

IT-99-36-1
D 23658 - D 23637
06 October 2004

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THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA

CASE NO. IT-99-36-I

THE PROSECUTOR
OF THE TRIBUNAL

AGAINST

STOJAN ŽUPLJANIN

SECOND AMENDED INDICTMENT

The Prosecutor of the International Criminal Tribunal for the Former Yugoslavia, pursuant to her authority under Article 18 of the Statute of the International Criminal Tribunal for the Former Yugoslavia ("the Statute of the Tribunal"), charges:

STOJAN ŽUPLJANIN

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

THE ACCUSED

1. **Stojan ŽUPLJANIN** was born on 28 September 1951, in Maslovare, Kotor Varoš Municipality, in Bosnia and Herzegovina ("BiH"). He graduated from the law faculty of the University of Sarajevo and in 1975 began a long career with the Banja Luka Secretariat of Internal Affairs ("SUP"). In 1978 he was appointed commander of the police station in Mejdani in Banja Luka, and in 1981 he was appointed commander of the *Centar* police station in Banja Luka. In 1985 he became the Chief of the Department for the Prevention of General Crime in the municipal SUP in Banja Luka. From 1991 onwards, he was commander of the Regional Security Services Centre ("CSB") of Banja Luka. From at least 5 May 1992 until July 1992 he was a member of the Autonomous Region of Krajina ("ARK") Crisis Staff, and in 1994 he became an advisor for internal affairs to the President of Republika Srpska.

STATEMENT OF FACTS

2. In November 1990, multi-party elections were held in BiH for the first time after the death of Yugoslav leader Josip Broz "Tito." There were three main parties, each of which was identified with one of the three principal ethnic groups in BiH. The Party of Democratic Action, the SDA, was identified, in the main, as the party of the Bosnian Muslims; the Serb Democratic Party, the SDS, was identified as the principal party of the Bosnian Serbs; and the Croatian Democratic Union, the HDZ, was primarily identified as the party of the Bosnian Croats. The SDA won the most seats in the Republic Assembly, followed by the SDS and then the HDZ.

3. The SDS political platform concentrated on the goal of unifying ethnic Serbs in a common state. The election results, however, made apparent the fact that as time went on the SDS would be unable to keep BiH in a Serb-dominated Yugoslavia through democratic and peaceful means alone. As a result, Bosnian Serbs in certain areas of BiH began to organise themselves into formal regional structures using the concept of "Associations of Municipalities" which existed under the 1974 Yugoslav constitutional regime. These Associations, although nominally non-ethnic, were the first step toward establishing separate Bosnian Serb governmental bodies in BiH.

4. Slovenia and Croatia declared independence from Yugoslavia on 25 June 1991. In Croatia fighting between the Yugoslav People's Army ("JNA") and the Croatian armed forces broke out in the summer of 1991 and continued until late 1991. In the autumn of 1991, the JNA began to withdraw its forces from Croatia and re-deploy them into BiH. Working in conjunction with certain elements in the JNA, the SDS started arming the Bosnian Serb population of BiH.

5. In September and October 1991, the various Associations of Municipalities mentioned in paragraph 3 were transformed into Serbian Autonomous Districts, including the transformation, on or about 16 September 1991, of the Association of Bosanska Krajina Municipalities into the ARK. The ARK came to include the following municipalities (among others): Banja Luka, Bosanska Krupa, Bosanski Novi, Bosanski Petrovac, Čelinac, Donji Vakuf, Ključ, Kotor Varoš, Prijedor, Prnjavor, Sanski Most, Šipovo and Teslić.

6. As the war continued and it appeared increasingly likely that BiH would also declare its independence from Yugoslavia, the SDS began in

earnest the creation of a separate Serb entity within BiH, with separate bodies of authority. A separate Assembly of the Serbian People in Bosnia and Herzegovina, dominated by the SDS, was founded on 24 October 1991 as the highest representative and legislative organ of Serbs in BiH.

7. On 19 December 1991, the SDS issued secret instructions for the “Organisation and Activity of the Organs of the Serbian People in Bosnia and Herzegovina in Extraordinary Circumstances” which provided a plan for the SDS take-over of municipalities in BiH. The instructions included plans for the creation of Crisis Staffs.

8. The Crisis Staffs were modelled on similar entities that had existed as part of the Yugoslav defence system. They were designed to take over the functioning of municipal or republic government during times of war or a state of emergency when the assembly, normally the highest authority of government, could not function. When activated, a Crisis Staff had complete executive and regulatory authority and was comprised of representatives of the police, military and government organs.

9. On 9 January 1992, the Bosnian Serb Assembly adopted a declaration proclaiming the Serbian Republic of Bosnia and Herzegovina (“SR BiH”). On 28 February 1992, the Constitution of the SR BiH declared that the territory of that Republic included “the territories of the Serbian Autonomous Regions and Districts and of other Serbian ethnic entities in Bosnia and Herzegovina, including the regions in which the Serbian people remained in the minority due to the genocide conducted against it in World War Two,” and it was declared to be a part of Yugoslavia. On 12 August 1992, the name of the SR BiH was changed to Republika Srpska (“RS”).

10. On 11 February 1992, a meeting of Serb officials of the BiH MUP was held in Banja Luka. Mićo STANIŠIĆ insisted that it was necessary to establish a separate Serbian Ministry of Interior (“RS MUP”) at the municipal, regional and republic levels. **Stojan ŽUPLJANIN** was present at the meeting.

11. On 1 April 1992, pursuant to the Serb Law on Internal Affairs, which was issued on 23 March 1992 and entered into force on 31 March 1992, a separate RS MUP was established with Mićo STANIŠIĆ as Minister. According to Article 28 of that law, CSBs were established in Banja Luka for the ARK, in Trebinje for the Serb Autonomous District of Herzegovina, in Doboj for the Serb Autonomous District of Northern Bosnia, in Sarajevo for the Serb Autonomous District of Romanija-Birać,

and in Bijeljina for the Serb Autonomous District of Semberija. **Stojan ŽUPLJANIN** became the commander of the CSB Banja Luka, directly subordinated to the Minister of the RS MUP. From its creation, the RS MUP was considered part of the armed forces of the RS.

12. On 5 May 1992, the ARK Crisis Staff, whose members included **Stojan ŽUPLJANIN**, was officially established and publicly declared itself as the highest organ of authority at the regional level in the ARK. The implementation of its directives and orders was mandatory.

13. On 12 May 1992, at the 16th session of the Bosnian Serb Assembly, Radovan KARADŽIĆ announced the six strategic objectives of the Serb people in BiH. In essence, these strategic goals constituted a plan to seize and control territory, establish a Bosnian Serb state, defend defined borders and separate the ethnic groups within BiH.

14. Between 1 April 1992 and 31 December 1992, RS MUP forces, acting together with the VRS, the Territorial Defence (“TO”), and paramilitaries, carried out a campaign to disarm the non-Serb population. This campaign was conducted under the guise of action against “Muslim and Croat extremists” or to collect “illegally held weapons.” Although in public statements and publications the disarmament orders were not always expressly directed at the non-Serb population, in practice only Bosnian Muslims and Bosnian Croats were disarmed. The disarmament campaign was frequently used as a pretext for unlawful armed attacks on non-Serb villages and their inhabitants.

15. At the same time, the forces under the control of the Bosnian Serb authorities seized power in those municipalities deemed to pose a threat to the accomplishment of the overall plan to create a Serb state within BiH. These take-overs initiated a series of events, organised and directed by the Bosnian Serb authorities that by the end of 1992 resulted in the deaths of thousands and the forced departure of tens of thousands of Bosnian Muslims and Bosnian Croats.

INDIVIDUAL CRIMINAL RESPONSIBILITY

Position of Accused/Superior Authority

16. **Stojan ŽUPLJANIN**, as Commander of the CSB Banja Luka, was the most senior police officer in the ARK, subordinated only to the Minister of the RS MUP. **Stojan ŽUPLJANIN** had overall authority and responsibility for the functioning of the police within the ARK. He was responsible for planning and directing all operations of the police

and for monitoring the activities of all subordinate officers and units to ensure that his orders were implemented. **Stojan ŽUPLJANIN** had authority to appoint and dismiss subordinate individuals from duty. **Stojan ŽUPLJANIN** also had the authority and duty to punish or initiate disciplinary proceedings against his subordinates for any crimes that they may have committed.

17. **Stojan ŽUPLJANIN** had operational control over the subordinated municipal and regional police forces in the ARK, including those responsible for the operation of detention facilities. He made decisions for the subordinate units; assigned tasks to subordinates; issued orders, instructions and directives; ensured the implementation of his orders and orders issued by the RS MUP and bore full responsibility for their completion. He monitored the situation in the area of responsibility of the CSB Banja Luka; ensured the passage of information to civilian and military bodies at the municipal, regional and republic levels; and was responsible for the overall operational effectiveness and conduct of the police.

18. **Stojan ŽUPLJANIN** exercised command and control of the police, at times in co-ordination with the Bosnian Serb army (“VRS”), paramilitary forces and volunteer units, the TO, and civilian bodies, including regional and municipal Crisis Staffs.

19. In addition to his position as the highest police officer in the ARK, **Stojan ŽUPLJANIN** represented the police on the ARK Crisis Staff. Throughout its existence, the ARK Crisis Staff worked to co-ordinate and implement the overall plan to seize control of and “ethnically cleanse” the territory of the ARK. After the dissolution of the ARK Crisis Staff, **Stojan ŽUPLJANIN** continued with the implementation of the plan in his position as commander of the Banja Luka CSB.

Article 7(1) of the Statute of the Tribunal

20. **Stojan ŽUPLJANIN** is individually criminally responsible pursuant to Article 7(1) of the Statute of the Tribunal for crimes referred to in Articles 3 and 5 of the Statute of the Tribunal as alleged in this Indictment, which he planned, instigated, ordered, committed or in whose planning, preparation or execution he aided and abetted. By using the word “committed” in this Indictment, the Prosecutor does not allege that the accused physically committed any of the crimes charged. “Committed” in this indictment includes participation in a joint criminal enterprise (“JCE”).

Joint criminal enterprise

21. A JCE came into existence no later than the establishment of the Assembly of the Serbian People in Bosnia and Herzegovina on 24 October 1991 and continued throughout the period of the conflict in BiH until the signing of the Dayton Accords in 1995. The objective of the JCE was to eliminate and permanently remove, by force or other means, Bosnian Muslims and Bosnian Croats from the territory of the planned Serb state.

22. Numerous individuals participated in this JCE. **Stojan ŽUPLJANIN** worked in concert with other members of the JCE, including Radoslav BRĐANIN, General Momir TALIĆ (*deceased*), Slobodan MILOŠEVIĆ, General Ratko MLADIĆ, Radovan KARADŽIĆ, Nikola KOLJEVIĆ (*deceased*), Momčilo KRAJIŠNIK, Biljana PLAVŠIĆ, Mićo STANIŠIĆ, Slobodan DUBOČANIN, Simo DRLJAČA (*deceased*) and other chiefs of public security services (“SJBs”) in municipalities subordinated to **Stojan ŽUPLJANIN**, Darko MRĐA, Nenad STEVANDIĆ, Ljuban EČIM and other members of the Bosnian Serb leadership and of the SDS at the republic, regional and municipal levels; members of civilian bodies within BiH, including regional and municipal crisis staffs; members of the JNA, the Yugoslav Army (“VJ”), the VRS, the TO, the RS MUP, and members of Serbian and Bosnian Serb paramilitary forces and volunteer units, as well as military and political figures from Yugoslavia. Each participant, by acts or omissions, contributed to achieving the overall objective of the enterprise.

23. **Stojan ŽUPLJANIN**, acting individually and through the positions and powers described above, and in concert with other members of the JCE, participated in the JCE from no later than 1 April 1992 until at least 31 December 1992 in one or more of the following ways:

a. Ordering, commanding and directing members and agents of the police who were engaged in implementing the objective of the JCE or who participated in the perpetration of the crimes listed in this Indictment;

b. Planning, preparing, facilitating, and executing the campaign of persecutions, which escalated to genocide in the municipalities of Ključ, Bosanski Novi, Kotor Varoš, Sanski Most and Prijedor, by attacking non-Serb parts of towns and villages; killing the non-Serb inhabitants and submitting them to cruel and inhumane treatment and conditions,

often in detention facilities; imposing restrictive and discriminatory measures on the non-Serb population; and separating, deporting and permanently removing non-Serbs who did not subjugate themselves to the Serb authorities;

c. Participating in the formation, financing, supplying and supporting of special units which were engaged in implementing the objective of the JCE or which participated in the perpetration of the crimes listed in this Indictment;

d. Aiding and abetting and instigating the commission of further crimes by failing to investigate, to follow up on investigations, and to punish subordinates for crimes committed against Bosnian Muslims, Bosnian Croats, and other non-Serbs.

24. **Stojan ŽUPLJANIN** participated in the JCE as a co-perpetrator and/or as an aider and abettor.

25. The crimes charged in this Indictment were within the objective of the JCE. **Stojan ŽUPLJANIN** and the other members of the JCE shared a mutual understanding or agreement to commit the charged crimes and acted with the state of mind required for the commission of each of these offences. In addition, each member of the JCE was aware that his or her conduct occurred in the context of an armed conflict and was part of a widespread or systematic attack directed against a civilian population.

26. **Stojan ŽUPLJANIN** knew of the establishment and operation of camps and detention facilities within the ARK; he intended to facilitate the ill-treatment of non-Serb detainees held in these facilities; and he took no effective measures to prevent or stop the ill-treatment or punish the perpetrators thereof. **Stojan ŽUPLJANIN** also knew of the system of ill-treatment by which territory within the ARK was “ethnically cleansed” and its non-Serb inhabitants systematically killed, mistreated, and forcibly removed or deported; he intended to facilitate that system; and he took no effective measures to prevent or stop the ill-treatment or punish the perpetrators thereof. He thus knowingly participated in systems of ill-treatment with the intent to further those systems.

27. In the alternative, the crimes enumerated in all the Counts of this Indictment were the natural and foreseeable consequence of the execution of the JCE, and **Stojan ŽUPLJANIN** and the other participants in the JCE were aware that these crimes were a possible consequence of the execution of the JCE.

Article 7(3) of the Statute of the Tribunal

28. **Stojan ŽUPLJANIN**, as a consequence of his positions of superior authority described above, is also individually criminally responsible for the acts or omissions of his subordinates pursuant to Article 7(3) of the Statute of the Tribunal. **Stojan ŽUPLJANIN**, in his capacity as the head of the Banja Luka CSB and the police representative on the ARK Crisis Staff, exercised *de jure* and *de facto* command and control over the police forces that participated in the crimes alleged in this Indictment.

29. **Stojan ŽUPLJANIN** knew or had reason to know that all crimes alleged in this Indictment were about to be committed or had been committed by his subordinates, and he failed to take necessary and reasonable measures to prevent such acts or punish the perpetrators thereof. His duty included an obligation to investigate and establish the facts of the crime, to put an end to the criminal activity, to impose appropriate punitive measures on the perpetrator, and to take measures to prevent or deter further criminal acts committed by subordinates.

GENERAL ALLEGATIONS

30. All acts and omissions charged as Crimes Against Humanity were part of a widespread or systematic attack directed against the Bosnian Muslim, Bosnian Croat or other non-Serb civilian population of BiH.

31. At all times relevant to this Indictment, a state of armed conflict existed in BiH.

32. At all times relevant to this Indictment, the accused was required to abide by the laws and customs governing the conduct of armed conflicts, including the Geneva Conventions of 1949 and the additional protocols thereto.

THE CHARGES

COUNT 1 PERSECUTIONS

By his acts and omissions, **Stojan ŽUPLJANIN** participated in:

Count 1: Persecutions on political, racial and religious grounds, a **CRIME AGAINST HUMANITY**, punishable under Articles 5(h), 7(1) and 7(3) of the Statute of the Tribunal.

33. Between about 1 April 1992 and 31 December 1992, **Stojan ŽUPLJANIN** acting individually or in concert with other participants in the JCE planned, instigated, ordered, committed or aided and abetted in the planning, preparation or execution of persecutions on political, racial or religious grounds of Bosnian Muslims, Bosnian Croats and other non-Serbs in the municipalities listed in paragraph 5.

34. Bosnian Serb forces under the command and control of **Stojan ŽUPLJANIN** committed persecutions in the municipalities listed in paragraph 5, including:

- (a) killings of Bosnian Muslims and Bosnian Croats during and after attacks on villages and non-Serb areas, as well as during deportation and forcible transfer, including those listed in Schedule A;
- (b) killings related to detention facilities (included those listed in Schedule C), or committed during transfer to and out of these detention facilities, including those listed in Schedule B;
- (c) cruel or inhumane treatment during and after attacks on towns and villages, and during deportation and forcible transfer, including torture, physical and psychological abuse, sexual violence and the establishment and perpetuation of inhumane living conditions;
- (d) cruel or inhumane treatment in detention facilities, including those listed in Schedule C. This inhumane treatment included beatings, torture, physical and psychological abuse, sexual violence and humiliation;
- (e) unlawful detention in detention facilities, including those listed in Schedule C;

- (f) the establishment and perpetuation of inhumane living conditions in detention facilities, including those listed in Schedule C. These conditions included the failure to provide adequate:
- accommodation or shelter;
 - food or water;
 - medical care;
 - hygienic sanitation facilities;
- (g) forcible transfer and deportation;
- (h) the appropriation or plunder of property during and after attacks, in detention facilities, and in the course of deportations or forcible transfers;
- (i) the wanton destruction of Bosnian Muslim and Bosnian Croat villages and areas, including those listed in Schedule D, the destruction of religious and cultural buildings, including those listed in Schedule E, and the looting of residential and commercial property;
- (j) the imposition and maintenance of restrictive and discriminatory measures including:
- the denial of freedom of movement;
 - the denial of employment through removal from positions of authority in local government institutions, the military, and the police, as well as general dismissal from employment;
 - the invasion of privacy through arbitrary searches of homes;
 - the denial of the right to judicial process; and
 - the denial of equal access to public services.

35. Between about 1 April 1992 and 31 December 1992, **Stojan ŽUPLJANIN** knew or had reason to know that the crimes alleged in paragraphs 33 - 34 above were about to be committed or had been committed by his subordinates, and he failed to take necessary and reasonable measures to prevent such acts or punish the perpetrators thereof.

**COUNTS 2, 3 and 4
EXTERMINATION and MURDER**

By his acts and omissions, **Stojan ŽUPLJANIN** participated in:

Count 2: Extermination, a **CRIME AGAINST HUMANITY**, punishable under Articles 5(b), 7(1) and 7(3) of the Statute of the Tribunal.

Count 3: Murder, a **CRIME AGAINST HUMANITY**, punishable under Articles 5(a), 7(1) and 7(3) of the Statute of the Tribunal.

Count 4: Murder, a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR**, as recognised by Common Article 3 of the Geneva Conventions of 1949, punishable under Articles 3, 7(1) and 7(3) of the Statute of the Tribunal.

36. Between about 1 April 1992 and 31 December 1992, **Stojan ŽUPLJANIN** acting individually or in concert with other participants in the JCE planned, instigated, ordered, committed or aided and abetted in the planning, preparation or execution of the extermination and murder of Bosnian Muslims and Bosnian Croats in the municipalities listed in paragraph 5. Bosnian Muslims and Bosnian Croats were murdered on a massive scale by Bosnian Serb forces including during and after attacks on towns and villages; in detention facilities; during transfer to and out of detention facilities; and during deportations or forcible transfers. The killings include those listed in Schedules A and B.

37. Between about 1 April 1992 and 31 December 1992, **Stojan ŽUPLJANIN** knew or had reason to know that the crimes alleged in paragraph 36 above were about to be committed or had been committed by his subordinates, and he failed to take necessary and reasonable measures to prevent such acts or punish the perpetrators thereof.

COUNTS 5, 6, 7 and 8
TORTURE, CRUEL TREATMENT and INHUMANE ACTS

By his acts and omissions, **Stojan ŽUPLJANIN** participated in:

Count 5: Torture, a **CRIME AGAINST HUMANITY**, punishable under Articles 5(f), 7(1) and 7(3) of the Statute of the Tribunal.

Count 6: Torture, a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR**, as recognised by Common Articles 3(1)(a) of the Geneva Conventions of 1949, punishable under Articles 3, 7(1) and 7(3) of the Statute of the Tribunal.

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

Count 8: Inhumane acts, a **CRIME AGAINST HUMANITY**, punishable under Articles 5(i), 7(1) and 7(3) of the Statute of the Tribunal.

38. Between about 1 April 1992 and 31 December 1992, **Stojan ŽUPLJANIN** acting alone or in concert with other participants in the JCE planned, instigated, ordered, committed, or aided and abetted in the planning, preparation or execution of torture, cruel treatment and inhumane acts inflicted on Bosnian Muslims, Bosnian Croats and other non-Serbs in the municipalities listed in paragraph 5.

39. Bosnian Muslims, Bosnian Croats, and other non-Serbs were confined in inhumane conditions and subjected to intentional infliction of severe pain or suffering by beatings, torture, sexual assaults, humiliation, harassment, and psychological abuse in camps, police stations, military barracks and other detention facilities listed in Schedule C, as well as during and after attacks on villages and during forcible transfers and deportations.

40. Between about 1 April 1992 and 31 December 1992, **Stojan ŽUPLJANIN** knew or had reason to know that the crimes alleged in paragraphs 38 - 39 above were about to be committed or had been committed by his subordinates, and he failed to take necessary and reasonable measures to prevent such acts or punish the perpetrators thereof.

COUNTS 9 and 10 DEPORTATION, INHUMANE ACTS

By his acts and omissions, **Stojan ŽUPLJANIN** participated in:

Count 9: Deportation, a **CRIME AGAINST HUMANITY**, punishable under Articles 5(d), 7(1) and 7(3) of the Statute of the Tribunal.

Count 10: Inhumane Acts (forcible transfer), a **CRIME AGAINST HUMANITY**, punishable under Articles 5(i), 7(1) and 7(3) of the Statute of the Tribunal.

41. Between about 1 April 1992 and 31 December 1992, **Stojan ŽUPLJANIN** acting individually or in concert with other participants in the JCE planned, instigated, ordered, committed or aided and abetted in the planning, preparation or execution of the unlawful forcible transfer and deportation of Bosnian Muslims, Bosnian Croats and other non-Serbs from the municipalities listed in paragraph 5.

42. The forced transfers and deportations were organised by Bosnian Serb forces. The victims were transported to areas under the control of the government of BiH or to third countries.

43. Between about 1 April 1992 and 31 December 1992, **Stojan ŽUPLJANIN** knew or had reason to know that the crimes alleged in paragraphs 41 - 42 above were about to be committed or had been committed by his subordinates, and he failed to take necessary and reasonable measures to prevent such acts or punish the perpetrators thereof.

COUNTS 11 and 12
WANTON DESTRUCTION OR DEVASTATION OF TOWNS OR
VILLAGES NOT JUSTIFIED BY MILITARY NECESSITY,
DESTRUCTION OR WILFUL DAMAGE DONE TO
INSTITUTIONS DEDICATED TO RELIGION

By his acts and omissions, **Stojan ŽUPLJANIN** participated in:

Count 11: Wanton destruction or devastation of towns or villages not justified by military necessity, a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR**, punishable under Articles 3(b), 7(1) and 7(3) of the Statute of the Tribunal.

Count 12: Destruction or wilful damage done to institutions dedicated to religion, a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR**, punishable under Articles 3(d), 7(1) and 7(3) of the Statute of the Tribunal.

44. Between about 1 April 1992 and 31 December 1992, **Stojan ŽUPLJANIN** acting individually or in concert with other participants in the JCE planned, instigated, ordered, committed or aided and abetted in the planning, preparation or execution of

(1) the unlawful wanton destruction or devastation of Bosnian Muslim and Bosnian Croat villages in the municipalities identified in paragraph 5, as listed in Schedule D; and

(2) the destruction of or wilful damage to Bosnian Muslim and Bosnian Croat religious institutions in the municipalities identified in paragraph 5, as listed in Schedule E.

45. During and after the attacks on these municipalities, Bosnian Serb forces systematically destroyed or damaged Bosnian Muslim and Bosnian Croat cities, towns, villages and property, including homes, businesses and Muslim and Roman Catholic sacred sites as listed in Schedules D and E.

46. Between about 1 April 1992 and 31 December 1992, **Stojan ŽUPLJANIN** knew or had reason to know that the crimes alleged in paragraphs 44 - 45 above were about to be committed or had been committed by his subordinates, and he failed to take necessary and reasonable measures to prevent such acts or punish the perpetrators thereof.


Carla Del Ponte
Prosecutor



Dated this sixth day of October 2004
At The Hague
The Netherlands

	Schedule A Killings not related to detention facilities	
Banja Luka	The killing of a number of people in the village of Čulum-Kostić	on or about 14 August 1992
Prijedor	The killing of a number of people in Kozarac and the surrounding areas	from May to June 1992
	The killing of a number of people in Mehmed Šahorić's house in Kamičani	on or about 26 May 1992
	The killing of a number of people in Hambarine	from May to July 1992
	The killing of a number of men in the village of Jaskići	on or about 14 June 1992
	The killing of a number of men in the village of Biščani	on or about 20 July 1992
	The killing of a number of people in the village of Čarakovo and surrounding areas	during July 1992
	The killing of a number of people in the village of Briševo	on or about 24 July 1992
	The killing of a number of men in the Ljubija iron ore mine and at the Ljubija football stadium	on or about 25 July 1992
	The execution of a large number of men from the Trnopolje camp in the Vlasić mountain, in the area of Korićanske stijene in the Skender Vakuf municipality	on or about 21 August 1992
	The killing of a number of people in Tomašica	on or about 3 December 1992
Ključ	The killing of a number of people in Pudín Han	on or about 27 May 1992
	The killing of a number of people in Prhovo village and a number of men on the road to Peći	on 1 June 1992
Sanski Most	The killing of a number of men between Begići and Vrhpolje bridge and on the Vrhpolje bridge	on or about 31 May 1992
	The killing of a number of members of the Merdanović family in the hamlet of Kukavice, Hrustovo village	on or about 31 May 1992
	The killing of a number of people near the Partisan cemetery in Sanski Most	on or about 22 June 1992
	The killing of a number of men in or around the house of Dujo Banović in the hamlet of Blaževići, village of Kevljani	on or about 27 June 1992
	The killing of number of members of the Alibegović family in Budin	on or about 1 August 1992
	The killing of a number of men near the village of Škrļjevita	on or about 2 November 1992

Bosanski Novi	The killing of a number of people during the expulsion of Bosnian Muslims from the village of Blagaj Japra and the surrounding areas	on or about 9 June 1992
	The killing of a number of men in the village of Alići	on or about 23 June 1992
	The killing of four people in Blagaj Rijeka	on or about 20 October 1992
Kotor Varoš	The killing of a number of men near the house of Stipo Zeba in the settlement of Kotor and on the way from Kotor to the Medical Centre in Kotor Varoš	on or about 25 June 1992
	The killing of a number of men in front of the Medical Centre in Kotor Varoš	on or about 25 June 1992
	The killing of a number of men in Dabovci	on or about 13 August 1992
	The killing of a number of men in the mosque in Hanifići	on or about 15 August 1992
	The killing of a number of people in Edhem Čirkić's house in Čirkino Brdo	in about mid-August 1992
	The killing of a number of men in the school in Grabovice	on or about 3 November 1992

	Schedule B Killings related to detention facilities	
Banja Luka	The killing of a number of men in front of the Manjača camp after their transportation from the Hasan Kikić elementary school in Sanski Most	on or about 6 June 1992
	The suffocation of a number of men during their transportation from Betonirka detention facility to Manjača camp	on or about 7 July 1992
	The killing of a number of men in front of the Manjača camp after their transportation from Omarska camp	on or about 6 August 1992
	The killing of a number of men in Manjača camp	between 1 June and 18 December 1992
Teslic	The killing of a number of men on the premises of the Public Security Service and the Territorial Defence building in Teslić, and in the Pribinić prison	during June 1992
Kljuc	The killing of a number of men in the Biljani school	on or about 10 July 1992
	The killing of a number of men in front of the school in Velagići	on or about 1 June 1992
Prijedor	The killing of a number of men including a large number of men in "Room 3" at Keraterm camp	between 26 May and 5 August 1992
	The killing of a number of men in Trnopolje camp	between 28 May and October 1992
	The killing of a large number of people at Omarska camp	between 28 May and 6 August 1992
Bosanska Krupa	The killing of a number of men in the Peter Kočić Elementary School in Bosanska Krupa	between July and August 1992
Bosanski Novi	The killing of a number of men in or near the Fire Department in Bosanski Novi	between about 22 July and 30 August 1992
Sanski Most	The killing of a number of men taken from Keraterm and Omarska camps in the area called Hrastova Glavica	on or about 5 August 1992

	Schedule C
	Detention facilities
Banja Luka	CSB building
	Mali Logr
	Manjača
	Viz Tunjice penitentiary
Bosanska Krupa	Jasenica Elementary school
	Petar Kočić Elementary school
Bosanski Novi	Bosanski Novi Fire Station
	Mlakve Football Stadium
Bosanski Petrovac	Kozila Logging Camp
Donji Vakuf	Vrbas Promet building
	TO Warehouse
	The House opposite the SJB building
	SJB building
Ključ	SJB building
	Nikola Mačkić Elementary School
	Biljani School
	Velagići School
Kotor Varoš	Grabovica School
	SJB building
	Kotor Varoš Elementary School
	Kotor Varoš Prison
	Sawmill
Prijedor	Prijedor Barracks
	Keraterm
	Omarska
	Trnopolje
	SJB building
	Miska Glava Dom
Prnjavor	SJB building
	Sloga Shoe Factory
	Stari Mlin – Vijak Mill
Sanski Most	SJB building
	Betonirka Cement Factory
	Hasan Kikić School
	Krings Factory
Teslić	Pribinić Camp
	TO building
	SJB building

	Schedule D Destruction of towns and villages
Banja Luka	Banja Luka town
Bosanska Krupa	The Muslim part of the town of Bosanska Krupa
Bosanski Novi	The Muslim part of the town of Bosanski Novi
	Blagaj Japra
	Blagaj Rijeka
	Donji and Gornji Agići
	Suhača
Bosanski Petrovac	The Muslim part of the town of Bosanski Petrovac
	Biščani
Čelinac	The Muslim part of the town of Čelinac
	Basići
Donji Vakuf	The Muslim part of the town of Donji Vakuf
	Prusac
Ključ	The Muslim part of the town of Ključ
	Pudin Han
	Velagići
	Biljani
	Plamenica
	Prhovo
	Krasulje
	Crljeni
	Sanica
	Ramići
Kotor Varoš	The Muslim part of the town of Kotor Varoš
	Kotor
	Vrbanjci
	Večići
	Hrvačani
	Hanifići
	Dabovci
	Plitska
	Hadrovci
	Viševice
Prijedor	The Muslim part of the town of Prijedor
	Briševo
	Kamičani
	Čarakovo
	Kozarac
	Kozaruša
	Biščani
	Hambarine
	Rakovčani
	Rizvanovići
	Kevljani
	Ljubija
Prnjavor	The Muslim part of the town of Prnjavor
	Lišnja
Sanski Most	The Muslim part of the town of Sanski Most
	Lukavice
	Hrustovo

	Begići
Šipovo	The Muslim part of the town of Šipovo
	Bešnjevo
	Pljeva
Teslić	The Muslim part of the town of Teslić
	Stenjak
	Komušina
	Stenjak
	Rajševa
	Kamenica

	Schedule E		
	Destruction of sacred sites		
Banja Luka	Petričevac	Roman Catholic Franciscan Church / Monastery	
Bosanska Krupa	Bosanska Krupa town	Mosque Roman Catholic Church	
	Arapuša	Mosque	
Bosanski Novi	Bosanski Novi town	Gradska Mosque	
	Donji Agići	Mosque	
	Gornji Agići	Mosque	
	Blagaj Japra	Mosque	
	Blagaj Rijeka	Mosque	
	Preskosanje	New Mosque	
	Suhača	Old Mosque New Mosque	
	Urije	Mosque	
Bosanski Petrovac	Vidorije	Mosque	
	Donji Bišćani	Mosque	
	Srednji Bišćani	Mosque	
	Rašinovac	Mosque	
Čelinac	Čelinac town	Two Mosques Roman Catholic chapel	
Donji Vakuf	Donji Vakuf town	Baždžamija Mehmed Čelebi-Dužica Mosque Fadilova Mosque	
	Prusac	Three Mosques	
	Šehrdžik	Mosque	
	Sokolina	Mosque	
Ključ	Biljani-Džaferagići	Mosque	
	Ključ town	Mosque Roman Catholic Church	
	Donji Budelj	Mosque	
	Humići	Mosque	
	Krasulje	Mosque	
	Sanica	Mosque	
	Pudin Han	Mosque	
	Velagići	Mosque	
	Kotor Varoš	Kotor Varoš town	Roman Catholic Church
		Hanifići	Harem Džamije Mosque
Vrbanjci		Mosque	
Hrvačani		Mosque	
Vranci		Mosque	
Ravne		Mosque	
Hadroveci		Mosque	
Večići		Old and New Mosques	
Donji Varoš		Mosque	
Prijedor	Prijedor town	Roman Catholic Church Stari Grad Mosque	
	Ališići	Mosque	
	Briševo	Roman Catholic Chapel	
	Kamičani	Mosque	
	Kevljani	New Mosque	

	Kozarac	Mutnik Mosque
	Rizvanovići	Mosque
	Biščani	Mosque
	Hambarine	Mosque
	Čarakovo	Mosque
	Gornja Puharska	Mosque
	Kozaruša	Mosque
Prnjavor	Prnjavor town	Mosque
	Lišnja	Mosque
	Puraći	Mosque
Sanski Most	Sanski Most town	Roman Catholic Church Mosque
	Čaplje	Mosque
	Hrustovo - Kukavice	Mosque
	Keranovići	Mosque
	Lukavice	Mosque
	Kamengrad	Mosque
	Tomina	Mosque
	Pobriježje	Mosque
	Šehovci	Mosque
	Stari Majdan (Palanka)	Mosque
	Stari Majdan (Utriška)	Mosque
Šipovo	Staro Šipovo	Mosque
	Pljeva	Mosque
	Bešnjevo	Mosque
Teslić	Teslić town	Roman Catholic Church
	Barići	Mosque
	Ruževići	Mosque