the police.⁸²⁶ [REDACTED]⁸²⁷ Finally, when pressed, ST-179 agreed that the platoon was created pursuant to STANIŠIĆ's 15 May order.⁸²⁸ In fact, when STANIŠIĆ retracted his 15 May order by ordering the disbandment of all special police units, most platoon members were transferred by ST-179 in August (including Kraljević, ST-137 and Elvis Đurić) to the reserve police and the remainder were sent to the VRS.⁸²⁹

237. From April, the police cooperated with members of the TO, Novi Sad Corps and local paramilitary groups in taking control of Muslim villages.⁸³⁰ The police benefited from military equipment and tanks left behind by the Corps.⁸³¹ Villages offered no resistance,⁸³² were attacked by the police and other Serb forces, including shelling, and executions of Muslim civilians. This created fear, forcing Muslims to leave the territory.⁸³³ Muslim civilians, including families, were indiscriminately arrested and detained at seventeen facilities where they were frequently mistreated.⁸³⁴ Muslim civilians were taken to Sušica detention facility,⁸³⁵ whereas Muslim men of military age were detained at the SJB or municipal prison.⁸³⁶

238. On 16 May, 80 Muslim men were killed in Zaklopača (seven kilometres from Vlasenica) by policemen.⁸³⁷ The next day, women and children who had surrendered relinquished their property and were evicted.⁸³⁸ That same day, ST-179 learned of the massacre.⁸³⁹

⁸²⁴ [REDACTED];[REDACTED].

⁸²⁵ ST-179,T.7453-4,T.7456-8,T.7460,T.7553;[REDACTED];P1586.

⁸²⁶ ST-179,T.7552-3.

⁸²⁷ [REDACTED];P1585;P1586;[REDACTED].

⁸²⁸ ST-179,T.7459,T.7464;1D46.

⁸²⁹ ST-179,T.7462-3;[REDACTED];1D176;[REDACTED];compare [REDACTED] and P1586 (entries 33,35-38) with [REDACTED].

⁸³⁰ 1D46; ST-179,T.7446-7,T.7481-

6;Borovčanin,T.6709;P1065;P1066;P1067;P1068;P1069;P1070;[REDACTED];P1590.

⁸³¹ Osmanović,P1041.2,p.5;ST-179,T.7444-5;[REDACTED].

⁸³² [REDACTED];ST-080,T.7350-1.

⁸³³ [REDACTED];Osmanović,P1041.2,p.5;ST-179,T.7486;AF1359;AF1371.

⁸³⁴ [REDACTED];Osmanović,P1041.1,T.5248;AF1371. In one neighborhood, all Muslim families on one side of the street were arrested. [REDACTED];[REDACTED].

⁸³⁵ ST-080,T.7365-9;[REDACTED];[REDACTED].

⁸³⁶ [REDACTED];Osmanović,P1041.1,T.5217;Osmanović,P1041.2,pp.5-7;Osmanović,T.7310;[REDACTED]. The SJB Vlasenica crime register records that large groups of Muslim men were arrested for owning illegal weapons (Article 213 of the BiH criminal code) particularly between May and July.[REDACTED]. The Vlasenica Prosecutor's Office KT logbook shows that none of these cases were prosecuted, suggesting that the arrests were simply a pretext for expelling Muslim men from Vlasenica;P1446. See also Osmanović,T.7324;Osmanović,P1049.

⁸³⁷ AF1358;[REDACTED].

⁸³⁸ AF1358.

⁸³⁹ ST-179,T.12602,T.12621.

239. Other persecutory measures imposed by SJB Vlasenica included a variety of measures. Searches and arrests of Muslims in Vlasenica took place.⁸⁴⁰ Looting of Muslim property and valuables before, during, and after attacks with the knowledge of the SJB was undertaken.⁸⁴¹ [REDACTED].⁸⁴² [REDACTED].⁸⁴³ Muslim houses were torched during attacks, including an attack on Gradina by the special police unit, followed by the the killing of Muslims who had surrendered. ST-179 received information about this event.⁸⁴⁴ Muslim men who surrendered in villages of Piškavice, Drum and Gradina were killed.⁸⁴⁵ Muslim women, children and elderly were transported to Sušica.⁸⁴⁶

240. Particularly notorious events where Muslim civilians were executed took place at the hands of the SJB. Over 20 Muslim men were executed [A5.1] on 2 June during an attack by Serb soldiers⁸⁴⁷ on Drum (1-2 kilometres from Vlasenica) [F14].⁸⁴⁸ The police took 20-25 surviving Muslims⁸⁴⁹ to Sušica⁸⁵⁰. The next day, a Muslim man asked ST-179 for police protection to provide a “dignified funeral” for the victims.⁸⁵¹ Instead, two special police members took Muslim prisoners and ordered them to place 22 victims in a pre-dug mass grave after stripping the bodies of all documents and valuables.⁸⁵² On 18 May, non-Serb detainees from Bratunac were brought by bus with police escort to Vlasenica and 29 were detained at a prison near the SJB building [C15.4][D15.4].⁸⁵³ On 21 May, the prisoners were taken from the prison by police and put on a bus. Serb soldiers escorted the bus to the outskirts of Nova Kasaba, where they ordered the prisoners out and opened fire on them [B13.4].⁸⁵⁴ ST-179 claimed to have heard about the massacre 1-2 days later through the media but did not make further inquiries.⁸⁵⁵

⁸⁴⁰ [REDACTED];AF1359.

⁸⁴¹ [REDACTED]. See Osmanović,P1401.2,p.4;Osmanović,T.7302 (fire brigade facilities located at SJB).

⁸⁴² [REDACTED].

⁸⁴³ [REDACTED];[REDACTED];Osmanović,P1041.1,T.5248.

⁸⁴⁴ AF1359;[REDACTED];ST-179,T.12604-5.

⁸⁴⁵ [REDACTED];ST-179,T.7490.

⁸⁴⁶ [REDACTED];AF1359.

⁸⁴⁷ AF1360;ST-080,T.7358-62;Osmanović,P1041.2,p.8;[REDACTED].

⁸⁴⁸ AF1360;ST-080,T.7356-9. Drum was visible from the SJB chief’s office second-floor window. Osmanović,T.7318-9,

⁸⁴⁹ AF1360;ST-080,T.7364.

⁸⁵⁰

⁸⁵¹ ST-179,T.7490-1. Although ST-179 claimed that he sent an investigation team to the crime scene, there was no record of an onsite investigation in the Vlasenica Prosecutor’s Office KTA logbook. ST-179,T.7492. See Gaćinović,P1609.1,paras.48-52,Annex 6.

⁸⁵² Osmanović,T.7319;Osmanović,P1041.2,p.8;[REDACTED];at least 11 found,[REDACTED].

⁸⁵³ Suad Džafić,P2281,pp.3-4;[REDACTED]. Three busloads of Muslims prisoners were brought and packed into a 3x5 metre cell, and beaten repeatedly by SJB members. Suad Džafić,P2281,p.4;Suad Džafić,P2280,p.2. Although the Indictment schedules indicate that the Bratunac detainees were held at the civil defence warehouse, Džafić referred to the place where they were detained as the MUP prison.

⁸⁵⁴ AF1368;S.Džafić,P2283,T.739,T.762;S.Džafić,P2281,pp.5-6.P2282;P866,pp.1-2;[REDACTED].

⁸⁵⁵ ST-179,T.7525.

241. From May to October, Muslims were primarily detained at three detention facilities: the SJB, municipal prison (behind the courthouse) and Sušica detention facility [C15.1] [C15.2] [C15.3]. Muslims who were detained at the SJB during this period were interrogated, repeatedly beaten and often killed [D15.1] [B13.2].⁸⁵⁶ Other detainees were killed after being removed from the SJB and prison [B13.3].⁸⁵⁷ No medical care was provided and the conditions of detention were extremely poor.⁸⁵⁸ During his testimony, ST-179 acknowledged that beatings of the Muslim detainees at the SJB “may have been facilitated by some reserve policemen” and further stated that he reported these “anomalies” to CSB Romanija-Birač.⁸⁵⁹

242. Conditions in detention facilities were poor and prisoners were repeatedly beaten and many were killed. This included SJB Vlasenica where non-Serbs were detained in large numbers in small cells,⁸⁶⁰ beaten by members of the SJB⁸⁶¹ over long periods⁸⁶² and at least one detainee, Džemal Ambešković, was killed in the hallway of the second floor.⁸⁶³

243. The municipal prison located 200-250 metres from the SJB building, operated exclusively by the police,⁸⁶⁴ held up to 150 Muslim civilians⁸⁶⁵ at a time in five cells although the prison could only accommodate 50 prisoners.⁸⁶⁶ Detainees were denied medical care and had to sleep on the floor or shelves.⁸⁶⁷ They were regularly beaten by Serb police officers [D15.2],⁸⁶⁸ and had to perform forced labour including burying bodies, looting property from abandoned Muslim houses

⁸⁵⁶ [REDACTED];Osmanović,P1041.1,T.5217;Osmanović,P1041.2,pp.5-7;Osmanović,T.7310;[REDACTED];ST-179,T.7498;[REDACTED].

⁸⁵⁷ [REDACTED];[REDACTED];Osmanović, T.7316-7;ST-137,T.14655-6;Osmanović,P1041.2, p.9.

⁸⁵⁸ AF1367.

⁸⁵⁹ ST-179,T.7499-7501. While ST-179 also asserted that he and Police Commander Stanić were absent during these abuses, two Muslim detainees were beaten by the police commander and Elvis Durić on 13 June, one day after ST-179 met with Republican Commissioner Đokanović. [REDACTED];Đokanović,P397.2,T.10583-4.

⁸⁶⁰ Osmanović,P1041.2,p.5;Osmanović,P1041.6,para.3;Osmanović,P1041.1,T.5229-30;Osmanović,T.7303-6;P1043.

⁸⁶¹ Osmanović,P1041.2,p.5;[REDACTED] [REDACTED];[REDACTED].

⁸⁶² Osmanović,P1041.2,pp.6-7. Special police platoon and reserve police perpetrators included Veselin Došić, Sladan Pajić, Miloš Matic, Elvis Durić, Zoran Stupar, Simo Stupar, Ljuban Vukotić, Siniša Došić, Goran Pajić, Zoran Obranović, Jevto Golić, Slavko Garić, Slaviša Sekulić, Zoran Pantić, Ljubiša Sekulić, Predrag Bastah and Toša Ostojić. Osmanović,T.7308-11;[REDACTED].

⁸⁶³ Osmanović,P1041.2,pp.6-7;AF1367;Osmanović,T.7306,T.7313-4.

⁸⁶⁴ AF1366;ST-179,T.7504-5;Osmanović,T.7316-7. Prior to the conflict, the municipal prison was not in use. Osmanović,P1041.1,T.5228,T.5231. [REDACTED].

⁸⁶⁵ Osmanović,P1041.1,T.5231.

⁸⁶⁶ AF1366;Osmanović,P1041.1,T.5231;Osmanović,P1041.2,p.8.

⁸⁶⁷ Osmanović,P1041.1,T.5233.

⁸⁶⁸ Osmanović,P1041.2,pp.7-8;Osmanović,P1041.1,T.5231-2,T.5246. Osmanović,T.7316-7;[REDACTED].

and digging trenches at the front lines [D15.2].⁸⁶⁹ ST-179 claimed that he never visited the prison because he “was against it.”⁸⁷⁰

244. Sušica camp located approximately two kilometres from Vlasenica town,⁸⁷¹ was established on 31 May by the VRS Birač Brigade in accordance with an SAO Birač decision.⁸⁷² [REDACTED]⁸⁷³ control shifted to the SJB⁸⁷⁴ from early June onwards, when the SJB began bringing Muslim civilians.⁸⁷⁵ ST-137 was the commander⁸⁷⁶ and reported directly to the SJB chief.⁸⁷⁷ The administrator, Veljko Bašić,⁸⁷⁸ [REDACTED]⁸⁷⁹ [REDACTED]⁸⁸⁰ [REDACTED]⁸⁸¹ [REDACTED]⁸⁸² [REDACTED]⁸⁸³ [REDACTED]⁸⁸⁴ Between June and the end of September, approximately 2,500 Muslims of both genders and all ages passed through Sušica.⁸⁸⁵ Initially, there were 1,000 detainees,⁸⁸⁶ but shortly thereafter, Serb municipal officials allowed most women to leave after being stripped of valuables and forced to sign a declaration that they were leaving Vlasenica voluntarily.⁸⁸⁷ From mid-June onwards, an average of 600 Muslim civilians, including women and children,⁸⁸⁸ were held at the detention facility.⁸⁸⁹ Detainees were kept in unsanitary conditions,⁸⁹⁰ performed forced labour,⁸⁹¹ were routinely beaten by guards,⁸⁹² [REDACTED]⁸⁹³

⁸⁶⁹ AF1366;Osmanović,P1041.2,p.8;Osmanović,P1041.1,T.5231-3;Osmanović,T.7317.

⁸⁷⁰ ST-179,T.7505.

⁸⁷¹ Osmanović,P1041.1,T.5239.

⁸⁷² AF1361;1D160. *See also* ST-179,T.7512 (camp established on 21 April pursuant to decision of municipal organs).

⁸⁷³ [REDACTED].

⁸⁷⁴ [REDACTED];1D156. Although ST-179 claimed during his testimony that the camp was solely under military jurisdiction, he reported in September 1992 that it was “under the authority of the municipal organs,” which would implicitly have included the SJB. ST-179,T.7541;[REDACTED].

⁸⁷⁵ [REDACTED];Osmanović,P1041.1,T.5236-7;ST-080,T.7368-9;Ferhatović,P2386,T.263-4;[REDACTED].

⁸⁷⁶ AF1365;[REDACTED];[REDACTED];[REDACTED].

⁸⁷⁷ [REDACTED];Osmanović,P1041.1,T.5223;Osmanović,P1041.2,p.16.

⁸⁷⁸ AF1362;[REDACTED];ST-080,T.7378.

⁸⁷⁹ [REDACTED].

⁸⁸⁰ [REDACTED]. *See* [REDACTED]. Although these soldiers were military personnel, they reported directly to ST-137 and the police;ST-137,T.14691-2;Osmanović,P1041.2,p.9.

⁸⁸¹ [REDACTED];AF1363;1D163,p.9

⁸⁸² [REDACTED].

⁸⁸³ [REDACTED];P1600. [REDACTED]

⁸⁸⁴ [REDACTED];ST-179,T.7559;ST-080,T.7376-8;Osmanović,P1041.2,p.9.[REDACTED].

⁸⁸⁵ AF1364. Despite ST-179’s assertions that Serbs stayed at the camp in August or September (*See* [REDACTED];ST-179,T.7512-3),no Serbs were in fact held at Sušica detention facility during this period, except a Serb woman who was married to a Muslim. [REDACTED];Ferhatović,P2315,T.464;P1755,p.232 (Vlasenica Municipal President reporting on 25 June that “[o]ver 800 prisoners,200 of whom are women and children” were brought to the detention facility).

⁸⁸⁶ ST-080,T.7369;AF1364.

⁸⁸⁷ AF1364;[REDACTED]. Elderly men were taken to an area surrounded by Serb forces and left without food or medicine. Several died as a result. [REDACTED].

⁸⁸⁸ P2026;Osmanović,P1041.1,T.5236;[REDACTED]. One woman was 80 years old. Osmanović,P1041.2,p.9.

⁸⁸⁹ [REDACTED];Osmanović,P1041.1,T.5236-7;P1592;P1593. ST-179 acknowledged in his 1 September report that the camp held “persons captured in the zone of war activities.” [REDACTED].

⁸⁹⁰ [REDACTED];AF1364;Osmanović,P1041.1,T.5234-6;P1597;ST-080,T.7370-1,T.7380;[REDACTED]. Although ST-179 reported in September that the camp complied with international law, they testified that they advocated closing the camp because they “could not conceive of the existence of camps in [...] what was to be the 21st century.” ST-179,T.7514;[REDACTED].

⁸⁹¹ AF1365;[REDACTED];P1600;P1601,pp.2-3;P1602;Osmanović,P1041.1,T.5236;[REDACTED];[REDACTED].

Guards killed at least nine detainees [B13.1]⁸⁹⁴ and despite being informed, the SJB did not investigate this crime.⁸⁹⁵ [REDACTED]⁸⁹⁶

245. On two occasions, members of international organisations visited the detention facility. Acting on SJB instructions, ST-137 concealed many detainees, and the true state of the conditions of detention.⁸⁹⁷ Velibor Ostojić, who accompanied the delegation, reassured ST-137 that 30-50 prisoners were “not a big deal.”⁸⁹⁸

246. [REDACTED]⁸⁹⁹ [REDACTED]⁹⁰⁰

247. On 29 September, the 140 remaining detainees were killed following an inflammatory speech given by Karadžić during a funeral held in Vlasenica for Serb soldiers. Karadžić stated that they should neither forgive nor forget the soldier’s “exccutors” and that the Serb’s “non-brothers” are after their throats.⁹⁰¹ This created animosity towards the remaining detainees at Sušica and ST-179, was informed of this by ST-137.⁹⁰² [REDACTED]⁹⁰³ [REDACTED]⁹⁰⁴ The next day, ST-137 was informed by a reserve police officer that the detainees had been killed.⁹⁰⁵ ST-137 was instructed to remove all traces of the detention facility.⁹⁰⁶ After complying,⁹⁰⁷ ST-137 obtained ST-179’s approval to leave the police and join the military.⁹⁰⁸

248. Prior to April, Vlasenica contained a majority of Muslims (58%).⁹⁰⁹ By August, less than a third of the Muslim population remained in the municipality and only a handful remained in the

⁸⁹² [REDACTED];[REDACTED];[REDACTED];ST-080,T.7377-8;Osmanović,P1041.2,pp.10-3. In particular, special police platoon members Goran Višković, Zoran Obrenović, Sladan Pajrić, Elvis Durić, and Ljuban Vukotić would abuse and kill camp detainees;Osmanović,T.7321.

⁸⁹³ [REDACTED];[REDACTED];[REDACTED];[REDACTED].

⁸⁹⁴ AF1365;Osmanović,P1041.2,pp.10-13;[REDACTED];[REDACTED];[REDACTED];[REDACTED].

⁸⁹⁵ AF1365;[REDACTED].

⁸⁹⁶ [REDACTED];[REDACTED];Osmanović,T.7321-2,T.7334-5;Osmanović,P1041.1,T.5248;[REDACTED];Osmanović,P1041.2,pp.11-2;[REDACTED].

⁸⁹⁷ AF1365;[REDACTED].

⁸⁹⁸ [REDACTED];P1599,pp.37-9.

⁸⁹⁹ [REDACTED].

⁹⁰⁰ [REDACTED].

⁹⁰¹ [REDACTED];P1595.

⁹⁰² [REDACTED]. ST-179 testified that he attended the funeral and agreed that he was concerned about retaliation against non-Serbs as a result of it. However he denied speaking to ST-137; ST-179,T.12601-2,T.12611-2.

⁹⁰³ [REDACTED].

⁹⁰⁴ [REDACTED].

⁹⁰⁵ [REDACTED];[REDACTED];[REDACTED];[REDACTED]. Later ST-137 learned the detainees were killed at Debelo Brdo near Vlasenica;ST-137,T.14715.

⁹⁰⁶ [REDACTED].

⁹⁰⁷ Avlijaš,T.15625-6;P393,p.2 (report of the Ministry of Justice finding no trace of a camp when shown Sušica by the Vlasenica police commander in October).

⁹⁰⁸ [REDACTED].

⁹⁰⁹ Tabeau,P1628,Tables 1M and 1S;AF1351;P2437;ST-179,T.7415.

town.⁹¹⁰ As they left, a CS agency allocated their homes to Serbs.⁹¹¹ Post-conflict, Muslims represented only 0.2% of the municipality population, while the percentage of Serbs had increased significantly.⁹¹²

249. Serb forces partially or completely destroyed at least four mosques in Vlasenica municipality in 1992. This was vandalism and did not occur during the course of combat [E15].⁹¹³ On 19 August, the SJB secured the area around the Vlasenica town mosque so VRS engineers could blow it up.⁹¹⁴ All traces were removed.⁹¹⁵

250. Over 279 Muslims were killed by Serb forces in Vlasenica municipality between mid-May and the end of September.⁹¹⁶ Although SJB Vlasenica was operational after the 21 April takeover, with 80-85 of its officers performing regular police duties,⁹¹⁷ it did not file a single criminal report for these, or any other serious crimes, committed against non-Serbs,⁹¹⁸ despite the fact that many perpetrators were members of the police force.⁹¹⁹ Instead, police focused their resources on arresting non-Serbs purportedly for possession of illegal weapons,⁹²⁰ investigating crimes committed against Serbs (including three war crimes),⁹²¹ and confiscating stolen vehicles pursuant to instructions from the RSMUP and CSB Romanija-Birač.⁹²²

⁹¹⁰ ST-179,T.7524,T.7559-60.

⁹¹¹ ST-179,T.7480-1,T.7533-4.

⁹¹² Tabeau,P1628,Tables 1M and 1S.

⁹¹³ P1404,pp.46-57;P1396,p.15.

⁹¹⁴ ST-179,T.7523-4;P1404,p.56.

⁹¹⁵ P1404,p.55-6;P1396,pp.16-7.

⁹¹⁶ AF1370.

⁹¹⁷ P994,pp.2-3 ;[REDACTED]. The SJB also reported good cooperation with the military police. P748,p.3.

⁹¹⁸ [REDACTED];[REDACTED];ST-179,T.7502-3. The 1992-95 prosecutor's office logbooks confirm that no such reports were received from the police;Gaćinović. P1609.1,paras.48-52,Annex 6;Gojković,T.11766-8;P1446;1D327. These logbooks also show that the prosecutor's office was functioning from May onwards;Gojković,T.11760. *See also* P1755,p.233 (ST-179 reporting on 25 June that the "Court and Prosecution are functioning"). It is also noteworthy that SJB Vlasenica did not report any unsolved cases;ST-179,T.7495;[REDACTED].

⁹¹⁹ [REDACTED];ST-179,T.7466,T.7517-8. The police perpetrators appear on the September and November SJB payrolls (excluding ST-137 who voluntarily left the police at the end of September);[REDACTED];[REDACTED]. Thus, although 1D191 shows that the SJB could and did file criminal reports and/or terminate police officers who committed crimes, the police payrolls,police crime register and prosecutor's office logbooks together establish that such measures were not taken against police perpetrators of crimes against non-Serbs.

⁹²⁰ ST-179,T.7496-8;[REDACTED].

⁹²¹ ST-179,T.7503-4;[REDACTED]. [REDACTED].

⁹²² P793,p.4;P994,pp.1-2;P997,p.1. Other than the smuggling of stolen cars, SJB Vlasenica reported no other problems with paramilitary groups in the municipality;P994,pp.1-2;P730,p.4.

(j) Vogošća

251. Vogošća, was a Serb-minority (Variant B) municipality⁹²³ in the “greater Sarajevo” area. It was strategically significant with industrial infrastructure, JNA barracks, and TO stores.⁹²⁴ [REDACTED]⁹²⁵

252. In early March, SDS delegates withdrew from the Vogošća Municipal Assembly and established their own Assembly. Vogošća SDS wanted to split the municipality along ethnic lines. The envisaged division would leave Serbs with the town centre, important communications links and all local industry.⁹²⁶

253. Division of the police occurred in late March.⁹²⁷ Soon after the Mandić dispatch, SJB Vogošća was attacked by Boro Radić and his followers. Radić’s main objective was to seize weaponry, however he also carried out the attack as part of a plan to drive Bosniak police out from SJB Vogošća. [REDACTED]⁹²⁸

254. The seizure of power in Vogošća was largely achieved during April [G16]. In March the JNA had set up roadblocks around important factories in Sarajevo including the Pretiš plant.⁹²⁹ A large part of Vogošća town, surrounding villages and the TAS factory were brought under Serb control between 4-17 April by Serb army units, paramilitaries, and the RSMUP organised by the Vogošća CS.⁹³⁰ RSMUP officers continued to participate in mopping-up operations into May. Vogošća CS appointed police officers to various tasks arising from the takeover.⁹³¹ For example, Milan Borovčanin was tasked with helping with the “cleansing” of Svrake.⁹³² The RSMUP consolidated control over areas seized. On 28 May the CS ordered SJB Vogošća to control the issuance of passes for vehicle travel within Vogošća.⁹³³

⁹²³ AF1315.

⁹²⁴ AF1318;[REDACTED];[REDACTED].

⁹²⁵ [REDACTED].

⁹²⁶ AF1316,AF1317.

⁹²⁷ AF1319.

⁹²⁸ [REDACTED].

⁹²⁹ AF1318.

⁹³⁰ AF1320;AF1333;P627.

⁹³¹ P1507.

⁹³² P1506 (numbers 21,95);P1504 (numbers 3,43);P1497 (number 3);[REDACTED].

⁹³³ P1518.

255. Serb paramilitaries and criminals were drawn to Vogošća due its relative wealth and ongoing harassment of non-Serbs occurred from May through November. [REDACTED]⁹³⁴ Non-Serb staff at Vogošća Medical Centre were dismissed around 16 May.⁹³⁵ [REDACTED]⁹³⁶

256. Shelling of Muslim villages in the municipality continued in May. Villages and several mosques were damaged.⁹³⁷ The attack on Svrake started on 1 May [F15]. After initial resistance from the Muslim inhabitants, bombs were dropped the following day by aircraft. On 3 May the inhabitants surrendered.⁹³⁸ Some 470 men women and children were taken to barracks in Semizovac. Women and children were later released, but the men were detained for exchange purposes.⁹³⁹ On 29 May Gornja Bioča was shelled by Serb forces and Muslim men from the village were imprisoned and detained at Planjo's house in Semizovac [C16.1].⁹⁴⁰

257. Attacks on non-Serb areas in Vogošća were accompanied by widespread arrests. Serb authorities detained non-Serbs at various detention facilities including the Bunker or Kon-Tiki [C16.4], a sports complex, Krivoglavci tunnel, Kisikana Company Building, UPI Distribution Centre, Nake's garage, the Park Hotel and the UNIS factories.⁹⁴¹ Another detention facility was established at Planjo's house from early June [C16.1].⁹⁴²

258. SJB Vogošća assisted in setting up detention facilities for expected prisoners from early May. On 2 May the CS requisitioned Kon-Tiki, to assist police interrogations of detained persons. The order was to be executed by Branko Vlačo and SJB Vogošća.⁹⁴³ The order coincided with the fall of Svrake.⁹⁴⁴ Conditions were harsh. Prisoners were used as human shields and killed. Up until November Serbs regularly went to detention facilities to beat detainees and force them to perform sexually humiliating acts [D16.2].⁹⁴⁵

⁹³⁴ [REDACTED].

⁹³⁵ P1507.

⁹³⁶ [REDACTED].

⁹³⁷ AF1333.

⁹³⁸ Ilić, P2185, p.3; Čutura, P2184.

⁹³⁹ AF1324.

⁹⁴⁰ AF1325.

⁹⁴¹ AF1331; AF1335; P1509; P1490; P1491, ST-155, T.12510.

⁹⁴² AF1326.

⁹⁴³ P1499.

⁹⁴⁴ P1499; AF1330.

⁹⁴⁵ AF1335.

259. The Bunker was a small guard house established as a detention facility after the attack on Svrake.⁹⁴⁶ On 4 May, Svrake's Muslim inhabitants were imprisoned at Semizovac barracks and from there a number of men were taken to the Bunker.⁹⁴⁷ Upon their arrival, they were blindfolded, threatened and slapped. Prisoner numbers quickly swelled.⁹⁴⁸

260. The Vogošća CS expressly ordered the police to set up Kon-Tiki, part of the complex including the Bunker, for both the Serb SJB and TO to interrogate prisoners.⁹⁴⁹ Branko Vlačo selected an initial group of Muslim men who had surrendered following the attack on Svrake to be amongst the first prisoners at the Bunker.⁹⁵⁰

261. Prisoners were taken out from the Bunker and upon their return displayed signs of severe beating. Hido was beaten whilst naked, sexually humiliated and had shots fired near his head [D16.2].⁹⁵¹ Prisoners were sometimes taken from the Bunker (and Planjo's house) to SJB Vogošća for violent interrogations.⁹⁵²

262. Boro Radić and other Serb TO members arrested Čutura and another Muslim police officer at a roadblock on 1 May. They were taken to SJB Vogošća, interrogated by Serb police and assaulted by Jovan Tintor. On 13 May they were taken to the Bunker. Čutura was taken from the Bunker to a nearby hut where he was assaulted by Vlačo. Čutura was taken from the Bunker and threatened with execution. On other occasions he was tied up and beaten. Some prisoners served as exchange material, facilitated by RSMUP officers. On 29 May Čutura was simply taken out from the Bunker by Lažarević to be exchanged for a Serb.⁹⁵³

263. Planjo's house in Vogošća was initially used to detain prisoners arrested by Serb police. Later it was allocated to the Ministry of Justice. Serb soldiers and police provided security, but also beat prisoners. Numbers of inmates increased between July and October. Serbs were permitted to enter and beat inmates or force them to engage in sexually humiliating acts [D16.1]. On occasions inmates were taken to SJB Vogošća, interrogated and beaten.⁹⁵⁴

⁹⁴⁶ P1510;[REDACTED].

⁹⁴⁷ Hido,P2185,p.3;P1494;[REDACTED].

⁹⁴⁸ Hido,P2185,p.4. [REDACTED].

⁹⁴⁹ P1499.

⁹⁵⁰ Hido,P2185,p.3.

⁹⁵¹ Hido,P2185,p.4.

⁹⁵² [REDACTED].

⁹⁵³ Čutura,P2184,pp.5-8.

⁹⁵⁴ P1489;P1488;AF1326;[REDACTED];[REDACTED];[REDACTED];[REDACTED];AF1327;[REDACTED].

264. On 10 June the Presidency of the RS appointed commissioners, including Poplašen.⁹⁵⁵ On 6 August Poplašen approved the use of detainees for construction and other work.⁹⁵⁶ On the same day a request was forwarded to the Ministry of Justice for permission to use detainees for work purposes which was approved four days later.⁹⁵⁷ Detainees often worked on the front lines, and were treated as human shields. The death or wounding of Muslim prisoners by enemy fire continued from at least July until October.⁹⁵⁸

265. Prisoners were used as human shields on various occasions and sometimes killed as a result. The order requiring this was sent to Vogošća prison. In September prisoners engaged in forced labour at Žuč hill were killed or wounded. Being forced to work on front lines was not infrequent. Prisoners from the Bunker and Planjo's house were used as human shields or forced to work on front lines, where it was highly dangerous regardless of the role one had.⁹⁵⁹

266. SJB Vogošća played a critical role in the prison system. The commander of Kon-Tiki, the Bunker and Planjo's house was Branko Vlačo, a policeman both before and during the conflict.⁹⁶⁰ On 21 July Vlačo was appointed prison warden in Vogošća.⁹⁶¹ Vlačo's connection with prisons in Vogošća pre-dated July. In mid-June when Slobodan Avlijaš visited Vogošća at the behest of Mandić to deal with unfavourable media reports about treatment of prisoners he met with the CS and SJB officers including Vlačo.⁹⁶²

267. At the Bunker and Planjo's house, police supplied guards, transported prisoners, took prisoners out for interrogation and participated in the mistreatment and beatings of prisoners.⁹⁶³
[REDACTED]⁹⁶⁴

268. Planjo's house commenced operations by 31 May, following the attack on Gornja Bioča.⁹⁶⁵ On 8 July, a municipal decision was issued whereby Planjo's house was allocated to serve the needs

⁹⁵⁵ P261;L65.

⁹⁵⁶ P1329.

⁹⁵⁷ P1318.33.

⁹⁵⁸ 1D808;1D809;1D810;P1515;P1318.34.

⁹⁵⁹ [REDACTED];P1514;P1515;P1332;[REDACTED];Hido,P2185,pp.4-6;1D808;P1495;[REDACTED].

⁹⁶⁰ [REDACTED];P1506 (number 63);Avlijaš,T.15635.T.15644-5;P1519.

⁹⁶¹ 1D339.

⁹⁶² Avlijaš,T.15594.

⁹⁶³ AF1326;[REDACTED];Avlijaš,T.15634.

⁹⁶⁴ [REDACTED].

⁹⁶⁵ AF1325.

of the Prison Department of Vogošća Municipality.⁹⁶⁶ Vlačo was appointed warden on 21 July.⁹⁶⁷ Nebojša Špirić was appointed commander of Planjo's house on 14 July.⁹⁶⁸ On August 17, police transported eighty more prisoners from Podlugovi to Planjo's house.⁹⁶⁹ [REDACTED]⁹⁷⁰ [REDACTED]⁹⁷¹

269. SJB Vogošća played an indispensable role in the deportation of non-Serbs from Vogošća, through forced deportation or through the exchange system. After attacks on Svrake and Semizovac, male prisoners were set aside for exchange purposes.⁹⁷² Čutura's exchange exemplifies the exchange process. He was not consulted, but simply taken from the Bunker by ST-214 and, in the presence of Vlačo, informed of his impending exchange. He was taken to the exchange point by both Vlačo and Špirić the commander and deputy commanders of the detention facility system, and exchanged.⁹⁷³

270. On 25 May, prisoners captured at Svrake were exchanged. The Department for Judiciary, Administration and Regulations and the CS were responsible for the exchange. Three Serbs were exchanged for 21 Muslims.⁹⁷⁴ In July the use of prisoners as exchange fodder continued. Vlačo reported to the Serbian municipality of Vogošća that two prisoners had been taken away by members of the state security organ, another by Ilijaš SJB and another personally taken by Vlačo himself for the purposes of exchange.⁹⁷⁵ The process continued in September with the involvement of the War Commission, the Exchange Commission and the warden.⁹⁷⁶ Vlačo explained that the Bunker had been filled with Muslim prisoners from Svrake, and that prisoners would be exchanged "as soon as we could" and claimed that the rate of exchange was sometimes as high as eight Muslims for one Serb but that normally the exchange rate was "2-3 to one."⁹⁷⁷

271. Prisoners held as exchange material or forced to work on the front lines were civilians. The Svrake exchange of 25 May envisaged "citizens of Muslim nationality" being exchanged for

⁹⁶⁶ P1327.

⁹⁶⁷ 1D339.

⁹⁶⁸ 1D340.

⁹⁶⁹ AF1327;[REDACTED].

⁹⁷⁰ [REDACTED].

⁹⁷¹ [REDACTED].

⁹⁷² AF1324.

⁹⁷³ Čutura,P2184,p.5.

⁹⁷⁴ P1494.

⁹⁷⁵ P2368.

⁹⁷⁶ P1513;see also 1D577.

⁹⁷⁷ P2366,p.1.

“citizens of Serbian nationality.”⁹⁷⁸ Many prisoners were elderly or simply arrested because they had been in a combat zone.⁹⁷⁹

272. Detention facilities were administered by the CS, SJB Vogošća, the military and prisons department who all worked together. Arrangements were fluid. Police used prisoners to work at SJB Vogošća.⁹⁸⁰ Vlačo ensured that SJB Vogošća rounded up Muslims to collect firewood and report to the “Prison Administration Building” on a daily basis.⁹⁸¹ Prison department records show occasions where police arrested Muslims and took them to prisons to be interviewed.⁹⁸²

273. Decisions on the release of prisoners were taken by a combination of bodies. For instance, on 9 October, 11 prisoners were released by a decision of the War Staff, prison administration and a “Government representative.”⁹⁸³ On 6 November the War Presidency ordered the exchange of 14 Muslims.⁹⁸⁴ The Vogošća War Commission took decisions on the work assignment of an individual prisoner.⁹⁸⁵ Prisoners removed from detention facilities might be guarded by the military and, if shot and killed, a report would be sent to the Serbian Municipality of Vogošća rather than the Justice Department.⁹⁸⁶

(k) Prijedor (and Skender Vakuf)

274. Prijedor was the setting for many of the seminal images of the Bosnian conflict in 1992.⁹⁸⁷ The Defence did not challenge the charged crimes for Prijedor, nor the police role in these crimes.

275. The pre-war non-Serb population of Prijedor was over 55,000.⁹⁸⁸ By May 1993, 44,000 had been forced to leave.⁹⁸⁹ By summer 1991, the Prijedor BSL was already plotting to seize power in the municipality. [REDACTED]⁹⁹⁰ Following the seizure by Serb paramilitaries of the television transmitter on Kozara Mountain in August 1991, Prijedor residents could only receive television broadcasts from Serbia, Pale or Banja Luka, which broadcast propaganda directed against non-

⁹⁷⁸ P1494.

⁹⁷⁹ P1511;P1512;1D810;1D811.

⁹⁸⁰ P1516.

⁹⁸¹ P1517.

⁹⁸² P2369.

⁹⁸³ 1D811.

⁹⁸⁴ P1493.

⁹⁸⁵ 1D785.

⁹⁸⁶ 1D809.

⁹⁸⁷ P1357,0:44,2:42,4:33,18:12;P1718,5:40;P1563,55:48.

⁹⁸⁸ P1714;AF197.

⁹⁸⁹ P425,p.2. *See also* P688,pp.2-3.

⁹⁹⁰ [REDACTED].

Serbs.⁹⁹¹ Rising Serb nationalism and displays of force caused fear among the non-Serb population.⁹⁹² The Prijedor BSL armed the Serb population.⁹⁹³

276. On 27 December 1991, SDS Prijedor President Simo Mišković presented Variant A/B at the SDS Municipal Board meeting.⁹⁹⁴ Complying with these instructions, the SDS established a Serb assembly, and created a Serb government-in-waiting.⁹⁹⁵ On 17 February, Mišković passed on instructions to activate the second stage of Variant A/B.⁹⁹⁶ On 23 April, the Prijedor SDS decided to convene a meeting on 25 April along with Serb military and police representatives to “immediately start working on the take-over”.⁹⁹⁷

277. At the same time, the Prijedor BSL were preparing for the takeover, as were the military and police leadership. From January onwards, the JNA’s presence in Prijedor increased; units and heavy weaponry were strategically positioned facing non-Serb parts of the municipality.⁹⁹⁸ During the pre-takeover period, Serbian police personnel covertly formed and armed 13 “shadow” police stations with a staff of over 1,500 Serbs,⁹⁹⁹ in what Simo Drljača later described as “intensive and continuous preparations for a takeover of power by force which was carried out on 29 April”.¹⁰⁰⁰ The RSMUP announced that police had to sign a declaration of loyalty to the RS and wear Serb insignia to remain employed. ŽUPLJANIN implemented these measures after the Serb takeover and stated that those who did not sign the declarations must be dismissed. Non-Serb police who signed the declaration were dismissed, arrested, sent to Omarska or Keraterm detention facilities and killed.¹⁰⁰¹

278. The pretext for the Serb takeover of Prijedor municipality was the transmission on 29 April of a fax to the effect that the leader of the BiH TO had instructed local TOs to obstruct the JNA during its withdrawal from the Republic, although the BiH authorities immediately declared the

⁹⁹¹ AF37; [REDACTED]; Arifagić, P.2284, T.7058; Sivac, T.13222; Sejmenović, T.17387, T.17399-400.

⁹⁹² Arifagić, P.2284, T.7057-8; [REDACTED].

⁹⁹³ Sivac, P.1671.6, T.6717; Selak, T.18114-5; Arifagić, P.2284, T.7059-60, T.7063; Sejmenović, T.17381-3; Srdić, 2D194, pp.25-6. *See also* [REDACTED]; Arifagić, P.2284, T.7057.

⁹⁹⁴ AF200; Mišković, T.15176-8; P1610, pp.103-7; P435.

⁹⁹⁵ Mišković, T.15197-200; P1611; Sivac, P.1671.8, T.6781; Sejmenović, T.17510-3.

⁹⁹⁶ P1610(p.122) instructions received from Radovan Karadžić at 14 February 1992 SDS meeting in the Holiday Inn in Sarajevo at which ŽUPLJANIN was present. *See* P1353.17.

⁹⁹⁷ AF202; P1616; Mišković, T.15220-4. *See also* Mišković, T.15226-7; Mišković confirms that the meeting on 25 April was held and at that meeting the decision was made to seize power.

⁹⁹⁸ Arifagić, P.2284, T.7056-7; Sejmenović, T.17396, T.17409-14; P1716.

⁹⁹⁹ Nielsen, P508, para.73; P689, p.2; P652.

¹⁰⁰⁰ P657, p.2.

¹⁰⁰¹ Mišković, T.15357; Arifagić, P.2284, T.7065-6; Janković, T.24733-4, T.24743, T.24754-6, T.24768; 2D157; Sivac, T.13186-8; ST-244, T.17955; Sejmenović, T.17405; Nielsen, P508, para.211; P1368; P689, p.3; P377.

dispatch as false and publicly denounced it.¹⁰⁰² However, the takeover was something that had been thoroughly planned, well in advance.¹⁰⁰³

279. That night, 400 Serb active and reserve police, including Simo Drljača who announced himself as the new SJB chief, met with the Serb political and military leadership in Čirkin Polje to make final arrangements for the implementation of Variant A/B. The Serb police and military then took control of Prijedor town without resistance from the non-Serb population [G4].¹⁰⁰⁴ On 30 April, Radio Prijedor announced that the SDS had carried out a military coup, and that Stakić was named as the new president of Prijedor municipality. The Prijedor Serb CS, which included Drljača, took over the administration of the municipality.¹⁰⁰⁵

280. From that point onwards, living conditions for non-Serbs deteriorated exponentially. For example: Serb propaganda became more strident and extreme,¹⁰⁰⁶ non-Serbs were prevented from returning to work;¹⁰⁰⁷ electricity and telephone service in non-Serb settlements was cut off.¹⁰⁰⁸ Within a few days, travel around or out of the municipality was effectively prohibited for non-Serbs. Those who attempted to travel were stopped at Serb police checkpoints where they were often beaten or had their vehicles confiscated.¹⁰⁰⁹ The Serb authorities required non-Serbs to show their loyalty by displaying white sheets from their homes, wearing white ribbons around their arms,¹⁰¹⁰ and certain non-Serbs had to sign loyalty oaths to the RS.¹⁰¹¹ However, compliance with these requirements did not protect non-Serb homes from arbitrary searches or obliteration during subsequent attacks. Non-Serbs were arbitrarily arrested *en masse* by the police, interrogated at the SJB and imprisoned at one of Prijedor's detention facilities.¹⁰¹² Under the orders of the regional and municipal BSL, including CSB Banja Luka, the police systematically disarmed the non-Serb

¹⁰⁰² AF207.

¹⁰⁰³ Janković, T.24781-2, T.24792, T.24798; Mišković, T.15227-9, T.15293. *See also* P656; P657, p.2; P684, p.2.

¹⁰⁰⁴ AF205; AF774; Nielsen, P508, p.62; Mišković, T.15227-8, T.15230-2, T.15292-3; Islamović, P1525.1, T.874; Blazević, P2290, T.2425-7; Radulović, T.10839-40; Janković, T.24795-6, T.24832-3; P652; P1375; P1617.

¹⁰⁰⁵ Sivac, P1671.2, T.6568-70; Mišković, T.15235-6; P179.9; P1624.

¹⁰⁰⁶ [REDACTED]; Sejmenović, T.17430-1.

¹⁰⁰⁷ Sejmenović, T.174036; Islamović, P1525.1, T.8745; Islamović, P1525.2, T.937; [REDACTED]; [REDACTED]; P1619, p.1; ST-244, T.17956, T.17958-62, T.17972; P1738; P1739; P1740; P1741; P1715. Only three members of the SDA leadership survived 1992 and 90-95 percent of non-Serb municipal officials were killed; Sejmenović, T.17404-5.

¹⁰⁰⁸ Sejmenović, T.17408-9.

¹⁰⁰⁹ Sejmenović, T.17406-8; Merdžanić, T.18388-9; Islamović, P1525.1, T.875; Islamović, P1525.2, T.937-8; [REDACTED]; Blazević, P2290, T.2428, T.2430-1, T.2433; Mišković, T.15236; Sivac, P1671.2, T.6572.

¹⁰¹⁰ ST-228, T.18570-1, T.18576; Srdić, 2D194, p.17; Sejmenović, T.17457; [REDACTED].

¹⁰¹¹ Arifagić, P2284, T.7065-6.

¹⁰¹² Janković, T.24801, T.24810; Murselović, T.15711; P1715; ST-228, T.18574-9; ST-224, T.17964-71.

population. The Prijedor BSL also publicly issued ultimatums to the non-Serb population that failure to surrender all weapons would result in military intervention.¹⁰¹³

281. The non-Serb leadership, concentrated primarily in Kozarac, repeatedly sought to negotiate with the Prijedor BSL in order to reduce tensions and avoid an armed conflict. Major Radmilo Zeljaja (deputy commander of the 43rd brigade) threatened to flatten Kozarac to the ground unless non-Serbs complied with demands for disarmament.¹⁰¹⁴

282. Beginning on 22 May, Serb forces, including the police, decimated the non-Serb areas of Hambarine, Kozarac, Prijedor town, Brdo and Ijubija [F4].¹⁰¹⁵ The attacks were met with weak, or no, non-Serb resistance.¹⁰¹⁶ Although the scale and organisation of these operations show that they were planned well in advance, during the initial operations in May the BSL sought to justify the attacks based on a few minor incidents. From June onwards, however, the Serbs abandoned all pretexts for their attacks on undefended non-Serb villages.¹⁰¹⁷

283. The pretext for the attack on Hambarine was a shooting incident at a Muslim checkpoint on 22 May¹⁰¹⁸ and the failure of the non-Serbs to surrender their weapons and hand over the men who manned the checkpoint.¹⁰¹⁹ On 23 May, the VRS shelled Hambarine for several hours. The police (including the CSB Banja Luka Special Police Detachment) and VRS then conducted cleansing operations throughout the area, during which they killed non-Serbs or sent them to detention facilities, and looted and torched their homes. The residents of Hambarine fled to nearby villages or surrendered to the Serb forces.¹⁰²⁰ After the attack on Hambarine, it “was like a rather ethnically cleansed part of Prijedor.”¹⁰²¹

284. The pretext the BSL gave for the attack on Kozarac on 24 May was the purported ambush of a VRS tank that resulted in the death of a Serb soldier.¹⁰²² However, according to SJB Prijedor, the

¹⁰¹³ Mišković, T.15244-5; [REDACTED]; Blazević, P.2290, T.2429; P561; Nielsen, P508, para.202; P1621.

¹⁰¹⁴ AF227; AF228; AF230; Blazević, P.2290, T.2429, T.2439-40; Sejmenović, T.17415-21; Sivac, T.13188-90; Sivac, P1671.6, T.6765; Mišković, T.15241-2; Arifagić, P2284, T.7067-70; Merdžanić, T.18389-90; [REDACTED]; P1619, p.2. Lack of weaponry was confirmed in a dispatch from Drljača to CSB Banja Luka: P1717; Sejmenović, T.17444.

¹⁰¹⁵ P689, p.4; [REDACTED]; P1717; P659; P669, p.2; P856, p.2; 2D1, p.1; [REDACTED]; [REDACTED].

¹⁰¹⁶ P432.14, p.2.

¹⁰¹⁷ P1005.

¹⁰¹⁸ AF216; AF217; AF218; AF219; 1D311; P1717; Radulović, T.10848-9; Atljija, T.16087; [REDACTED].

¹⁰¹⁹ AF216; AF217; AF218; AF219; [REDACTED]; Sivac, P1671.8, T.6787-9; Sivac, P1671.10, T.10261-4; [REDACTED]; Atljija, T.16088.

¹⁰²⁰ AF216; AF217; AF218; AF219; AF220; [REDACTED]; Atljija, T.16089-90; [REDACTED]; Radulović, T.10847-8, T.10850; [REDACTED]; Karagić, P2294, T.5206-7; P110, p.38; P112, p.3; Brown, T.18702-3, 18711; P1803, para.2.5. The Serbs suffered no casualties during the attack: Sivac, P1671.10, T.10266-9.

¹⁰²¹ Srdić, 2D194, p.28.

¹⁰²² P1717; 2D108, p.7; Rodić, T.14516-8; Sejmenović, T.17442-3.

alleged attack on the tank occurred at 14.30 hours,¹⁰²³ whereas the shelling of Kozarac began at around 11.00 hours.¹⁰²⁴ Further, the Serb attack was planned well in advance of 24 May as artillery units had already established themselves in various positions surrounding Kozarac and Serbs in the area had already been militarised.¹⁰²⁵ Moreover, by 22 May the Serbs had instituted a blockade of Kozarac,¹⁰²⁶ and SJB Prijedor had developed a disarmament plan for the Kozarac area which it would have implemented that day had not the incident at the Hambarine checkpoint provided them a basis to engage in a much larger operation.¹⁰²⁷

285. The bombardment of the Kozarac area (which included Kozarac, Kamičani, Kozaruša, Kevljani and Trnopolje) commenced without warning, lasted 2-3 days and killed or seriously wounded many non-Serbs [A3.1].¹⁰²⁸ It also resulted in widespread destruction of non-Serb property, including the medical clinic, which was marked with a red cross on the roof. In contrast, special care was taken to avoid damage to Serb property.¹⁰²⁹ After the initial artillery onslaught, Serb tanks and infantry, along with police and paramilitary groups, moved into the area and began an extended campaign of looting and destroying all non-Serb property in their path, beating and killing non-Serb civilians who had not fled, and raping non-Serb women.¹⁰³⁰ Muslim police officers were particularly targeted for execution.¹⁰³¹ Despite the lack of significant or organised resistance,¹⁰³² at least 800 non-Serbs were killed during the attack, while only five members of the Serb forces were killed.¹⁰³³ Those non-Serbs who survived the attack were arrested by the Serb forces. Any Muslim men of military age were either executed or taken to Omarska and Keraterm detention facilities, while the remaining non-Serbs (mostly women and children) were either transported to the Trnopolje detention facility or expelled immediately from the RS.¹⁰³⁴ Stakić

¹⁰²³ 2D108,p.7.

¹⁰²⁴ Sejmenović,T.17434-5;AF231.

¹⁰²⁵ Sejmenović,T.17409-14;P1716;Arifagić,P2284,T.7056-7,T.7070;Brown,T.18711;Brown,P1803,para.2.5.

¹⁰²⁶ AF229;Selak,T.18119-20.

¹⁰²⁷ P1717.

¹⁰²⁸ [REDACTED].

¹⁰²⁹ AF231;AF232;AF233;AF234;AF235;AF2362;AF237;AF243;Sivac,T.13188-90;Sivac,P1671.2,T.6610-1;[REDACTED];Sejmenović,T.17409-14,T.17431,T.17434-5;Arifagić,P2284,T.7070,T.7073-4;Merdžanić,T.18391-4;Blazević,P2290,T.2443-50;Selak,T.18116-7,T.18121;Brown,T.18711;Brown,P1903,para.2.5;P1716. When Dr. Merdžanić asked over the police radio to be allowed to transport the wounded to the Prijedor hospital, he was told, "Just go ahead and die Balija."

¹⁰³⁰ [REDACTED];Sejmenović,T.17435-9;Selak,T.18117;Radulović,T.10851;Atlja,T.16090-2;Selak,T.18116-7;[REDACTED];ST-023,T.13903-5;Sivac,P1671.2,T.6610;P1745.7;Merdžanić,T.18395-9;P1035;P110,p.38;P112,p.3;AF847.

¹⁰³¹ Sivac,T.13275-6;Sivac,P1671.6,T.6764.

¹⁰³² [REDACTED];Sejmenović,T.17438.

¹⁰³³ AF238;Selak,T.18115-6,T.18167-8(explaining why the 80-100 reported in P1745.7 as killed grossly underestimated the actual number);P1745.11;P1376;Radulović,T.10853-4;P1388;AF238;AF1003.

¹⁰³⁴ Sivac,P1671.6,T.6767-8;Arifagić,P2284,T.7064-5,T.7074-81;Selak,T.18111-2,T.18117-9;ST-249,T.17860;Radulović,T.10853-7;P1376;P1377;AF242;AF1004.

announced that after the fall of Kozarac, “the entire municipality is under our control.”¹⁰³⁵ By 28 May, half of Kozarac had been destroyed and, after a period of further destruction between June-August, almost nothing or no one remained.¹⁰³⁶

286. The pretext for the obliteration of the non-Serb parts of Prijedor town was an ill-conceived attack on 30 May by a group of lightly-armed Muslims on the SJB and a few other municipal buildings, in an attempt to wrestle the town from Serb control.¹⁰³⁷ The Serb response was overwhelming and indiscriminate. The VRS and police (including the CSB Banja Luka Special Police Detachment) used tanks, APCs and heavy artillery not only to drive Muslims back towards the Sana river, but also to shell the Prijedor Stari Grad (which was almost completely populated by non-Serbs) and, over the days that followed, to drive the non-Serb inhabitants out of their homes and onto buses which took them to the Omarska, Keraterm and Trnopolje detention facilities. Meanwhile, Radio Prijedor called for all Serbs to defend the town and played radical Chetnik songs.¹⁰³⁸ As a result of this operation, the non-Serb neighborhoods of Prijedor were completely destroyed. Upon the orders of the Prijedor CS, non-Serb houses that had not been destroyed by shelling were systematically torn down.¹⁰³⁹ By December, “Stari Grad [...] was wiped off the face of the earth completely.”¹⁰⁴⁰

287. In late May, Serb forces shelled and attacked Briševo. The Serbs shelled Briševo again on 24 July and, the next day, the Serb infantry began their onslaught. At least 68 non-Serb civilians were killed during the 24-25 July attack on Briševo, 14 of whom were women, and their bodies were buried in mass graves. Thereafter, nothing remained in this village.¹⁰⁴¹

288. The remaining non-Serb area that the BSL believed stood in the way of absolute Serb domination of Prijedor municipality was the Brdo (Hambarine, Čarakovo, Bišćani, Rizvanovići, Rakovčani and Zecovi) and Ljubija areas, to which many non-Serbs (mostly women, children and elderly) from Hambarine had fled during the May attack.¹⁰⁴² [REDACTED]¹⁰⁴³ On 20 July Serb forces launched an attack on the Brdo area that lasted several days, once again beginning with

¹⁰³⁵ Merdžanić, T.18440-2; P1773.

¹⁰³⁶ AF235; AF243; AF244; Selak, T.18119; Radulović, T.10853; [REDACTED]; Atlija, T.16092; Traynor, T.10374-5; Srdić, 2D194, p.56; P1360, 9:07-9:40.

¹⁰³⁷ Sivac, P1671.2, T.6572-3; P1264.

¹⁰³⁸ Sivac, P1671.2, T.6572-7, T.6603, T.6618; Murselović, T.15711-5; ST-228, T.18570-1; ST-244, T.17972-8, T.18000-3; [REDACTED]; P659.

¹⁰³⁹ Sivac, P1671.4, T.6692-4; Srdić, 2D194, pp.12, 24-5; ST-244, T.17979; P1742.

¹⁰⁴⁰ Sivac, P1671.4, T.6692.

¹⁰⁴¹ AF286; AF287; AF839-AF842; Radulović, T.10844-7.

¹⁰⁴² [REDACTED]; [REDACTED]; Atlija, T.16089; ST-024, T.16120, 16122; ST-244, T.16046; P1714; AF221.

¹⁰⁴³ [REDACTED]; [REDACTED].

shelling the non-Serb parts of villages that caused extensive damage and heavy civilian casualties.¹⁰⁴⁴ After the shelling, Serb forces, including the SJB Prijedor Intervention Platoon and members of the regular police, entered the villages, looting and torching houses, killing hundreds of unarmed civilians who remained behind and, in some instances, raping the non-Serb women [A3.3].¹⁰⁴⁵ [REDACTED]¹⁰⁴⁶ The Serbs drove a couple of thousand Muslim men, women and children from their homes, loaded them onto buses at collection points and transported them to Keraterm, Omarska and Trnopolje.¹⁰⁴⁷ After the removal of thousands of non-Serbs from the area, any non-Serb property that was left behind was looted and given to Serbs.¹⁰⁴⁸

289. Serb forces also attacked Ljubija in July. Women and children were sent back to their homes and subjected to daily mistreatment, and the men were taken to Ljubija football stadium. Many of these men eventually ended up in other detention facilities, such as Keraterm.¹⁰⁴⁹ On 25 July, Serb forces transported 120 men from Hambarine who had been detained at the community centre in Miška Glava to the Ljubija football stadium. During transportation and upon arrival, police and members of the SJB Prijedor Intervention Platoon, beat and kicked the detainees. [D5.6].¹⁰⁵⁰ A reserve policeman shot and killed one detainee and another was shot with an automatic weapon. Approximately 15 detainees were killed at the stadium by the Serb police and military that day [A3.4].¹⁰⁵¹ The Serbs then forced approximately 90 detainees onto a bus and drove them to the Kipe iron-ore mine where the Serbs executed the detainees in groups of three. Only five detainees survived the massacre.¹⁰⁵²

290. In September, long after any non-Serb resistance had been eliminated, SDB Banja Luka reported that in Prijedor “buildings are *still* being unnecessarily destroyed and citizens of Muslim and Croatian nationally forcibly expelled, even killed.”¹⁰⁵³ At the end of October, SDB Prijedor reported that “[d]ozens of villages have been almost completely destroyed and left uninhabited ... or partly destroyed [...]” all of which referred to either non-Serb villages or non-Serb parts of mixed villages.¹⁰⁵⁴ This destruction included many non-Serb religious sites.¹⁰⁵⁵ The SDB further

¹⁰⁴⁴ AF223;AF825;[REDACTED].

¹⁰⁴⁵ AF289;AF292;AF293;AF829;AF831;AF832;AF839;[REDACTED];Karagić,P2295,T.5291-3;[REDACTED];[REDACTED];[REDACTED];ST-024,T.16119-29,T.16132-6;ST-226,T.16046-50. A number of Muslim men were forced to load between 300-350 bodies onto trucks;AF226;P2466(entries 3001-324).

¹⁰⁴⁶ [REDACTED].

¹⁰⁴⁷ [REDACTED];[REDACTED];ST-024,T.16133-8.

¹⁰⁴⁸ AF1108.

¹⁰⁴⁹ ST-024,T.16127-31;P1662,10:38-11:40.

¹⁰⁵⁰ AF427;AF428;[REDACTED].

¹⁰⁵¹ AF911;AF913;[REDACTED].

¹⁰⁵² AF432;AF1083,[REDACTED];[REDACTED].

¹⁰⁵³ P2403(emphasis added);Radulović,T.10842-3.*See also*P1389,p.1.

¹⁰⁵⁴ P688,p.2.*See* Rodić,T.14510-1.

reported that “roughly 38,000 Muslim and Croat citizens have left the Municipality of Prijedor so far”, and that “[a]s time goes by, one can feel that both the official authorities and the citizens themselves are relaxing under the impression that with the departure of the Muslims and Croats everything has been accomplished.”¹⁰⁵⁶

291. Drljača, pursuant to a decision of the Prijedor CS, established some of the most notorious RS detention camps in which non-Serb civilians were held.¹⁰⁵⁷ The three largest were Keraterm, Omarska and Trnopolje, while non-Serb detainees were also held at smaller facilities, such as the SJB building. During the Indictment period, detainees at these facilities, both male and female, were severely mistreated, psychologically abused, starved, denied medical treatment, beaten, sexually assaulted, tortured and executed.¹⁰⁵⁸ The evidence of the inhumane conditions and crimes that thousands of non-Serbs were forced to endure at these facilities is extensive and unchallenged by the Defence. It will therefore be addressed summarily.

292. From 30 April and continuing throughout the remainder of 1992, Serb police detained non-Serbs, including eminent persons from Prijedor and at least one woman and child, at the SJB Prijedor building and an adjacent auxiliary building [C5.1]. Some detainees arrived at the SJB already badly beaten, and most were subjected to further beatings by the police during their detention [D5.1].¹⁰⁵⁹ The Serb police, including members of the Banja Luka SDB, also beat and humiliated detainees during interrogations at the SJB.¹⁰⁶⁰ After their interrogations, all non-Serb men were eventually transported by police to either the Omarska or Keraterm detention facilities.¹⁰⁶¹

293. Keraterm was established around 25 May and Drljača assigned police, under the command of reserve police officer Duško Sikirica, to provide security at the facility [C5.3].¹⁰⁶² By the

¹⁰⁵⁵ AF246;AF275;AF276;AF277;AF278;AF279;AF280;AF281;AF283;AF1007;AF1008;AF1009;AF1010;AF1011; AF1109;[REDACTED];Karagić,P2294,T.5206-7;[REDACTED];ST-024,T.16126-7; Sivac,P1671.2,T.6606;Riedlmayer,P1400;Riedlmayer,P1402,pp.708-836.

¹⁰⁵⁶ P688,pp.2-3.The estimate of non-Serbs from Prijedor driven out of the municipality by October 1992 was accurate. In a May 1993 report, the Banja Luka SDB reported that 42,000 Muslims and 2,000 Croats had “moved out” of Prijedor: P425.

¹⁰⁵⁷ Srdić,2D194,p.20.

¹⁰⁵⁸ AF297;AF298.

¹⁰⁵⁹ AF302;AF303;AF304;Sivac,T.13191-2;Sivac,P.1671.2,T.6619-21,T.6623,T.6626;Islamović,P1525.1,T.880-1;Janković,T.24798-801;ST-245,T.16727;P1527.

¹⁰⁶⁰ AF304;Islamović,P1525.1,T.882-3;[REDACTED];ST-245,T.16727.

¹⁰⁶¹ AF305;AF306;AF858;Islamović,P1525.1,T.877;Islamović,T.13122;Sivac,P1671.2,T.6621;Sivac,P1671.2,T.6626.

¹⁰⁶² Rodić,T.14483-4;Radulović,T.10863;P662;Islamović P1525.1,T.897-8,T.902-4;Islamović,T.13122-4;[REDACTED];P657,p.7(police provided around the clock security at Keraterm);P668;P631,p.1;P689,p.5;AF377;AF378;AF379;AF885;AF886.

beginning of August, at least 4,000 detainees had been held there (as many as 1500 at a time).¹⁰⁶³ The vast majority of the detainees were civilians, and included women, the elderly and minors.¹⁰⁶⁴ SDB Banja Luka inspectors assigned to the Prijedor detachment, along with SJB Prijedor inspectors, conducted interrogations of approximately 1500-1700 of these Keraterm detainees in an attempt to identify opponents of the new Serb regime, and for a brief initial period a VRS officer joined in the interrogations.¹⁰⁶⁵ During the first ten days SDB inspectors released some of the elderly, and minors, from Keraterm. Drljača issued an order preventing this. Thereafter some of the previously released detainees were returned to the facility.¹⁰⁶⁶

294. Detainees held at Keraterm were severely beaten and/or killed by police guards. Female detainees were raped [D5.3].¹⁰⁶⁷ Guards also allowed local Serbs into Keraterm to beat and kill detainees and permitted the military to take truckloads of detainees away never to be seen again.¹⁰⁶⁸ Detainees were beaten during interrogations.¹⁰⁶⁹ Conditions at the detention facility were crowded, and unhygienic. Detainees suffered from dysentery, malnutrition, starvation and untreated injuries inflicted by beatings.¹⁰⁷⁰ [REDACTED]¹⁰⁷¹ A number of police officers were present at Keraterm the morning after the first massacre, checkpoints manned by the SJB Prijedor Intervention Platoon were established to seal the area off from the public and the corpses were hastily removed and buried. Although the infamous incident was reported to the VRS Main Staff, no criminal investigation was conducted.¹⁰⁷² In early August, the police transferred the remaining Keraterm detainees to either Omarska or Trnopolje.¹⁰⁷³

295. Omarska was established around 25 May, [C5.2]. Two days later the police transferred a number of non-Serb detainees there from Keraterm.¹⁰⁷⁴ On 31 May, Drljača formalised the establishment of this facility in a written order which, *inter alia*, gave Omarska SM responsibility for security at the detention facility and stated that the operation of the facility would be done in

¹⁰⁶³ P672,p.3;P657,pp.6-7(noting police participation in arrests);AF378;AF887;Islamović,P1525.2,T.940.

¹⁰⁶⁴ Rodić,T.14488.

¹⁰⁶⁵ Rodić,T.14484-7;AF394;AF884.

¹⁰⁶⁶ Rodić,T.14489-91;Islamović,P1525.2,T.980-2.

¹⁰⁶⁷ AF390;AF391;AF888;AF894;AF898;AF1088;Islamović,P1525.1,T.913-7;Islamović,P1525.2,T.926-7;Radulović,T.10861-2.

¹⁰⁶⁸ Islamović,P1525.1,T.908-9,T.925;Islamović,P1525.2,T.976-7.

¹⁰⁶⁹ Islamović,P1525.1,T.888,T.907.

¹⁰⁷⁰ AF379-AF386;AF392;Islamović,P1525.1,T.894-6,T.910-2;Rodić,T.14498-9.

¹⁰⁷¹ [REDACTED].

¹⁰⁷² AF1043;AF1044;AF1045;AF1046;AF1047;AF1048;AF1049;AF1089;Islamović,P1525.1,T.919-25;Islamović,P1525.2,T.1036;Rodić,T.14499-507,T.14574;Janković,T.25029-30;[REDACTED];Brown,P1803,paras.2.124-5;P1009. P622,p.1.

¹⁰⁷³ Islamović,T.13128-30;Arifagić,P2284,T.7105;Merđžanić,T.18433.

¹⁰⁷⁴ AF308;AF317;P672,pp.3-4;P805,p.3;ST-245,T.16898;Janković,T.24816-7.

cooperation with CSB Banja Luka, the VRS and municipal authorities.¹⁰⁷⁵ At least 3,330 non-Serbs were detained at Omarska during the facility's existence (as many as 3,000 at one time). This included prominent municipal leaders, mentally impaired people, at least 37 women, 28 minors and 68 elderly people.¹⁰⁷⁶ The police provided security at Omarska under the command of SM Omarska Commander Željko Mejakić who reported daily to Drljača.¹⁰⁷⁷ In addition, Banja Luka SDB inspectors, as well as public security inspectors from Banja Luka and SJB Prijedor conducted interrogations of detainees. In late June, they began "categorising" detainees into three groups, with the third group consisting of detainees who were of no security interest.¹⁰⁷⁸ As in Keraterm, a VRS officer initially participated in these interrogations.¹⁰⁷⁹ The police were responsible for arresting non-Serbs and transporting them to the detention facility.¹⁰⁸⁰ As in Keraterm, the SDB inspectors initially released a few "individual cases" from Omarska, but Drljača put an end to this. The elderly and sick were transferred to Trnopolje.¹⁰⁸¹

296. At Omarska, the police guards frequently beat, robbed, sexually assaulted, humiliated and killed detainees [D5.2]. Often at night, detainees were called out for beatings and frequently never returned. They are presumed murdered. Piles of corpses were frequently seen in the camp grounds and were buried in makeshift graves.¹⁰⁸² During June, members of the CSB Banja Luka Special Police Detachment also participated in the robbing, interrogation and abusing of detainees.¹⁰⁸³ The conditions at Omarska were unhygienic, crowded, stifling hot and otherwise unbearable. As a result, prisoners suffered from diarrhea, dysentery, skin diseases, dehydration and starvation.¹⁰⁸⁴ Many of the detainees labeled "extremists" (that is, first category detainees) were held in the white house where they received no food and were subject to especially severe physical and mental torture, often resulting in death [B4.2].¹⁰⁸⁵ Guards severely beat prisoners during interrogations in

¹⁰⁷⁵ P1560;AF319;AF320;AF321;AF322.

¹⁰⁷⁶ AF311;AF312;AF313;AF371;AF862;AF863;P672,pp.4-5;P1681(numbers 6,46,98);ST-245,T.16771-6,T.16920;Sivac,P1671.2,T.6630-3;Sivac,P1671.4,T.6680;P1904.

¹⁰⁷⁷ AF322-AF324;ST-145,T.16730-2,T.16792-7;P657,p.7;P668;P689,p.5;ST-226,T.16050-2;Mišković,T.15247-8,T.15263;Traynor,P1358.

¹⁰⁷⁸ ST-245,T.16750-1,T.16812.

¹⁰⁷⁹ ST-245,T.16726,T.16739,[REDACTED],T.16908-9;Rodić,T.8844-7;Radulović,T.10863-7;Sivac,P1671.12,T.12739-42;P805,p.3;AF353;AF356.

¹⁰⁸⁰ ST-245,T.16728-9,T.16746-8,T.16756-8,T.16785-6;[REDACTED];Janković,T.25030-2;ST-226,T.16049-50;Murselović,T.15712-5.

¹⁰⁸¹ ST-245,T.16759-60;Srđić,2D194,pp.20-1.

¹⁰⁸² AF330;AF335;AF336;AF348;AF349;AF352;AF372-AF376;AF865-AF879;AF881;AF882;Sivac,P1671.2,T.6612,T.6614-6,T.6626-34;Sivac,P1671.4,T.6636,T.6638-6,T.6677-80,T.6680-7;Sivac,P1671.8,T.6790;Sivac,P1671.10,T.10279-80;Sivac,T.13200-1;Merđžanić,T.18438-40;ST-226,T.16050;Radulović,T.10863-4;ST-245,T.16765-9T.16793;Murselović,T.15758;Sivac,P1671.2,T.6625-6.

¹⁰⁸³ P659;ST-245,T.16733-5.

¹⁰⁸⁴ AF331-AF334;AF337;AF338;AF339;AF341;AF342-AF345;AF354;AF356;AF873;AF874;Sivac,P1671.4,T.6642;Sivac,P1671.6,T.6747-8;Sivac,T.13199-200;P1529;Murselović,T.15717-8.

¹⁰⁸⁵ AF339;AF362;AF363;AF364;AF365;AF366;AF367;Sivac,P1671.4,T.6682-3;ST-245,T.16750-2 Detainees sent to the red house met similar fates;AF368;AF369;AF370;[REDACTED].

the presence of the police interrogators, after which many prisoners were forced to sign false statements implicating themselves or other non-Serbs in armed rebellion [D5.2].¹⁰⁸⁶ In early August the police transferred 1,773 detainees to Trnopolje detention facility and to Manjača camp.¹⁰⁸⁷ 179 detainees were retained at Omarska to display to the international media and organisations, and were subsequently transferred to Manjača on around 21 August.¹⁰⁸⁸

297. Trnopolje detention facility held at least 5,000 detainees at any one time [C5.4].¹⁰⁸⁹ Although by August the BSI (including ŽUPI JANIN) referred to this facility as an “open” shelter for non-Serbs,¹⁰⁹⁰ it was in fact conceived by Drljača and the Prijedor CS as a detention facility to accommodate captured “Muslim and Croatian extremists” along with the Keraterm and Omarska facilities.¹⁰⁹¹ This was not an “open” shelter, but a facility containing captured non-Serbs which had barbed wire fence around certain areas, and armed guards manning checkpoints around the perimeter.¹⁰⁹² The police provided security and conducted interrogations of detainees at Trnopolje, although unlike Keraterm and Omarska, the VRS and Serb TO also participated in the operation of this facility.¹⁰⁹³ Drljača informed CSB Banja Luka that his subordinates were both providing security and bringing detainees to and from Trnopolje,¹⁰⁹⁴ and that his authorisation was necessary to release anyone from this detention facility.¹⁰⁹⁵

298. Conditions at Trnopolje were inhumane, with insufficient food and water, poor sanitary conditions, inadequate medical supplies and lack of adequate bedding. Non-Serb detainees were frequently subjected to beatings by guards and uniformed Serbs who had been allowed into the facility. Some were killed [D5.4].¹⁰⁹⁶ Rape of female detainees was also a frequent occurrence, including by the Trnopolje commander, Slobodan Kuruzović, who was also TO commander and a

¹⁰⁸⁶ AF346;AF347;Sivac,P1671.4,T.6636-8.

¹⁰⁸⁷ AF1097;P672,p.5;Murselović,T.15720-1;P1681;ST-245,T.16761.

¹⁰⁸⁸ AF308;AF1096;P689,p.5;P677;P672,p.5;P1683;[REDACTED].

¹⁰⁸⁹ Sivac,P1671.8,T.6783-4;ST-249,T.17857;AF1019.

¹⁰⁹⁰ Traynor,P1356.2,p.12;[REDACTED];P672,pp.2-3;AF1098.

¹⁰⁹¹ P657,p.5;P631 (“SJB Prijedor has set aside 300 police employees for securing camps (Keraterm,Omarska,Trnopolje) where war prisoners are held”);1D661,p.3 (prohibiting individual release of persons from Trnopolje);P1811 (referring to Trnopolje as a “prison camp”);P1818,p.2 (mentioning “detainees” at Trnopolje);1D12 (referring to “detention” camp in Trnopolje);P411.29,p.2 (“troops have arrested more than 2,000 Green Berets who are now in Omarska [...] and about 5,000 in the village of Trnopolje”);P689,p.5;AF1013.

¹⁰⁹² Merdžanić,T.18406-11,T.18423-5,T.18428-2,T.18434;P1770;P1357(2;42);ST-249,T.17856-60,T.17865-7;Blazević,P2291,T.2474-6;Arifagić,P2284,T.7074-

5,T.7094;Islamović,P1525.1,T.876;[REDACTED];[REDACTED];[REDACTED];Sivac,P1671.3,T.6688;Sivac,P1671.6,T.6750;AF1004;AF1100;P1599,pp.49-50.

¹⁰⁹³ AF1084;P1818,p.2.The deputy commander of Trnopolje was a reserve police officer;Sivac,P1671.6,T.6753-4.

¹⁰⁹⁴ P668;P631,p.1;P670;P689,pp.5-6.See [REDACTED];Arifagić,P2284,T.7105.

¹⁰⁹⁵ Srdić,2D194,pp.36-8.

¹⁰⁹⁶ AF908;AF909;AF1020;AF1022-AF1027;AF1101;Merdžanić,T.18412-20;[REDACTED];P1599,pp.50-2.

member of the Prijedor CS [D5.4].¹⁰⁹⁷ Non-Serbs detainees who survived the facility were eventually expelled from the RS under police escort either in bus convoys or freight trains, after being robbed of their valuables and being forced to sign an agreement to relinquish all their property.¹⁰⁹⁸ On 21 August police from SJB Prijedor, including members of the Intervention Platoon, escorted four bus loads of Trnopolje detainees in the direction of Travnik. At Korićanske Stijene on Mount Vlašić (Skender Vakuf¹⁰⁹⁹), [REDACTED]¹¹⁰⁰ Trnopolje officially closed at the end of September, but some detainees stayed until November.¹¹⁰¹

299. These detention facilities were not legitimate “investigation centres” aimed at identifying criminals.¹¹⁰² A representative from the prosecutor’s office visited Omarska only once at the beginning of the facility’s existence.¹¹⁰³ No documentation of criminal activities was provided for the first and second category detainees sent to Manjača, and it was readily apparent to the Manjača officials that large numbers of them were entirely innocent.¹¹⁰⁴ Despite thousands of interrogations, no criminal reports were filed by the interrogation teams at Keraterm and only three criminal reports against 20-30 detainees were drafted, but never processed, by the interrogation teams at Omarska.¹¹⁰⁵ Throughout 1992, SJB Prijedor filed only three criminal reports against approximately 65 non-Serbs for armed rebellion and the criminal reports show that only 24 of these detainees were in custody or deceased, the remainder being at large.¹¹⁰⁶ Only 4 of these 24 Prijedor detainees were found at Manjača, and that only one was ever convicted of armed rebellion.¹¹⁰⁷

300. The categorisation process at Omarska, therefore, served only as a convenient way of identifying which detainees to send to Trnopolje for eventual expulsion, which to send to Manjača for eventual deportation to Croatia or transfer to Batković and other RS detention facilities (followed by expulsion),¹¹⁰⁸ [REDACTED]¹¹⁰⁹ As one Defence witness admitted, referring to the

¹⁰⁹⁷ Merdžanić, T.18420-3; [REDACTED]; Sivac, P1671.4, T.6690; Mišković, T.15231; AF900-AF904; AF1016; AF1028; AF1029; P179.9, p.2

¹⁰⁹⁸ [REDACTED]; Merdžanić, T.18411-2; Sivac, P1671.4, T.6691; [REDACTED]; AF1031.

¹⁰⁹⁹ A Serb majority municipality; P1570.

¹¹⁰⁰ [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; Vasić, T.13870; AF433-AF442; AF444; AF1111.

¹¹⁰¹ AF910; P689, p.5; Nielsen, P508, para.288.

¹¹⁰² ST-245, T.16749, T.16898, T.16916, T.16919. *See also* Radulović, T.10856-7; P1376; P1377.

¹¹⁰³ [REDACTED]. In fact, many detainees were aware that they were destined for expulsion and paid the police bribes to ensure their eventual release; P2032, p.2.

¹¹⁰⁴ 1D17; P611, pp.3-4; [REDACTED].

¹¹⁰⁵ Rodić, T.14489; ST-245, T.16769-70; P805, p.6.

¹¹⁰⁶ 2D108; 2D122; ST-245, T.16901-9; [REDACTED]. The accused listed in the criminal report in 2D122 as “deceased” (Ešef and Husein Crnkić and Bećir Medunjanin) were killed at Omarska, while the two indicated as “detained” (Muhamed Čehajić and Mehmed Avdić), were subsequently killed at Omarska and at Korićanske Stijene; [REDACTED]. ST-245, T.16845-53.

¹¹⁰⁷ [REDACTED]; [REDACTED].

¹¹⁰⁸ *See* para 761, 763, 778, 784, 785.

¹¹⁰⁹ [REDACTED]; [REDACTED].

Prijedor BSL, “if they removed those people and put them in their [...] reception centers, that probably means that their intention was to have [...] those people away.”¹¹¹⁰ Another witness overheard Kuruzović state that only 10% of the non-Serbs could remain in Prijedor and this policy conformed with that of the other municipalities in the region.¹¹¹¹

301. Despite the immensity of serious crimes committed against the non-Serb population in Prijedor between April-December, the police filed a criminal report against only one Serb perpetrator for a crime against a non-Serb (attempted murder).¹¹¹²

(1) Brčko

302. Brčko municipality was a Serb-minority (Variant B) municipality.¹¹¹³ The location of Brčko on the Sava River bordering Croatia and lying along the east-west corridor from the Bosanska Krajina to Serbia meant that it was strategically important.

303. Serbs were armed well in advance of the take-over. The SDS armed local Serbs, and military instructors formed a special unit of local Serbs. Mobilisation in villages was very effective. The JNA distributed weapons to Serbs and erected checkpoints. Trucks delivered weapons to Serb villages but non-Serbs did not receive any. 3,400 local Serbs were mobilised by April. The JNA stored weapons in Serb villages. Paramilitary units arrived in Brčko.¹¹¹⁴

304. The arming of Serbs accompanied a program of propaganda designed to heighten fears and anxieties of local Serbs, and present non-Serbs as a threat. The Brčko CS met daily with local Serbs and told them that they were under threat from Muslims.¹¹¹⁵ Propaganda intensified with non-Serbs accused of plotting genocide against the Serbs.¹¹¹⁶

305. Parallel organs of government and measures designed to split the community were created. In February SDS officials began to openly call for the division of the municipality along ethnic lines.¹¹¹⁷ Milenko Vojinović¹¹¹⁸ explained to leading Muslims that, on the orders of Karadžić and other senior SDS officials, local SDS members would try to establish a Serb autonomous entity in

¹¹¹⁰ Srđić, 2D194, p.50; ST-249, T.17867; Radulović, T.11216-7; P1388.

¹¹¹¹ ST-249, T.17861-3; P432.16, p.2.

¹¹¹² [REDACTED]; Gaćinović, P1609.4, Revised Annex 19; Appendix IV.

¹¹¹³ See AF1233; P2432.

¹¹¹⁴ Muminović, P2174, p.3; P129, p.3; P129, p.1; AF1237; Gaši, P125, T.404-6; Gaši, P126, T.534-6; AF1239; AF1238; AF1242; AF1243.

¹¹¹⁵ AF1239.

¹¹¹⁶ AF36.

¹¹¹⁷ AF1234.

¹¹¹⁸ Vojinović was a high ranking SDS Brčko representative, and member of the RS National Assembly; P400.

Brčko encompassing 70% of Brčko town and that it would be carved out by force if necessary. Maps appeared showing the proposed SDS division.¹¹¹⁹ On 17 April the SDA in Brčko accepted the SDS proposal for physical division of Brčko town.¹¹²⁰

306. An SDS CS was established in early April, and on 29 April the Assembly of the Serbian Municipality of Brčko convened and handed its powers to a War Presidency.¹¹²¹ In mid-May a war-executive board was created as the executive organ of the War Presidency.¹¹²²

307. The takeover in Brčko by Serb forces, including the RSMUP, was violently accomplished in a few days [G9]. Bridges across the Sava were blown up on 30 April. On 1 May Serb radio announced mobilisation including Serb police. The police were to have a secondary role in the takeover with the JNA playing a “crucial role” according to CSB Bijeljina chief Ješurić. On 1 May Serb forces including JNA and paramilitary soldiers attacked Brčko also using heavy weapons and shelling. Key buildings were seized. Checkpoints were established and manned by soldiers and paramilitary groups, including Red Berets [F9].¹¹²³

308. Coinciding with the attack on the town and the seizure of power was the takeover of the police on 2 May. Bijeljina TO took control of SJB Brčko and the Serb War Presidency appointed Veselić as SJB chief. SJB Brčko was re-staffed with Serb officers from the pre-war police.¹¹²⁴ SJB Brčko immediately started receiving non-Serb prisoners [C10.1]. On 1 May Brčko fire brigade station was initially secured by JNA soldiers and Muslim firemen taken prisoner. On 4 May Mirko Blagojević and a different group of heavily armed Serb men took over the fire station. The firemen were arrested and taken to the SJB Brčko where they were beaten and humiliated by Serb policemen before being returned to the fire station.¹¹²⁵ The firemen saw bloodied prisoners in custody at SJB Brčko [D10.1].¹¹²⁶

309. The attack focused on the non-Serb residents of Brčko. Serb forces specifically targeted Muslim areas of the town, destroying mosques.¹¹²⁷ Muslim residential areas were shelled for several days [E9] [F9].¹¹²⁸

¹¹¹⁹ AF1235.

¹¹²⁰ AF1236.

¹¹²¹ P129,p.1.

¹¹²² P129,p.6.

¹¹²³ AF1240;Gaši,P125,T.411;Ignjić,T.1858;P141;AF1241;Muminović,P2174,p.3;AF1242;AF1244;Gaši,P125,T.418-9.

¹¹²⁴ AF1245.

¹¹²⁵ Fazlović,P2170,T.2294-96;P2171,T.2301-3;AF1248.

¹¹²⁶ AF1248.

¹¹²⁷ AF1261.

¹¹²⁸ AF1241.

310. Following the attack, Muslim civilians were killed, beaten, or otherwise abused by Serb forces. SJB Brčko assumed an important role as a receiving point in the arrests. Fazlović and his fellow firemen were publicly marched to the police station, being beaten along the way. He saw other groups of prisoners being marched in the same direction. Upon arrival at SJB Brčko he saw approximately 50 people with bowed heads, covered in blood. Non-Serbs were beaten as they entered the police station [C10.1].¹¹²⁹

311. Around 6 May Gaši visited relatives in Brčko town in an apartment located 50-70 metres from SJB Brčko. From the apartment he saw a policeman and men dressed in camouflage uniforms and balaclavas executing unarmed civilians. He saw 10-12 men murdered in the street, with the man dressed in a police uniform personally killing 3 men [B9.4].¹¹³⁰

312. Following his arrest and imprisonment at Luka detention facility Gaši was taken to Brčko SJB to carry out cleaning duties. He was collected by armed men, including police. At the SJB station he saw policemen execute two Muslim civilians [B9.4; C10.1].¹¹³¹

313. Non-Serbs were systematically detained in harsh conditions and beaten at fourteen different locations in Brčko. Some were forced to dig trenches on the front lines.¹¹³² Twenty-six men were detained at the Posavina Hotel, some of whom were beaten by Goran Jelisić. Three were murdered.¹¹³³ From 3 May onwards non-Serbs were detained at various locations including Brčko hospital.¹¹³⁴ Approximately two hundred persons were detained at the Kolobara mosque by JNA soldiers and paramilitary groups.¹¹³⁵

314. Luka detention facility was set up after the attack on Brčko. It consisted of factory buildings.¹¹³⁶ By the end of May and into early June it held between 100 to 200 prisoners in crowded unsanitary conditions.¹¹³⁷ Gaši counted prisoners and the numbers fluctuated between 100 to 200 non-Serb prisoners in Luka [C10.2].¹¹³⁸

315. The RSMUP played an important part in the administration and command of Luka. Its activities ranged from taking prisoners to and from the facility, interrogating them, and providing

¹¹²⁹ Fazlović, P2171, T.2302; P2169, p.3.

¹¹³⁰ Gaši, P125, T.422-32.

¹¹³¹ Gaši, P126, T.482-4.

¹¹³² AF1262.

¹¹³³ AF1248.

¹¹³⁴ AF1249.

¹¹³⁵ AF1250.

¹¹³⁶ P2148.

¹¹³⁷ AF1254.

¹¹³⁸ Gaši, P125, T.449-51.

security. Initially Jelisić was in charge of Luka but was later replaced by another policeman Kosta Simonović.¹¹³⁹ Jelisić was a reserve policeman¹¹⁴⁰ and wore a police uniform during his initial period as commander of Luka.¹¹⁴¹ A sequence of photographs showing Jelisić, in police uniform, executing a man is in evidence.¹¹⁴² Gaši was arrested and initially taken to the SJB Brčko building, and then to Luka.¹¹⁴³ He was hit by policemen upon his arrival.¹¹⁴⁴ He was interrogated by police at Luka. [C10.2] [D10.2]¹¹⁴⁵

316. The experience of ST-001 exemplifies control of SJB Brčko over the Luka prisoners. When arrested she was immediately interviewed by a policeman at Luka. After that she was taken out of Luka and raped by Ranko Češić, then taken from his custody and taken to SJB Brčko where she was interrogated and threatened by Dragan Veselić, the SJB Brčko chief. After being re-arrested and returned to Luka she was taken to the same interrogation room and again saw policemen and Jelisić [D10.2].¹¹⁴⁶

317. SJB Brčko was in a position to know of the extent of mistreatment at Luka. On 19 May Veselić arrived at Luka and conferred with police officers present at the detention facility. A military officer who accompanied Veselić spoke to inmates and was informed of the regime of treatment in Luka. [REDACTED]¹¹⁴⁷

318. Gaši saw police officers come and go at Luka. Jelisić and Češić visited Luka and beat prisoners.¹¹⁴⁸ Gaši was told by other prisoners that Jelisić had murdered prisoners, and he personally witnessed murders carried out by Češić.¹¹⁴⁹ Gaši participated in throwing dead bodies into the Sava.¹¹⁵⁰ [REDACTED]¹¹⁵¹ The murder and beating of prisoners was systematic. ST-001 saw a document entitled “People to be executed” listing prominent non-Serbs who were to be executed.¹¹⁵² The beating of prisoners in Luka was a daily event. [D10.2].¹¹⁵³

¹¹³⁹ AF1255.

¹¹⁴⁰ M.Davidović,P1557.1,para.115.

¹¹⁴¹ ST-002,P2149,T.75-6.

¹¹⁴² P132;P133;P134;Gaši,T.1793-6.

¹¹⁴³ Gaši,P125,T.440-2.

¹¹⁴⁴ Gaši,P125,T.444-5.

¹¹⁴⁵ Gaši,P125,T.470.

¹¹⁴⁶ ST-001,P2146,T.581;[REDACTED].

¹¹⁴⁷ [REDACTED].

¹¹⁴⁸ Gaši,P125,T.456;AF1256.

¹¹⁴⁹ Gaši,P125,T.459-60.

¹¹⁵⁰ Gaši,P125,T.464.

¹¹⁵¹ [REDACTED]. Not all bodies were found.*See* [REDACTED].

¹¹⁵² AF1258;[REDACTED].

¹¹⁵³ Gaši,P125,T.463-4.

319. Partizan detention facility was one of at least five detention facilities maintained in Brčko by the Serb authorities.¹¹⁵⁴ On May 5 Brčko residents were told to go to the local army barracks for their own safety. [REDACTED]¹¹⁵⁵ Approximately 50 Muslim men were separated and taken to the Partizan sports hall.¹¹⁵⁶ Partizan sports hall was located 200 metres from the police station.¹¹⁵⁷ Muminović saw a large puddle of blood as men were marched into the hall. More elderly men, women and children were brought into Partizan. Muminović and other men were separated and taken outside where he witnessed an execution by Češić. [REDACTED]¹¹⁵⁸

320. Laser bus company¹¹⁵⁹ was located in the eastern part of Brčko town, about two kilometres from the centre.¹¹⁶⁰ [REDACTED]¹¹⁶¹ [REDACTED]¹¹⁶² [REDACTED]¹¹⁶³ [REDACTED]¹¹⁶⁴ [REDACTED]¹¹⁶⁵

321. The murder of non-Serb civilians was committed, condoned, ignored or covered up by the RSMUP. On occasions RSMUP members carried out the murders themselves. On 6 May the RSMUP bulletin reported ongoing fierce fighting in Brčko, but the evidence points unerringly to the murder of civilians, not combatants.¹¹⁶⁶ [REDACTED]¹¹⁶⁷ The indifference of SJB Brčko to crimes committed against non-Serbs is reflected by the fact that, despite the killings and mistreatment, only two entries in the 1992 KT logbook show criminal reports for serious crimes committed against non-Serb victims.¹¹⁶⁸

322. Non-Serbs in Luka, the Posavina Hotel, and around the SJB Brčko were murdered and the bodies collected by the RSMUP and buried [B9.1] [B9.4].¹¹⁶⁹ A photograph of these bodies shows civilian victims of both sexes.¹¹⁷⁰ The RSMUP, which held the only information about the identity of victims, simply discarded it, after identity documents, stained in blood, began to putrefy.¹¹⁷¹

¹¹⁵⁴ AF1259;AF1262.

¹¹⁵⁵ [REDACTED].

¹¹⁵⁶ See P149 for a photo of the exterior of Partizan;P151 for its location in Brčko.

¹¹⁵⁷ Ignjić,T.1906.

¹¹⁵⁸ [REDACTED];[REDACTED].

¹¹⁵⁹ See P147;P148 for photos of Laser Bus Company;P152 for its location.

¹¹⁶⁰ Ignjić,T.1900-1.

¹¹⁶¹ [REDACTED].

¹¹⁶² [REDACTED].

¹¹⁶³ [REDACTED];AF1253.

¹¹⁶⁴ [REDACTED];[REDACTED].

¹¹⁶⁵ [REDACTED];[REDACTED].

¹¹⁶⁶ See P142.

¹¹⁶⁷ [REDACTED].

¹¹⁶⁸ P1609.4,paras.39-44.

¹¹⁶⁹ Ignjić,T.1869-72,T.1875;[REDACTED].

¹¹⁷⁰ Ignjić,T.1876;P143.

¹¹⁷¹ Ignjić,T.1877.

323. Concealment of murders of non-Serb civilians was well-known. An “Extraordinary report,” from the VRS in September notes the murders, rapes and pillage of non-Serbs in Brčko and the related cover-up.¹¹⁷² Non-Serbs were murdered in Luka, and in front of their homes in the area of Srpkva Varoš and left to rot before being taken to the mass grave [B9.1].¹¹⁷³ The report noted the President of the Municipality Đorđe Ristanović claiming 300 people had been killed. Elements from the VRS and RSMUP suggested that further concealment should occur.¹¹⁷⁴

324. Ignjić, the RSMUP forensic technician, kept records of persons he identified who were buried in a mass grave.¹¹⁷⁵ He collected dead bodies, mostly Muslims, from around Brčko. He did so throughout May, June and early July and took them to a mass grave at the Bimeks farm.¹¹⁷⁶ His record shows Muslims and Croats, men and women, young and old, being killed, or at least buried, on almost a daily basis. The killings were more numerous from 5 May and tapered off from mid May onwards. From 1 May to 10 July he counted 216 victims.¹¹⁷⁷

325. In October Mandić forwarded a report from Avlijaš to the BSL. The report notes that the International Red Cross had reported about 2,500 people killed in Brčko.¹¹⁷⁸ However, Avlijaš was only told about some 226 bodies of persons who died “during combat activities and who had been buried in five mass graves to avoid epidemics. On Ignjić’s evidence this was an attempt by SJB Brčko to conceal the mass murder of non-Serb civilians and that SJB Brčko provided nothing to assist in any meaningful forensic examination of the victims who were buried in the mass grave.”¹¹⁷⁹

(m) Doboj

326. Doboj was forcefully taken over by the JNA, the RSMUP and paramilitary formations in early May [G10]. Non-Serb civilians were unlawfully arrested and detained in various facilities, including the Central Prison [C11.2]. Events in the Central Prison were representative of crimes committed at numerous locations in Doboj by the police, the army and paramilitary formations. “Doboj was considered one of the extreme municipalities, and it is still considered one, in which the SDS has strong influence.”¹¹⁸⁰

¹¹⁷² P154,p.1.

¹¹⁷³ P154,p.1;Ignjić,T. 1916-7.

¹¹⁷⁴ P154,p.2.

¹¹⁷⁵ P144;Ignjić,T.1878-82.

¹¹⁷⁶ Ignjić,T.1868-72.

¹¹⁷⁷ P146.

¹¹⁷⁸ P393,p.3.

¹¹⁷⁹ Ignjić,T.1919-20.

¹¹⁸⁰ Perić,T.10681.

327. Doboj is located in northern Bosnia and in 1991, Muslims were in a slight majority.¹¹⁸¹ It is situated in a strategic region between the Krajina in the west and Serbia in the east. There were military barracks and garrisons. It was strategically important.

328. Municipal assembly President, Ahmet Aličić (SDA) yielded little power. The SDS-led Serb authorities marginalised him.¹¹⁸² The President of the executive council, Boro Paravac, was a leading figure in the Doboj SDS.¹¹⁸³ Milan Ninković, the SDS President in Doboj, was in contact with Karadžić in 1991¹¹⁸⁴ and attended the 14 February SDS session in Sarajevo.¹¹⁸⁵

329. The MUP building was located in the town centre and included both the CSB and the SJB. The SDS appointed Andrija Bjelošević as CSB Chief in May 1991 and Obren Petrović as SJB Chief in June 1991.¹¹⁸⁶ Petrović reported to Bjelošević through the normal MUP chain of command.¹¹⁸⁷ A large military garrison was headed by Ćazim Hadžić, commander of the JNA 6mtr.¹¹⁸⁸ Several military warehouses contained weapons and tanks¹¹⁸⁹ all of which were taken to Mount Ozren for the formation of JNA volunteer detachments (“Detachments”).¹¹⁹⁰ Other units were stationed in Doboj as well.¹¹⁹¹ By 2 May, there were up to 1000 men stationed in the garrison.¹¹⁹² About 5-6 Detachments were created by Major Stanković who had been brought in to assist with mobilisation.¹¹⁹³ Each Detachment numbered between 300-400 men.¹¹⁹⁴ During the 3-4 months before the takeover, military officers including Stanković regularly visited the CSB Chief.¹¹⁹⁵ In May, OG Doboj was created and consisted of the 6mtr, the Detachments, and other brigades.¹¹⁹⁶

330. The tense situation in Doboj in early 1992 was the consequence of explosives targeting non-Serb properties; such acts were never investigated by the CSB.¹¹⁹⁷ In February, the television repeater on Becanj hill was seized by members of the Detachments with SDS approval, only

¹¹⁸¹ AF1264;P1344.

¹¹⁸² Hadžović,P1296,p.2;ST-266,T.26604.

¹¹⁸³ 1D434,p.1;Bjelošević,T.19688.

¹¹⁸⁴ Hadžović,P1296,p.2.

¹¹⁸⁵ P1353.17;P1841.

¹¹⁸⁶ O.Petrović,T.9826-7;Bjelošević,T.19417.

¹¹⁸⁷ O.Petrović,T.9826-7.

¹¹⁸⁸ Hadžović,P1296,p.2;ST-266,T.26542-3.

¹¹⁸⁹ Hadžović,P1296,p.2.

¹¹⁹⁰ Hadžović,P1296,p.3;ST-041,T.17844,[REDACTED];ST-266,T.26550-1,T.26562-3;O.Petrović,T.9841.

¹¹⁹¹ ST-266,T.26543-4.

¹¹⁹² ST-266,T.26551-3.

¹¹⁹³ ST-266,T.26546-7;O.Petrović,T.9836,9841.

¹¹⁹⁴ ST-266,T.26549-56,T.26563-5;O.Petrović,T.9841;[REDACTED]. *See also* [REDACTED]. [REDACTED]. The 1st detachment was known as “Preslica”;ST-266,T.26554.

¹¹⁹⁵ Lišinović,T.26456-7.

¹¹⁹⁶ For example [REDACTED];P475.

¹¹⁹⁷ O.Petrović,T.9831-33;also JNA shootings at 1D820 and ST-266,T.26614.

allowing the transmission of Belgrade programs.¹¹⁹⁸ The Serbian municipality of Doboj, declared on 26 March,¹¹⁹⁹ was led by Drago Ljubičić.¹²⁰⁰ Serb municipal organs were created “in keeping with the plebiscite held on 9-10 November 1991 and conclusions of the SDS Deputies Club”.¹²⁰¹ In March, Ninković proposed dividing the town, keeping the main municipal facilities and military buildings in the Serb-controlled area. SDA members disagreed and left the session in protest.¹²⁰² A Serb CS was established before the takeover,¹²⁰³ headquartered across from the Central Prison.¹²⁰⁴ It became the War Presidency during the summer,¹²⁰⁵ and was presided over by Boro Paravac.¹²⁰⁶

331. Tensions in Doboj were aggravated when the Croat SJB CID chief, Križić was kidnapped by Serb forces in April.¹²⁰⁷ Other non-Serb police leaders, concerned for their own security, stopped attending work as a result, including the Croat SNB Chief, and CID chief.¹²⁰⁸ Following the takeover Križić was detained again, interrogated and mistreated.¹²⁰⁹

332. In early 1992, the JNA established checkpoints in town¹²¹⁰ and at the main exit points.¹²¹¹ According to Bjelošević, checkpoints were set up by the HDŽ and the SDA in surrounding villages,¹²¹² but a more accurate description of events is that non-Serbs, out of fear, organised village guards in the municipality and at the entrance of Čaršija in response to the increased JNA presence. Muslims were “afraid of getting killed”.¹²¹³ The presence of non-Serb forces was denied by Prosecution witnesses,¹²¹⁴ and no credible evidence supports these allegations.

333. About 10-15¹²¹⁵ Red Berets arrived from Serbia on Mount Ozren in April, led by Božović.¹²¹⁶ Paid by the CSB,¹²¹⁷ the Red Berets were on good terms with Bjelošević,¹²¹⁸ while the army supplied them with weapons.¹²¹⁹ Božović trained Serb units on Ozren, including Karagić, an

¹¹⁹⁸ O.Petrović,T.9834-5;[REDACTED];ST-266,T.26565-8.

¹¹⁹⁹ ID420;O.Petrović,T.9831;ID421 (Doboj Serbian Assembly);ID422 (Executive Council).

¹²⁰⁰ ID423.

¹²⁰¹ ID422,preamble.

¹²⁰² AF1266;O.Petrović,T.9832,T.9842.

¹²⁰³ Although no specific date is available, it is accepted that it came into existence prior to the takeover;T.17816; Counsel for Stanišić stating “The previously-formed CS[...]”.

¹²⁰⁴ Vidić,T.9320.

¹²⁰⁵ ID429.

¹²⁰⁶ ID477.

¹²⁰⁷ ST-266,T.26649-50;Lišinović,T.26463-4.

¹²⁰⁸ Lišinović,T.26450 (for their position),Lišinović,T.26463-4 (for their absence from the CSB).

¹²⁰⁹ P1316,entry 88;P1315,entries 45,53,237,257,260,282;Radulović,T.10906-7.

¹²¹⁰ AF1265.

¹²¹¹ Hadžović,P1296,p.3.

¹²¹² Bjelošević,T.19687-8.

¹²¹³ Hadžović,T.9241.

¹²¹⁴ Hadžović,T.9241-2;Lišinović,T.26462,T.26500-2.

¹²¹⁵ Šainović,T.25138;P1346;Bjelošević,T.20985.

¹²¹⁶ O.Petrović,T.9840;Bjelošević,T.19826. Stationed in Petrovo, new Serbian municipality created east of Doboj.

¹²¹⁷ P1346;O.Petrović,T.9883.

¹²¹⁸ O.Petrović,T.10041.

¹²¹⁹ O.Petrović,T.9924-6

SDS member and known criminal.¹²²⁰ This was known both by the RSMUP and the VRS.¹²²¹ Red Berets and the CSB worked together towards the same goals, including the takeover of Doboj and the forcible expulsion of non-Serbs.¹²²² Bjelošević's claim that he only knew "the name Božović", suggesting he had no contact with him,¹²²³ should not be accepted.

334. Predo's Wolves, led by Predrag Kujundžić,¹²²⁴ [REDACTED]¹²²⁵ Kujundžić, a member of Stanković's Detachments,¹²²⁶ was removed by the JNA due to his criminal inclinations¹²²⁷; he worked for the RSMUP at least until October.¹²²⁸ His crimes were reported by the SNB.¹²²⁹ His unit was stationed on Mt.Ozren.¹²³⁰ Kujundžić has since been tried and sentenced for war crimes by the BiH State Court.¹²³¹ Bjelošević claimed that he and Petrović were unable to disarm Kujundžić's group.¹²³² In fact, Kujundžić's group helped Serb forces obtain control of Doboj. [REDACTED]¹²³³ [REDACTED]¹²³⁴

335. Doboj was taken over during the night of 2-3 May,¹²³⁵ by Serb paramilitaries, the JNA, and the RSMUP [G10],¹²³⁶ "without a single bullet fired".¹²³⁷ As noted by Karadžić during the 12 May Assembly session, the conflict in Doboj "lasted a short time and ended successfully for the Serbian side".¹²³⁸ As in Šamac, two weeks earlier,¹²³⁹ all Serb policemen left the MUP building, leaving one Muslim on duty in the CSB.¹²⁴⁰ Around midnight, masked men, probably Red Berets¹²⁴¹ broke into the CSB building, arrested the Muslim officer with five or six Muslims in the SJB, and beat them.¹²⁴² They were detained in the adjacent building, the Central Prison.¹²⁴³ From that point no non-Serb policemen worked at the CSB.¹²⁴⁴ Bjelošević made that clear to Lišinović.¹²⁴⁵

¹²²⁰ Hadžović,P1296,p.3;O.Petrović,T.9848,T.9855;Radulović,T.10798;P1338.

¹²²¹ P591,p.5;Šainović,T.25139.

¹²²² O.Petrović,T.9848,T.9860.

¹²²³ Bjelošević,T.20985,T.21042.

¹²²⁴ Hadžović,T.9254.

¹²²⁵ [REDACTED].

¹²²⁶ ST-266,T.26554;[REDACTED].

¹²²⁷ Bjelošević,T.21140-1;P591,p.5.

¹²²⁸ Bjelošević,T.21139-45;P2340,p.2 (number 30 wounded on 21 May 1992).

¹²²⁹ P2399.

¹²³⁰ Bjelošević,T.21141.

¹²³¹ ST-266,T.26567.

¹²³² Bjelošević,T.21140-1,T.21144-5.

¹²³³ [REDACTED];Šainović,T.25298-301.

¹²³⁴ [REDACTED];O.Petrović,T.9853,T.9855. Incorporated in the RSMUP,P1300,P2326.

¹²³⁵ O.Petrović,T.9838.

¹²³⁶ Hadžović,P1296,p.4;AF1268.

¹²³⁷ ST-041,T.17822.

¹²³⁸ P74,p.13.

¹²³⁹ Lukač,P2160,T.1647,T.1652. Gregurević was on duty and later a victim of the Crkvina massacre.

¹²⁴⁰ Lišinović,T.26464-5.

¹²⁴¹ O.Petrović,T.9840.

¹²⁴² Lišinović,T.26465-7.

336. That same night, ST-266 and six Muslim 6mtr officers were arrested by 6mtr military police and taken to Banja Luka.¹²⁴⁶ They saw a newly hoisted Serb flag on the CSB building.¹²⁴⁷ Bjelošević's claim that ST-266 had ordered the takeover of Doboj¹²⁴⁸ cannot be sustained.¹²⁴⁹ The Defence assertion that there was no evidence to suggest that Bjelošević was aware of ST-266's arrest that night¹²⁵⁰ would entail accepting that: (a) a Muslim officer ordered the forceful takeover of Doboj, (b) Bjelošević, the highest civilian police authority of the Doboj region, was unaware of the arrest of the commander of the Doboj garrison, and (c) Bjelošević, over the course of the following 19 years, remained completely unaware of ST-266's arrest and thus did not have occasion to rectify his understanding of what unfolded on the night of 2 May. Bjelošević, on his own account, was on Mt.Ozren when the takeover commenced, directed by Stanković.¹²⁵¹ By claiming that ST-266 ordered the takeover, Bjelošević maintained the falsehood that, in May, ST-266 was involved in the takeover.¹²⁵² Serb officers had already side-lined ST-266 by that time.¹²⁵³

337. Serb forces quickly took control of the municipality.¹²⁵⁴ The RSMUP imposed a curfew and arrested people on the streets¹²⁵⁵ detained them,¹²⁵⁶ restricted the movement of non-Serbs to three hours per day,¹²⁵⁷ which prompted many non-Serbs to leave town.¹²⁵⁸ The majority, up to 70%, of non-Serbs fled Čaršija towards Tešanj in early May.¹²⁵⁹ The curfew was announced on the radio¹²⁶⁰ and lasted at least until the end of the year.¹²⁶¹ In principle, it applied to everybody but in practice it only applied to non-Serbs. Serbs moved around freely, regardless of any restrictions.¹²⁶²

¹²⁴³ Lišinić, T.26467.

¹²⁴⁴ Lišinić, T.26472.

¹²⁴⁵ Lišinić, T.26526

¹²⁴⁶ P2447; ST-266, T.26567-70.

¹²⁴⁷ St-266, T.26573-8.

¹²⁴⁸ Bjelošević, T.19602.

¹²⁴⁹ ST-266, T.26578-9.

¹²⁵⁰ Stanišić Response to the Prosecution Second Motion Seeking Leave to Present Evidence in Rebuttal, 8 November 2011, para.8.

¹²⁵¹ Bjelošević, T.20968-9.

¹²⁵² P2448.

¹²⁵³ P74, pp.33-4 (Captain Garić took over ST-266's garrison).

¹²⁵⁴ AF1268

¹²⁵⁵ ST-041, T.17800-1; Hadžović, T.9222; Vidić, T.9375-7.

¹²⁵⁶ ST-041, T.17800, T.17802, T.17820.

¹²⁵⁷ Hadžović, P1296, p.3; ST-041, T.17800-2.

¹²⁵⁸ AF1268.

¹²⁵⁹ Hadžović, P1296, p.4; AF1270.

¹²⁶⁰ O.Petrović, T.9935-7.

¹²⁶¹ ST-041, T.17804.

¹²⁶² ST-041, T.17825, 17829-31, 17842; Vidić, T.9368-72.

338. From 3 May, the town was sealed,¹²⁶³ telephone lines disconnected, and calls were made for non-Serbs to surrender weapons, by, amongst others, Karagić.¹²⁶⁴ At 16:00, Serb forces bombed Muslim parts of town and damaged the mosque.¹²⁶⁵ Several waves of arrests of non-Serbs followed [F10]. A few days later, soldiers looted homes abandoned by Muslims in Čaršija and goods were transported away by trucks.¹²⁶⁶ This was known to the RSMUP¹²⁶⁷ but perpetrators were not identified.¹²⁶⁸

339. The Central Prison was located between the MUP building and the court house.¹²⁶⁹ A closed-type prison with a maximum capacity of 100 persons,¹²⁷⁰ it also had an “economic service” known as “Spreča”, three kilometres from the prison¹²⁷¹ and operated within the Secretariat for Justice.¹²⁷² In July, it was incorporated within the RS MoJ based on a decision signed by Karadžić¹²⁷³ and its employees belonged to the MoJ.¹²⁷⁴ In late 1991, the acting warden, Slavuljica, was called up by the army. Miroslav Vidić was put in charge in his absence¹²⁷⁵ and was appointed warden by Mandić in July.¹²⁷⁶ The prison and the MUP had a working relationship; policemen could also assist in guarding prisoners.¹²⁷⁷

340. On 2 May, there were 24 detainees in the prison. From 2 May until 11 December, about 1000 people were detained in the prison.¹²⁷⁸ Non-Serb civilians were brought to the prison, without a warrant,¹²⁷⁹ by members of the special police detachment from Banja Luka,¹²⁸⁰ the Red Berets, Jorgić’s Group, Karaga’s Group, and Predo’s Wolves.¹²⁸¹ Detainees were not informed of the reason for their arrest¹²⁸² and were detained for lengthy periods.¹²⁸³ Vidić tried to see Bjelošević about this since the MUP was the institution in charge of public security.¹²⁸⁴

¹²⁶³ Hadžović,P1296,p.4.

¹²⁶⁴ Hadžović,P1296,p.4.

¹²⁶⁵ Hadžović,T.9242.

¹²⁶⁶ Hadžović,P1296,p.4.

¹²⁶⁷ P1337.

¹²⁶⁸ O.Petrović,T.9833,9846.

¹²⁶⁹ P1303;P2325;Vidić,T.9287.

¹²⁷⁰ Vidić,T.9284-6.

¹²⁷¹ Vidić,T.9285-6. Adjudicated Facts from the Krajišnik case refer to the Central Prison as the “Spreča Central Prison”, however the prison warden clarified that only the economic service was known as “Spreča”.

¹²⁷² P1310.

¹²⁷³ P1308;Vidić,T.9328.

¹²⁷⁴ Vidić,T.9293,T.9305-8,T.9328.

¹²⁷⁵ P1304;Vidić,T.9296-7.

¹²⁷⁶ P1309;Vidić,T.9328.

¹²⁷⁷ L44,p.3 (Article 5).

¹²⁷⁸ P1310.

¹²⁷⁹ Vidić,T.9312.

¹²⁸⁰ Hadžović,T.9211;O.Petrović,T.9841,9843;2D89;Radulović,T.10803-4.

¹²⁸¹ O.Petrović,T.9854-5.

¹²⁸² Hadžović,T.9211;Hadžović,P1296,pp.4-5;O.Petrović,T.9855;Lišinović,T.26465-6.

341. Detainees were prominent members of the non-Serb community¹²⁸⁵ and were exclusively civilians.¹²⁸⁶ Hundreds of non-Serbs¹²⁸⁷ were unlawfully detained at Doboj Central Prison, where they were regularly beaten [D11.1]; this was reported to Bjelošević and Petrović¹²⁸⁸ who already knew this.¹²⁸⁹ Beatings were committed by local Serb soldiers¹²⁹⁰ as well as “paramilitary groups”¹²⁹¹ including Red Berets¹²⁹² and, at least in one case, by a guard belonging to the Central Prison¹²⁹³. In Doboj, “everyone was aware of what was going on”.¹²⁹⁴

342. Police investigators took prisoners for interrogation¹²⁹⁵, some repeatedly,¹²⁹⁶ and mistreated them.¹²⁹⁷ Some were hospitalised.¹²⁹⁸ The logbook indicates that one detainee was “released” on 24 June,¹²⁹⁹ but the Red Berets took him out and killed him.¹³⁰⁰ Despite Bjelošević’s allegations to the contrary,¹³⁰¹ Grgić’s killing was reported to him at some point prior to the arrest of the Miće group.¹³⁰²

343. According to prison records, non-Serb civilians were held for weeks and months,¹³⁰³ and when “released” many were transferred to other detention facilities such as the barracks in Usora and Perčin’s Disco.¹³⁰⁴ All logbooks were authenticated by Vidić.¹³⁰⁵

344. Despite the proximity of his office to the prison, Bjelošević took no measures until 12 June,¹³⁰⁶ after being asked to act by the prison administration.¹³⁰⁷ That Bjelošević knew about these

¹²⁸³ P1315: several entries show detainees held for weeks, such as entry 8 (43 days),14 (32 days),19 (19 days), 29 (42 days),31 (41 days),52 (50 days),etc. Jozo Mandić (HDZ President) was held for 125 days: P1315 (entry 2: detention from 4 May) and P1313 (entry 129: released 4 September);Bjelošević,T.21026-7.

¹²⁸⁴ Vidić,T.9307.

¹²⁸⁵ Hadžović,T.9213-8;Lišinović,T.26447;Bjelošević,T.20995.

¹²⁸⁶ Hadžović,T.9218-21;Vidić,T.9309-10;P1299.

¹²⁸⁷ P1316 shows that 664 prisoners were brought to the prison between May and July 1992;P1313 (p.27 onwards) shows non-Serb prisoners brought between July and September, mainly for armed rebellion (“Article 124”);between May and September, the only Serbs who were brought in were the Miće group (entries 144 to 156). The Prison warden indicated that about 1000 prisoners were detained from 2 May to 11 December;P1310.

¹²⁸⁸ Vidić,T.9312-5,T.9358-9.

¹²⁸⁹ O.Petrović,T. 9853,9855-9,9896;Vidić,T.9314.

¹²⁹⁰ Hadžović,P1296,p.5.

¹²⁹¹ Vidić,T.9313-4.

¹²⁹² O.Petrović,T.9855.

¹²⁹³ Vidić,T.9318.

¹²⁹⁴ O.Petrović,T.9896

¹²⁹⁵ P1315.

¹²⁹⁶ P1315. Tipura numbers entries 2,6,13,33,44,55,115,224 and Grgić numbers 12,31,58,82,147,256,288,321.

¹²⁹⁷ O.Petrović,T.9872.

¹²⁹⁸ P1313;Vidić,T.9346-54.

¹²⁹⁹ P1315,p.13 indicates that Karlo Grgić and 9 others were “taken to work”. The word “released” is added next to this.

¹³⁰⁰ P1315;O.Petrović,T.9873-4;Radulović,T.10801,T.10906.

¹³⁰¹ Bjelošević,T.210919.

¹³⁰² Radulović,T.10801.

¹³⁰³ P1316;P1313.

¹³⁰⁴ P1316,p.12 (entries 281-300 move to Bare). *See also* AF1275-AF1278.

¹³⁰⁵ Vidić,T.9340-58.

conditions was not challenged during Petrović's cross-examination and Bjelošević's claim that he was away from Doboj in May and June cannot be believed. He witnessed beatings and mistreatment beyond these two months and did nothing.¹³⁰⁸

345. Vidić was unaware of measures taken against perpetrators of crimes committed at the prison.¹³⁰⁹ Instead, Doboj authorities covered up the unlawful detention of non-Serbs under the guise of a Commission which, towards the end of July, was tasked with determining the conditions and reasons behind the detention of non-Serbs in Doboj.¹³¹⁰

346. Dismissals started in April and were widespread by May.¹³¹¹ Non-Serbs were mistreated on a daily basis and complained to the SJB but no measures were taken.¹³¹² From May until 25 October 1993, non-Serbs were transported out of Doboj daily.¹³¹³

347. On 10 May, the village of Grapska was attacked and shelled by the Detachments, killing many civilians.¹³¹⁴ Most men were detained in the prison.¹³¹⁵ Bjelošević told Lišinović that his village of Kotorsko should surrender to avoid Grapska's destiny.¹³¹⁶ In Dragalovići, Serb police ordered villagers to surrender their weapons on 2 June; they took 26 men to the Prison.¹³¹⁷

348. Serb authorities detained non-Serb civilians in several locations following the takeover.¹³¹⁸ In June, 400 Muslims and Croats were packed into a hangar in Usora in poor conditions;¹³¹⁹ one commander, Krekić, was a reserve policeman.¹³²⁰ The prisoners were badly beaten.¹³²¹ Half of the detainees were taken back to the Central Prison whilst others were transferred to Perčin's Disco on 19 June.¹³²² Serb guards packed detainees tightly into the disco and beat them. One elderly man

¹³⁰⁶ P1305; O.Petrović, T.9859.

¹³⁰⁷ Vidić, T.9313-4.

¹³⁰⁸ ST-121, T.3828-31.

¹³⁰⁹ Vidić, T.9359-60.

¹³¹⁰ P590; O.Petrović, T.9862-9865.

¹³¹¹ ST-041, T.17796; Hadžović, T..9239-40; O.Petrović, T.9827; 1D425.

¹³¹² O.Petrović, T.9896.

¹³¹³ ST-041, T.17812; Hadžović, T.9239.

¹³¹⁴ P2402.

¹³¹⁵ P1313. Only lists men against whom criminal proceedings were initiated. Numbers 89,91-2,96-104,106-111,113,115-8,189 relate to villagers from Grapska. Other logbooks are likely to contain many more, however the prison detainees from the village of provenance are not indicated in the remaining logbooks.

¹³¹⁶ Lišinović, T.26469.

¹³¹⁷ AF1272.

¹³¹⁸ AF1274; AF1275; AF1279.

¹³¹⁹ Hadžović, T.9223, T.9246; AF1276.

¹³²⁰ Hadžović, T.9223-4, 9249; P1300 (BCS) (number 74 lists Krekić on a RSMUP payroll).

¹³²¹ Hadžović, T.9226-8, T.9253, T.9256-7.

¹³²² Hadžović, T.9225; P1316 entries 589-628; AF1278.

died.¹³²³ RSMUP inspectors interrogated and physically abused prisoners in the disco; at least one died.¹³²⁴

349. Notably, on 12 July, 50 prisoners were taken from the disco and used as human shields by paramilitary and RSMUP units. The RSMUP, led by Blašković, received approval from Bjelošević to use detainees as human shields.¹³²⁵ Bjelošević claims he was in Belgrade that day, but that does not exclude the possibility that his approval was forwarded from a CSB duty operator.

350. During May and June, 21 Muslim and Catholic monuments were damaged or completely destroyed by shelling and explosives [E10].¹³²⁶ The mosque in Doboj town was shelled on 3 May by the JNA.¹³²⁷ While no direct evidence is available regarding the responsible unit, the only logical inference is that the Muslim neighbourhood was shelled by Serb forces.¹³²⁸ Damage to the “Islamic and Catholic religious buildings” by Serb forces in Doboj was reported by the SNB in mid-May.¹³²⁹

351. The Catholic church in Doboj town¹³³⁰ and the mosque in Bukovačke Čivčije were attacked by Red Berets and Predo’s Wolves during attacks in June.¹³³¹ The mosque in Gornji Pridjel,¹³³² the Johovac church¹³³³, the Kotorsko mosque¹³³⁴, the Miljkovac mosque¹³³⁵ and the Orašje mosque¹³³⁶ were all destroyed by Serb forces in May and June, whereas one mosque in Miljkovac was destroyed by four policemen.¹³³⁷

352. The RSMUP, the JNA/VRS and paramilitary troops cooperated in taking control of Doboj and ridding it of its non-Serb population. The deployment of 13 police companies following the takeover¹³³⁸ had little effect on police work in Doboj town. The RSMUP was not lacking in manpower and they “achieved good results in protecting public law and order”.¹³³⁹ The number of official notes drafted by policemen in two criminal reports alone, show: (1) the CSB and SJB had

¹³²³ AF1277.

¹³²⁴ Hadžović, T.9226.

¹³²⁵ O.Petrović, T.9882; Hadžović, T. 9226-8, 9253-7. Both P2343 and ID796 indicate that Blašković was an “authorized official” of the CSB.

¹³²⁶ AF1271.

¹³²⁷ Hadžović, P1296, p.4.

¹³²⁸ Hadžović, T.9231, T.9239; P1402, pp.364-5.

¹³²⁹ P1337.

¹³³⁰ P1402, pp.373-4.

¹³³¹ P1402, pp.361-2.

¹³³² P1402, pp.385-6.

¹³³³ P1402, p.391.

¹³³⁴ P1402, pp.397-8.

¹³³⁵ P1402, pp.408-9.

¹³³⁶ P1402, pp.417-8.

¹³³⁷ P1402, pp.411-2. Other mosques and Catholic churches from Doboj are also listed at P1402.

¹³³⁸ O.Petrović, T.9847, T.9879. T.9979; P1345.

¹³³⁹ P1345.

the requisite number of policemen to investigate crimes committed against non-Serbs, but that (2) they only investigated crimes allegedly committed by non-Serbs.¹³⁴⁰

353. Prison logbooks and criminal reports indicate that several RSMUP members entered the prison and took detainees for interrogation to the MUP.¹³⁴¹ They saw the conditions and signs of mistreatment on non-Serbs, but instead choose to file criminal reports against these detainees.¹³⁴² The situation in the CSB was “confused” partly because of “an unprofessional and disorganised approach to investigative work”.¹³⁴³

354. Petrović was dismissed from his position in December because he was providing help to non-Serbs. Bjelošević wrote a proposal for his removal which was signed by STANIŠIĆ.¹³⁴⁴ The standard procedure for a removal¹³⁴⁵ was not carried out in Petrović’s case as he was not given the opportunity to be heard, was not questioned¹³⁴⁶, nor was the request to initiate disciplinary procedures delivered to him¹³⁴⁷. According to Bjelošević’s report, Petrović had helped two female Muslims keep their position in the police station.¹³⁴⁸ As a result, STANIŠIĆ agreed with Bjelošević’s proposal to remove Petrović.¹³⁴⁹

355. Bjelošević attempted to muddle issues, claiming that Petrović’s poor performance and extra-marital affairs resulted in his replacement.¹³⁵⁰ However, Petrović found it suspicious that he was the only one removed, whereas the commander of the police detachment, in his view, was just as responsible. Perpetrators such as Kujundžić, Jorgić, Karaga and Božović were not investigated. For these reasons, Petrović believes his removal had to do with the fact that he had helped non-Serbs.¹³⁵¹

356. Petrović is the witness who should be believed. While Bjelošević blamed everyone but himself for the events in Doboj, Petrović was ready to share part of the blame. Bjelošević had no

¹³⁴⁰ P1311;P2345;1D355;1D356;1D357;1D359;1D360;1D361;1D362;1D481;1D482;1D485;1D486;1D489;1D490;1D491;1D492.

¹³⁴¹ See detailed comparison of entries in P1315 with RSMUP payrolls. Due to the lack of space in this brief, only the following examples will be provided: Milanko Aladžić,(payroll P1338),logbook P1315,p.40;Slobodan Dujković,(payroll P1301,P2334),P1315,p.3;Dragan Gagović (Payroll P1301,P1338,P2334),P1315,pp.3,9;ST-253,(payroll P1339),P1315,pp.50,52,53;Miroslav Stanković,(Payroll P1301,P2334),P1315,p.40;Mladen Vučić,(payroll P1301,P2334),P1315,p.33.

¹³⁴² P1311;P2345.

¹³⁴³ P1337.

¹³⁴⁴ O.Petrović,T.9894-6;1D258.

¹³⁴⁵ O.Petrović,T.10037.

¹³⁴⁶ 1D54,Art8.

¹³⁴⁷ 1D54,Art9.

¹³⁴⁸ P2339.

¹³⁴⁹ 1D258.

¹³⁵⁰ Bjelošević,T.19921-2.

¹³⁵¹ O.Petrović,T.9893-7.

intention to file a criminal report against Petrović, despite complaints listed in his report to STANIŠIĆ.¹³⁵² His explanation was that Petrović had left the MUP hence he could take no disciplinary measures against him. Bjelošević could have initiated criminal proceedings against Petrović and the political nature of this removal is confirmed by Bjelošević's lack of action.

(n) Donji Vakuf

357. Donji Vakuf was a predominantly Bosnian Muslim (Variant B) municipality.¹³⁵³ The demographic altered radically during 1992 as 12,970 Muslims and 480 Croats moved out of the municipality and 5,450 Serbs moved in.¹³⁵⁴

358. The creation of Serb organs of government was underway by February. On 15 February, Serbs at a session of the Serbian Municipality Assembly, decided to join the ARK.¹³⁵⁵ They formed the Serbian Municipality of Donji Vakuf.¹³⁵⁶

359. Moves to create a separate Serb SJB began by January and received support from CSB Banja Luka in February¹³⁵⁷ including guidelines and financial support to bring about the separation along ethnic lines.¹³⁵⁸

360. At another session of the Serbian Municipal Assembly on 14 April, a decision established a Serbian SJB, appointing Rajko Kisin as SJB chief, and the SJB leadership.¹³⁵⁹ In early April, separation occurred; Muslim police officers could not prevent this.¹³⁶⁰ By 17 April, the Serb SJB took control of the town.¹³⁶¹ During April, White Eagles arrived in Donji Vakuf.¹³⁶² On 6 May, a general Serb mobilisation was declared. The following day, the Serb flag was hoisted over the municipality building.¹³⁶³ The Muslim population was requested to hand in weapons.¹³⁶⁴ There was no armed resistance from Muslims.¹³⁶⁵

¹³⁵² P2339.

¹³⁵³ AF570;P2433.

¹³⁵⁴ AF1158;P450.

¹³⁵⁵ P1923.

¹³⁵⁶ P1834. The decision to form a Serb municipality was done pursuant to the SDS Main Board Instructions of 19 December,P69.

¹³⁵⁷ AF1150.

¹³⁵⁸ P1799,p.1.

¹³⁵⁹ P1924.

¹³⁶⁰ P1799,p.1.

¹³⁶¹ AF1152;P1928;P1799.

¹³⁶² AF571.

¹³⁶³ AF1153.

¹³⁶⁴ AF570;AF572.

¹³⁶⁵ AF576.

361. Having disarmed Muslims, the VRS and Serb police took control over the municipality between May and September [G1].¹³⁶⁶ Villages were regularly shelled by the Serb military. In August, the Muslim village of Prusac was shelled.¹³⁶⁷ In late summer, an armed Serb formation went around Muslim villages such as Doganovci and opened fire [F1]. Many houses were burnt.¹³⁶⁸ The RSMUP played a critical role in hunting down and detaining non-Serbs in detention facilities. SJB Donji Vakuf reported to the CSB the participation of the SJB, together with the VRS, in attacking Muslim villages, searching their homes, detaining Muslims in “collection centres” they had set up and “[t]hat is why most of the Muslim inhabitants escaped from the municipality.”¹³⁶⁹

362. The RSMUP reported on significant “liberation” operations where it cooperated with the VRS in attacking Muslim villages. On 21 May SJB Donji Vakuf and CSB Banja Luka jointly attacked Korenići village. There was “no great resistance by the Muslim extremists.”¹³⁷⁰ On 3 June Torlakovac village was attacked where the “enemy put up no serious resistance and fled with the rest of the population” [F1].¹³⁷¹ Other villages attacked in June and July included Doganovci, Kokić village, Oborci, Šeher.¹³⁷²

363. Between mid-June and mid-September, non-Serb civilians were detained in the SJB Donji Vakuf [C2.1] and later confined at Vrbas Promet [C2.3], a detention facility known as “The House” [C2.4] and the TO warehouse [C2.2].¹³⁷³

364. There were 90 to 95 non-Serb men at Vrbas Promet. Two were underage. The length of detention varied between one and three months.¹³⁷⁴ Vrbas Promet was set up by the VRS in May but on 26 August, SJB Chief Savković reported to ŽUPLJANIN, personally, on the numbers held and the fact that not one prisoner was serving a sentence.¹³⁷⁵

365. Miodrag Đurkić was commander of the TO warehouse and of the detention facility at Vrbas Promet.¹³⁷⁶ Upon arrival detainees were beaten with fists, rifles and batons [D2.3].¹³⁷⁷ Beatings

¹³⁶⁶ AF1154.

¹³⁶⁷ AF965.

¹³⁶⁸ AF575.

¹³⁶⁹ P1928,p.2.

¹³⁷⁰ P1799,p.2.

¹³⁷¹ P1799,p.2.

¹³⁷² P1799,p.3.

¹³⁷³ AF577.

¹³⁷⁴ AF589.

¹³⁷⁵ P1927.

¹³⁷⁶ AF590.

¹³⁷⁷ AF591.

continued during the course of detention at Vrbas Promet. Amongst the perpetrators were those who were also responsible for beatings at the TO warehouse.¹³⁷⁸ Two detainees died whilst at the Vrbas Promet facility [B2.1]. Other detainees witnessed their deaths [D2.5].¹³⁷⁹

366. Space was at a premium for detention facilities in Donji Vakuf. Between four and 12 Muslims were kept in a private house, known as “The House” across from the police building.¹³⁸⁰ At the House, detainees were beaten with fists and instruments [D2.4].¹³⁸¹ As a result, one detainee sustained fractured ribs and a fractured index finger.¹³⁸² Detainees witnessed the beating and resulting death of Mulo Robović as he was taken to the TO warehouse [D2.5].¹³⁸³

367. The TO warehouse held around 80 Muslims, some for about 20 days. One was undercrag.¹³⁸⁴ Beatings occurred frequently. Detainees were beaten with instruments [D2.2]. Relatives were forced to beat each other.¹³⁸⁵ An elderly detainee died as a result of a severe beating [B2.2]. Detainees witnessed the deaths of others [D2.5].¹³⁸⁶ Some perpetrators also committed beatings at the SJB building [D2.1].¹³⁸⁷

368. On 31 July, Đurkić sent a list of prisoners to CSB Banja Luka and SJB Donji Vakuf. All 60 listed prisoners were non-Serbs and arrested either by RSMUP or VRS.¹³⁸⁸ The overwhelming majority were unarmed civilians. One was a 72-year-old shepherd arrested while grazing sheep.

369. The persecutions of non-Serbs involved the organised theft of their property. According to the Serb SJB, most Muslims in the municipality fled en-masse in May and throughout the summer.¹³⁸⁹ When non-Serbs left Donji Vakuf, their property was stolen by both individuals and reserve policemen. In mid 1992, Serb soldiers broke into Muslim houses in Donji Vakuf town and surrounding villages, and looted. Serb soldiers used garbage trucks and cars to carry away booty. Serb civilians participated in the looting.¹³⁹⁰ Even after most Muslims had left Donji Vakuf because of harassment and threats by Serbs, their property was still looted.¹³⁹¹

¹³⁷⁸ AF592.

¹³⁷⁹ AF593.

¹³⁸⁰ AF580.

¹³⁸¹ AF581.

¹³⁸² AF582.

¹³⁸³ AF583.

¹³⁸⁴ AF584.

¹³⁸⁵ AF586.

¹³⁸⁶ AF587.

¹³⁸⁷ AF588.

¹³⁸⁸ P1926.

¹³⁸⁹ AF1156.

¹³⁹⁰ AF966.

¹³⁹¹ AF1157;AF1159.

370. Police were involved in the looting. The SJB reported during combat operations that “men in uniform” stole the property of non-Serbs who had moved out. This included approximately 30 reserve policemen who were discharged. The report claimed that the SJB was concerned to prevent such thefts, and organised SJB and military police checkpoints did indeed stop individuals stealing, but allowed the seizure and storage of private property in warehouses and the appropriation of vehicles “particularly those left behind by people of other ethnicities.”¹³⁹² These vehicles were confiscated or given to the VRS. Thus, although individual acts of looting were prevented, they were substituted by mass organised looting by the municipal authorities.

371. However by August, the SJB was again involved in organised looting. On 8 August, the 30th Partisan Division requested from the 1KK the arrest of a gang looting and “operating in collaboration” with SJB Donji Vakuf.¹³⁹³ Colonel Galić recommended that the SJB commander “should be dismissed and the thugs in the police ranks dealt with.”¹³⁹⁴

372. Between April and 31 December, the three mosques in Donji Vakuf town were targeted by Serb forces [E1]. The main Bašdžamija mosque was mined and completely destroyed. The rubble was loaded onto trucks and thrown in the river Vrbas. The site of the mosque was turned into a parking lot. The other two mosques were set on fire.¹³⁹⁵ The mosque in the village of Sokolina was set on fire by uniformed men in June.¹³⁹⁶ Three of the four mosques in the village of Prusac were damaged in August or September. The mosques were riddled with bullets and some of the minarets were destroyed.¹³⁹⁷

(o) Ključ

373. Ključ was mainly populated by Muslims and Serbs and most villages were mixed; the Serbs having simple majority over the Muslims by two percent.¹³⁹⁸

374. From mid-1991, Vinko Kondić was the SJB chief and Atif Džafić was the commander and they reported to CSB Banja Luka.¹³⁹⁹ Kondić would tell his staff that BiH’s division was imminent and that it would never function as an integral state.¹⁴⁰⁰ Kondić would not agree on many issues of

¹³⁹² P1928,p.2;P1037.

¹³⁹³ The 30th Partisan Division was operating in the Donji Vakuf area from 19 April;P1815.

¹³⁹⁴ P705.

¹³⁹⁵ AF1037.

¹³⁹⁶ AF972.

¹³⁹⁷ AF970.

¹³⁹⁸ A.Džafić,P962.1 p.4;Egrlić,P960.1,T.10524-5;AF1160;P2094;P921.

¹³⁹⁹ A.Džafić,P962.1,p.3;Egrlić,P960.5,T.4739;[REDACTED];AF546

¹⁴⁰⁰ A.Džafić,P962.1,p.6.

common interest and advocated only the SDS's position.¹⁴⁰¹ By early 1992, Kondić stopped following orders issued by the BiHMUP and only implemented orders issued by ŽUPLJANIN. On 15 March, Kondić signed a loyalty oath expressing his support to the ARK and the Banja Luka CSB.¹⁴⁰² In late April, Kondić stated: "We control all the important positions."¹⁴⁰³

375. In April 1991, Ključ joined the ZOBK and, by late 1991 had joined the ARK.¹⁴⁰⁴ During the summer of 1991, local Serbs started arming themselves.¹⁴⁰⁵ On 29 October 1991, Brđanin forwarded orders from the SDS leadership, about the preparation of Serbs for an armed conflict, taking over public enterprises and setting up town commands; these were all implemented in Ključ.¹⁴⁰⁶ Broadcasts from Sarajevo were blocked and the relay station at Kozara was redirected towards Belgrade.¹⁴⁰⁷

376. In the second half of 1991, the SDS decided that Ključ would join the ARK notwithstanding objections from the SDA and the MBO.¹⁴⁰⁸ In late 1991, an SDS-led Serb CS was formed, headed by Jovo Banjac; it was created secretly.¹⁴⁰⁹ Muslim parties were against the creation of parallel institutions and a Muslim CS never came into existence.¹⁴¹⁰

377. By February, paramilitary units had entered Ključ and a Serb TO had been organised.¹⁴¹¹ In March, JNA units from Knin established headquarters in Lanište, with the support of the SDS.¹⁴¹² Serbs had control over the municipality months before the takeover.¹⁴¹³ [REDACTED]¹⁴¹⁴

378. During a meeting on 2 May with the Ključ leadership on the issue of the new police uniform and insignia (representing Serbian symbols), ŽUPLJANIN said that it was "a done deal" and that nothing could be done about it.¹⁴¹⁵

379. In the first week of May, JNA units took control of all entry points and strategic positions [G2].¹⁴¹⁶ On 5 May, Jovo Banjac imposed a curfew¹⁴¹⁷ pursuant to an ARK decision.¹⁴¹⁸ The

¹⁴⁰¹ Egrlić,P960.1,T.10526-7.

¹⁴⁰² A.Džafić,P962.1,p.9.

¹⁴⁰³ P960.16,p.1.

¹⁴⁰⁴ P946;P947.

¹⁴⁰⁵ A.Džafić,P962.1,p.6.

¹⁴⁰⁶ P960.12;Egrlić,P960.6,T.4874-95.

¹⁴⁰⁷ Egrlić,P960.1,T.10552.

¹⁴⁰⁸ Egrlić,P960.1,T.10527-8,10539-40;Egrlić,P960.4,T.4641-50;P960.9;P960.10.

¹⁴⁰⁹ Džafić,P962.1,pp.8-9.

¹⁴¹⁰ Džafić,T.6235-6.

¹⁴¹¹ AF1161;Džafić,P962.1,p.8;Egrlić,P960.6,T.4888-9.

¹⁴¹² Egrlić,P960.1,T.10535-6;P960.15,pp.3-5;Egrlić,P960.5,T.4735-7;[REDACTED].

¹⁴¹³ P960.23,p.9;Egrlić,P960.5,T.4792-5.

¹⁴¹⁴ [REDACTED].

¹⁴¹⁵ Egrlić,P960.5,T.4745-9;[REDACTED].

¹⁴¹⁶ AF1164;P960.18;P450;Egrlić,T.6160-2;P105.

Serbian flag was hoisted over the municipal building and the SJB.¹⁴¹⁹ All Muslim executive officials and regular employees were dismissed.¹⁴²⁰

380. The takeover took place on 7 May and armed clashes went on until 27 May.¹⁴²¹ On 7 May, non-Serb policemen were summoned by Kondić to sign loyalty oath to the RS. CSB inspectors Šamara and Škondrić were present. Having initially considered this option, non-Serb policemen realised that non-Serbs who had signed an oath in other municipalities were dismissed regardless.¹⁴²² Consequently, non-Serbs refused to sign the oath and their employment was terminated on 21 May.¹⁴²³

381. On 8 May, the CS broadcasted the change in uniform and insignia of the MUP incorporating the Serb flag.¹⁴²⁴ On 14 May, the CS decided that all management positions in town must be filled by people absolutely loyal to the RS.¹⁴²⁵

382. [REDACTED]¹⁴²⁶ [REDACTED]¹⁴²⁷

383. On 27 May, Ključ CS adopted a number of conclusions constituting the hallmarks of a forcible takeover.¹⁴²⁸ They included (i) support of ARK CS decisions; (ii) the removal of “all non-Serbian personnel from positions which allow independent decision-making and securing property”; (iii) the creation of an agency for the relocation of refugees from one region to another, and forbidding the return “of those displaced families which left without justified reason”; and (iv) a conclusion to issue a decision on the *organised* evacuation of the municipality.¹⁴²⁹

¹⁴¹⁷ AF1162;Džafić,T.6278.

¹⁴¹⁸ P960.17;Egrlić,P960.5,T.4750-2.

¹⁴¹⁹ AF1164;Egrlić,P960.1,T.10545.

¹⁴²⁰ Egrlić,P960.1,T.10558.

¹⁴²¹ AF545;see P1124, intercepted telephone conversation in which ŽUPLJANIN informs Kljajić that Vinko has seized power in Ključ.

¹⁴²² Džafić,P962.1,pp.12-3.

¹⁴²³ Džafić,P962.1,p.13;ST-218,T.15874,T.15881;See also P966,pp.2-5. Non-Serbs with the mention “GO” were those placed on “annual leave” (numbers 6,7,10-1,17-9,21-2,24-5,29,35);[REDACTED].

¹⁴²⁴ P450.

¹⁴²⁵ P1832.

¹⁴²⁶ [REDACTED].

¹⁴²⁷ [REDACTED].

¹⁴²⁸ P949.

¹⁴²⁹ Emphasis added.

384. On 28 May, the CS issued another ultimatum to Muslims to surrender weapons.¹⁴³⁰ [REDACTED]¹⁴³¹ Up until then, Muslims in Ključ had no armed unit besides basic village guards.¹⁴³² Prior to the expiration of the ultimatum, the army started shelling Pudín Han, Velagići, Prhovo and other Muslim villages in Ključ [F2]; at least 11 civilians of Pudín Han and Prhovo died as a consequence.¹⁴³³ Following the order to surrender weapons, a VRS battalion carried out "mopping up" operations from 28 to 31 May.¹⁴³⁴

385. In Biljani, Serb military and the White Eagles searched for weapons on 30 May, but none were found. A second search took place on 27 June.¹⁴³⁵

386. With the beginning of the conflict in May, many killings took place in Ključ. This included killings as a result of the shelling in Pudín Han, killings on the road to Peći, killings in Prhovo, killings at the Velagići school and, killings at the Biljani school.¹⁴³⁶

387. [REDACTED]¹⁴³⁷ [REDACTED]¹⁴³⁸ be gathered to obtain permits for free movement.¹⁴³⁹ [REDACTED]¹⁴⁴⁰ [REDACTED]¹⁴⁴¹ [REDACTED]¹⁴⁴² At 23:30, all Muslim men were ordered out of the school and were executed.¹⁴⁴³ At least 77 civilians were killed during this incident [A1.2].¹⁴⁴⁴ None of the victims had tried to escape, despite perpetrators claiming that in the criminal case file.¹⁴⁴⁵

388. Following the massacre Kondić and Lt.Col. Vukačević arrived and ordered the removal of the bodies and their burial in a hole in Lanište.¹⁴⁴⁶ 77 Muslims who resided in Velagići were exhumed from the mass grave on Mount Grmeč (Lanište II).¹⁴⁴⁷

¹⁴³⁰ P960.22;[REDACTED];AF554,AF1171,AF1174.

¹⁴³¹ [REDACTED].

¹⁴³² Egrlić,P960.2,T. 10667-8.

¹⁴³³ AF555;AF556;Bečić,P2139,pp.2-3.

¹⁴³⁴ AF1174;P2388,p.59.

¹⁴³⁵ AF1176.

¹⁴³⁶ AF555-AF559,AF561,AF563,SF564,AF565;AF566,AF1191.

¹⁴³⁷ ST-017 stated that the killing at Velagići took place on 31 May 1992;ST-017,T.15781-2. Considering the evidence as a whole (*See also* P1280;P1284.18 to P1284.39), the killings probably occurred on 1 June 1992.

¹⁴³⁸ [REDACTED];Bečić,P2139,p.4

¹⁴³⁹ AF558. [REDACTED]. The list handed to Vejin (P1280,p.32) was found at the Velagići checkpoint according to the case-file;[REDACTED].

¹⁴⁴⁰ [REDACTED].

¹⁴⁴¹ [REDACTED];[REDACTED] commenting on P966,p.12 number 81,p.28 number 110.

¹⁴⁴² [REDACTED].

¹⁴⁴³ AF561-2;[REDACTED].

¹⁴⁴⁴ AF563;[REDACTED].

¹⁴⁴⁵ P1280;[REDACTED].

¹⁴⁴⁶ P1280,pp.31,52,57;[REDACTED];AF1178.

¹⁴⁴⁷ AF1178-1179.

389. An investigating judge noted on 3 June, that “traces of a committed crime had been removed from the site.”¹⁴⁴⁸ Several VRS soldiers were arrested in connection with the killing days later¹⁴⁴⁹ [REDACTED]¹⁴⁵⁰

390. Both Kondić and the SJB commander knew of the killings.¹⁴⁵¹ When the identity of the perpetrators was identified, the SJB leadership decided to not investigate the possibility of the involvement of reserve policemen stationed at the checkpoint.¹⁴⁵² Although it has been argued that Vejin and Radojčić were not on duty that day,¹⁴⁵³ [REDACTED]¹⁴⁵⁴ Radojčić wrote an official note on 17 June about one of the survivors of the shooting.¹⁴⁵⁵ This information would have been reported to Kondić.¹⁴⁵⁶

391. On 9 July, the commander of the 17th light infantry brigade, issued an order to mop up Biljani and the surrounding villages. The operation was to be carried out by the army and a platoon from the Sanica police station assigned with processing “suspicious persons.”¹⁴⁵⁷ The commander of the Sanica sub-station, Milan Tomić, informed his superior, Kondić, of this operation.¹⁴⁵⁸ In order to process the prisoners in the Biljani school, Tomić received help from “the section for intervention of the mobile unit of the Ključ SJB” (ie. the Manoeuvre unit).¹⁴⁵⁹

392. On 10 July, RSMUP policemen and VRS soldiers rounded up Muslim men and women from the Biljani hamlets and confined between 120-150 men in two classrooms.¹⁴⁶⁰ The men were then called out in groups of five. At least 144 men were killed in Biljani on that day [A1.1].¹⁴⁶¹ After a number of men were executed at the school, the remaining men were beaten and loaded onto a bus. When the bus became full, those still waiting to board were taken aside and shot.¹⁴⁶² According to Tomić, two buses were sent to take the prisoners to Ključ and he reported that this was done.¹⁴⁶³ The following day, the killings were “the talk of the town.”¹⁴⁶⁴ The SJB commander

¹⁴⁴⁸ AF1180;P1280,p.59.

¹⁴⁴⁹ AF1180.

¹⁴⁵⁰ [REDACTED];AF1180.

¹⁴⁵¹ ST-218,T.15918;P1280,pp.31,52,57;[REDACTED]AF1178.

¹⁴⁵² ST-218,T.15957-9,T.15979-80.

¹⁴⁵³ ST-218,T.15963-4.

¹⁴⁵⁴ [REDACTED].

¹⁴⁵⁵ P1641.

¹⁴⁵⁶ ST-218,T.15981-2.

¹⁴⁵⁷ 2D46.

¹⁴⁵⁸ P1646,p.88 (original ERN 0629-3122);P1654;[REDACTED].

¹⁴⁵⁹ P1654.

¹⁴⁶⁰ AF564,AF565.

¹⁴⁶¹ AF566;[REDACTED].

¹⁴⁶² AF1182.

¹⁴⁶³ P1654.

¹⁴⁶⁴ Vračar,2D180,T.23889.

was in Belgrade on that day, but heard about the killing upon his return.¹⁴⁶⁵ Both he and Kondić knew that the police assisted the army in relation to the arrested men; there is evidence that Kondić informed the chief, ŽUPLJANIN.¹⁴⁶⁶

393. The proper procedure for arrest and detention provided for by RSMUP regulations¹⁴⁶⁷ was not followed during the arrest of non-Serbs which started in May, as none of the civilian detainees were given reasons for their arrest.¹⁴⁶⁸ Muslims were arrested in villages which offered no resistance and even when there was no information about their activity.¹⁴⁶⁹ Serb neighbours would arrest and bring “whoever they wished” to the SJB. [REDACTED]¹⁴⁷⁰

394. Several locations were used in Ključ to detain hundreds of non-Serb civilians,¹⁴⁷¹ including the SJB[C3.1], the Nikola Mačkić school [C3.2], the Sanica school gym and the Sitnica school gym.¹⁴⁷² At these locations, detainees were guarded by the RSMUP policemen.¹⁴⁷³ The SJB logbook of events provides a daily list of people brought in from 27 May.¹⁴⁷⁴ In addition, lists of detainees were collected by SJB employees.¹⁴⁷⁵ Those taken to the SJB were beaten at the steps of the building.¹⁴⁷⁶ They were also beaten inside and outside the SJB building [D3.1].¹⁴⁷⁷

395. At the Nikola Mačkić School, civilians were beaten when forced to run a gauntlet outside the school and struck with various objects [D3.2].¹⁴⁷⁸ A CSB Banja Luka inspector was present following such an instance.¹⁴⁷⁹ [REDACTED]¹⁴⁸⁰

396. By the end of August, the CSB was informed that nearly all detainees had been transferred to Manjača camp.¹⁴⁸¹ On one occasion, a group of 300 non-Serbs were forced to walk from Sitnica

¹⁴⁶⁵ ST-218, T.15980.

¹⁴⁶⁶ ST-218, T.15979-80.

¹⁴⁶⁷ ST-218, T.15846-8.

¹⁴⁶⁸ Džafić, P962.1, p.14; Egrlić, P960.1, T.10556; AF1181.

¹⁴⁶⁹ Subašić, T.16025.

¹⁴⁷⁰ [REDACTED].

¹⁴⁷¹ A.Džafić, P962.1, pp.14-6. States that 400 detainees were held at the Sanica school, that 100 detainees were held at the Nikola Mačkić School and that 200-250 detainees were held at the Sitnica school; AF1192-3.

¹⁴⁷² A.Džafić, T.6262-4.

¹⁴⁷³ Sanica school; A.Džafić, P962.1, p.14; Nikola Mačkić School; A.Džafić, P962.1, pp.14-5; Sitnica school; A.Džafić, P962, p.16.

¹⁴⁷⁴ P969 (partial English translation), p.53 onwards. Lists those brought into the SJB.

¹⁴⁷⁵ P1649; P1651; P1652; P1653.

¹⁴⁷⁶ Subašić, T.16023; Egrlić, P960.1, T.10557-8; AF547. See also AF548.

¹⁴⁷⁷ AF549; Vračar, 2D180, T.23890-1; [REDACTED].

¹⁴⁷⁸ A.Džafić, P962.1, p.14; ST-218, T.15967; AF551.

¹⁴⁷⁹ A.Džafić, P962.1, p.15.

¹⁴⁸⁰ [REDACTED]; P1648-P1651

¹⁴⁸¹ AF1193; P972.

to Manjača camp, a distance of 15 kilometres, escorted by policemen, following days of mistreatment and malnutrition.¹⁴⁸²

Convoys were organised by the RSMUP, including a convoy of approximately 1,000 mainly Muslim women and children, for Travnik in late July, and several others in September amounting to thousands of displaced person.¹⁴⁸³ According to a CS decision, those who were deported had to surrender their belongings to the municipality.¹⁴⁸⁴ Those leaving could take out no more than 300 German marks.¹⁴⁸⁵ Of the 17,000 or so Muslims who had been living in the Ključ area, only around 600 had remained by the time Ključ reintegrated in September 1995.¹⁴⁸⁶ Most Muslims moved out in 1992 due to unbearable circumstances and fear.¹⁴⁸⁷

397. Houses belonging to Muslims in Ključ were looted and then set on fire.¹⁴⁸⁸ In mid-1992, several non-Serb villages were shelled and destroyed by Serb forces.¹⁴⁸⁹ From 28 May, one Catholic church, 3,500 Muslim-owned houses and at least four Muslim monuments in Ključ were either destroyed or damaged by Serb forces.¹⁴⁹⁰ The claim that extremists were located in the mosques was an excuse to systematically destroy all mosques in Ključ and surrounding villages [E2].¹⁴⁹¹ Several mosques were also destroyed by Serb forces in Ključ, Biljani, Krasulje, Sanica, Humić, Velagići and Pudin Han.¹⁴⁹²

398. From the end of 1991, local Serb authorities followed instructions from the regional level in Banja Luka¹⁴⁹³ and the higher levels of authority within the SDS.¹⁴⁹⁴ Egrlić remembers an order dated 29 October 1991 from Karadžić, forwarded by Brđanin,¹⁴⁹⁵ and implemented in Ključ.¹⁴⁹⁶ The local civilian authorities, led by Banjac, needed to consult Banja Luka before acting.¹⁴⁹⁷

399. The SJB was in constant contact with the CSB and was duty bound to send daily events reports, signed by Kondić or his commander.¹⁴⁹⁸ Throughout 1992, SJB Ključ was routinely

¹⁴⁸² A.Džafić, T.6229-30, T.6271-2; A.Džafić, P962.1, p.16; [REDACTED].

¹⁴⁸³ P1759, p.26.

¹⁴⁸⁴ AF1184; Egrlić, P960.2, T.10614-5; P960.21.

¹⁴⁸⁵ AF1186.

¹⁴⁸⁶ AF1187; Egrlić, P960.2, T.10616-7.

¹⁴⁸⁷ AF1194; A.Džafić, T.6276; AF1188; *see also* a VRS report; P1814.

¹⁴⁸⁸ AF567.

¹⁴⁸⁹ AF568; AF569; AF1175.

¹⁴⁹⁰ AF1173; AF1190.

¹⁴⁹¹ Egrlić, P960.6, T.4820-2; Egrlić, P960.2, T.10616-7.

¹⁴⁹² AF963-4; P1406, pp.508-546; Egrlić, P960.2, T.10621.

¹⁴⁹³ Egrlić, P960.7, T.4917.

¹⁴⁹⁴ Egrlić, P960.1, T.10528-32.

¹⁴⁹⁵ P960.12; Egrlić, P960.1, T.10529-30.

¹⁴⁹⁶ Egrlić, P960.1, T.10530-1.

¹⁴⁹⁷ Egrlić, P960.7, T.4917.

¹⁴⁹⁸ A.Džafić, T.6269-70.

reporting and implementing orders received from Banja Luka¹⁴⁹⁹ and the same applied to other civilian institutions.¹⁵⁰⁰ Communication means functioned properly between Ključ and Banja Luka; even during power failures, the PTT had a generator and emergency lines could be used and a courier system was available between Ključ and Banja Luka.¹⁵⁰¹

400. The SJB systematically sent civilians to Manjača camp¹⁵⁰² and forcibly transferred or deported non-Serbs from Ključ to other BiH regions.¹⁵⁰³

401. The CS, the VRS and the RSMUP cooperated in taking over Ključ. This cooperation carried on during the summer. For example, on 25 June, the 17th Light Infantry Brigade's security unit was ordered to process detainees arrested during the mopping up of several villages with an SJB squad.¹⁵⁰⁴ Two days later, Kondić signed a list of people detained during the mopping up of the terrain; most of which were from Krasulje and Hripavci.¹⁵⁰⁵

402. Equally, orders and reports relating to the Biljani killing show cooperation between the VRS and the RSMUP.¹⁵⁰⁶ As illustrated in the Velagići case file, the killings of 1 June were covered up with the agreement of both Kondić and Lt.Col. Vukašević.¹⁵⁰⁷ Victims were able to observe that the RSMUP and the VRS were cooperating on the ground, manning joint checkpoints and "did everything together", "working as one and the same team."¹⁵⁰⁸

(p) Ilijaš

403. Ilijaš municipality, with a pre-April mixed ethnic composition with a slight Serb majority,¹⁵⁰⁹ bordered the northwest section of Sarajevo.¹⁵¹⁰ It was strategically important for Serb authorities as they besieged the non-Serb population in Sarajevo. Serb forces, including the police, swiftly took control of Ilijaš, arrested the non-Serb population and placed them in detention facilities or expelled them from RS-held territory.

¹⁴⁹⁹ P969. Although the SJB notebook of events is not translated in full, the partial translation shows a pattern of daily reporting, either by teleprinter or by using the "special" telephone line. Failure to transmit due to malfunction or power breakdown are recorded. In several instances, the duty operator notes the receipt of an order from the CSB which is provided to the SJB Chief and, in some instances, disseminated to policemen on the ground.

¹⁵⁰⁰ Minutes from a Ključ SDS meeting on 29 April: P960.16,p.2: "I think it is bad that we have no one from Banja Luka here today to tell us how we should work because they are in touch with the Sarajevo SDS."

¹⁵⁰¹ ST-218,T.15852-7,T.15970,T.15997,T.16009-10.

¹⁵⁰² P972;ST-017,T.15789,15822;A.Džafić,T.6228;Egrlić,P960.5,T.4790-1.

¹⁵⁰³ Bečić,P2139,pp.4-5.

¹⁵⁰⁴ P1813 item 2(e).

¹⁵⁰⁵ P1653.

¹⁵⁰⁶ 2D46;P1654.

¹⁵⁰⁷ P1280,pp.31,33,45,5-3,55,57.

¹⁵⁰⁸ Subašić,T.16035.

¹⁵⁰⁹ AF1292.

¹⁵¹⁰ P1735.

404. Between October and December 1991, Ilijaš SDS, headed by Ratko Adžić, on three occasions introduced a proposal before the municipal assembly for Ilijaš to separate from Sarajevo and join SAO Romanija to “ensure the socio-political unity of the Serb people in the territory of Yugoslavia.”¹⁵¹¹ On 24 December, the motion carried. Aware that they would lose the vote, non-Serb delegates walked out of the session when the item was placed on the agenda.¹⁵¹² Around the same time, the SDS formed the Serb CS with a composition that followed the 19 December Instructions.¹⁵¹³ The next day, Jovan Tintor reported the SDS triumph to Radovan Karadžić as an example of how to splinter other municipalities along ethnic lines.¹⁵¹⁴

405. In February, Adžić confirmed reports that the SDS was seeking to annex to Ilijaš villages with a majority Serb population in adjacent municipalities. He admitted that the SDS was organising a “sizeable” number of Serb volunteers in the wider area of Ilijaš and training them at two JNA barracks.¹⁵¹⁵ Certain individuals in these paramilitary groups openly expressed their readiness to eliminate members of the police and declared that should there be a war in Bosnia: “the Muslims and the Croats would be all killed in two days.”¹⁵¹⁶ By March, paramilitary groups from Serbia (paid by the Ilijaš SDS), had arrived to “mop up” the municipality.¹⁵¹⁷

406. The SDS armed Serbs in the months preceding the takeover. Serbs organised themselves in majority Muslim villages, erected checkpoints, and strategically placed heavy weaponry. Adžić was praised by the VRS for his timely preparations and subordinating social and political life in furtherance of the defence of Serbs.¹⁵¹⁸

407. On 15 March, the Serb authorities in Ilijaš erected barricades around the municipality.¹⁵¹⁹ Towards the end of the month, Serb flags were hoisted above the municipal building and SJB.¹⁵²⁰ The Serb CS took over all major military and civilian institutions and facilities in the municipality including the SDK, banks, a JNA fuel warehouse and the media.¹⁵²¹ Non-Serbs employed at schools, banks and hospitals were dismissed.¹⁵²²

¹⁵¹¹ P20,p.2;P32,p.27.

¹⁵¹² P32,pp.28;P20,p.1.

¹⁵¹³ P434,para.19.

¹⁵¹⁴ P25,p.2.

¹⁵¹⁵ P20,pp.2-4;P524,p.6;P32,pp.28-9.

¹⁵¹⁶ P524,p.6.

¹⁵¹⁷ P619.

¹⁵¹⁸ P74,p.19;AF1297;[REDACTED];P21,p.1.

¹⁵¹⁹ P430,p.45.

¹⁵²⁰ AF1293.

¹⁵²¹ AF1295.

¹⁵²² AF1294.

408. On 31 March, armed Serb police officers surrounded SJB Ilijaš. The Serb SJB Chief, Milorad Marić, explained the purpose behind this action, which effectively split the SJB along ethnic lines:

We want [to] start with the application of the Serb Constitution and Serbian laws in a peaceful manner, here in the municipality of Ilijaš, which is [...] part of the Serbian Autonomous District [of] Romanija. It is only appropriate that Serbs will be [the] majority in the police of the Serbian Autonomous District [of] Romanija. That doesn't mean that we shall exclude all members of Muslim and Croatian nationality from the Public Security Station Ilijaš. If any of them want to stay and work in the Public Security Station Ilijaš according to the regulations of [the] Serbian Autonomous District, they are allowed to.¹⁵²³

409. Notwithstanding Marić's representations, non-Serb officers were dismissed,¹⁵²⁴ while Serb police officers from surrounding municipalities and other MUP organisational units joined SJB Ilijaš, including two former members of the BiH MUP Special Police Unit.¹⁵²⁵ By May, the Serb police force at SJB Ilijaš consisted of over 50 active employees and 70 reserve police officers.¹⁵²⁶ The police manned nine checkpoints around Ilijaš, conducted patrols and investigated crimes in cooperation with the military police. In addition, former members of the BiH MUP special detachment, most certainly Pustivuk and Ikonić, formed a special police unit at SJB Ilijaš as an "assault taskforce."¹⁵²⁷ SJB Ilijaš coordinated well with the VRS over combat operations, exchanged information and consulted with the VRS command daily.¹⁵²⁸ CSB Sarajevo noted in November, that Ilijaš provided a good example of cooperation between the regular army and police.¹⁵²⁹

410. From early April, most of Ilijaš was under Serb control,¹⁵³⁰ providing a vital contribution to the siege of Sarajevo.¹⁵³¹ At the 12 May RS Assembly Session, Ilijaš delegate Trifko Radić reported on Serb determination to maintain Ilijaš as a Serb stronghold and prevent any breakthrough to Sarajevo.¹⁵³²

¹⁵²³ P29,p.6;AF1294;P32,pp.52-3.

¹⁵²⁴ AF1294;P29,p.6.

¹⁵²⁵ P2008.

¹⁵²⁶ P989,pp.3-4;P1736.3;P1736.4.

¹⁵²⁷ P989,p.4;Borovčanin,T.6651-2.

¹⁵²⁸ P1476,p.2 (read in conjunction with P1073).

¹⁵²⁹ P748,p.3.

¹⁵³⁰ P32,p.29;P430,p.45 ("as of 6 April we have been at the borders of the municipality along the Bosna river on the north and northeast side and on the other side, towards the Ustasha and Croats in Kiseljak");P1123,p.10 (Mandić informing Bruno Stojić on 5 May that Serb forces had taken control of Ilijaš);P1940 (reporting that Serb forces "still control the area of the municipality, with the exception of Gornja Misoča and Popvići villages, as well as the sites along the main road to Olovo in the Gajevi and Taračin Do MZ's");ST-004,T.17941.

¹⁵³¹ P32,pp.63-4;P74,p.13 (Karadžić reporting, "We hold all our areas, all the municipalities, all the settlements around Sarajevo, and we hold our enemies [...] in complete encirclement [...]").

¹⁵³² P74,pp.20-1.

411. The CS continued to invite armed groups from Serbia, including Arkan's men to assist the army and police in maintaining control over the municipality, promising them arms and accommodation.¹⁵³³ While these groups assisted the SDS, they were not regarded as paramilitary formations outside the control of the authorities. In August, SJB Ilijaš reported that no problems were encountered with the activities of paramilitary formations, and after an inspection of the SJB, CSB Sarajevo reported that, a "group of Chetniks that was present in that area was already put under [...] Army command, so there is an absence of [...] paramilitary formations."¹⁵³⁴ The CS financed the war effort through funds received from the RS Government, as well as from stolen non-Serb property.¹⁵³⁵

412. On 16 June, when the CS converted to a War Commission pursuant to Karadžić's 10 June Decision, the Commission continued to provide a linkage between the government and the military.¹⁵³⁶

413. In May, Serb police ordered the Muslim population in Lješevo to surrender their weapons and most complied. Fearing attack, 60% to 80% of Muslims left the village.¹⁵³⁷ On 4 June, houses in the Muslim part of the village were shelled and the following day, Serb soldiers entered the village and killed approximately 20 villagers after capturing them and burning their documents [F12]. The soldiers forced other villagers from their homes and detained them at the Podlugovi railway station [C13.2]. From there, Serb police transported the villagers by bus to a warehouse in Podlugovi where they were detained for two months.¹⁵³⁸

414. Muslims in Gornja Bioča had no armed forces or active defence, other than guards in front of their houses, no heavy weaponry and were entirely surrounded by Serb villages.¹⁵³⁹ [REDACTED]¹⁵⁴⁰ Serb forces re-directed the shelling towards the woods.¹⁵⁴¹ At least two Muslims were killed as a result.¹⁵⁴² They also shot at and torched non-Serb houses, killing at least two villagers who stayed behind.¹⁵⁴³

¹⁵³³ AF1296;P445;P446;P434,para.68.

¹⁵³⁴ P1476;P730,p.3.

¹⁵³⁵ P1878 (showing income from the RS Government, "deprived goods" of Mirsad Tokac's shop, and payments to the Serb TO);P74,p.20 ("It is true,yes, that we have stolen a lot of goods").

¹⁵³⁶ P1859;P434,para.50.

¹⁵³⁷ AF1298.

¹⁵³⁸ AF1299;[REDACTED];Avlijaš,T.15603.

¹⁵³⁹ ST-004,T.17926-7,T.17940;P1735;AF1300.

¹⁵⁴⁰ [REDACTED]; ST-004,T.12927-8;AF1300.

¹⁵⁴¹ [REDACTED]; ST-004,T.17927-8.

¹⁵⁴² ST-004,T.17928;[REDACTED].

¹⁵⁴³ AF1300;ST-004,T.12927-8.

415. Without food or water, on 1 June, Muslims who had fled into the woods began surrendering to attacking Serb police officers under the command of Pustivuk and Ikonić.¹⁵⁴⁴ The villagers, were then detained for five days at the Gornja Bioča primary school where Ikonić and Pustivuk conducted interrogations.¹⁵⁴⁵ [REDACTED]¹⁵⁴⁶ [REDACTED]¹⁵⁴⁷

416. ST-004 was amongst the Gornja Bioča residents who were rounded up and detained. [REDACTED]¹⁵⁴⁸ [REDACTED]¹⁵⁴⁹ In the cell were four wounded and beaten Muslims from Ahatovići.¹⁵⁵⁰ [REDACTED]¹⁵⁵¹

417. The next day, ST-004 and the five other Muslims were taken by police to Podlugovi railway station and placed in the basement with 13 citizens from Gornja Bioča. [REDACTED]¹⁵⁵² Instead, Serb guards threw two gas canisters through a small window, causing the detainees to panic [D13.2]. ST-004 felt a burning sensation in his throat. Some detainees broke through the window and when they exited, ST-004 and masked armed men forced them to lie on the ground.¹⁵⁵³ [REDACTED]¹⁵⁵⁴ After two days, ST-004 was taken to the Iskra warehouse. In 1996, ST-004 helped identify some of the bodies of the remaining 19 railway station detainees in a mass grave near Lječevo.¹⁵⁵⁵

418. ST-004 was detained for approximately 70 days at the Iskra warehouse along with over 100 non-Serb civilians (including five females) from Ilijaš, Lječevo, Podlugovi and Gornja Bioča.¹⁵⁵⁶ Conditions at the warehouse were unbearable. Food was scarce, there was no water, and the facility was filthy. Detainees were packed into the facility, made to sleep on the floor and were not allowed outside.¹⁵⁵⁷ [REDACTED]¹⁵⁵⁸ [REDACTED]¹⁵⁵⁹ On one occasion, RS Deputy-Minister of Justice, Avlijaš, visited Iskra, observed the poor conditions and suggested to the detainees that they may be included in future exchanges.¹⁵⁶⁰ The Ilijaš CS created lists of detainees for exchange,¹⁵⁶¹ but only

¹⁵⁴⁴ [REDACTED];[REDACTED];P1736.3;P1736.4;P2010 (showing Pustivuk and Ikonić still employed at SJB Ilijaš in October 1992).

¹⁵⁴⁵ AF1300;[REDACTED].

¹⁵⁴⁶ [REDACTED].

¹⁵⁴⁷ [REDACTED];ST-004,T.17929.

¹⁵⁴⁸ [REDACTED].

¹⁵⁴⁹ [REDACTED].

¹⁵⁵⁰ [REDACTED];ST-004,T.17930.

¹⁵⁵¹ [REDACTED];[REDACTED];P1736.3.

¹⁵⁵² [REDACTED].

¹⁵⁵³ [REDACTED];ST-004,T.17931.

¹⁵⁵⁴ [REDACTED];[REDACTED].

¹⁵⁵⁵ ST-004,T.17932;[REDACTED].

¹⁵⁵⁶ ST-004,T.17932-3;[REDACTED];AF1299;AF1300;Avlijaš,T.15616.

¹⁵⁵⁷ ST-004,T.17933-4;[REDACTED];Avlijaš,T.15602-4.

¹⁵⁵⁸ [REDACTED].

¹⁵⁵⁹ [REDACTED]; ST-004,T.17935-6.

¹⁵⁶⁰ Avlijaš,T.15602-4.

10 elderly persons from the warehouse were exchanged. The remaining 90-100 detainees were transported by Serb policemen, including Srpko Pustivuk, to Planjo's house in mid-August where they were forced to dig trenches and act as human shields along the frontlines.¹⁵⁶²

419. The attacks on Lješevo and Gornja Bioča by Serb forces between 27 May and 5 June were launched based upon policies of ethnic cleansing, established among the upper echelons of the RS government.¹⁵⁶³ As Momčilo Mandić explained to a friend the day before the attack on Gornja Bioča, "tomorrow in Ilijaš [...] no mercy there [...] Expel all and that without weapons and please don't come back anymore [...] And our people are to be moved in and the buildings and positions filled and so."¹⁵⁶⁴

420. At least 22 Muslims were killed by Serb forces in Ilijaš in May and June alone.¹⁵⁶⁵ Moreover, during 1992, Serb forces destroyed a large number of historical and religious sites in Ilijaš, including the Catholic cathedral in Taračin Do and 21 Muslim religious monuments including mosques in Stari Ilijaš, Misoča, Gornja Bioča and Srednje.¹⁵⁶⁶ Although SJB Ilijaš reported that it encountered no problems preventing and detecting criminal acts and perpetrators, none of these crimes appear in the 1992-1995 logbooks of the Iliđa prosecutor's office which had jurisdiction over Ilijaš municipality.¹⁵⁶⁷ Nor is there any evidence that the police filed criminal reports for such crimes with the military authorities.¹⁵⁶⁸

(q) Teslić

421. In 1991, Teslić was a Serb-majority (Variant A) municipality. Ethnic tensions began to rise in Teslić in spring.¹⁵⁶⁹ By late March, all major routes towards Banja Luka and Doboj were barricaded with checkpoints, Latin signs were replaced with Cyrillic signs and streets were renamed as ordered by SDS authorities.¹⁵⁷⁰ Local Serbs began receiving arms during this period.¹⁵⁷¹ Serb

¹⁵⁶¹ ST-004,T.17934-5.

¹⁵⁶² SF1326;AF1300;[REDACTED];[REDACTED]. Compare P1734 with P1332 (both listing victim Behro Ilijić) and P1515 (both listing victim Azem Durmić).

¹⁵⁶³ Mandić,P1318.6,T.9065-71.

¹⁵⁶⁴ P1318.38,p.10.

¹⁵⁶⁵ AF1303.

¹⁵⁶⁶ AF1302;P1399,para.47;P1406,pp.913-69.

¹⁵⁶⁷ P1476,p.2;Gaćinović,P1609.4,paras.9-13,Revised Annex 5;Gojković,T.11751,T.11756-7,T.11768.

¹⁵⁶⁸ P1284.55,pp.6-12 (reporting on criminal reports received and processed by the Sarajevo-Romanija Corps military prosecutor's office in 1992).

¹⁵⁶⁹ AF1214;AF504;AF500;ST-253,T.16639;Perić,T.10480;P1354,p.16.

¹⁵⁷⁰ AF1214;ST-253,T.16639-42,16659;ST-207,T.10112.

¹⁵⁷¹ ST-253,T.16639;[REDACTED];P1353.25.

officials and policemen removed weapons and equipment from military depots and stored them in surrounding Serb villages.¹⁵⁷²

422. On 6 April the Municipal Assembly adopted a decision to attach Teslić to the ARK.¹⁵⁷³ SJB Teslić, which had previously been a part of CSB Dobož, started reporting to CSB Banja Luka.¹⁵⁷⁴ A meeting held in early April attended by members of the army, the CSB Banja Luka and CSB Dobož, with SJB Teslić leadership, resulted with the dismissal of non-Serbs from the reserve police and ST-207's nomination as SJB commander.¹⁵⁷⁵ Only one non-Serb employee remained.¹⁵⁷⁶

423. By early May, a functioning CS had been formed.¹⁵⁷⁷ It was later replaced by a War Staff composed of army, SJB and Serb municipal assembly members.¹⁵⁷⁸

424. On 5 May, a curfew was imposed by the CS and enforced by the SJB.¹⁵⁷⁹ In practice, the curfew applied only to non-Serbs.¹⁵⁸⁰ On 6 May, the CS ordered illegally-possessed arms and ammunition to be handed over by 11 May.¹⁵⁸¹ The order initially targeted illegal weapons from non-Serbs but was extended to legally-owned weapons as well.¹⁵⁸²

425. The gradual establishment of Serbian power from early 1992 culminated in a forcible takeover in June [G6].¹⁵⁸³ On 2 June, tanks entered Teslić.¹⁵⁸⁴ The army blocked all roads leading out of Teslić and Serb forces began shelling the village of Stenjak on 4 June [F6].¹⁵⁸⁵ No resistance was offered by the non-Serb population.¹⁵⁸⁶

426. Simultaneously, a systematic disarming of non-Serbs occurred.¹⁵⁸⁷ Radio broadcasts informed individuals that all weapons needed to be handed by 5 June.¹⁵⁸⁸ [REDACTED]¹⁵⁸⁹

¹⁵⁷² P836.

¹⁵⁷³ P836,p.1;P839,p.1;ST-191,T.10258;[REDACTED].

¹⁵⁷⁴ AF1214;P1353.4.

¹⁵⁷⁵ ST-253,T.16638.

¹⁵⁷⁶ P836,p.2;ST-253,T.16686.

¹⁵⁷⁷ P1353.6.

¹⁵⁷⁸ ST-191,T.10292.

¹⁵⁷⁹ P1362;ST-191,T.10249;Perić,T.10480;ST-253,T.16641-2.

¹⁵⁸⁰ ST-253,T.16705;Perić,T.10480.

¹⁵⁸¹ P1353.6;[REDACTED].

¹⁵⁸² [REDACTED];Perić,T.10483-4.

¹⁵⁸³ AF934;ST-191,T.10246.

¹⁵⁸⁴ ST-008,T.19199-200.

¹⁵⁸⁵ AF500.

¹⁵⁸⁶ AF503.

¹⁵⁸⁷ [REDACTED];ST-253,T.16642-3.

¹⁵⁸⁸ ST-253,T.16643;Perić,T.10483;P1353.6.

¹⁵⁸⁹ [REDACTED].

427. On or about 2 June, the Miće Group, also referred to as “Red Berets”, arrived in Teslić,¹⁵⁹⁰ led by VRS Captain Petričević and CSB Doboj’s deputy-chief Milan Savić.¹⁵⁹¹ The Miće consisted of CSB Doboj state security and public security officers, and VRS members.¹⁵⁹² Some members were criminals.¹⁵⁹³ Their arrival was engineered by the CS invitation to Petričević to solve mobilisation problems,¹⁵⁹⁴ although such problems probably did not exist.¹⁵⁹⁵ ST-191 made this request, despite being informed of the Miće Group’s bad reputation acquired during operations in other municipalities.¹⁵⁹⁶

428. The civilian police chapter of the Miće was created by CSB Doboj chief, Andrija Bjelošević and his deputy, Milan Savić.¹⁵⁹⁷ In addition to 16 members listed in a criminal report following their arrest, other CSB Doboj policemen participated in the Miće’s activities. While Bjelošević attempted to distance himself from this group, members of the Miće group claim that they were sent by both Bjelošević and Savić.¹⁵⁹⁸ Bjelošević’s attempts to dissociate himself from his deputy, Savić, are explained elsewhere.¹⁵⁹⁹

429. Even after it became clear that the Mice were beating and killing prisoners, the Teslić police tolerated their presence and some even encouraged their acts.¹⁶⁰⁰

430. The takeover marked the beginning of arrests, beatings and violent deaths accompanied by the overarching objective of forcibly removing non-Serb citizens.

431. The mass detention of non-Serb civilians began on 3 June, with the participation of reserve and active duty policemen.¹⁶⁰¹ Some individuals were beaten during arrests.¹⁶⁰² Almost all the detainees were prominent non-Serb citizens.¹⁶⁰³ Detainees were taken to the SJB building and kept in cells too small for the numbers detained in a building adjacent to the SJB¹⁶⁰⁴ [C7.1] The

¹⁵⁹⁰ AF1215;ST-191,T.10259;[REDACTED];Perić,T.10504;1D306;P838,pp.6-7;P1312,p.3;P836.

¹⁵⁹¹ P838,p.7;P839,pp.4-5;P1353.11,p. 4;Radulović,T.10921;P1361.2,p.33;Perić,P1361.3;[REDACTED].

¹⁵⁹² Radulović,T.10920;Perić,T.10499. To establish the membership of the group: P837,P838,P839,P1312,P1343,P1361.6,P1313 (numbers 144 to 156). For the membership of members to the police or the army: P1300,P1338,P1342,P1364,1D464.

¹⁵⁹³ Radulović,T.10920.

¹⁵⁹⁴ ST-191,T.10210;Perić,T.10503;Perić,P1361.2,p.36;P702;P1353.27;P839;[REDACTED].

¹⁵⁹⁵ Perić,T.10506.

¹⁵⁹⁶ [REDACTED];Perić,T.10502-3;P1343;P839,p.3.

¹⁵⁹⁷ Perić,T.10497-9;P1363,pp.24-5;[REDACTED].

¹⁵⁹⁸ P1363,pp.24-25,117-9. Perić came to the same conclusion. T.10497-9.

¹⁵⁹⁹ See Section II.D.3.(b).

¹⁶⁰⁰ ST-253,T.16668.

¹⁶⁰¹ AF504,ST-008,T.19201-2,T.19209.

¹⁶⁰² ST-253,T.16642.

¹⁶⁰³ AF508;P838,p.8;P839,p.6;ST-008,T.19205-6;ST-253,T.16653,T.16659.

¹⁶⁰⁴ AF505;ST-008,T.19206-7;ST-253,T.16644,16651;[REDACTED];P1350;[REDACTED].

conditions were unhygienic and very little food was provided.¹⁶⁰⁵ SJB policemen guarded the detainees.¹⁶⁰⁶

432. Possession of illegal weapons or cooperation with the enemy were the official reasons given for these arrests.¹⁶⁰⁷ The Miće, however, often detained well-known non-Serbs and threatened detainees with death to extract ransom monies.¹⁶⁰⁸ While being arrested, non-Serbs were robbed of their valuables.¹⁶⁰⁹

433. Men detained at the SJB building were beaten with batons, bats, rifle-butts and other items by police officers and members of the Miće Group [D7.1].¹⁶¹⁰ These beatings sometimes occurred in the presence of the other detainees.¹⁶¹¹

434. On 8 June, following an operation in Rankovići where a Miće was wounded, Piko took revenge on prisoners, and with the help of policemen, started beating them, killing about eight at the SJB building; another two were killed the following days.¹⁶¹² Piko and Milan Savić ordered Tomo Mihajlović, a reserve policeman, to remove and bury the bodies.¹⁶¹³

435. On the night of 12-13 June, a group of 30 non-Serb detainees were taken out of the SJB on orders of Lt.Col. Bilanović and Ljubiša Petričević, and were executed on Mount Borja (“Bebe” location) by the Miće.¹⁶¹⁴ On another occasion, Piko executed Fadil Isić, SDA president, in the medical centre.¹⁶¹⁵ Piko personally beat detainees on several occasions.¹⁶¹⁶ A young half-Muslim boy named Almir, not even a teen, was beaten to death.¹⁶¹⁷

436. [REDACTED]¹⁶¹⁸ On at least one occasion, these men were seen laughing while witnessing the beating of a detainee.¹⁶¹⁹ The Miće Group’s crimes were permitted, and promoted, by the police,

¹⁶⁰⁵ AF513;AF514;ST-008,T.19206-11;ST-253,T.16653.

¹⁶⁰⁶ ST-253,T.16651.

¹⁶⁰⁷ ST-008,T.19227.

¹⁶⁰⁸ ST-008,T.19223-4;[REDACTED];[REDACTED];P838,p.8;P1312,p.4;P1353.11,p.6;[REDACTED];P1353.9.

¹⁶⁰⁹ P838,p.7;P1312,p.4;Perić,T.10515,T.10523;P1353.11,p.6.

¹⁶¹⁰ ST-253,T.16651,T.16653-7,T.16668,16674;ST-008,T.19208-9;P838;P839,p.6;P840,pp.4-5;AF934;AF508.

¹⁶¹¹ ST-008,T.19208-9;ST-253,T.16653-5.

¹⁶¹² P838,p.9;P839,pp.9-11;P840,p.11,13;P1312,p.1;P1353.11,pp.6-7;[REDACTED].

¹⁶¹³ Perić,P1361.2,p.38;P1353.11,p.6;P840,pp.12-13.

¹⁶¹⁴ P838,p.10;Perić,P1361.2,p.38;P1363,pp.127,133,138,141-142,145,148-9,158-9;ST-253,T.16689;Radulović,T.10938-9;P2466,entries 6471-6515,6521-6541,6544-6569,6574-6579,6588-6621.

¹⁶¹⁵ ST-008,T.19220-1;P1353.11,p.7.

¹⁶¹⁶ P840,pp.9-11;ST-253,T.16655-7,16671-2.

¹⁶¹⁷ ST-253,T.16680.

¹⁶¹⁸ AF1035.

¹⁶¹⁹ ST-253,T.16653-8,T.16668.

the SDS and the CS.¹⁶²⁰ As put by one of the victims: “[T]hey accepted the Miće. And they cooperated with them, because how could they have known me? Somebody must have assisted them.”¹⁶²¹

437. The Chairman of Teslić’s Executive Committee stated during a session:

The moral responsibility for the silence of the municipal leadership regarding the Mićas is unavoidable. A part of the leadership must go because of the June events and the Mićas, the only question now is the moment.¹⁶²²

438. After being detained at the SJB for up to two weeks,¹⁶²³ many detainees were transferred to the TO warehouse by the military police.¹⁶²⁴ About 200-250 non-Serbs were detained there [C7.2].¹⁶²⁵ Many detainees there held leadership positions in Teslić.¹⁶²⁶ The TO was mostly staffed by RSMUP members.¹⁶²⁷ The warehouse was hot, detainees were always kept inside, and slept on the floor.¹⁶²⁸ Some remained there for 30-40 days.¹⁶²⁹ Detainees were beaten by police, soldiers, and paramilitaries [D7.2],¹⁶³⁰ and were subjected to ethnic slurs.¹⁶³¹ The beatings were severe¹⁶³² and often witnessed by others [D7.2].¹⁶³³ Many were violently killed at the TO [B7.1].¹⁶³⁴ Tomo Mihajlović bludgeoned prisoners with a chain.¹⁶³⁵ Piko hit Mirsad Gilić on the head with a hammer killing him instantly.¹⁶³⁶

439. After the Miće were arrested, conditions did not improve.¹⁶³⁷ During the period between July to October, Muslim women were raped in Teslić.¹⁶³⁸ A curfew between 20.00 and 06.00 was imposed and the gathering of more than three people was prohibited.¹⁶³⁹ Men aged 15 to 60 were sent for forced labour.¹⁶⁴⁰ Houses were confiscated by the Civilian Protection Unit and distributed

¹⁶²⁰ Perić, T.10524-5; ST-253, T.16711.

¹⁶²¹ ST-253, T.16711.

¹⁶²² P1353.20, p.7.

¹⁶²³ ST-253, T.16659; ST-008, T.19210.

¹⁶²⁴ AF505; [REDACTED]; P1312; P1349; ST-253, T.16659.

¹⁶²⁵ AF501; ST-008, T.19211; ST-253, T.16661.

¹⁶²⁶ ST-253, T.16662.

¹⁶²⁷ ST-253, T.16663; ST-008, T.19212-3.

¹⁶²⁸ AF935.

¹⁶²⁹ AF511.

¹⁶³⁰ ST-008, T.19212-5, T.19217, T.19219; ST-253, T.16664-8; P838. p.9; P1312, p.3

¹⁶³¹ AF516; ST-008, T.19212; ST-253, T.16681.

¹⁶³² ST-008, T.19214-6, T.19221; ST-253, T.16670, T.16672-3, T.16680-1; P1312, p.3.

¹⁶³³ ST-253, T.16675.

¹⁶³⁴ AF937; ST-008, T.19214-6, T.19221-3; [REDACTED].

¹⁶³⁵ ST-008, T.19214.

¹⁶³⁶ ST-253, T.16671-2.

¹⁶³⁷ 2D75; 2D76; 2D77; 2D78; 2D79; 2D80; 2D81; 2D82; 2D98.

¹⁶³⁸ AF938.

¹⁶³⁹ P1353.7.

¹⁶⁴⁰ P1353.7.

to new owners.¹⁶⁴¹ Many crimes went unreported and although a few criminal reports were drafted, the perpetrators were rarely identified and never arrested.¹⁶⁴²

440. Notably, a report by the public prosecutor indicates that the most investigations were carried out against Muslims for armed rebellion and illegal possession of weapons. The 27 Serbs against whom a criminal report was drafted were all members of the army or the reserve police.¹⁶⁴³ However Serb perpetrators of grave crimes, such as murder, were not arrested. In the words of the public prosecutor, “[i]t is inexplicable why these people have not been arrested.”¹⁶⁴⁴

441. In Teslić, the SDS policy “essentially boiled down to ethnic cleansing.”¹⁶⁴⁵ An 11 July report from the Miloš Group acknowledged that this method involved the creation of ethnically-cleansed entities in a “violent manner.”¹⁶⁴⁶ The Miće served as an instrument to create an atmosphere of fear and to exert pressure on non-Serbs to leave “voluntarily.”¹⁶⁴⁷ This policy worked as non-Serbs left the area of Teslić *en masse* during this time.¹⁶⁴⁸ As stated by Perić:

Well, this group came and they started terrorising the Muslim and the Croat population, forcing them to leave and then after this, this decision passed by the highest body of authority comes and does the same thing. So, basically in order for some Mićas, in order to avoid that some Mićas could come at a later stage and kill you, you can come to the Red Cross and actually, you know, leave of your own will. It would have been logical for the parliament to, to judge the activities of such a group, but in fact they’re doing completely the opposite.¹⁶⁴⁹

442. [REDACTED]¹⁶⁵⁰ [REDACTED]¹⁶⁵¹

443. In August, Croats left the villages of Slatina, Komušina and Studenci fearing an armed attack and were taken away in an organised fashion.¹⁶⁵² From the moment of the takeover there were several convoys, organised by the civilian protection, the army and the police.¹⁶⁵³

444. The Miće group participated in destroying or damaging non-Serb property, including five or six mosques as well as Catholic churches in Teslić town and the surrounding villages such as

¹⁶⁴¹ P1353.7.

¹⁶⁴² P1353.24;P1353.12;1D489 (known perpetrator not arrested);2D82 (unknown perpetrator);2D81 (unknown perpetrator);2D79 (known perpetrator, unclear if arrested);2D80 (known perpetrator, unclear if arrested);2D101 (unknown perpetrator);2D100 (known perpetrator, unclear if arrested). It is to be noted that these criminal reports were all drafted by the new SJB chief and were filed after the month of October 1992.

¹⁶⁴³ P1353.15.

¹⁶⁴⁴ P1353.15.

¹⁶⁴⁵ Perić,T.10514,T.10681;P1388.

¹⁶⁴⁶ P1388;see also [REDACTED].

¹⁶⁴⁷ Perić,T.10505-6.

¹⁶⁴⁸ [REDACTED];1D306 refers to “mass exile”;Perić,P1361.2,p.32.

¹⁶⁴⁹ Perić,P1361.02,p.32;P1353.07,item 13.

¹⁶⁵⁰ [REDACTED];[REDACTED].

¹⁶⁵¹ [REDACTED].

¹⁶⁵² ST-191,T.10240.

¹⁶⁵³ P1361.2,pp.68-9.

Barići, Stenjak and Ruževići [E6].¹⁶⁵⁴ The police did not investigate this.¹⁶⁵⁵ Other paramilitary groups looted and burned non-Serb homes as well.¹⁶⁵⁶ According to Perić:

[A]ll this fit very well into this strategy of ethnic cleansing which means the reduction of certain ethnicity down under a certain percentage. Towards the end of the war, the authorities even organised the moving out of people, because they probably estimated that there were too many non-Serbs left on the territory of the municipality.¹⁶⁵⁷

445. Serb authorities also detained non-Serbs at other detention facilities in Teslić, including in Pribinić, the Mladost school, the Partisan hall in Teslić, the Proleter football club stadium and the Banja Vrućica health centre.¹⁶⁵⁸ The SJB established these detention facilities, with the exception of the Pribinić facility established by the military police.¹⁶⁵⁹ At Pribinić, detainees suffered numerous beatings and more than 10 individuals were killed, including a twelve-year old child.¹⁶⁶⁰

446. The detention facilities housed detainees until about the beginning of October.¹⁶⁶¹ Life for non-Serbs, however, did not improve after the detention centres closed. Often non-Serb's houses were taken while they were detained and given to Serbs.¹⁶⁶²

447. The arrest of the Miće group and their release shortly thereafter is dealt with in detail in Section V.C.5(a).¹⁶⁶³ To date, with regard to the Miće, no cases have been brought to a conclusion and the perpetrators are still at large.¹⁶⁶⁴

448. [REDACTED]¹⁶⁶⁵ Even as late as October, the Teslić SJB had a stronger connection to the Banja Luka CSB than to Doboj.¹⁶⁶⁶

449. Crimes against non-Serbs were committed in Teslić both by members of the JCE and by their subordinates in the RSMUP and the VRS.

¹⁶⁵⁴ P1404,pp.25-44;AF1215;AF1036;[REDACTED];P1396,p.19;Perić,P1361.2,pp.18,52-3;P1353.15,p.3;AF939

¹⁶⁵⁵ P1361.2,pp.8-9,18.

¹⁶⁵⁶ AF502;ST-253,T.16678-9,T.16695;P838;P1312;Perić,T.10523.

¹⁶⁵⁷ Perić,P1361.2,p.18.

¹⁶⁵⁸ AF1218;AF504;AF505;AF1220;ST-253,T.16679;[REDACTED];P1312;Perić,T.10671-2.

¹⁶⁵⁹ ST-191,T.10228.

¹⁶⁶⁰ P1353.12.

¹⁶⁶¹ AF505.

¹⁶⁶² ST-008,T.19229-30;Perić,P1361.2,pp.68-70.

¹⁶⁶³ Section V.C.5(a), "The Accused Failed to Take Necessary and Reasonable Measures".

¹⁶⁶⁴ Perić,T.10530;[REDACTED].

¹⁶⁶⁵ [REDACTED];P405,pp.3-4;[REDACTED].

¹⁶⁶⁶ P405,p.3.

(r) Kotor Varoš

450. Kotor Varoš was an ethnically mixed municipality which was one of the last municipalities to be forcefully taken over on 11 June. As in other municipalities, non-Serbs were the subject of torture, killings, rapes and their property was looted and destroyed by the police and the army.

451. [REDACTED]¹⁶⁶⁷ was divided evenly between the three ethnic groups before 1992, with Serbs having a slight majority of 38%.¹⁶⁶⁸ By 1993, over 77% of Muslims and 95% of Croats had fled, while the Serb population remained the same.¹⁶⁶⁹ Kotor Varoš was strategically important both to ŽUPLJANIN and the BSL.¹⁶⁷⁰

452. Following the 1990 elections, the Kotor Varoš SDS supported ŽUPLJANIN's candidacy as Chief of CSB Banja Luka.¹⁶⁷¹ The SJB Chief was Savo Tepić (Serb), whilst ST-258 (Croat) was SJB commander and Muhammed Sadiković (Muslim) was deputy commander. These men worked well together until ethnic unrest emerged in early 1992.¹⁶⁷² This equally applied to the presidents of the three political parties.¹⁶⁷³

453. In accordance with Variant B,¹⁶⁷⁴ the SDS proclaimed an Assembly of the Serbian people of Kotor Varoš in December 1991 whilst still taking part in the joint municipal assembly until May.¹⁶⁷⁵

454. On 7 February, the Kotor Varoš Serb Assembly proclaimed Kotor Varoš's unification with the ARK.¹⁶⁷⁶ [REDACTED]¹⁶⁷⁷ [REDACTED]¹⁶⁷⁸

455. On 18 March, the 122nd Light Brigade, was deployed to monitor events in Kotor Varoš.¹⁶⁷⁹ ŽUPLJANIN's cousin, Slobodan Župljanin, was the commander of a detachment based in Maslovaré.¹⁶⁸⁰ CSB Banja Luka requested the 122nd Brigade to seize illegally possessed

¹⁶⁶⁷ [REDACTED].

¹⁶⁶⁸ AF1195;ST-197,T.14405;P2435.

¹⁶⁶⁹ P1911;P1626.

¹⁶⁷⁰ P560,p.2;[REDACTED].

¹⁶⁷¹ Dekanovic,T.968.

¹⁶⁷² ST-258,T.17540;ST-19,T.548.

¹⁶⁷³ Dekanović,T.1008-9.

¹⁶⁷⁴ P69.

¹⁶⁷⁵ Dekanović,T.1008-9.

¹⁶⁷⁶ P71.

¹⁶⁷⁷ [REDACTED].

¹⁶⁷⁸ [REDACTED].

¹⁶⁷⁹ ST-197,T.14337-42.

¹⁶⁸⁰ Bubić,T.25975.

weapons.¹⁶⁸¹ [REDACTED]¹⁶⁸² In early April, weapons from the TO warehouse moved to the barracks in Banja Luka.¹⁶⁸³

456. [REDACTED]¹⁶⁸⁴ Although the meeting was meant to resolve any conflict associated with this demand, ŽUPLJANIN offered no compromise and stated to Đekanović, “President, now bang your fist on the table and get this situation resolved.” [REDACTED]¹⁶⁸⁵ At an NDC meeting on 7 April, reference was made to the meeting with ŽUPLJANIN and that “the transformation of the police in Kotor Varoš SJB” was discussed.¹⁶⁸⁶

457. In May, Serbs were being armed by responding to call ups for mobilisation. ST-27 should have been involved in the mobilisation in his role as TO secretary, but his power was usurped by orders from the Banja Luka military district.¹⁶⁸⁷ Most non-Serbs did not respond to the mobilisation.¹⁶⁸⁸ [REDACTED]¹⁶⁸⁹

458. [REDACTED]¹⁶⁹⁰ [REDACTED]¹⁶⁹¹ [REDACTED]¹⁶⁹² following directives from the CSB.¹⁶⁹³ The IKK and the police conducted operations to disarm non-Serbs when the deadline of 14 May expired.¹⁶⁹⁴

459. On 4 May, the ARK CS imposed a curfew, implemented by the SJB.¹⁶⁹⁵ During April and May, public institutions like the health and postal services began receiving instructions from their headquarters in Banja Luka.¹⁶⁹⁶

460. [REDACTED]¹⁶⁹⁷ [REDACTED]¹⁶⁹⁸ The situation was “resolved” by the takeover a short time later.

¹⁶⁸¹ ST-197,T.16218-20.

¹⁶⁸² [REDACTED].

¹⁶⁸³ P72.

¹⁶⁸⁴ [REDACTED].

¹⁶⁸⁵ [REDACTED].

¹⁶⁸⁶ P72.

¹⁶⁸⁷ ST-27,T.732.

¹⁶⁸⁸ ST-27,T.732.

¹⁶⁸⁹ [REDACTED].

¹⁶⁹⁰ [REDACTED].

¹⁶⁹¹ [REDACTED].

¹⁶⁹² [REDACTED];[REDACTED].

¹⁶⁹³ P561;Brown,P1803,para.2.18

¹⁶⁹⁴ Brown,P1803,para.2.18.

¹⁶⁹⁵ P467,P555.

¹⁶⁹⁶ AF1196.

¹⁶⁹⁷ [REDACTED].

¹⁶⁹⁸ [REDACTED].

461. Đekanović requested help to take control of the municipality from the army, Banja Luka police and regional CS: “[S]ince Župljanin was the head of the CS and he was from our municipality, it’s quite normal that we spoke with him the most.”¹⁶⁹⁹ On 8 or 9 June, ŽUPLJANIN convened a meeting with Serb representatives from Kotor Varoš.¹⁷⁰⁰ On 9 June, Miloš reported that the SDS started an operation to takeover Kotor Varoš.¹⁷⁰¹ Two days later a synchronised operation took place on the Muslim holiday of Bajram [G3].¹⁷⁰² The CSB provided 30-40 members of the highly trained Special Police Detachment¹⁷⁰³. The dawn raids conducted by mixed police and army patrols¹⁷⁰⁴ were captured on video. The takeover was captured on video. The SJB, flying the RS flag for the first time,¹⁷⁰⁵ was the centre of activity that day.¹⁷⁰⁶ [REDACTED]¹⁷⁰⁷ [REDACTED]¹⁷⁰⁸

462. [REDACTED]¹⁷⁰⁹ were arrested and beaten by Serb forces, including the police and members of the special detachment led by Ećim and Dubočanin.¹⁷¹⁰ Muslim men and boys on their way home from morning prayers were interrogated and beaten at the Proleter factory by the special police, and then marched to the sawmill where non-Serbs, were guarded by the special police.¹⁷¹¹ Non-Serbs were taken to the SJB building and beaten by reserve policemen.¹⁷¹² Detainees remained there for 8 days, confined to a cell with at least 10 others [C4.1], and were interrogated, beaten and deprived of sufficient food and medical assistance [D4.1],¹⁷¹³ while guarded by the police.¹⁷¹⁴ SJB Chief Tepić saw non-Serb prisoners beaten and handcuffed but took no measures to prevent mistreatment.¹⁷¹⁵ SZ-002’s account that “people had abused their authority” does not begin to describe the real conditions in the station.¹⁷¹⁶ [REDACTED]¹⁷¹⁷

¹⁶⁹⁹ Đekanović, T.1069,1433.

¹⁷⁰⁰ ST-197, T.14403-17[REDACTED].

¹⁷⁰¹ P76.

¹⁷⁰² Đekanović, T.1038;P76;AF519;SZ-002,T.25492-3.

¹⁷⁰³ Đekanović, T.1040-1.

¹⁷⁰⁴ The Kotor Varoš TO became the Kotor Varoš Light Brigade on 11 June;ST-197,T.14425;P2418;Bubić T.25902,T.25933,T.25968.

¹⁷⁰⁵ [REDACTED];P1579 at16.52.

¹⁷⁰⁶ P1579;SZ-002,T.25497-8.

¹⁷⁰⁷ [REDACTED].

¹⁷⁰⁸ [REDACTED].

¹⁷⁰⁹ [REDACTED].

¹⁷¹⁰ ST-258,T.17550-6;ST-197,T.14452;[REDACTED];P1579;Račić,T.12392-6;Račić,T.12392;AF522;SZ-002,[REDACTED],T.25493-4. Note that ST-197 states that Dubočanin was a member of the police;ST-197,T.14453.

¹⁷¹¹ ST-241,T.16940-51;[REDACTED];P1686;P1687

¹⁷¹² ST-241,T.16955;SF523.

¹⁷¹³ ST-241,T.16958,16964;SF521;SF525;AF1200.

¹⁷¹⁴ ST-241,T.16957-60.

¹⁷¹⁵ ST-19,T.534-6.

¹⁷¹⁶ SZ-002,T.25810-1.

¹⁷¹⁷ AF1198;[REDACTED];[REDACTED];SZ-002,T.25487.

463. On 11 June, three leading Croat figures were arrested, interrogated and taken to CSB Banja Luka for questioning. They were charged with armed rebellion, despite there being no evidence to substantiate the charges. After months of detention and torture, all three were released.¹⁷¹⁸

464. On 12 June, the CS imposed another curfew, enforced by the SJB,¹⁷¹⁹ [REDACTED]¹⁷²⁰

465. On 25 June, Serb soldiers and police rounded up a number of non-Serb men from their homes and forced them to congregate at a military checkpoint. [REDACTED]¹⁷²¹ [REDACTED]¹⁷²² The police beat and killed a number of non-Serb men in front of the hospital, metres away from the SJB [A2.1].¹⁷²³ ST-197 and Dr. Gajanin complained about these crimes to the CS the next day and Đekanović assured them that the matter would be reported to ŽUPLJANIN, and it was.¹⁷²⁴

466. From June to November, non-Serb civilians were detained in up to fourteen detention facilities,¹⁷²⁵ including the SJB [C4.1], Kotor Varoš prison [C4.2], and the sawmill [C4.3]. Policemen guarded the prisoners and beat them.¹⁷²⁶ SDB Banja Luka inspectors interrogated non-Serb detainees and also decided their fate along with the SJB.¹⁷²⁷

467. Between June and November, the municipal prison was operated by the police to detain non-Serbs.¹⁷²⁸ About 145 male civilian¹⁷²⁹ detainees were held in 3 rooms.¹⁷³⁰ They were regularly beaten by the police, some to death [B3.2] [D4.2].¹⁷³¹ The conditions were atrocious.¹⁷³² Some men were there for a week, others for six months without being charged with any crime.¹⁷³³ Serb leaders including Đekanović, Dubočanin, Zdravko Pejić, Slobodan Župljanin, as well as ŽUPLJANIN himself, visited the prison during its existence.¹⁷³⁴

¹⁷¹⁸ ST-27,[REDACTED],T.752-3,T.764,[REDACTED];ST-258,T.17574.

¹⁷¹⁹ ID24;[REDACTED];AF1212;Radulović. T.10911-8.

¹⁷²⁰ [REDACTED].

¹⁷²¹ [REDACTED].

¹⁷²² AF538;[REDACTED];[REDACTED].

¹⁷²³ AF538;AF942;[REDACTED];P103.4;P103.6;P104;ST-013,T.1192,[REDACTED];[REDACTED].

¹⁷²⁴ P81;Đekanović,T.1103-10;Raljić,T.12438-40.

¹⁷²⁵ AF1211;Raljić,T.12428-31.

¹⁷²⁶ AF526;AF527;AF529;ST-241,T.16973.

¹⁷²⁷ SZ-002,T.25497-8;Radulović,T.10913;[REDACTED];ST-19,T.541;[REDACTED];P80;P81;P96;P101;Brown, P1803,para.2.95.

¹⁷²⁸ P1689;ST-19,T.540-2;AF527;ST-241,T.16971-3;ST-19,T.541.

¹⁷²⁹ ST-19,T.532;[REDACTED].

¹⁷³⁰ AF526;[REDACTED].

¹⁷³¹ AF529;ST-241,[REDACTED]T.16997-9;[REDACTED];[REDACTED];[REDACTED].

¹⁷³² AF528;AF530;AF531;AF532;[REDACTED].

¹⁷³³ [REDACTED];ST-241,T.16973.

¹⁷³⁴ ST-241,T.16973-4,T.16979-81,T.17001.

468. During June, Serb forces shelled Muslim villages.¹⁷³⁵ Civilians fled to the woods to escape soldiers who looted and burnt their homes, where they remained for 2 months.¹⁷³⁶ Non-Serbs were rounded up¹⁷³⁷ and taken to a sawmill.¹⁷³⁸ Hundreds of civilians were detained there for 2-3 nights at a time, crushed together with no food or water.¹⁷³⁹ They were not there on a voluntary basis, as alleged by Đekanović.¹⁷⁴⁰ Women and young girls were taken out at night and raped by special and regular police who guarded the facility.¹⁷⁴¹ At least 20 other women were raped that night [D4.3].¹⁷⁴² [REDACTED]¹⁷⁴³ Ramić was also raped and recognised local policemen as perpetrators.¹⁷⁴⁴ The women were then loaded onto trucks and taken to Travnik.¹⁷⁴⁵ Most never returned to Kotor Varoš again.¹⁷⁴⁶ [REDACTED]¹⁷⁴⁷ [REDACTED]¹⁷⁴⁸

469. Until the takeover, the SJB maintained an ethnically mixed police force.¹⁷⁴⁹ Although SJB personnel knew of the creation of the RSMUP, they were asked but not forced to sign the loyalty oath nor change their insignia.¹⁷⁵⁰ This changed dramatically on 11 June, when non Serb active and reserve policemen were arrested along with the civilian population.¹⁷⁵¹ [REDACTED]¹⁷⁵² [REDACTED]¹⁷⁵³

470. From June, non-Serb villages of Kotor Varoš, including Vrbanjci, Hrvanći, Dabovći, Večići, Hanifići, Plitska and Kotor were shelled by Serb forces [F3],¹⁷⁵⁴ then looted and torched,¹⁷⁵⁵ with the participation of the Banja Luka Special Police Detachment.¹⁷⁵⁶ During a 25 June attack on

¹⁷³⁵ AF539;AF540;AF541;AF542;AF544;ST-56,T.612-3.

¹⁷³⁶ ST-56,T.612-3,615;AF1198;AF1210;[REDACTED].

¹⁷³⁷ ST-56,T.616.

¹⁷³⁸ ST-56,T.617;P38;P39. Note that SZ-002 confirms that the sawmill was used to detain people;SZ-002,T.25488.

¹⁷³⁹ AF534;AF536;AF537;AF1202;ST-56,T.620;[REDACTED];Ramić,P2123,p.5.

¹⁷⁴⁰ Đekanović,T.1140. The facility was established as a prison: P88.

¹⁷⁴¹ AF537;ST-56,T.623-4;[REDACTED];Radulović,T.10911-2;ST-56,[REDACTED],T.623. Although SZ-002 disputes the fact that the special police guarded any detention facility, they confirm that they were guarded by regular police and TO; SZ-002,T.24589-90.

¹⁷⁴² ST-56,T.633-4;AF1202.

¹⁷⁴³ [REDACTED].

¹⁷⁴⁴ Ramić,P2123,p.6.

¹⁷⁴⁵ AF1202;AF1211.

¹⁷⁴⁶ ST-56,T.637;[REDACTED].

¹⁷⁴⁷ [REDACTED].

¹⁷⁴⁸ Vasić,T.13665-9;[REDACTED];[REDACTED];[REDACTED];[REDACTED];2D63,p.6 number 121.

¹⁷⁴⁹ See also Đekanović,T.1176;P100 (Tepić does not consider it appropriate to allow Muslim and Croat officers back into the police in September 1992).

¹⁷⁵⁰ Rajjić,T.12397-8;2D18.

¹⁷⁵¹ ST-253,T.17550-6;[REDACTED];[REDACTED].

¹⁷⁵² [REDACTED].

¹⁷⁵³ [REDACTED];See also [REDACTED].

¹⁷⁵⁴ AF539;AF540;AF541;AF543;AF543;AF544. [REDACTED] and Rajjić disputes the attack on Dabovći; Rajjić,T.12456.

¹⁷⁵⁵ AF539;AF541;AF544.

¹⁷⁵⁶ Radulović,T.10915-6;P95.

Vrbanjci conducted by the VRS and the special police, at least 50 non-Serbs died while the Serb forces suffered one fatality.¹⁷⁵⁷

471. At least 14 Muslim and Catholic monuments were heavily damaged or destroyed, mostly during July and August.¹⁷⁵⁸ On 11 June, Serb soldiers set fire to the mosque in Vrbanjci, killing some Muslims hiding inside [E3].¹⁷⁵⁹ On 2 July, the Catholic church in Kotor Varoš town was set on fire and burned for 2 days,¹⁷⁶⁰ while members of the special police looked on and made provocative remarks to the priests [E3].¹⁷⁶¹ The police interviewed two priests on the date of the fire, Tepić did not file a criminal report until December only against “unknown perpetrators” with no further criminal investigation.¹⁷⁶² In mid-August, Serb soldiers shot at least eight Muslims in the mosque in Hanifići and then set the building on fire [E3].¹⁷⁶³

472. Convoys of buses filled with non-Serbs left Kotor Varoš in the following months.¹⁷⁶⁴ They had to get permission to leave from the CS and SJB, hand over their property and pay 200 Deutschmarks for the privilege of leaving.¹⁷⁶⁵ The departures were organised by a CS re-settlement agency and army,¹⁷⁶⁶ who gathered citizens from their homes.¹⁷⁶⁷ [REDACTED]¹⁷⁶⁸ The police provided security for the convoys.¹⁷⁶⁹ CS members stole from citizens and redirected the money to the families of soldiers.¹⁷⁷⁰

473. By early October, the only area not under the control of the Serb forces was Večići, to where the remaining Muslim resistance had retreated and had successfully defended.¹⁷⁷¹ [REDACTED]¹⁷⁷² Moreover, non-Serb fighters and civilians in Večići were willing to surrender in order to leave RS-held territory.¹⁷⁷³ From mid-October to the beginning of November, Serb civilian and military leaders from the RS (including Mladić and Karadžić), the ARK (including ŽUPLJANIN and

¹⁷⁵⁷ P45,p.1;Hanson,P82,p.1.

¹⁷⁵⁸ AF1208;AF1210;AF952;P1396,P1400.

¹⁷⁵⁹ Ramić,P2123,p.3.

¹⁷⁶⁰ [REDACTED];AF953;Riedlmayer,T.11259;P85.

¹⁷⁶¹ ID39,p.2. Members of the TO were also present;Bubić,T.25973-4.

¹⁷⁶² ID39;Vasić,T.13715. The report included only an official note of the interview with two priests, from which it can be inferred that members of the special police who were present, as well as the four potential witnesses identified by the priests were never interviewed.

¹⁷⁶³ AF944.

¹⁷⁶⁴ AF950;AF951;AF1212.

¹⁷⁶⁵ [REDACTED];[REDACTED];P46;Ramić,P2123,p7;P99.

¹⁷⁶⁶ Brown,P1803,paras.2.155-7;P95;P94.

¹⁷⁶⁷ ST-56,T.615-7;AF1212;AF950,

¹⁷⁶⁸ P96;[REDACTED].

¹⁷⁶⁹ Đekanović,T.1155-7.

¹⁷⁷⁰ Đekanović,T.1155-7;P93;AF1207.

¹⁷⁷¹ Brown,P1803,para.2.92;P2014;P965;see also [REDACTED];Đekanović,T.1047-8.

¹⁷⁷² [REDACTED].

¹⁷⁷³ P2398;Radulović,T.11175.

Kuprešanin) and Kotor Varoš (including Zdravko Pejić) presented the non-Serb population with an ultimatum to unconditionally surrender and “evacuate” Večići. Although non-Serbs attempted to negotiate their surrender, the Serb authorities rejected their terms.¹⁷⁷⁴ Non-Serbs were also forced to pay a substantial “moving out” tax.¹⁷⁷⁵ On the night of 3-4 November, as women, children and elderly Muslims surrendered and were loaded onto buses for Travnik,¹⁷⁷⁶ at least 200 men who had attempted to escape were captured by the VRS and taken to a nearby school at Grabovica.¹⁷⁷⁷ At a CS meeting, it was decided that Pejić, Captain Župljanin, Colonel Novaković and 1KK Security Officer Nenad Balaban were to determine the fate of the prisoners.¹⁷⁷⁸ Later that same day, the prisoners were killed at the school in what 1KK initially labelled a “brutal massacre of the captured members.”¹⁷⁷⁹ The next day, the 1KK referred to the incident as merely “150 extremists” who had “died in combat”¹⁷⁸⁰ and Đekanović was present at the school to oversee the cleanup operations.¹⁷⁸¹

(s) Bileća

474. The southern municipality of Bileća was overwhelmingly Serb, with less than 2000 Muslims living in the area.¹⁷⁸² Events in the municipality were unchallenged by the Defence.¹⁷⁸³

475. After the 1990 elections, Serbs occupied all important municipal offices, including the police.¹⁷⁸⁴ When the war in Croatia began, conditions deteriorated for Muslims. Serb nationalism increased and propaganda was strident.¹⁷⁸⁵ Ramiz Pervan, the Muslim head of the TO, was told by an army officer that “if Croats and Muslims [kept] wanting secession, they [would] disappear from the face of this earth.”¹⁷⁸⁶ [REDACTED]¹⁷⁸⁷

¹⁷⁷⁴ Radulović,T.10916-8,T.11173-6;[REDACTED];Brown,P1803,paras.2.92-3;P459.10;P469;[REDACTED];P1913,p.1;1D37;1D38;1D690.

¹⁷⁷⁵ Radulović,T.10917-8,T.11175-6;[REDACTED].

¹⁷⁷⁶ 1D720. CSB Banja Luka daily report informing RSMUP that 11 busloads of Muslims departed Kotor Varoš municipality on 4 November.

¹⁷⁷⁷ Brown,P1803,paras.2.93-5.

¹⁷⁷⁸ Radulović,T.10918;Krzić,T.4147;Brown,P1803,paras.2.95.

¹⁷⁷⁹ P1822;Brown,P1803,paras.2.95-6.

¹⁷⁸⁰ Brown,P1803,paras.2.97-8.

¹⁷⁸¹ Đekanović,T.1177-80;P101.

¹⁷⁸² AF1221;P2321,p.16;P2430.

¹⁷⁸³ The only live witness called by the Prosecution was not cross-examined;ST-028,T.2725. The AFs were only challenged on the grounds they were unclear or misleading, or legal in nature, which was denied. See STANIŠIĆ’s Response to the Prosecution’s Fifth Motion for Adjudicated Facts, with Annex, paras 5-6,9.

¹⁷⁸⁴ AF1222;[REDACTED].

¹⁷⁸⁵ [REDACTED];Pervan,P2276,p.3.

¹⁷⁸⁶ Pervan,P2276,p.3.

¹⁷⁸⁷ [REDACTED].

476. [REDACTED]¹⁷⁸⁸ Serb reserve policemen were selectively issued with weapons.¹⁷⁸⁹ A Muslim policeman intercepted a truck full of weapons sent by the JNA to the SDS in September 1991.¹⁷⁹⁰

477. General mobilisation was ordered, but Muslims were instructed not to comply resulting in their dismissal from their workplaces.¹⁷⁹¹ [REDACTED]¹⁷⁹² Selected Serb policemen received special training in the local Mošć Pijade barracks in late 1991. Included in this group was Duka, the SJB commander.¹⁷⁹³

478. Given the Serb majority, there was no need for parallel government organs to be established, hence there was no organised CS in the municipality.

479. Checkpoints with barricades were established which were initially manned by reserve police officers of both nationalities.¹⁷⁹⁴ When Serb police adopted new insignia Muslim officers refused to wear it and left the force, or were fired.¹⁷⁹⁵ [REDACTED]¹⁷⁹⁶

480. [REDACTED]¹⁷⁹⁷ [REDACTED]¹⁷⁹⁸ Miroslav Duka, “[a] good, and exceptional man” according to STANIŠIĆ’s deputy Mandić,¹⁷⁹⁹ [REDACTED]¹⁸⁰⁰ A Serb special police unit formed from the reserve police was operational from at least April.¹⁸⁰¹ Its task was to cleanse the terrain and it worked in cooperation with the JNA.¹⁸⁰²

481. High-ranking BSL members including Karadžić and Mladić visited Bileća in early June.¹⁸⁰³ [REDACTED]¹⁸⁰⁴

¹⁷⁸⁸ [REDACTED].

¹⁷⁸⁹ J.Murguz,P2277,p.4.

¹⁷⁹⁰ J.Murguz,P2277,p.4,[REDACTED];[REDACTED].

¹⁷⁹¹ [REDACTED];J.Murguz,P2277,p.4-5;AF184;AF735;AF752-AF754.

¹⁷⁹² [REDACTED].

¹⁷⁹³ ST-028,T.2700-1.

¹⁷⁹⁴ J.Murguz,P2277,p.4;AF1225.

¹⁷⁹⁵ J.Murguz,P2277,p.4;[REDACTED];AF1223.

¹⁷⁹⁶ [REDACTED].

¹⁷⁹⁷ [REDACTED],[REDACTED];P308.

¹⁷⁹⁸ [REDACTED],[REDACTED].

¹⁷⁹⁹ P1160,p.3;P308.

¹⁸⁰⁰ [REDACTED];P308.

¹⁸⁰¹ P305; ST-028,T.2702-3.

¹⁸⁰² ST-028,T.2700-1.

¹⁸⁰³ [REDACTED];P306;Draško,T.12268-9;P1477.[REDACTED],ST-028,T.2696,2705. At trial in STANIŠIĆ’s presence in the courtroom,ST-028 was unsure STANIŠIĆ was also present, despite his statement affirming this.

¹⁸⁰⁴ [REDACTED].

482. From that point Muslims were subject to persecution. Serbs destroyed three mosques in Bileća.¹⁸⁰⁵ Serb paramilitary groups arrived, including the White Eagles, who had terrorised Gacko.¹⁸⁰⁶ [REDACTED]¹⁸⁰⁷

483. Non-Serbs were arrested and detained in five detention facilities where they were beaten by police and paramilitaries.¹⁸⁰⁸ Junuz Murguz was arrested by paramilitaries and taken to the SJB. Muslims filled the SJB building and were initially guarded by soldiers, but later reserve policemen [C8.1].¹⁸⁰⁹ They were beaten horrifically during this time [D8.1].¹⁸¹⁰ Duka was present and in charge.¹⁸¹¹ 30-40 men were squeezed in the SJB building for 7 days before being taken to the Đački Dom. During this time, they were forced to pray, do push ups and suffer beatings and mistreatment from the police [D8.1].¹⁸¹²

484. Pervan, Avdić, and ST-028 were arrested during June and July. White Eagles arrested Pervan and beat him, including in the SJB building. Avdić was arrested at his work and taken to the SJB building and beaten. ST-028 was arrested and taken to the SJB building where he saw fellow citizens and at least 10 elderly men. Many other detainees were imprisoned at Đački Dom, including ST-028's brother-in-law [C8.2].¹⁸¹³

485. Guards at the prison behind the SJB and the Đački Dom were reserve and regular police. By mid-July, they were all regular police officers.¹⁸¹⁴ [REDACTED]¹⁸¹⁵ [REDACTED]¹⁸¹⁶ [REDACTED]¹⁸¹⁷

486. The building just behind the SJB was a coal depot and used as a prison from June to December [C8.1].¹⁸¹⁸ Pervan was one of the 90 Muslims who remained there until December. Conditions were bad. The prison commander was Željko Ilić, a regular policeman. [REDACTED]

¹⁸⁰⁵ AF1232.

¹⁸⁰⁶ AF1226, see Section II.D.2(e);P1557.9,p.4.

¹⁸⁰⁷ [REDACTED].

¹⁸⁰⁸ AF1227.

¹⁸⁰⁹ J.Murguz,P2277,p.6.

¹⁸¹⁰ J.Murguz,P2277,p.6.

¹⁸¹¹ J.Murguz,P2277,p.6.

¹⁸¹² J.Murguz,P.2277,p.6. Note the witness names Nedeljko Kuljić as the policeman interrogating and beating him;J.Murguz,P.2277,p.8. Nedeljko Kuljić is on the payroll;P308.

¹⁸¹³ [REDACTED];Avdić,P2124,pp. 6-7;P308;ST-028,T.2708;P308;[REDACTED];P309;P310;[REDACTED];[REDACTED].

¹⁸¹⁴ ST-028,T.2710-12;P308;P307;J.Murguz,P2277, pp.6-7.

¹⁸¹⁵ [REDACTED]. Note that the witness names Nedeljko Kuljić as the policeman administering the torture; ST-028,T.2712-3. Nedeljko Kuljić is on the payroll;P308;AF1228;AF1229.

¹⁸¹⁶ [REDACTED].

¹⁸¹⁷ [REDACTED].

¹⁸¹⁸ ST-028,T.2704;P306 (number 2 is the new building which stands on the site of the coal depot).

¹⁸¹⁹ Detainees were beaten in the SJB building, just metres away.¹⁸²⁰ [REDACTED]
¹⁸²¹[REDACTED]¹⁸²²

487. ST-028 testified that he saw his brother-in-law on 5 October for the last time. Prisoners from the Đački Dom were being separated arbitrarily for release at the SJB. [REDACTED]
¹⁸²³[REDACTED]¹⁸²⁴

488. From June, Muslims were forced to sign over their apartments and houses as a pre-condition for release. They were told they would receive a house in another municipality, but were neither released nor did they receive another house.¹⁸²⁵ Draško was informed by civilian authorities that police had organised the deportation of Muslims from Bileća.¹⁸²⁶ The police were the direct perpetrators of the crimes in Bileća. With the assistance of the White Eagles, police rounded up Muslims, detained them, beat them and expelled them from the municipality.¹⁸²⁷ The VRS disagreed with their methods.¹⁸²⁸

489. The Herzegovina corps immediately reported to the Main Staff that the actions of the police and authorities on 10 June had provoked reactions in Bileća and described their actions as an “illegal weapons seizure operation”, noting that persons were improperly detained in their barracks.¹⁸²⁹ The number of civilians detained in these barracks rose to 600 and Colonel Milošević organised their exchange when the international media exposed the detention facilities,¹⁸³⁰ despite the police in Gacko protesting their release.¹⁸³¹

490. CSB Trebinje Chief Savić,¹⁸³² was appointed by STANIŠIĆ.¹⁸³³ He called meetings of SJB chiefs on average every 10-15 days between April and September.¹⁸³⁴ The day before the Belgrade MUP meeting, he met with them to prepare for the meeting and ordered that the Muslim and Croat judges be arrested.¹⁸³⁵ He discussed the Belgrade meeting with his SJB chiefs afterwards.¹⁸³⁶ He

¹⁸¹⁹ [REDACTED];P308.

¹⁸²⁰ P306.

¹⁸²¹ [REDACTED].

¹⁸²² [REDACTED].

¹⁸²³ [REDACTED].

¹⁸²⁴ [REDACTED];AF1229.

¹⁸²⁵ ST-028,T.2713-4;[REDACTED].

¹⁸²⁶ Draško,T.12273-4.

¹⁸²⁷ AF1226;AF1227;AF1230.

¹⁸²⁸ P1478,pp.3,5-6;Draško,T.12270-3.

¹⁸²⁹ P1478,pp.3,5-6;Draško,T.12270-3.

¹⁸³⁰ Draško,T.12274-9;P1479.

¹⁸³¹ Draško,T.12274-9;P1479.

¹⁸³² Who is serving a prison sentence for war crimes;Kruļj,T.1966-7

¹⁸³³ P170.

¹⁸³⁴ Kruļj,T.1979.

¹⁸³⁵ P168,pp.26-7;Kruļj,T.2064-7.

filed daily and monthly reports as required.¹⁸³⁷ The fact that Muslim prisoners were detained in Bileća by the police was discussed at a meeting in Trebinje when Tomo Kovač was present.¹⁸³⁸

(1) Uncharged Municipalities

491. The evidence set out below proves the pattern of persecution, murders, arrests and mass deportations of non-Serbs in the indictment municipalities was repeated in other municipalities in the ARK.

492. Bosanski Novi¹⁸³⁹ had a Serb majority.¹⁸⁴⁰ Charles Kirudja was a civil affairs coordinator with the UN in sector north in Croatia from April to March 1994, located close to the north-western municipalities of BiH including Bosanski Novi.¹⁸⁴¹ He had access to important sources of information including civil police, military observers, civil affairs officers, local Serbs, Croats and Muslims, all of whom provided information for reports. He obtained information from refugees concerning events in BiH.¹⁸⁴²

493. On 26 May Kirudja met the Serb mayor of Dvor in Croatia, who, together with the mayor of Bosanski Novi,¹⁸⁴³ wanted the assistance of UN forces to facilitate the passage of 5,000 Muslims from Bosanski Novi.¹⁸⁴⁴ The Dvor mayor explained that he spoke on behalf of the Bosanski Novi BiH mayor because it was part of “new reality” in the form of the “Serbian Republic of BiH.” On 27 May the mayor of Bosanski Novi spoke to Kirudja and explained that 5,000 Muslims had asked the authorities for protection to be able to leave in a convoy. Security was to be provided by the military and RSMUP Kirudja observed;

Thus, PASIC seemed to inadvertently admit that the evacuation of “disloyal” Muslims that he and his associates sought would have the consequence intended or not, of making room for Serbs displaced elsewhere in the pervasive conflict within the former Yugoslavia. This left us with the impression that the evacuation he was seeking would not be the last. Thus, we had been given

¹⁸³⁶ P168, pp.9-10.

¹⁸³⁷ Krulj, T.1980-1.

¹⁸³⁸ Krulj, T.2228- 30; P168, p.49; P163, p.5.

¹⁸³⁹ P2201.

¹⁸⁴⁰ P892 p.24(BCS).

¹⁸⁴¹ P2274; Kirudja, P2240, T.3048.

¹⁸⁴² Kirudja, P2240, T.3057-61.

¹⁸⁴³ Throughout his documentation Kirudja refers to encounters with “mayors” from municipalities in north-west BiH. He is in fact referring to presidents of CSs, Kirudja, P2241, T.3153-54. See also P2264 where Pašić signs a CS letter to Civil Affairs IIQ sector as “Crisis Committee President.”

¹⁸⁴⁴ Kirudja, P2241, T.3087-90; P2244, paras.64-76; P2248.

cause to expect, from a very early stage, a mass expulsion of non-Serb populations from Serbian controlled areas in Bosnia.¹⁸⁴⁵

494. The meeting Kirudja had with the mayor of Bosanski Novi was attended by the RSMUP chief of police.¹⁸⁴⁶ The role of the RSMUP in the deportation was to escort the 5,000 Muslims from their homes.¹⁸⁴⁷

495. UN authorities described the convoys and the situation in Bosanski Novi to UNHCR in Zagreb. They saw Muslims forced from their homes, searches, shelling from Serb villages, the burning of villages and massacres.¹⁸⁴⁸ By 8 June UN authorities described the departure of Muslims from Bosanski Novi as a “massive evacuation, under the guise of humanitarian assistance of some 5,000 Muslim residents of Bosanski Novi.”¹⁸⁴⁹ On 1 June Kuprešanin contacted UNPROFOR explaining that mayors in Bosanski Novi, Prijedor, Ključ, Bosanski Dubica, Sanski Most and Banja Luka were in no doubt about the numbers of Muslim refugees fleeing, estimated at 30,000.¹⁸⁵⁰ UNPROFOR became seriously concerned about the numbers and humanitarian and political ramifications.¹⁸⁵¹ UN authorities became eyewitnesses to the rounding up and deportation of Muslims from Bosanski Novi.¹⁸⁵²

496. UNPROFOR continued receiving reports on the plight of Muslims detained in the stadium in Bosanski Novi.¹⁸⁵³ Additionally, by 6 June Muslim refugees were crossing daily into Croatia in small groups. By 20 June the UNHCR was so concerned that it wrote to the mayor.¹⁸⁵⁴ UNHCR described the movement of Muslims out of Bosanski Novi as a “proposed mass transfer of population” and reminded the mayor that the “forced mass transfer of population on a purely ethnic or racial basis” was a grave crime.¹⁸⁵⁵ By 29 June the scenario was even clearer. Women and children had been deported to Croatia, approximately 1,000 men remained in the Bosanski Novi football stadium.¹⁸⁵⁶

¹⁸⁴⁵ P2244, paras.66,69,73,75.

¹⁸⁴⁶ Kirudja,P2241,T.3096.

¹⁸⁴⁷ P2249,p.3.

¹⁸⁴⁸ P2250.

¹⁸⁴⁹ P2252.

¹⁸⁵⁰ P2253. The author of this document described Kuprešanin as the mayor of Banja Luka whereas he was in fact ARK Assembly President.

¹⁸⁵¹ Kirudja,P2241,T.3113-16.

¹⁸⁵² P2254;Kirudja,P2241,T.3118;P2244,paras.81-2.

¹⁸⁵³ P2258;Kirudja,P2241,T.3128-9.

¹⁸⁵⁴ Kirudja,P2241,T.3119,T.3132.

¹⁸⁵⁵ P2259,p.4.

¹⁸⁵⁶ P2260.

497. SJB Bosanski Novi reported on the train transports taking away inhabitants to central Dobož. On 9 June, 22 closed wagons with 4,000 non-Serb inhabitants left for central Bosnia, escorted by police. 700 inhabitants were returned to Bosanski Novi and imprisoned at the stadium. They were not of any security interest according to police.¹⁸⁵⁷

498. On 3 July Kirudja reported that the situation in Bosanski Novi involved organised, forceful, concerted and coordinated action across several municipalities in north-west BiH to drive out Muslims from Serb held territory. The first reports of camps at Trnopolje and Keraterm were published. Conditions were “atrocious” in the camps. The stadium in Bosanski Novi was described as a “holding ground.”¹⁸⁵⁸

499. Along the Una River, south of Sector North, around Bosanska Dubica the persecution of Muslims continued unabated in early July.¹⁸⁵⁹ DANCON officers¹⁸⁶⁰ saw executions carried out in streets in towns on both sides of the river and obtained information about the expulsion, persecution and torture of Muslims. At a meeting with Serb officials in Bosanska Dubica (including the police chief) allegations of persecutions, summary executions and mass transfers of Muslims from their home municipalities were put to the assembled officials. They denied it.¹⁸⁶¹

500. The response of the BSL to allegations of ethnic cleansing and forcible separation of Muslims from Serbs was to say that the sooner people learnt that Serbs and Muslims could not live together, the sooner the situation would be resolved.¹⁸⁶² On 6 July, Pašić wrote to the Civil Affairs section of UNPROFOR making plain the attitudes of the BSL to the plight of non-Serbs. Muslims and other nationalities sought permits for voluntary departure from Bosanski Novi. They were said to be providing written statements about the exchange of Muslim property with Serbs, following which “according to the administrative procedure, they can depart.” The “safeguarding to the convoy will be provided by internal affairs of Republic of Serbian Krajina workers.”¹⁸⁶³ According to Kirudja, “At this point, I couldn’t help but conclude the systematic nature of what they are doing, and we were able now to come to recognise what we called not long after this letter ethnic cleansing.”¹⁸⁶⁴

¹⁸⁵⁷ P755.

¹⁸⁵⁸ P2262.

¹⁸⁵⁹ P2274.

¹⁸⁶⁰ DANCON was part of DANBAT the Danish UN military force stationed in Sector North; Kirudja, P2240, T.3042.

¹⁸⁶¹ P2263.

¹⁸⁶² Kirudja, P2241, T.3151-2; Kirudja, P2242, T.3173; P2267, para.11.

¹⁸⁶³ P2264, p.1.

¹⁸⁶⁴ Kirudja, P2241, T.3157.

501. Reports reached UNPROFOR of the continued deportation of non-Serbs. The term “cleansing” was now in regular use in reports. The areas cleansed encompassed Bosanski Novi, Bosanska Kostajnica and Bosanska Dubica.¹⁸⁶⁵ By 9 July, UNPROFOR described the evidence of the organised nature of what was happening as “conclusive.”¹⁸⁶⁶ The scale of the deportations was considerable. The convoy of 23 July involved fifty five buses, 200 cars, ambulances and tow vehicles.¹⁸⁶⁷ Kirudja estimated that 9,000 Muslims were in the convoy, far more than the 4,000 envisaged. It took a day for these people to move through Sector North.¹⁸⁶⁸

502. By mid-July the situation of the Muslims from Bosanski Novi was critical. Croatia refused to accept them and Muslims saw no other avenue of escape.¹⁸⁶⁹ Croatia eventually relented and permitted 4,000 refugees from ethnic cleansing in Bosanski Novi to enter Croatia.¹⁸⁷⁰ However, by this stage the pressure on Muslims in northwestern BiH was mounting. Kirudja feared an even greater exodus based on statements made by Pašić and Kuprešanin.¹⁸⁷¹ Serb officials routinely referred to voluntary departure, compulsory sale of property and adopted the mantra of how “we can’t live together.”¹⁸⁷²

503. Pressure on UN agencies to facilitate the expulsion of Muslims continued. On 19 August Serb and two Muslim representatives from communities in Sanski Most, Bosanska Krupa and Prijedor met with UN representatives to facilitate convoys transporting Muslims from those municipalities. Vlado Vrkeš, SDS President in Sanski Most, and Dragan Majkić, Police Chief of Sanski Most, attended. The UN refused to participate in this type of planned mass evacuation associated with ethnic cleansing.¹⁸⁷³ Ethnic cleansing continued in September in Bosanski Novi, Sanski Most, Prijedor, Banja Luka and Bosanska Dubica with a steady stream of non-Serbs trying to escape.¹⁸⁷⁴ In October the practice continued unabated.¹⁸⁷⁵

¹⁸⁶⁵ P2265.

¹⁸⁶⁶ Kirudja,P2242,T.3168.

¹⁸⁶⁷ P2270.

¹⁸⁶⁸ Kirudja,P2242,T.3181.

¹⁸⁶⁹ P2268;P2269.

¹⁸⁷⁰ P2211.

¹⁸⁷¹ Kirudja,P2242,T.3180.

¹⁸⁷² Kirudja,P2242,T.3183.

¹⁸⁷³ Kirudja,P2244,para139.

¹⁸⁷⁴ P2273,paras9-11;Kirudja,P2242,T.3193-6.

¹⁸⁷⁵ P2273,paras12-5;Kirudja,P2242,T.3197-8.

504. Čelinac¹⁸⁷⁶ was predominantly Serb.¹⁸⁷⁷ On 23 July, its War Presidency issued a decision on the special status of non-Serbs.¹⁸⁷⁸ Non-Serbs were allowed to live “within the boundaries of their property.” They were allowed to leave so long as the entire family left. They were not allowed to move around Čelinac town, linger in the street, use cars, gather in groups of more than three, swim in the river, fish, hunt or sell property. This decision was sent to SJB Čelinac, which was instructed to “see to the implementation of this Decision.” During an interview with an international journalist, ŽUPLJANIN dismissed the decision as the product of “some excesses by individuals who are out of control.”¹⁸⁷⁹

505. The round-up of Muslims in Čelinac continued in August. On 17 August the president of Čelinac municipality visited ST-183, complaining about Muslims gathered in front of the municipality building. Čelinac SDS president, Kuzmanović, was responsible. ST-183 was ordered to investigate and went with ŽUPLJANIN, Brdanin and military officials to Čelinac where he saw a large group of Muslims who had been rounded-up by former members of the CSB Banja Luka Special Police Detachment in retaliation for the death of some Serb soldiers. ST-183 arranged to place the Muslims in a school for their safety. However, it is clear that the Čelinac BSL was engaging in a policy to remove the Muslims from the municipality and that both CSB Banja Luka and SJB Čelinac were directly assisting in the implementation of this policy.¹⁸⁸⁰

506. On 26 September, ŽUPLJANIN was interviewed by Traynor. ŽUPLJANIN stated problems had arisen as a result of revenge attacks on “a few Muslim houses” following the death of some Serb soldiers and the perpetrators had been arrested.¹⁸⁸¹ [REDACTED]¹⁸⁸²

507. Bosanska Gradiška¹⁸⁸³ was an overwhelming Serb municipality¹⁸⁸⁴. Yet the absolute dominance of Serbs in this municipality did nothing to blunt the deportation of non-Serbs in accordance with the JCE. In May 1993 the RSMUP estimated that between 9,500-10,000 Muslims had moved out as well as 1,000 Croats. Close to two-thirds of all Muslims and one-third of Croats were gone while Serb numbers increased.¹⁸⁸⁵

¹⁸⁷⁶ P2201.

¹⁸⁷⁷ P890 p.25(BCS).

¹⁸⁷⁸ P459.8.

¹⁸⁷⁹ Traynor,P135.2,p.11;Traynor,T.10363.

¹⁸⁸⁰ [REDACTED];P1295.25;P1295.26;P1295.27 (attributing blame to SJB Čelinac).

¹⁸⁸¹ Traynor,P1356.2,pp.10-1.

¹⁸⁸² [REDACTED].

¹⁸⁸³ P2201.

¹⁸⁸⁴ P892 p.24(BCS).

¹⁸⁸⁵ P425,p.4.

508. SJB Bosanska Gradiška chief, Vladan Vešić, attended the 6 May meeting in Banja Luka where the hierarchy of command and the operation of the RSMUP was explained by ŽUPLJANIN.¹⁸⁸⁶ Disarmament was on the agenda and specific instructions were issued to refrain from action past an 11 May deadline until the CS took the relevant decisions.¹⁸⁸⁷

509. The persecutory activities seen in other municipalities were repeated in Bosanska Gradiška¹⁸⁸⁸

3. Implementation of the Common plan at the Regional Level

(a) Autonomous Region of Krajina

510. As has already been discussed,¹⁸⁸⁹ regionalisation was a key part of the BSL's plan to establish its state. The importance of having a regional level of authority which could co-ordinate the activities of political, civilian, (including the police) and military organs is demonstrated by the evidence of events in the ARK. "Co-ordination" is the operative word and the effect was best summed up in the 29 July report on the activities of the Ključ CS:

During the armed conflict, representatives (commanders) of the Army of the Serbian Republic of Bosnia and Herzegovina regularly attended the crisis staff and War Presidency meetings. They commanded and carried out the war activities for the defence of the territory and citizens of the Ključ Municipal Assembly against Muslim extremists. They cooperated and coordinated everything very well with the crisis staff of the Ključ Municipal Assembly. All important and significant issues in the military and police domain were not resolved outside the crisis staff of the Municipal Assembly. This period could be described as a period of very successful co-operation between the crisis staff and military bodies in defeating the armed resistance of Muslim extremists.¹⁸⁹⁰

511. The political leadership in the municipalities had to retain a certain amount of autonomy as the conditions were not identical in every municipality. Although there was a certain amount of attempted or actual interference by the political authorities in the police and military chains of command, (in pursuit of the common goal of establishing Serb authority in the territory), those chains of command remained intact. Moreover, the co-ordinated efforts of the ARK authorities

¹⁸⁸⁶ P367.

¹⁸⁸⁷ P367,para.23.

¹⁸⁸⁸ ST-013,T.26062-63 *see also* P411.29,p.3.

¹⁸⁸⁹ *See* Section II.A.1.

¹⁸⁹⁰ P451,p.3.

were successful, in that already on 12 May, ŽUPLJANIN was explaining that “total control” had been established over 25 SJBs.¹⁸⁹¹

512. The political leadership of the ARK was headed by Brđanin, Kuprešanin, Radislav Vukić and Predrag Radić (who tried to disassociate himself from the first three).¹⁸⁹² Although less of a public figure, Jovan Čizmović directly reported to Karadžić.¹⁸⁹³ The first three all made speeches in the BSA demonstrating their commitment to the common plan.¹⁸⁹⁴ Kuprešanin could not have made it any clearer:

In Bosanska Krajina we have the following situation: we have vast territories, specifically in Prijedor where over 70% , even up to 80% is Serb territory. The plebiscite has shown us accurately which territory is ours and, in accordance with the plebiscite we have to annex this territory. The situation is similar in Bosanska Krupa also where there are few Serb inhabitants but about 80% of the territory belong to the Serbs. We must include that territory too and form a Serb municipality.¹⁸⁹⁵

513. Some of the speeches made on television and radio, from the end of 1991 onwards, were designed to terrify non-Serbs into leaving the ARK.¹⁸⁹⁶ These speeches included references to only a small percentage of non-Serbs being allowed to remain in Banja Luka,¹⁸⁹⁷ that non-Serbs would not be allowed to give birth in the hospital¹⁸⁹⁸ and the use of derogatory terms “Turks” and “Ustasha”¹⁸⁹⁹ to describe non-Serbs. These speeches continued throughout the Indictment period.¹⁹⁰⁰ They had the desired effect,¹⁹⁰¹ however the exodus of non-Serbs did not take place in sufficient numbers. Hence, decisions made at the regional level were designed to be executed by municipal organs to best achieve desired results.¹⁹⁰²

514. On 24 February, the SDS appointed Vukić as “Co-ordinator for the SAO Krajina”. Among his duties was “to take part in the work of the SAO Krajina CS.”¹⁹⁰³ Accordingly, the ARK leadership, like the municipality leadership, was complying with the “A/B” instructions. The first signs of a CS came with the incursion of the SOS into Banja Luka.¹⁹⁰⁴ The day after the

¹⁸⁹¹ P560,p.1. By 30 June, all Indictment municipalities had been taken over.

¹⁸⁹² *But see* P461.

¹⁸⁹³ Čizmović’s role at the time was to ensure regional implementation of Variant A/B. P1154;P1845;P2070 p.13. *See also* P1190;P870.

¹⁸⁹⁴ P10,p.26(Vukić);P1318.18,pp.11,14.

¹⁸⁹⁵ P1933,p.25.

¹⁸⁹⁶ Brđanin admitted trying to put “the fear of God” into non-Serbs;P2113,p.9.

¹⁸⁹⁷ Krzić,P459.2,T.1548-9;[REDACTED].

¹⁸⁹⁸ Džonlić,P2287,T.2308.

¹⁸⁹⁹ Krzić,P459.1,T.1469.

¹⁹⁰⁰ P459.21,p.1.(e.g., “non-Christian scum”).

¹⁹⁰¹ Krzić,P.459.2 T.1551-2.

¹⁹⁰² Notwithstanding the ARK CS declaration on 26 May that it was the “highest organ of authority”(P441,p.29), there were times when municipalities received instructions directly from Pale; Radić,P2096,T.7421-4.

¹⁹⁰³ P1848.

¹⁹⁰⁴ *See* Section II.D.2.c.;P536;P557. On 4 April, Karadžić announced that CSs were to be activated. P443.

“acceptance” of the SOS demands, Brđanin stressed that “changes in personnel” were a priority, and Vukić added that named non-Serbs in the military had to “pack their bags and go home.”¹⁹⁰⁵ Brđanin similarly named specific persons who had to be dismissed in a 21 April interview.¹⁹⁰⁶ [REDACTED]¹⁹⁰⁷

515. On 26 April Đerić issued instructions for the work of CSs. These made it clear that municipal CSs would report to both the regional and republican level.¹⁹⁰⁸ On 4 May, a general mobilisation was ordered containing the first of many deadlines for the surrender of “illegally” held weapons.¹⁹⁰⁹ The following day, the ARK announced the decision forming the Regional CS listing members of the so-called “War Staff.”¹⁹¹⁰ ARK municipalities also made public declarations on the Serb CSs’ existence.¹⁹¹¹

516. Between 6 May and 17 July,¹⁹¹² the ARK CS issued decisions designed to rid the area of its non-Serb population and which fell into two categories: those inherently criminal and those leading directly to crimes. The first category included decisions dismissing non-Serbs from employment in all areas.¹⁹¹³ Although originally couched in euphemistic terms such as “absolutely loyal” and “standardisation,” all pretence had gone by 22 June and “only personnel of Serbian ethnicity” were allowed to hold positions in institutions (including RSMUP and VRS).¹⁹¹⁴ These decisions included the expulsion of non-Serbs. These too were couched in euphemistic terms.¹⁹¹⁵ However it was recognised for what it really was by everyone including the VRS: “those departing will not be allowed to return”.¹⁹¹⁶ In order to “facilitate” the departures, the CS established an agency to work on population resettlement.¹⁹¹⁷

517. The second category included disarmament orders and restrictions on the amount of money and property non-Serbs were allowed to take with them. After the original 4 May disarmament

¹⁹⁰⁵ P1098.23.

¹⁹⁰⁶ P463.

¹⁹⁰⁷ [REDACTED].

¹⁹⁰⁸ P70. *See also* Hanson, T.4391.

¹⁹⁰⁹ P467.

¹⁹¹⁰ P556. The Defence suggested that this was a separate body from the CS, however the evidence both from the regional and municipal CSs shows that, whether called “CS”, “War Staff” or “War Presidency”, the composition and functions of these bodies remained the same. Hanson, T.4626-30.

¹⁹¹¹ *See* Appendix.V.D.

¹⁹¹² On that date, the ARK Assembly “verified” the decisions of the ARK CS. Both ŽUPLJANIN and Talić delivered reports; P1827.

¹⁹¹³ P441 (8-9,11,13-4,22,26 May); *See also* P1809 (1KK reporting on these orders) and Krzić, T.5111-27.

¹⁹¹⁴ P462.

¹⁹¹⁵ P441(29 May).

¹⁹¹⁶ P411.29,p.1. (emphasis added).

¹⁹¹⁷ P441 (26 May). *See also* Krzić, T.5134-5; [REDACTED].

order, further decisions were issued by the ARK CS.¹⁹¹⁸ [REDACTED]¹⁹¹⁹ and led to the unjustified attacks in the municipalities and the subsequent looting and destruction of non-Serb property.¹⁹²⁰ On 3 June, the ARK CS passed a decision limiting the amount that could be taken out to 300 DM¹⁹²¹ and on 19 June a decision in respect of property left behind. [REDACTED]¹⁹²²

518. These decisions by the ARK CS were distributed to¹⁹²³ and implemented by the Serb municipal leaders who in turn passed decisions relating to dismissals,¹⁹²⁴ expulsions,¹⁹²⁵ disarmament¹⁹²⁶ and appropriation of property.¹⁹²⁷ Moreover, the records of municipal CS meetings show that they accepted the ARK CS's authority, reported on actions taken,¹⁹²⁸ attended ARK CS meetings and sought advice and assistance.¹⁹²⁹ On occasions, it was the municipality leaders who put pressure on the regional authorities to go further.¹⁹³⁰

519. The ARK police, military and political leadership were closely linked. Meetings took place between Brđanin, ŽUPLJANIN and Talić before the outbreak of the conflict.¹⁹³¹ ŽUPLJANIN also attended BSA meetings,¹⁹³² SDS meetings and rallies (standing near Brđanin whilst he makes inflammatory speeches).¹⁹³³ [REDACTED]:

[REDACTED]¹⁹³⁴

520. ŽUPLJANIN, as a member of the ARK CS,¹⁹³⁵ made the police relationship with the regional authorities crystal clear to his subordinates:

In all our activities, we are obliged to observe all measures and apply all procedures ordered by the CS of the Autonomous Region.¹⁹³⁶

¹⁹¹⁸ P441 (8- 9,11,14,18 May).

¹⁹¹⁹ [REDACTED];[REDACTED].

¹⁹²⁰ For details, see individual municipality sections. See also Brown,P1803,paras.2,10-21,2,164-8.

¹⁹²¹ P441(3 June).

¹⁹²² [REDACTED];[REDACTED].

¹⁹²³ P559.

¹⁹²⁴ P432.10;P960.19;P1917.

¹⁹²⁵ P1861;P411.22.

¹⁹²⁶ P1620;P1832;P372;P78;P372;P951;P1647.

¹⁹²⁷ P411.56.

¹⁹²⁸ Radić,P2096,T7404-9.

¹⁹²⁹ P411.17;P109;P78;Hanson,P82,p.2;P949;P448,p.23. See also [REDACTED];P2014,p.1.

¹⁹³⁰ P432.16;P1295.11.

¹⁹³¹ See, e.g., ST-174,[REDACTED];ST-183, P.1295.1,T.15330-1

¹⁹³² Video of 21st BSA;P.2039.

¹⁹³³ P459.21;ST-174,T.8051.

¹⁹³⁴ [REDACTED];[REDACTED].

¹⁹³⁵ Confirmed by Radić. See P2096,T.7386-88.

¹⁹³⁶ P367,p.4. In making this statement, he was doing no more than re-iterating what STANIŠIĆ made clear at the Trebinje meeting on 20 August. P163,p.13.

521. In line with this, ŽUPLJANIN forwarded the decisions on disarmament,¹⁹³⁷ dismissals,¹⁹³⁸ expulsion¹⁹³⁹ and money restrictions¹⁹⁴⁰ to his SJB chiefs. They in turn were members of the municipal CSs. The SJB chiefs, therefore, were informed via both avenues of the regional decisions and would accordingly report to both on actions taken to comply with them.

522. The military were represented at the regional level by Talić, who took over the command of the JNA 5th Krajina Corps in March 1992. He was a highly experienced JNA officer who had seen action in Western Slavonia during the Croatian conflict.¹⁹⁴¹

523. [REDACTED]¹⁹⁴² [REDACTED]¹⁹⁴³ By 29 April, General Kukanjac was noting that 80% of the members of JNA units in BiH were Serbs and that the ARK Assembly had adopted a decision to prevent troops and equipment leaving the area.¹⁹⁴⁴

524. By that stage, units of the 5th Corps had been re-deployed into the ARK with orders to take “full control of the territory” and “establish full co-operation” with municipal TO and police authorities.¹⁹⁴⁵ After the formation of the VRS on 12 May, the 5th Corps became the 1KK.¹⁹⁴⁶ On 21 May a dispatch sent to all 1KK units expressed the goals in identical terms to those expressed in BSA meetings:

The constituent Serbian people, who live on around 65% of the area and represent more than 35% of the population of BH, must struggle for complete separation from the Muslim and Croatian peoples and form their own state.¹⁹⁴⁷

525. The CS had the participation of the military through the inclusion of Talić’s Chief of Staff,¹⁹⁴⁸ Colonel Kelečević.¹⁹⁴⁹ Talić himself was on the ARK CS and was aware of decisions through staff he sent when he was absent.¹⁹⁵⁰ Co-operation between military, political and police authorities was essential as far as the VRS was concerned.¹⁹⁵¹ Talić’s Brigade Commanders (e.g. Basara, ST-197 and Arsić) regularly attended meetings of the municipal authorities in

¹⁹³⁷ P370.

¹⁹³⁸ P577.

¹⁹³⁹ P468;P1883.

¹⁹⁴⁰ P594.

¹⁹⁴¹ P1803,paras.1.19-28.

¹⁹⁴² [REDACTED].

¹⁹⁴³ [REDACTED].

¹⁹⁴⁴ P1803,paras.1.12-3. *See also* P550;P551.

¹⁹⁴⁵ *See, e.g.*, P60.3. *See also* Basara, T.1235-6; [REDACTED]; P1803, para.2.5.

¹⁹⁴⁶ The 1KK was the biggest corps in the VRS; P.1781, p.71.

¹⁹⁴⁷ P106.

¹⁹⁴⁸ P1295.19, p.14.

¹⁹⁴⁹ P536.

¹⁹⁵⁰ *See, e.g.*, P1786; P1809; P1803, para.1.113.

¹⁹⁵¹ P1803, paras.1.101-26.

respectively Sanski Most,¹⁹⁵² Kotor Varoš¹⁹⁵³ and Prijedor.¹⁹⁵⁴ Contacts between Talić and the ARK leadership were maintained even outside the CS meetings.¹⁹⁵⁵

526. Dismissals of non-Serbs from the 1KK also demonstrates its compliance with ARK leadership decisions. On 9 June, the Assistant Commander for Morale, Vukelić, reported that during the ARK CS meeting the previous day:

It was stated that within the units of the 1st Krajina Corps, 14th PoB /logistics base/, and the units of the RV i PVO /airforce and anti aircraft defence/ in Banja Luka garrison there are 67 officers of Muslim or Croatian nationality. An ultimatum was issued requesting removal of these persons from vital and command posts by 15 June 1992, or they will take over the control over the OS /armed forces/. *We consider their demand to be justified.*¹⁹⁵⁶

The same day Mladić responded saying that Muslim and Croat “superiors” were to be sent on leave immediately.¹⁹⁵⁷

527. The VRS and RSMUP forces co-operated in checkpoint operations,¹⁹⁵⁸ in the attacks on non-Serb areas in the ARK and in the major military operations designed to achieve the strategic goals of the BSL. The Corridor operation directly affected the ARK and ŽUPIJANIN provided special units of police to assist the 1KK with this and other operations.¹⁹⁵⁹

528. The apogee of the political, police and military co-operation in pursuit of the common goal in the ARK may be seen in the network of detention facilities which were created across the area. The details of these facilities, the knowledge of both Accused, the BSL and the military leadership as well as their contribution to the operation of these facilities, are discussed elsewhere in this Brief.¹⁹⁶⁰

529. The failure of the police (at the republic, regional and municipal level) to investigate serious crimes committed against the non-Serb population between April-December, is addressed throughout this Brief. To the extent that the perpetrators were members of the army, the military police, prosecutor’s offices and courts (the military judiciary) likewise failed to properly investigate these crimes, thereby contributing to the creation of a culture of impunity among the Serb

¹⁹⁵² P385.

¹⁹⁵³ P87.

¹⁹⁵⁴ P1620(Prijedor NDC).

¹⁹⁵⁵ On 1 July, Brđanin visited Talić at Duge Njive. P1295.19 p.35. *See also* P1295.19,pp.59,173,208.

¹⁹⁵⁶ P1295.18,p.1.

¹⁹⁵⁷ P1747.

¹⁹⁵⁸ P1009,2D25

¹⁹⁵⁹ Section III.B.5 and III.C.5;P1668,[REDACTED].

¹⁹⁶⁰ *See* Section III.B.(b) and III.C.(b)

perpetrators and a climate of fear among the non-Serb population. [REDACTED]¹⁹⁶¹
[REDACTED]¹⁹⁶² [REDACTED]¹⁹⁶³ [REDACTED]¹⁹⁶⁴

530. [REDACTED]¹⁹⁶⁵ This pressure resonated not only from municipal officials, but also members of the BSL at the regional and republic level.¹⁹⁶⁶ [REDACTED]¹⁹⁶⁷ [REDACTED]¹⁹⁶⁸

(b) Northern Bosnia and CSB Doboj implemented the common plan

531. An SAO was created in Northern Bosnia in Doboj on 4 November 1991,¹⁹⁶⁹ regrouping 17 municipalities, including Doboj, Teslić and Bosanski Šamac.¹⁹⁷⁰ This decision was verified by the BSA.¹⁹⁷¹ [REDACTED]¹⁹⁷² [REDACTED]¹⁹⁷³ despite the vocal presence and participation of Northern Bosnia representatives at BSA sessions.¹⁹⁷⁴ From May, RS decisions and RSMUP orders were brought by Doboj deputies of the BSA when returning from BSA sessions in Pale.¹⁹⁷⁵ Hence, whether the SAO was functional or not, RS instructions made their way to the Doboj region.

532. CSB Doboj covered nine municipalities before April 1992.¹⁹⁷⁶ Bosanski Šamac and Doboj¹⁹⁷⁷ were quickly taken over by Serbs within a month of the beginning of the conflict, while Teslić,¹⁹⁷⁸ Modriča and Derventa followed in June.¹⁹⁷⁹ Bosanski Brod and Odžak were taken later during the summer. Maglaj and Tešanj remained within the RBiH and a new municipality (Petrovo) was created under the Doboj umbrella.¹⁹⁸⁰

533. Bjelošević, who had been CSB chief since May 1991, was appointed by the RSMUP on 1 April 1992 (confirmed on 15 May).¹⁹⁸¹ The SDS controlled the Doboj CSB and SJB, most non-Serb

¹⁹⁶¹ [REDACTED];1D367.

¹⁹⁶² [REDACTED];Although the perpetrators also implicated SJB Chief Kondić and the unit's commanding officer at the very least in the cover-up of the crime, neither were investigated nor charged;P1284.32,p.6;P1280, pp.45,52-3,55,57.

¹⁹⁶³ [REDACTED].

¹⁹⁶⁴ [REDACTED];[REDACTED];[REDACTED];P1275 (releasing Stanković);P1284.38;P1284.49;P1284.54;P1284.58;1D41;ST-223,T.18045-6.

¹⁹⁶⁵ [REDACTED];[REDACTED];[REDACTED].

¹⁹⁶⁶ See, e.g. P1284.14,P1284.15;P1284.16;P1284.38;P1284.50.

¹⁹⁶⁷ [REDACTED]. [REDACTED]. See also 2D107,p.4;Kovačević,T.14301-2;1D367,p.2;P1284.55 .

¹⁹⁶⁸ [REDACTED];[REDACTED].

¹⁹⁶⁹ P1353.18.

¹⁹⁷⁰ P1353.19;P774.

¹⁹⁷¹ P2095;P11.

¹⁹⁷² [REDACTED].

¹⁹⁷³ [REDACTED].

¹⁹⁷⁴ P267,p.6;P427.9,pp.39-42;P180;P778,p.2;P267;P427.9,pp.39-42;P1843,pp.56,69.

¹⁹⁷⁵ Bjelošević,T.21071.

¹⁹⁷⁶ Lišinić,T.26463;Bjelošević,T.19419.

¹⁹⁷⁷ See Section II.D.2.(g) and II.D.2.(m).

¹⁹⁷⁸ See Section II.D.2.(q).

¹⁹⁷⁹ Bjelošević,T.19633-4. See also 1D497;1D55.

¹⁹⁸⁰ Bjelošević,T.19826-7.

¹⁹⁸¹ P1410;P455.

members of the CSB leadership left by the end of April.¹⁹⁸² No efforts were made to maintain a multi-ethnic police force in CSB Doboj from April. Accordingly a Serb MUP was established to achieve the BSL goals.¹⁹⁸³

534. [REDACTED]¹⁹⁸⁴ Bjelošević claimed that from 3 May to 30 June he was working for the army at the 1KK forward command post (IKM) in Duge Njive because during, this time the CSB ceased to operate.¹⁹⁸⁵ Bjelošević's motive for this assertion is to distance himself from any knowledge of the severe crimes, occurring in Teslić, Doboj and Bosanski Šamac during these two months. No evidence supports his assertion. He was unable to produce documents evidencing his alleged assignment. Moreover, there is no mention of Bjelošević in the 1KK's War Diary (compiled at Duge Njive).¹⁹⁸⁶ While Bjelošević may have attended meetings at the 1KK IKM, he remained in charge of the CSB and worked in his office during this time.¹⁹⁸⁷ He tried to distance himself from his own deputy, Milan Savić, claiming that Savić's appointment was the result of CS pressure.¹⁹⁸⁸ No evidence supports Bjelošević's claim. Petrović was not challenged on this point and he stated that Bjelošević and Savić were on good terms.¹⁹⁸⁹ Savić's appointment is signed by Bjelošević¹⁹⁹⁰ and the CS's letter supporting this appointment was issued following Bjelošević's proposal.¹⁹⁹¹ Savić obtained his position as Deputy Chief because he was a member of the SDS and had proven himself by blowing up buildings belonging to other political parties.¹⁹⁹²

535. Throughout the second half of 1992, SJBs under CSB Doboj continued persecuting the non-Serb civilian population.¹⁹⁹³ No measures were taken to prevent or punish perpetrators. As illustrated elsewhere, criminals such as Predrag Kujundžić were accepted as part of the RSMUP.¹⁹⁹⁴ The same applied to Nikola Jorgić and Slobodan Karagić whose criminal proclivities were known to Bjelošević.¹⁹⁹⁵

¹⁹⁸² Lišinović, T.26450, T.26463-4.

¹⁹⁸³ P1988, p.42; P1997, p.6; P439, p.22; P708, pp.44-5.

¹⁹⁸⁴ [REDACTED].

¹⁹⁸⁵ Bjelošević, T.19608-13.

¹⁹⁸⁶ P1295, 19.

¹⁹⁸⁷ Lišinović, T.26469; P2330(T.21082); P2332(T.21090-1); Vidić, T.9313-5; Bjelošević, T.19628; P1305.

¹⁹⁸⁸ Bjelošević, T.19617-9.

¹⁹⁸⁹ O.Petrović, T.9887-8.

¹⁹⁹⁰ 1D464.

¹⁹⁹¹ 1D463.

¹⁹⁹² ST121, T.3710-3.

¹⁹⁹³ Section II.D.2.(m).

¹⁹⁹⁴ Section II.D.2.(m).

¹⁹⁹⁵ O.Petrović, T.9855-6; Bjelošević, T.20977-8, T.20987-8, T.21001-8; P2324; P2326.

536. In relation to Bosanski Šamac, Bjelošević was aware of Todorović's failures by August.¹⁹⁹⁶ Allegedly faced with CS's objections to Todorović's removal, Bjelošević stated that "it was exceptionally difficult to work in a lawful manner".¹⁹⁹⁷ He claims that he proposed Todorović's removal to STANIŠIĆ by September.¹⁹⁹⁸ No action was taken against Todorović for the crimes committed in 1992. Bjelošević kept Todorović on the police payroll and invited him to CSB meetings at least until the end of 1992.¹⁹⁹⁹ Bjelošević took a similar position with the SJB leaders in Teslić who, despite being involved with the Miće group, were reinstated in September 1992.²⁰⁰⁰ Bjelošević himself used members of the Miće in combat operations in November 1992.²⁰⁰¹ Like his counterparts elsewhere Bjelošević was happy to investigate non-Serbs.

(c) Other Regions

537. The common plan was implemented at the regional level in the remaining SAOs, namely SAO Romanija-Birač, SAO Semberija and Majevisa and SAO Eastern Herzegovina.²⁰⁰² Two separate entities, SAO Romanija and SAO Birač, joined to form SAO Romanija-Birač²⁰⁰³ which covered the Sarajevo area, including Ilijaš, Vlasnica, Pale and Vogošća.²⁰⁰⁴ SAO North-Eastern Bosnia was formed in November 1991.²⁰⁰⁵ This SAO included, amongst other municipalities, Bijeljina and parts of Brčko and Zvornik.²⁰⁰⁶ It was later renamed SAO Semberija and Majevisa. SAO Eastern Herzegovina was formed on 12 September 1991²⁰⁰⁷ and included the municipalities of Trebinje, Bileća, Gacko and Visegrad.²⁰⁰⁸ An SAO President, and members in charge of the SAO, were appointed, and a Municipal Court was set up.²⁰⁰⁹ The SAO coordinated with the Municipal SDS board and CSs²⁰¹⁰ as well as with the republican level.²⁰¹¹

(i) CSB Sarajevo

¹⁹⁹⁶ Bjelošević, T.21101-2.

¹⁹⁹⁷ Bjelošević, T.19784.

¹⁹⁹⁸ Bjelošević, T.21105-6.

¹⁹⁹⁹ P2336;P2337;P2338.

²⁰⁰⁰ Section II.D.2.(q).

²⁰⁰¹ P835.

²⁰⁰² ID398;Derić, T.2403;Mandić, T.9469;AF85. The ARK and Northern Bosnia are discussed in Sections III.C.3.(a), and II.D.3.

²⁰⁰³ P773;P774.

²⁰⁰⁴ P2095;Donia, T.385-6. Selak said that the SAO Romanija-Birač was "to be the Bosnian Serb counterpart to the city government of Sarajevo". Selak, T.322-3. *See also* P772.

²⁰⁰⁵ P772.

²⁰⁰⁶ P772;Škipina, T.8373;P2095.

²⁰⁰⁷ P771.

²⁰⁰⁸ P2095;P771;Mačar, T.23020.

²⁰⁰⁹ ID756, p.2;AF1230;P1849.

²⁰¹⁰ P1849. CSs were established in the SAOs, AF97.

²⁰¹¹ ID650.

538. CSB Sarajevo was the RSMUP regional police centre for the SAO Sarajevo (sometimes referred to as Romanija-Birac). It had 19 subordinate SJBs under its jurisdiction, including, among others the Indictment municipalities of Ilijaš, Pale, Vlasenica, Vogošća, and Zvornik.²⁰¹² Zoran Cvijetić was the first chief of RSMUP's CSB Sarajevo whose police were among the earliest to take the solemn declaration to the new RSMUP on 30 March in the presence of STANIŠIĆ.²⁰¹³

539. At the start of the conflict CSB Sarajevo was co-located with the RSMUP headquarters at the Vraca police academy, but relocated to Lukavica in July.²⁰¹⁴ CSB Sarajevo played a similar role in the implementation of the common plan as did the CSBs in Banja Luka and Doboj described above. As the leading police organ in the region CSB Sarajevo was the link connecting RSMUP headquarters and STANIŠIĆ with the municipal SJBs, forwarding down orders and requests for information and passing up the responses and daily reports.²⁰¹⁵

540. This CSB was responsible for many of the urban SJBs in and around greater Sarajevo and also had responsibility over smaller, more rural SJBs. Nevertheless, it had many of the same problems as the other four RSMUP CSBs. Indeed, when Cvijetić was called upon to report at the 11 July Collegium in Belgrade he said there was no need for him to speak in detail as the Banja Luka chief (ŽUPLJANIN) had already raised most of the issues that were common for all the centres.²⁰¹⁶ One problem ŽUPLJANIN pointed out was the massive rounding up on non-Serb civilians and putting them in collection centres in inhumane conditions.²⁰¹⁷

541. Those common problems included the heavy engagement of police in combat, especially in the greater Sarajevo area.²⁰¹⁸ In addition, it included the related problem of non-Serb civilians in areas where the RS forces (VRS, RSMUP, and paramilitaries) were "liberating" new territory. As noted in a 15 November report about "Certain Political-Security Aspects in the Area of the Romanija-Birač Security Centre":

In certain environments, that is, municipalities, there are some difficulties with the undefined status on non-Serb citizens [...] there was much negligence and many disagreements when it came to co-ordination between the army and the police. This reflected upon the security situation in the given environments and mainly resulted in individuals carrying out persecutions and mistreating the non-Serb population.²⁰¹⁹

²⁰¹² P879,P645,P1061,P336.

²⁰¹³ 1D633.

²⁰¹⁴ P740,p.4.

²⁰¹⁵ P1428,logbook of incoming and outgoing telegrams;P1061,P1073.

²⁰¹⁶ P160,p.10.

²⁰¹⁷ P160,p.7.

²⁰¹⁸ P160,p.10.

²⁰¹⁹ P748.

542. CSB Sarajevo had generally good communications with its subordinate SJBs.²⁰²⁰ Quarterly reports show that Cvijetić was informed about problems with paramilitaries, rampant crime, and the detention of civilians in collection centres.²⁰²¹ Cvijetić also had monthly meetings with his SJB chiefs and was informed face-to-face about crimes being committed by police and others against the non-Serb population.²⁰²² He took no actions to discipline or arrest the perpetrators of these crimes.

(ii) CSB Trebinje

543. CSB Trebinje was part of SAO Herzegovina,²⁰²³ and the CSB itself encompassed Trebinje, Gacko, Nevesinje, Ljubinje, Foča, Grude, Višegrad and Čajniče.²⁰²⁴ The CSB Trebinje chief was Krsto Savić, appointed by STANIŠIĆ on 1 April and again on 15 May.²⁰²⁵

544. A report of 13 January 1993 surveyed CSB Trebinje's work during 1992.²⁰²⁶ At the end of March 1992, all non-Serb officers were disarmed in all SJBs. A group of 55 RSMUP officers were engaged in guarding "collection centres and similar facilities".²⁰²⁷ A special police unit had been formed by April 1992.²⁰²⁸

545. Looting was systematic, large numbers of vehicles were confiscated "in co-ordinated activities at the checkpoints".²⁰²⁹ CSB Trebinje engaged in "mopping up" operations including confiscating household items and placing the material in municipal warehouses.²⁰³⁰

546. The activities of paramilitary groups in SAO Herzegovina were reported by CSB Trebinje. Although complaints were made, their initial arrival was welcomed and they operated in conjunction with the VRS.²⁰³¹ CSB Trebinje dealt with them by eliminating the leaders and filling their ranks with local men.²⁰³²

²⁰²⁰ P793,p.5.

²⁰²¹ P740,pp.4-6;P793,pp.2-4.

²⁰²² ST-179,T.7474-6;7511-5;7548-50.

²⁰²³ P165.

²⁰²⁴ ID636.

²⁰²⁵ P170;P1414.

²⁰²⁶ P169.

²⁰²⁷ P169,p.3.

²⁰²⁸ See P798;Kruļj,T.2210-1,T.2000-2.

²⁰²⁹ P162,p.3.

²⁰³⁰ P158; see also P168,p.15.

²⁰³¹ P161,p.3.

²⁰³² P161,p.9.

547. On 19 August, CSB Trebinje sent a situation assessment to the RSMUP.²⁰³³ Disarmament operations of “extreme Muslims” had resulted in the capture of large numbers of Muslims. The police continued disarmament of what they described “extreme Muslims” in other municipalities resulting in “a massive moving out of Muslims from Gacko, Nevesinje, Bileća and Ljubinja, and partially from Trebinje.”²⁰³⁴ On 20 August, STANIŠIĆ convened a Collegium meeting in Trebinje.²⁰³⁵ Savić reported on the successful resolution of the problem of paramilitary groups operating in the region.²⁰³⁶

4. Implementation of the Common Plan at the Republic Level

(a) Political Leadership

548. The BSL was the primary driving force behind the implementation of the common plan. Having created the BSA in October 1991 and proclaimed the RS on January 1992, the BSL continued their pursuit of a Serb-dominated state within Bosnia.²⁰³⁷

549. The BSL was made up of the political leaders in the highest positions in the RS, including the NSC, the Presidency, the BSA, the Government (which included all the ministries) and the top echelon of the VRS. As primary deciders and the policy-makers, they had *de jure* and *de facto* authority to make things happen in the RS.

550. Months before the conflict broke out in BiH, the BSL had made extensive preparations in anticipation of taking power when the time was right.²⁰³⁸ After the success of the plebiscite, the SDS and Serb forces in each region established physical and political control over municipalities where it had not already gained control by virtue of the elections.²⁰³⁹ In these regions, the SDS representatives established parallel governments and separate police forces.²⁰⁴⁰

551. On 24 March, Karadžić stated at the BSA session:

This will be very soon, we can form whatever we want [...] at a given moment, in the next three or four days there will be a single method used and you will be able to apply it in the municipalities

²⁰³³ P162.

²⁰³⁴ P162,p.2.

²⁰³⁵ P163.

²⁰³⁶ P163,p.4.

²⁰³⁷ AF63;AF90;AF91;AF93.

²⁰³⁸ Section II.A.

²⁰³⁹ AF94.

²⁰⁴⁰ AF95.

you represent, including both things that must be done as well as how to do them. How to separate the police force, take the resources that belong to the Serbian people and take command [...] ²⁰⁴¹

552. Within a week of those remarks, the Serbs began the forceful takeover of Bijeljina municipality, the first in a series that would occur during the next ten weeks.²⁰⁴² Plavšić would later acknowledge that she personally invited Arkan, Šešelj, Jović and others to come and fight for the Serbian cause.²⁰⁴³

553. On 6 and 7 May, Karadžić and Krajišnik met with Mladić to develop the strategic objectives.²⁰⁴⁴ These were announced to the delegates at the 12 May BSA session in Banja Luka.²⁰⁴⁵ The BSL by now had established almost all the necessary organs and tools to fully implement the common plan which was already well underway.

554. One final component was added on 8 May when the Government established the Central Exchange Commission.²⁰⁴⁶ On 6 June this Commission issued an order detailing how it and its regional and municipal counterparts would work.²⁰⁴⁷ The first item ordered all SJBs whose employees were guarding facilities where “prisoners of war or detainees” were located to record certain information about those persons. The order stated that no prisoners could be released or exchanged without prior order of the Commission.²⁰⁴⁸ Clearly, the Commission perceived that the RSMUP rather than the VRS was responsible for guarding prisoners as the order was only forwarded to the Government, the RSMOJ, the RSMUP, but not to the VRS nor the Ministry of Defence.²⁰⁴⁹

555. In early 1992, the BSL relied on both the regional and municipal CSs to ensure the implementation of the common plan. These CSs functioned as the coordinating body between municipal authorities, the SDS and the central republican level on one side, and the military, police and other forces on the ground in the municipalities on the other.²⁰⁵⁰ In effect, the municipal CSs were a reflection of the NSC and the Government at the republic level, that is, a collective

²⁰⁴¹ P439, pp.17,22 (12th session of BSA).

²⁰⁴² AF1419; AF1420; AF1421;AF1422.

²⁰⁴³ P400, p.20.

²⁰⁴⁴ P1753, pp.256-9,262-3.

²⁰⁴⁵ P74; P754.

²⁰⁴⁶ P179.18.

²⁰⁴⁷ P427.7.

²⁰⁴⁸ P427.7, pp.1-2.

²⁰⁴⁹ P427.7, p.4.

²⁰⁵⁰ P434, paras.3-4,49-50,58,102-5.

emergency body bringing together the party, the police, the army and political leaders to coordinate their work.²⁰⁵¹

556. After the creation of the VRS, Karadžić, Krajišnik and Koljević met regularly with General Mladić and key members of his staff for consultations on the military situation and the progress towards the strategic objectives.²⁰⁵²

557. The BSL issued orders to the CSs to implement the common plan. Local CSs received those orders, coordinated the local forces involved in seizing and maintaining control on the ground and sent reports back to those highest state organs.²⁰⁵³ [REDACTED]:

[REDACTED]²⁰⁵⁴

558. The best insight into how the BSL political leaders implemented the common plan is gained from careful reading of the minutes and records of the meetings of the NSC,²⁰⁵⁵ the Presidency,²⁰⁵⁶ the Government²⁰⁵⁷ and the BSA.²⁰⁵⁸

559. Each of these major political organs had important roles to play and contributions to make in order to implement the common plan and achieve the strategic objectives. Some examples from the Presidency (and its predecessor the NSC) include:

- Conclusion that comprehensive instructions for CSs should be drafted;
- Decisions to Establish War Presidencies and War Commissions in the municipalities;²⁰⁵⁹
- Decision on Election of Deputy Prime Minister;²⁰⁶⁰
- Decision to ban the establishment and activities of armed groups and individuals in the territory of the Republic which are not under the command of the Army and Police;²⁰⁶¹

²⁰⁵¹ Hanson, T4393.

²⁰⁵² P1755, pp.45-8,93-111,308-16;P1757,pp.16-25,131-55.Derić attended at least one of these consultations, on 6 June.

²⁰⁵³ P434, para.104.

²⁰⁵⁴ [REDACTED].

²⁰⁵⁵ P204; P205; P207-P214; P711.

²⁰⁵⁶ P257-P261; P274-P279;P281;1D104;1D107;1D108;1D274-1D276;1D540;1D744;1D754.

²⁰⁵⁷ P179.6;P179.7;P215-P217;P219;P220-P228;P230-P251;P253-P256;P427.10-P427.14;P428;P1331.

²⁰⁵⁸ Sessions 1-14 and 16-23; P2067-P2069;P10;P1934;P1935;P2070;P1988;P427.9;P2071;P1997;P706-P708;P439; P198;P1838;P74;P754;P1318.18;P2038;P2073;P264;P738;P430;P1994;P179.15;P400;P1995.

²⁰⁵⁹ P258,P261.

²⁰⁶⁰ P259.

²⁰⁶¹ P712.

- Decision to increase numbers of reserve police due to insufficient numbers of active police forces;²⁰⁶²
- Decisions establishing military and civilian courts, prosecutor's offices, houses of correction, and appointing judges and prosecutors;²⁰⁶³
- Conclusion that RSMUP "will be ordered to examine through its municipal branches the behaviour of all civilian authorities and individuals guarding prisoners of war";²⁰⁶⁴

560. The BSA dealt with a vast range of matters key to the success of the JCE in implementing the common plan. Examples include:

- Establishing the BSA and electing Krajišnik as Assembly President;²⁰⁶⁵
- Decision on the creation of Serb municipalities in BiH;²⁰⁶⁶
- Implementation of Decision to Proclaim the RS;²⁰⁶⁷
- Passing numerous laws, including IJA;²⁰⁶⁸
- Election of certain members of the Government;²⁰⁶⁹
- Creation of the VRS, appointment of Ratko Mladić as its Commander, election of Karadžić, Koljević and Plavšić to the RS Presidency, and announcement of Strategic Goals;²⁰⁷⁰

561. Finally, the RS Government also contributed at the republic level to the implementation of the common plan as shown in the following examples:

- Instructions for enforcing the Decision about taking of Federal and Republic commodity reserves for the needs of defence of the RS;²⁰⁷¹
- Decision to provide funds to cover expenses of the official media (SRNA, Javnost, etc.);²⁰⁷²

²⁰⁶² 1D31.

²⁰⁶³ P274;P279;P1974;P1975;1D744;1D746;1D748;1D750;1D752;1D753.

²⁰⁶⁴ P427.18.

²⁰⁶⁵ AF90;P2067.

²⁰⁶⁶ P2069.

²⁰⁶⁷ P1924;L29.

²⁰⁶⁸ P2071.

²⁰⁶⁹ P198;P439(STANIŠIĆ and Buha).

²⁰⁷⁰ P74;P187;L42.

²⁰⁷¹ P427.10,p.1.

²⁰⁷² P231,pp.2-3.

- Decisions on appointments to judiciary organs;²⁰⁷³
- Concluded that the Agreement on exchange of prisoners be used maximally for propaganda purposes;²⁰⁷⁴
- Concluded at a closed session on 19 August that the Ministry of Defence and RSMUP take measures to ensure that the VRS takes over the task of safeguarding various collection centres;²⁰⁷⁵

(b) Military

(i) Arming and Mobilising the Serb Population

562. In late 1990, the Presidency of the SFRY ordered the JNA to remove weapons from the control of local TO units in the republics.²⁰⁷⁶ Accordingly, weapons and equipment were taken from BiH, Croatia and Slovenia and stored in JNA warehouses in Serbia.²⁰⁷⁷ This was done to disarm the local population and ensure JNA control of all weaponry.²⁰⁷⁸ A year later, the JNA in BiH distributed these arms to the SDS and to Serbian paramilitary groups, TO and local Serbs, in a well-organised and systematic manner, with support of the local police.²⁰⁷⁹

563. [REDACTED]²⁰⁸⁰ Krsto Savić confirmed he was arming local Serbs.²⁰⁸¹ There is evidence of arming in Ilijaš, Banja Luka, Ključ, Prijedor and Brčko.²⁰⁸² [REDACTED]²⁰⁸³

564. At the same time, the JNA (and later the VRS) was successfully mobilising reservists in 1991 and 1992 with the cooperation of the SDS municipal leadership.²⁰⁸⁴ Units that had been fighting in Croatia were reassigned to BiH and brought with them their experience and manpower.²⁰⁸⁵

²⁰⁷³ P232,p5.

²⁰⁷⁴ P200,p.6.

²⁰⁷⁵ P246.

²⁰⁷⁶ AF768;1D401;[REDACTED];Selak,T.18133-7.

²⁰⁷⁷ Selak,T.18133-7.

²⁰⁷⁸ Selak,T.18133-7.

²⁰⁷⁹ AF768-AF770;Selak,T.18133-7. *See also* P1803,para.1.17. STANIŠIĆ himself was allegedly involved in arming Serbs. P533,p.1.

²⁰⁸⁰ [REDACTED];[REDACTED].

²⁰⁸¹ M.Davidović,P1557.1,p.8.

²⁰⁸² [REDACTED];[REDACTED];[REDACTED];Egrlić,P960.4,T.4663;Sejmenović,T.17381-3; Gaši,P126,T.534-G;Muminović,P2174,p.3. *See also* Radulović,T.11185-6.

²⁰⁸³ [REDACTED].

²⁰⁸⁴ P1781,p.75;Džafić,P962.1,p.7.

²⁰⁸⁵ Brown,P1803,paras.1.19-28,1.65

565. In October 1991, Karadžić stated that there were 20,000 armed Serbs around Sarajevo alone, whilst stressing that Serbs were prepared to fight to stay in Yugoslavia and implying that the JNA was already on the Serb side.²⁰⁸⁶

566. In February 1992, Serb volunteers were recruited and sent for training at JNA barracks.²⁰⁸⁷ [REDACTED]²⁰⁸⁸ [REDACTED]²⁰⁸⁹ The defence military expert claimed this was done “primarily to protect the Serbs” and “based on historical precedents”.²⁰⁹⁰

567. All the while, the SDS and JNA were equipping the TO units with “rifles of all types, with the emphasis on automatic weapons, M-53, 72 and 84 machine guns, hand-held rocket launchers, 60, 82 and 120mm mortars and a smaller number of 82mm recoilless guns.”²⁰⁹¹

568. During a 15 April NSC meeting attended by STANIŠIĆ, a Serb TO was created for the RS following the creation of a number of volunteer units.²⁰⁹²

569. A second period of mobilisation commencing on 20 May,²⁰⁹³ reached a satisfactory level by early June and continued in strength throughout 1992.²⁰⁹⁴ The experienced and professional soldiers of the JNA, now the new VRS, were fortified with the call for conscripts.²⁰⁹⁵ The need for more combat personnel eventually became so great that in some areas people “were happy to get anybody they could,”²⁰⁹⁶ including criminals.²⁰⁹⁷ However, the large scale operations in the ARK (Operations Corridor and Jajce) which were conducted swiftly and successfully, confirm that the well-organised VRS was effective from the outset.²⁰⁹⁸

²⁰⁸⁶ P1141.

²⁰⁸⁷ Donia, T.406-7;P20;P21.

²⁰⁸⁸ [REDACTED];[REDACTED].

²⁰⁸⁹ [REDACTED].

²⁰⁹⁰ V.Kovačević, T.24142; *see also* Traynor, T.10335-6;P1356.3;P1356.4;P1365.5.

²⁰⁹¹ P1781, p.14;AF158.

²⁰⁹² ID531;P204;Nielsen, P508, p.53. Karadžić had advocated this at the 14th Assembly session on 27 March 1992;P1838, p.23. P183;ID170;Brown, P1803, para.1.77, 1.79;Perić, T.10563-5.

²⁰⁹³ This is the day after the JNA announced its formal withdrawal from BiH. P1778.

²⁰⁹⁴ P1781, p.78;P441;Džonlić, P2288, T.2415-8.

²⁰⁹⁵ Although Kovačević confirms that the JNA was made up of professional military men (V.Kovačević, T.24010-11), he states that 3% or less of the VRS were professionals and that the bulk were untrained and undisciplined.

2D159, para.2. He has no source for this contention and was unable to substantiate it or name a single commander of any battalion who wasn't a professional experienced commander. V.Kovačević, T.23991-4012.

²⁰⁹⁶ Planojević, T.16548-9.

²⁰⁹⁷ Trbojević, T.4111-2;P239.

²⁰⁹⁸ P1803, paras.2.213 - 6;P1294. Noting that RS Minister of Defence Subotić congratulates the IKK for the success of Operation Corridor, dated 30 June 1992.

570. The VRS units were supported by newly-established light infantry brigades formed from TO units. By 1993, there were 24 light brigades with an average of 1200 troops in each.²⁰⁹⁹

571. In 1995, Karadžić reminded the 50th BSA that “[d]istribution of weapons was carried out thanks to the JNA. What could be withdrawn was withdrawn and distributed to the people in Serbian areas, but it was the SDS which organised the people and created the army [...]”²¹⁰⁰

(ii) Creation of the VRS

572. The JNA was part of the Federal organ and supported the policy of BiH remaining in a Federal Yugoslavia.²¹⁰¹ It had five military districts which in turn comprised numerous corps and divisions, with up to 70,000 regular officers and 135,000 reserves.²¹⁰² It was a powerful national army with modern equipment.²¹⁰³ Due to the unique position Yugoslavia held between East and West during the Cold War, its army had been able to develop its own arms industry and buy arms from abroad.²¹⁰⁴

573. In late 1991, the JNA concentrated on the war in Croatia, continuing to deploy its troops there.²¹⁰⁵

574. The BiH Presidency had agreed with the JNA that it would remain in BiH for 5 years to protect the interest of all three ethnicities.²¹⁰⁶ The expressed task assigned to the JNA in 1992 was to diffuse and prevent inter-ethnic conflict in BiH.²¹⁰⁷ However, in practice, the army supported the

²⁰⁹⁹ P1803, paras. 1.81-2.

²¹⁰⁰ Donia, T. 403; P438, p. 306.

²¹⁰¹ P1803, para. 1.7; AF142; AF148.

²¹⁰² AF144. The 17th Corps located in Tuzla was part of the 2nd Military district (BiH) which had a seat in Sarajevo. Lukač, P2159, T. 1556-7.

²¹⁰³ AF144.

²¹⁰⁴ Donia, T. 395-6.

²¹⁰⁵ P1803, para. 1.2.

²¹⁰⁶ Milovanović, T. 18230.

²¹⁰⁷ 2D159, para. 46; P1803, para. 1.7.

Serbs while giving the non-Serbs a false sense of security.²¹⁰⁸ The Defence military expert's position to the contrary²¹⁰⁹ was not substantiated.²¹¹⁰

575. The majority of Muslims and Croats failed to respond to calls for mobilisation because Serbia was already in charge and dictating the direction of the armed force against them.²¹¹¹ Karadžić's order to take over the media and broadcast daily propaganda about the war in Croatia vindicates the reluctance of the Muslims and Croats at this time.²¹¹² Non-Serbs who continued in the JNA were eventually forced to leave.²¹¹³ By the time of BiH's declaration of independence in April, the JNA was dominated by Serbia and staffed mainly with Serb officers.²¹¹⁴

576. By the end of 1991, the position of the JNA clearly reflected the SDS policy. In January 1992, the Serb Ministerial Council was discussing cooperation with the JNA organs.²¹¹⁵ By late March, the SDS leadership and people had embraced the JNA as their own army:²¹¹⁶ "Our Serbian army, which is already there on the ground, we just need to transform it to what we need to have."²¹¹⁷

577. By early 1992, the ethnic and party divisions in BiH were evident, which created a shift in focus from Croatia to addressing the unrest brewing in Bosnia. Suddenly up to 100,000 JNA troops were present in BiH under the command of the General Staff in Belgrade.²¹¹⁸ In some municipalities where there was no inter-ethnic unrest, the sudden presence of the JNA had the opposite effect of their mandate and tensions formed due to the heavy military presence.²¹¹⁹

²¹⁰⁸ P1803, para. 1.7; Section II.D.4.b(i) arming and mobilising; Donia, T.396-7; V.Kovačević, T.23633 who states: "The officers and soldiers who were Muslims had also started leaving the JNA. There was great animosity towards members of the JNA".

²¹⁰⁹ 2D159, para.46 (not footnoted). Under cross-examination, Kovačević conceded that his opinion was not based on any documents but rather, "This is all my personal experience and information I got directly during the time when I served in the Yugoslav People's Army."

²¹¹⁰ V.Kovačević, T.23978.

²¹¹¹ Egrlić, P960.4, T.4639-41; P960.8; [REDACTED]; P2152, T.27779.80. Note that STANIŠIĆ accepts in his interview that Muslims and Croats did not respond to mobilisation and so the JNA reserves activated were predominantly Serb; P2301, pp.13-4; Donia, T.406-7.

²¹¹² P960.12. Egrlić, P960.6, T.4884-5.

²¹¹³ P1753, p.279, Mladić notebook entry 10 May 1992, notation "Transform the 4th Corps command, its operational section was Muslim". See Section II.D.3.a (ARK).

²¹¹⁴ AF158; AF766; AF767; Donia, T.397; Selak, T.18108.10.

²¹¹⁵ P268, p.3.

²¹¹⁶ P1295.16, p.5.

²¹¹⁷ P708, p.36.

²¹¹⁸ AF156; AF157; AF158.

²¹¹⁹ For example, the presence of the 4th detachment in Bosanski Šamac in February 1992; Lukač, P2159, T.1565-9.