

UNITED NATIONS

International Tribunal for the
Prosecution of Persons
Responsible for Serious Violations of
International Humanitarian Law
Committed in the Territory of
Former Yugoslavia since 1991

Case No. **IT-03-69-T**
Date: 5 January 2010

TRIAL CHAMBER III

Before: Judge Alfons Orie, Presiding
Judge Michèle Picard
Judge Elizabeth Gwaunza

Registrar: Mr. John Hocking

THE PROSECUTOR
v.
**JOVICA STANIŠIĆ &
FRANKO SIMATOVIĆ**

PUBLIC

**THIRD PROSECUTION MOTION FOR JUDICIAL
NOTICE OF ADJUDICATED FACTS WITH ANNEX**

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

Case No. IT-03-69-T

**THE PROSECUTOR
v.
JOVICA STANIŠIĆ &
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**THIRD PROSECUTION MOTION FOR JUDICIAL
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I. Introduction

1. Pursuant to Rule 94(B) of the Rules of Procedure and Evidence (“The Rules”), the Prosecution requests that the Trial Chamber take judicial notice of certain facts that are relevant to the crimes charged in the Indictment¹ and previously adjudicated in the case of *Prosecutor v. Momčilo Krajišnik*. The facts as to which the Prosecution seeks judicial notice are set forth in the Annex to this motion.
2. Judicial notice of these adjudicated facts promotes economy and efficiency in the trial proceedings by enabling the Prosecution to streamline the evidence it presents at trial. The Prosecution submits that judicial notice of these facts in no way infringes upon the right of the Accused to a fair trial.

II. Discussion

3. On 1 May 2007 the Prosecution requested the Trial Chamber to take judicial notice of previously adjudicated facts (“First Motion”).² The First Motion set out in great detail the judicial basis and applicable law under Rule 94 (B) of the Rules. The Prosecution hereby incorporates by reference the jurisprudence set forth in paragraphs 3 through 6, 8, 10 through 12 and 17 through 19 of the First Motion.³
4. In the First Motion, the Prosecution included reference in the Annex to facts from the *Krajišnik* case. However, the Prosecution did not request judicial notice of these facts

¹ The term “Indictment” refers to the Third Amended Indictment filed 11 February, 2008.

² *Prosecutor v. Jovica Stanišić & Franko Simatović*, Case No. IT-03-69-PT (“*Stanišić-Simatović*”), Prosecution’s Motion for Judicial Notice of Adjudicated Facts, 1 May 2007 (“First Motion”).

³ *Stanišić-Simatović*, First Motion, paras. 3-6, 8, 10-12, and 17-19.

in the First Motion and noted “that it has not included facts from the *Krajišnik* Trial Judgment as the totality of the facts that will be contested on appeal is not yet known.”⁴ The Prosecution indicated at that time that it “anticipates that it will file a supplementary motion for judicial notice of adjudicated facts containing facts” from the *Krajišnik* case.⁵

5. On 17 March 2009, the Appeals Chamber rendered its Judgment in the case of *Prosecutor v. Momčilo Krajišnik*. The Prosecution carefully reviewed the Appeal Judgment in relation to the Trial Judgment and now requests facts from the *Krajišnik* case, as indicated in the First Motion.
6. The Prosecution has submitted a draft of this motion and the related Annex to both Defence teams on 11 December 2009 for review and consideration of possible agreement on the proposed adjudicated facts.

Judicial Notice of adjudicated facts from the Krajišnik case is proper

7. The case against Jovica STANIŠIĆ and Franko SIMATOVIĆ (collectively, “the Accused”) involves a large crime base and a joint criminal enterprise between many actors. It is in the interests of justice for a trial of this nature to focus on the individual criminal responsibility of the Accused for the crimes charged, rather than revisiting already adjudicated details about the crime bases and the historical background to the conflict. The Prosecution submits that by taking judicial notice of the adjudicated facts listed in the Annex, the Trial Chamber would be able to devote a greater proportion of trial time to the core issues.
8. The 392 facts listed in the Annex have been taken from the *Krajišnik* Trial Judgment.⁶ The case against *Momčilo Krajišnik* considered evidence related to identical or substantially similar crime bases in Bosnia and Herzegovina. The Prosecution has carefully reviewed the First Decision on Adjudicated Facts in this case⁷ and has only included facts which are not already judicially noticed.⁸

⁴ *Stanišić-Simatović*, First Motion, para. 16.

⁵ *Stanišić-Simatović*, First Motion, para. 16.

⁶ *Prosecutor v. Momčilo Krajišnik*, Case no. IT-00-39-T, Trial Chamber Judgment, 27 September 2006.

⁷ *Prosecutor v. Stanišić and Simatović*, Case no. IT-03-69, Trial Chamber Decision on Prosecution motion for judicial notice of adjudicated facts, 25 November 2009 (“First Adjudicated Facts Decision”).

⁸ Some facts are closely related to facts already being subject of judicial notice, but provide greater detail and context.

9. In compiling the list of facts attached hereto in the Annex, the Prosecution has been careful to include only facts which are relevant to the crimes charged in the Indictment, which are distinct, concrete and identifiable, and which have not been appealed or have been upheld on appeal.⁹ The Prosecution also has excluded any factual findings that incorporate or reflect legal conclusions drawn by the Trial Chamber and any facts that attest to the criminal responsibility of the Accused.¹⁰
10. The proposed facts pertain to the historical, political and military context and developments, and to the crimes that took place, often identifying the physical perpetrators of those crimes. As such, judicial notice of the attached facts is entirely appropriate under the Rules and jurisprudence of this Tribunal. The Prosecution submits that Rule 94 (B) was designed to apply in precisely this type of case, where there is essentially no dispute as to the existence of the crime base and the issue to be litigated is the criminal liability of the Accused.
11. The Annex is organised as follows: Part A contains facts adjudicated in the *Krajišnik* case that concern the historical, political and military background relevant to the present case. It includes sections on general background facts, political developments between 1990 and 1991, the arming and mobilization of the population, the creation of Serb Autonomous Regions and Districts, the Bosnian-Serb Assembly and the establishment of the Bosnian-Serb Republic, including the position of Bosnian-Serb Presidency. It also includes sections on the armed forces of the Bosnian-Serb Republic, paramilitary formations, the Ministry of Internal Affairs, and the function of crisis staffs, war presidencies and war commissions. Part B lists adjudicated facts in relation to the crime bases in Bosnia and Herzegovina in which the crimes charged against the Accused were committed, namely the areas of Bijeljina, Doboje, Zvornik, Sanski Most, and Trnovo.
12. In conclusion, the Prosecution submits that the Proposed Facts listed in the Annex are relevant, probative and reliable and their admission would not infringe upon the rights of the Accused. In the interest of judicial economy, The Trial Chamber should exercise its discretion in favour of admission.

⁹ *Prosecutor v. Momčilo Krajišnik*, Case no. IT-00-39-A. Appeals Chamber Judgment, 17 March 2009; First Adjudicated Facts Decision, 25 November 2009, para27 (i), (ii), (v).

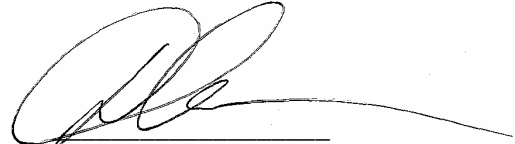
¹⁰ First Adjudicated Facts Decision, 25 November 2009, para27 (iii), (vi).

Relief Requested

13. For the reasons set out above, the Prosecution requests that the Trial Chamber take judicial notice, pursuant to Rule 94 (B), of the adjudicated facts identified in the Annex.

Word count: 1131

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Groome', written over a horizontal line.

Dermot Groome
Senior Trial Attorney

Dated this 5th day of January 2010
The Hague, The Netherlands

**THE INTERNATIONAL CRIMINAL TRIBUNAL
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Public Annex

**THIRD PROSECUTION MOTION FOR JUDICIAL
NOTICE OF ADJUDICATED FACTS WITH ANNEX**

**Annex of proposed facts from
Prosecutor v. Momčilo Krajišnik, Case No. IT-00-39-T**

**THE INTERNATIONAL CRIMINAL TRIBUNAL
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Case No. IT-03-69-T

ANNEX A

**PROSECUTION'S PROPOSED ADJUDICATED FACTS
(THIRD MOTION)**

A. Historical and Political Background

I. General Background Facts

#	Facts	Source(s) ¹
1.	Bosnia-Herzegovina more than any other republic of the former Yugoslavia, has been multi-ethnic for centuries, with Serbs, Muslims, and Croats as the predominant nationalities.	<i>Krajišnik</i> Trial Judgement, para. 12.
2.	The large Muslim population of Bosnia-Herzegovina owes its religion and culture to the long Turkish occupation, during which time many Slavs adopted the Islamic faith.	<i>Krajišnik</i> Trial Judgement, para. 12.
3.	During the Second World War, Bosnia-Herzegovina was occupied by the German and Italian armies.	<i>Krajišnik</i> Trial Judgement, para. 13.
4.	Three distinct Yugoslav forces fought one another. Whereas the strongly nationalist Ustasha forces of the Croatian state supported the occupying powers, the Chetniks, Serb nationalist forces, and the partisans, a largely Communist and Serb group, both opposed the German and Italian forces.	<i>Krajišnik</i> Trial Judgement, para. 13.
5.	Muslims were found in the ranks of both the Ustasha and the Partisans. Bosnia-Herzegovina was particularly affected by serious crimes committed against the civilian population.	<i>Krajišnik</i> Trial Judgement, para. 13.
6.	After the Second World War, Yugoslavia was reconstituted as the Socialist Federal Republic of Yugoslavia (SFRY),	<i>Krajišnik</i> Trial Judgement, para.

¹ A citation to the relevant paragraphs of the Judgements follows each adjudicated fact using the abbreviations indicated in the Appendix.

	consisting of six republics – Bosnia-Herzegovina, Croatia, Macedonia, Montenegro, Serbia, and Slovenia – and two regions within Serbia – Volvodina and Kosovo.	14.
7.	The 1946 SFRY Constitution did not recognize a distinct Bosnian nation due to the fact that, unlike the other republics, there was no single majority national group in Bosnia-Herzegovina.	<i>Krajišnik</i> Trial Judgement, para. 14.
8.	It was only in the 1970s that the Muslims of Bosnia-Herzegovina came to be recognised as one of the nations of federal Yugoslavia.	<i>Krajišnik</i> Trial Judgement, para. 15.
9.	As of 1991, some 44 per cent of the Bosnians described themselves as Muslims, 31 per cent as Serbs, and 17 per cent as Croats.	<i>Krajišnik</i> Trial Judgement, para. 15.
10.	With Tito's death in 1980 and the deterioration of the economy, the unity of the federal state began to weaken. By the late 1980s, the leading political role of the League of Communists was formally abandoned.	<i>Krajišnik</i> Trial Judgement, para. 16.
11.	In February 1990 a law passed in Bosnia-Herzegovina allowing the formation of non-communist parties. Parties established pursuant to this law included: the (predominantly Muslim) Party of Democratic Action (SDA), established on 26 May 1990; the Serbian Democratic Party (SDS), established on 12 July 1990; and the Croatian Democratic Union (HDZ), established on 18 August 1990.	<i>Krajišnik</i> Trial Judgement, para. 17.
12.	The Armed Forces of the SFRY consisted of the active and reserve federal army, navy, and air force, collectively known as the JNA, and a separate system of Territorial Defence (TO) equipped with light weaponry stored mostly in municipal warehouses. Each republic had its own TO, which was under the control of the republic's Minister of Defence.	<i>Krajišnik</i> Trial Judgement, para. 18.
13.	In the early 1990's the traditional predominance of Serb officers in the JNA quickly increased. Very few non-Serb officers remained in the JNA. From 1991 to early 1992 the Serb component of JNA conscripts rose from just over 35 percent to around 90 percent.	<i>Krajišnik</i> Trial Judgement, para. 18.
14.	On 18 November 1990, the first multi-party elections for the republican legislature and the municipal assemblies were held in Bosnia-Herzegovina.	<i>Krajišnik</i> Trial Judgement, para. 19.
15.	The outcome essentially reflected the ethnic census of the population, since each ethnic group voted for the party claiming to represent its nationality.	<i>Krajišnik</i> Trial Judgement, para. 19.

II. Political Developments, 1990-1991

#	Facts	Source(s)
16.	Radovan Karadžić, Aleksandar Buha, Velibor Ostojić, Rajko	<i>Krajišnik</i> Trial

	Dukić, and Aleksandar Divčić were some of the persons involved in the establishment of the SDS.	Judgement, para. 25.
17.	From the moment of its creation, the SDS political platform included an emphasis on the protection of the Serb nation, which was disadvantaged by the purported lower birth rate of Serbs and by the way Bosnia-Herzegovina had been divided into municipalities, effectively making Serbs an ethnic minority in areas where they might otherwise have dominated.	<i>Krajišnik</i> Trial Judgement, para. 25.
18.	In 1990 and 1991 the SDS was funded by voluntary contributions and enjoyed the support of the overwhelming majority of Bosnian Serbs.	<i>Krajišnik</i> Trial Judgement, para. 26.
19.	The main organs of the SDS included the party Assembly, formally the supreme body; the SDS Main Board, the highest party organ at times when the Assembly was not in session; the SDS Executive Board, the executive arm of the Main Board; the president of the party, who was also the president of the Main Board; and several advisory bodies, such as the SDS Political and Economic Councils and the Commission for Personnel and Organization.	<i>Krajišnik</i> Trial Judgement, para. 26.
20.	The party was a hierarchical structure, organized into municipal assemblies and boards resembling the republican organs.	<i>Krajišnik</i> Trial Judgement, para. 26.
21.	Speaking in early November 1990, SDS president Radovan Karadžić said that SDS boards in the municipalities had the responsibility to maintain contact with “10 to 20 Serbian households, so that information from the most remote village reaches the Main Board in two hours at most.”	<i>Krajišnik</i> Trial Judgement, para. 26.
22.	In the following months, the close relationship between SDS municipal organs and the apex of the party was enhanced: by July 1991, for example, members of the Main Board and of the Executive Board were instructed to be involved in the work of local boards in the areas they represented.	<i>Krajišnik</i> Trial Judgement, para. 26.
23.	Local officials frequently addressed the central leadership in order to solve local problems.	<i>Krajišnik</i> Trial Judgement, para. 26.
24.	On 18 November 1990 the first multi-party elections were held in Bosnia-Herzegovina at the municipal and republican levels.	<i>Krajišnik</i> Trial Judgement, para. 27.
25.	In the Republic’s Assembly, composed of the House of Citizens and the House of Municipalities, voters gave the SDA 86 seats, the SDS 72 seats, and the HDZ 44 seats, out of a total of 240.	<i>Krajišnik</i> Trial Judgement, para. 27.
26.	Following the November 1990 elections, the SDA, SDS, and HDZ reached an agreement among themselves on a formula for the distribution of power.	<i>Krajišnik</i> Trial Judgement, para. 29.
27.	It was agreed that, at the most senior level, the Prime Minister would be from the HDZ, the President of the Assembly from the SDS, and the President of the Presidency from the SDA	<i>Krajišnik</i> Trial Judgement, para. 29.

	(the persons appointed were Jure Pelivan, Momčilo Krajišnik, and Alija Izetbegović, respectively).	
28.	Biljana Plavšić and Nikola Koljević were appointed to the Presidency of Bosnia-Herzegovina as SDS representatives.	<i>Krajišnik</i> Trial Judgement, para. 29.
29.	Positions in all Government organs and public institutions with government appointees were distributed in accordance with party quotas. This meant that, for practical purposes, personnel were chosen on the basis of nationality and allegiance to the views of the three coalition parties.	<i>Krajišnik</i> Trial Judgement, para. 29.
30.	This arrangement stamped out opposition by smaller parties and sowed the seeds for the establishment of parallel ethnic structures. The SDS, for example, received a vice-presidential position, two Ministers without portfolio, and five out of thirteen departmental portfolios in the Government, as well as eight out of thirty chairmanships of Assembly committees and commissions.	<i>Krajišnik</i> Trial Judgement, para. 29.
31.	The three parties divided among themselves top positions in the Ministry of Internal Affairs (MUP), which controlled the police. Alija Delimustafić (SDA) became MUP Minister, Vitomir Žepinić (SDS) became the deputy Minister, Avdo Hebib (SDA) became assistant Minister for police affairs, and Momčilo Mandić (SDS) became assistant Minister for the prevention and detection of crime. The regional organization of the Bosnia-Herzegovina MUP was based on nine Security Services Centres (CSBs), located in Bihać, Banja Luka, Doboj, Tuzla, Livno, Mostar, Zenica, Sarajevo, and Goražde. Chief positions in three of these were assigned to the SDS.	<i>Krajišnik</i> Trial Judgement, para. 30.
32.	At the local level, a similar division of posts was made, reflecting the percentages gained by each party in the elections. These percentages corresponded to the ethnic composition of each municipality.	<i>Krajišnik</i> Trial Judgement, para. 31.
33.	The municipal assembly was by law the highest organ of municipal authority.	<i>Krajišnik</i> Trial Judgement, para. 32.
34.	It was headed by the assembly president and one or more vice-presidents, who were elected by the assembly from its members for a four-year term. It consisted of a single chamber with quotas for its ethnic composition.	<i>Krajišnik</i> Trial Judgement, para. 32.
35.	The law provided that assembly delegates were to be chosen by secret ballot in popular elections for a four-year term.	<i>Krajišnik</i> Trial Judgement, para. 32.
36.	The municipal assembly was accorded a wide range of powers. In particular, the assembly was to issue the municipal statute, the defence plan, the municipal budget, and could call a municipal referendum.	<i>Krajišnik</i> Trial Judgement, para. 33.
37.	The assembly could also determine the organization and functioning of the executive board and other local government	<i>Krajišnik</i> Trial Judgement, para.

	authorities.	33.
38.	The assembly president was to convene assembly sessions, initiate debate, and sign assembly decisions, which were to be reached by majority vote.	<i>Krajišnik</i> Trial Judgement, para. 33.
39.	An executive organ (a board or a committee), together with a number of administrative organs or departments, was to be in charge of the implementation of assembly decisions.	<i>Krajišnik</i> Trial Judgement, para. 34.

III. Arming and Mobilization of Population

#	Facts	Source(s)
40.	Following the 1990 elections, mistrust grew among the three main ethnic groups in Bosnia-Herzegovina.	<i>Krajišnik</i> Trial Judgement, para. 35.
41.	During the period between the multiparty elections and early 1991, the SDS relied on the JNA and the MUP to defend the sovereignty and territorial integrity of Yugoslavia, which were the SDS's main political objectives at the time. This meant that most Serbs felt protected by federal and republican institutions despite some preparations for self-defence known to the SDS leadership.	<i>Krajišnik</i> Trial Judgement, para. 35.
42.	By spring of 1991, the SDS, in coordination with Yugoslav authorities, started arming and mobilizing the Serb population in many municipalities throughout Bosnia-Herzegovina. JNA and MUP officers assisted them in acquiring and distributing weapons.	<i>Krajišnik</i> Trial Judgement, para. 36.
43.	In a 1992 nomination for commendation by the Ilidža SJB, Tomislav Kovač was commended for having organized "illegal" meetings in 1991 in his capacity as commander of the SJB. According to the text of the nomination, "At those meetings which were held in Dobrinja, Ilidža and Blažuj, in addition to the obligations of gathering Serbs and their preparations for war, it was agreed to work intensively on the arming of citizens of Serbian nationality.	<i>Krajišnik</i> Trial Judgement, para. 40.
44.	Serbs armed themselves in at least 31 municipalities of Bosnia-Herzegovina, including Banja Luka, Belića, Bosanska Krupa, Bosanski Novi, Bosanski Petrovac, Bratunac, Brčko, Čelinac, Doboj, Donji Vakuf, Drvar, Foča, Gacko, Hadžići, Ilidža, Kalinovik, Kladanj, Ključ, Novi Grad, Novo Sarajevo, Pale, Prijedor, Prnjavor, Rogatica, Stanski Most, Sokolac, Šekovići, Trnovo, Višegrad, Vlasenica, and Vogošća.	<i>Krajišnik</i> Trial Judgement, para. 41.
45.	Bosnian Serbs were often provided with training by JNA and police officers, and were in some cases organized into paramilitary groups.	<i>Krajišnik</i> Trial Judgement, para. 41.
46.	A report on the situation in Bosnia-Herzegovina in March 1992 by General Milutin Kukanjac, commander of the JNA	<i>Krajišnik</i> Trial Judgement, para.

	2nd Military District (covering Bosnia-Herzegovina and small areas of Croatia) stated that “the leadership of Serbian people and all Serbs are ready for the war, in the case that the confederation in Bosnia and Herzegovina is not accepted”, and indicated that the SDS had distributed 17,298 weapons to “volunteer units” in the 2nd Military District.	42.
47.	On 31 August 1992 the 1st Krajina Corps reported to the VRS Main Staff that weapons and other military equipment were being issued, since 1991, to the TOs and other “structures outside the armed forces”, that is paramilitary units and the Serb population in general.	<i>Krajišnik</i> Trial Judgement, para. 42.
48.	There was fear among Bosnian Serbs that Muslims and Croats would engage in extreme violence against them.	<i>Krajišnik</i> Trial Judgement, para. 43.
49.	The SDS leadership did not discourage such fears, but rather shared them and made them public, thus exacerbating the mutual distrust among the ethnicities.	<i>Krajišnik</i> Trial Judgement, para. 43.
50.	In the face of a growing divide between the SDA and the HDZ, on the one side, and the SDS, on the other, Bosnian Serbs experienced instances of “outvoting” by the other two main parties both at the central and the local levels.	<i>Krajišnik</i> Trial Judgement, para. 43.
51.	This state of fear, and the propaganda that went with it, did not abate.	<i>Krajišnik</i> Trial Judgement, para. 45.
52.	The fear that the Bosnian Serbs could be left as a minority in someone else’s state was a paramount consideration in the minds of the SDS leadership. This theme was presented as justification for their claims to the territories where Serbs had been a majority before the genocide of the Second World War.	<i>Krajišnik</i> Trial Judgement, para. 47.
53.	The question of the “national and physical survival of the Serbian people in Bosnia and Herzegovina, who in recent history have been exposed to one of the worst genocides and policies of forced resettlement in Europe” was highlighted in a document signed by [Momčilo Krajišnik] and issued by the Bosnian-Serb Assembly on 19 December 1991.	<i>Krajišnik</i> Trial Judgement, para. 47.

IV. Creation of Serb Autonomous Regions and Districts

#	Facts	Source(s)
54.	During the first months of 1991 the SDS began to organize Serb-majority municipalities in Bosnia-Herzegovina into communities of municipalities, in some cases severing ties with pre-existing communities of municipalities.	<i>Krajišnik</i> Trial Judgement, para. 48.
55.	SDS party leaders justified the associations in terms of economic necessity. However, among the functions of the SDS assigned to the Bosnian Krajina community of	<i>Krajišnik</i> Trial Judgement, para. 49.

	municipalities was the organization of its defence in time of war or imminent threat of war. When considered together with the arming and mobilization of the Serbian population, this policy shows that the SDS was prepared to oppose even by force the possibility that Bosnia-Herzegovina would become an independent unitary state.	
56.	The SDS party leadership, in agreement with the political establishment in Serbia, began considering options for a break-up of Bosnia-Herzegovina along ethnic lines and a realignment of component parts with neighbouring states.	<i>Krajišnik</i> Trial Judgement, para. 49.
57.	On 14 February 1991 Slobodan Milošević briefed Radovan Karadžić, Biljana Plavšić, and [Momčilo Krajišnik] on the stance of each of the Presidents of the Yugoslav republics with respect to maintaining a federal Yugoslavia. A few days after this meeting, Karadžić gave an interview in which he stated that, should Croatia and Slovenia secede, the “core Yugoslavia” that remained would have to adjust its borders by applying “the ethnic principle”: to the extent possible, Serb villages would remain in Yugoslavia, and Croatian villages would become part of the new Croatian state.	<i>Krajišnik</i> Trial Judgement, para. 50.
58.	By June 1991 the SDS leadership ordered SDS organs in the municipalities to prepare maps of the municipalities showing as precisely as possible, in colour, the ethnic composition of each territory.	<i>Krajišnik</i> Trial Judgement, para. 52.
59.	On 25 June 1991 Croatia and Slovenia declared their independence from SFRY.	<i>Krajišnik</i> Trial Judgement, para. 53.
60.	The armed conflict in Croatia commenced in the summer of 1991 and the fighting continued into the autumn. In September 1991, as part of a wider JNA operation in Croatia, the JNA 5 th Corps (based in Bosnia-Herzegovina during peacetime) was mobilized and deployed in Croatia.	<i>Krajišnik</i> Trial Judgement, para. 54.
61.	The Yugoslav Government said that the military action in Croatia was necessary to protect Croatian Serbs from “physical liquidation”.	<i>Krajišnik</i> Trial Judgement, para. 54.
62.	The armed conflicts in Slovenia and Croatia increased animosity between the SDS, on the one hand, and the SDA and HDZ, on the other. In late August 1991 the SDS leadership began to consider the creation of a separate Serb territory in Bosnia-Herzegovina with a view to enabling Serbs to remain in Yugoslavia should the other national communities proceed with the creation of an independent republic. This plan envisaged the institution of separate Serb political, police, and military structures in order to institute, at a later stage, separate governmental functions uniting the Serbs in Bosnia-Herzegovina.	<i>Krajišnik</i> Trial Judgement, para. 55.
63.	In July 1991 Karadžić expressed the view that the SDS, if needed, was able to create parallel state structures in a very	<i>Krajišnik</i> Trial Judgement, para.

	short time.	56.
64.	On 7 September 1991, at a meeting in Pale, the SDS issued a “Decision on promulgation of autonomous regions as unquestionable parts of the federal state of Yugoslavia and as constituent parts of the federal unit of Bosnia and Herzegovina and on separation of settlements of one municipality and their integration into another municipality”. During the same month the SDS implemented a policy of “regionalization”. This consisted in the creation of “regions” in which Serbs were the relative majority. On 16 September the SDS Executive Board approved the appointment of a regionalization staff.	<i>Krajišnik</i> Trial Judgement, para. 57.
65.	The SDS leadership resolved to start requesting loyal officials in republican organs to report along party lines. In September and October 1991, SDS officials and top-ranking personnel of republican (Bosnia-Herzegovina) organs met to exchange information and establish coordination and cooperation between SDS members in various organs. They adopted a resolution to set up a duty system in order to monitor activities, implementation of tasks in state organs, day-to-day problem management in different fields and serve as a liaison with the SDS.	<i>Krajišnik</i> Trial Judgement, para. 60.
66.	In the summer of 1991 the Bosnia-Herzegovina MUP Minister presented Kljuić with a recording of a telephone conversation between Slobodan Milošević and Radovan Karadžić.	<i>Krajišnik</i> Trial Judgement, para. 61.
67.	Kljuić understood from that conversation that the territories around Banja Luka, together with the existing Serb holdings in Croatia, were to become the western border of a “Serb” state, which would encompass 70 to 75 per cent of the territory of Bosnia-Herzegovina.	<i>Krajišnik</i> Trial Judgement, para. 61.
68.	Kljuić suggested that Bosnia-Herzegovina should recognize the existing borders of Croatia and Serbia and Montenegro, so that those states would not make territorial claims to Bosnia-Herzegovina.	<i>Krajišnik</i> Trial Judgement, para. 61.
69.	The Accused, Karadžić, and Koljević all disagreed with this proposal and insisted that either Bosnia-Herzegovina as a whole would remain in Yugoslavia, or it would be divided: Western Herzegovina would become part of Croatia, while the Bosnian Serbs would join Yugoslavia.	<i>Krajišnik</i> Trial Judgement, para. 61.
70.	Thus, by autumn 1991, two political options for the settlement of the “Bosnian question” openly competed in the Assembly of Bosnia-Herzegovina.	<i>Krajišnik</i> Trial Judgement, para. 62.
71.	One option, espoused by the SDA and the HDZ as well as the majority of opposition parties, envisaged sovereign and internationally recognized statehood for Bosnia-Herzegovina.	<i>Krajišnik</i> Trial Judgement, para. 62.
72.	The other option, preferred by the SDS and some of the smaller parties, was that Bosnia-Herzegovina should remain within Yugoslavia.	<i>Krajišnik</i> Trial Judgement, para. 62.

73.	Each side radically opposed the other's option, and the SDS was ready to have "Serb" territories secede from an independent Bosnia-Herzegovina if that was the only way for Serbs to remain in Yugoslavia.	<i>Krajišnik</i> Trial Judgement, para. 62.
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V. Bosnian-Serb Assembly and Establishment of Bosnian-Serb Republic

#	Facts	Source(s)
74.	On 23 October 1991, the Yugoslav presidency invited Radovan Karadžić, [Momčilo Krajišnik], Nikola Koljević, and Biljana Plavšić, among others, to a meeting. The main object was to calculate the percentage of the population from the territories of the former Yugoslavia who were supporting Yugoslavia, the concept of Federation, the policy promoted by Slobodan Milošević.	<i>Krajišnik</i> Trial Judgement, para. 66.
75.	On 24 October 1991 the SDS deputies convened separately and established the Assembly of the Serbian People of Bosnia-Herzegovina (Bosnian-Serb Assembly). [Momčilo Krajišnik] as elected President of this Assembly. Nikola Koljević, Biljana Plavšić, Radovan Karadžić, Milutin Najdanović, and Miodrag Simović were "authorised to represent and protect the interests of the Serbian people of Bosnia-Herzegovina." It was resolved that, for the time being, Serb representatives in republican bodies would not relinquish their offices and would carry out their duties "in accordance with the law".	<i>Krajišnik</i> Trial Judgement, paras. 67 and 68.
76.	In practice, the Bosnian-Serb Assembly began as a gathering of the SDS Deputies' Club, joined by a few Serb non-SDS deputies from the Bosnia-Herzegovina Assembly.	<i>Krajišnik</i> Trial Judgement, paras. 67.
77.	During the same session, Bosnian-Serb deputies passed a resolution that "the Serbian people of Bosnia-Herzegovina shall stay in the joint state of Yugoslavia together with Serbia, Montenegro, SAO Krajina, SAO Slavonija, Baranja, Western Sirmium [Zapadni Srem], and others who may declare that they wished to stay," subject to confirmation by a plebiscite.	<i>Krajišnik</i> Trial Judgement, paras. 68.
78.	Twenty-three sessions of the Bosnian-Serb Assembly were held between October 1991 and December 1992. The evidence shows that all were chaired by Momčilo Krajišnik, except for the 15th session (held on 6 and 7 April 1992), when at least part of the session was chaired by Milovan Milanović. Deputies attending these sessions came from the following municipalities: Banja Luka, Bijeljina, Bileća, Bosanska Krupa, Bosanski Novi, Bosanski Petrovac, Brčko, Čajniče, Čelinac, Doboј, Donji Vakuf, Foča, Gacko, Sarajevo, Ključ, Kalinovik, Kotor Varoš, Nevesinje, Prijedor, Prnjavor, Sanski Most, Sokolac, Teslić, and Zvornik.	<i>Krajišnik</i> Trial Judgement, para. 69.

79.	Already on 18 October 1991 Radovan Karadžić, as president of SDS, had declared a state of emergency in the SDS and ordered the organization of daily meetings of the SDS municipal boards and round-the-clock duty watches, indicating that instructions would follow on a daily basis.	<i>Krajišnik</i> Trial Judgement, para. 71.
80.	On 21 November 1991, the Bosnian-Serb Assembly adopted a resolution declaring full support for the JNA in defence of the common state of Yugoslavia and in conducting mobilization of the Serb people in Bosnia-Herzegovina, in order to reinforce military units. The resolution added: "Serbian people and other people who wish to preserve Yugoslavia are called upon to respond to military call-ups".	<i>Krajišnik</i> Trial Judgement, para. 75.
81.	On 21 November 1991, the Bosnian-Serb Assembly certified the proclamation of the SAOs in Bosnia-Herzegovina. The ARK had its seat in Banja Luka and comprised the following municipalities: Banja Luka, Bosanski Novi, Bosanski Petrovac, Čelinac, Ključ, Kotor Varoš, Prijedor, Prnjavor, Sanski Most, "as well as parts of other municipalities from this region with a majority Serbian population".	<i>Krajišnik</i> Trial Judgement, para. 76.
82.	It soon became clear to the Bosnian-Serb leadership that the creation of a parallel Assembly and the calls for support of federal institutions (primarily the JNA) would most likely not result in Bosnia-Herzegovina remaining in Yugoslavia.	<i>Krajišnik</i> Trial Judgement, para. 81.
83.	Between November and December 1991, therefore, the SDS leadership began practical preparations for a separate state, should Bosnia Herzegovina secede.	<i>Krajišnik</i> Trial Judgement, para. 81.
84.	A letter signed by [Momčilo Krajišnik] as President of the Bosnian-Serb Assembly on 19 December 1991, addressed to the government of the self-proclaimed Republic of Serbian Krajina (on the territory of Croatia), reflected not only the shared goal that all Serbs live in one state, but also the idea that Serbs in Croatia and Bosnia-Herzegovina were, even as minorities, on territory which historically belonged to them.	<i>Krajišnik</i> Trial Judgement, para. 82.
85.	On 2 December 1991 Herbert Okun and Cyrus Vance met with Radovan Karadžić in Belgrade. Karadžić expressed his concern that Bosnia-Herzegovina would become independent. He strongly advocated the preservation of Yugoslavia as a federal state, in order to ensure that the Bosnian Serbs would not become a minority in Bosnia-Herzegovina. He expressed fear that the Muslims wanted to control all of Bosnia-Herzegovina and that they expected to achieve this through their higher birth rate. He also said that unless the Bosnian-Serb municipalities formed a lawful connection with Yugoslavia, war would result.	<i>Krajišnik</i> Trial Judgement, para. 83.
86.	At the third session of the Bosnian-Serb Assembly, held on 11 December 1991, a recommendation was passed that separate (Serb) municipal assemblies should be formed in areas where Serbs were in the minority.	<i>Krajišnik</i> Trial Judgement, para. 84.

87.	A recommendation was passed that separate (Serb) municipal assemblies should be formed in areas where Serbs were in the minority	<i>Krajišnik</i> Trial Judgement, para. 85.
88.	On 19 or 20 December 1991 a document entitled “Instructions for the Organisation and Activity of the Organs of the Serbian People in Bosnia and Herzegovina in Extraordinary Circumstances”, dated “Sarajevo, 19 December 1991”, was introduced to the participants of a meeting of high-level SDS representatives. [...] Karadžić, in addressing the meeting, said that SDS municipal boards would become responsible, pursuant to these Instructions, for creating a network that would cover all Serbs living in the municipalities. All members of the SDS Main Board, including the [Momčilo Krajišnik], were present at that meeting.	<i>Krajišnik</i> Trial Judgement, para. 86.
89.	[D]espite some uncertainty about who authored the Instructions and how they were disseminated, the Chamber finds that they reflected SDS policy and that they found their way to local SDS leaders between 20 December 1991 and the early months of 1992.	<i>Krajišnik</i> Trial Judgement, para. 97.
90.	[T]he Instructions were received and implemented, fully or partially, in several municipalities in Bosnia-Herzegovina.	<i>Krajišnik</i> Trial Judgement, para. 97.
91.	Karadžić also referred to their implementation in the weeks following 20 December 1992.	<i>Krajišnik</i> Trial Judgement, para. 97.
92.	Preparations for take-over in municipalities started immediately after the Instructions were announced. On 21 December 1991 the Bosnian-Serb Assembly appointed a coordinator of the work of governments and executive bodies of the SAOs, Jovan Čizmović, who was tasked with, among other things, the implementation of the 19 December Instructions.	<i>Krajišnik</i> Trial Judgement, para. 98.
93.	On 21 December 1991 the Bosnian-Serb Assembly adopted a statement pointing out that the decisions of the Bosnia-Herzegovina Presidency in favour of independence were taken unconstitutionally and contrary to the equality of the three ethnicities. It also decided “to commence preparations for the establishment of the Republic of Serbian Bosnia and Herzegovina as a federal unit within Yugoslavia”, despite the fact that, by that time, [Slobodan] Milošević had informed Radovan Karadžić and [Momčilo Krajišnik] that the international community intended to foster an independent, federal, Bosnia-Herzegovina and that Yugoslavia would only consist of Serbia and Montenegro.	<i>Krajišnik</i> Trial Judgement, para. 101.
94.	The deputies proceeded to establish a Ministerial Council, which was to act under the Assembly. Vitomir Žepinić and Mićo Stanišić, high-level officials in the Bosnia-Herzegovina MUP, were named to the Council, the former as Minister of	<i>Krajišnik</i> Trial Judgement, para. 102.

	Internal Affairs and the latter as Minister without portfolio. The proclamation of a Bosnian-Serb Republic was set for 14 January 1992. Radovan Karadžić suggested that a solution to the crisis might lie in the creation of three entities, each with ties to different states.	
95.	On 9 January 1992 the Bosnian-Serb Assembly unanimously proclaimed “the Republic of the Serbian People of Bosnia and Herzegovina”. [...] The implementation of the proclamation was conditional upon the recognition of independence of Bosnia-Herzegovina by the international community. Nevertheless, the SDS-backed arming of the Serb population during this period shows that the Bosnian-Serb leadership was also simultaneously preparing for another course of action.	<i>Krajišnik</i> Trial Judgement, para. 103.
96.	On 11 January 1992 Radovan Karadžić and [Momčilo Krajišnik] attended the first meeting of the Bosnian-Serb Ministerial Council, where they participated in a discussion on “execution of tasks resulting from the Declaration ... of the Republic of the Serbian People of Bosnia and Herzegovina” which had been adopted two days earlier. The list of priorities identified at the meeting included definition of Bosnian-Serb ethnic territory and the establishment of government organs in that territory. Following this meeting, Bosnian-Serb authorities moved ahead with the organization of a separate Serb MUP. This meeting shows the officialization of the SAOs within the structure of the nascent Serb state: SAO presidents were made ex officio members of the Ministerial Council.	<i>Krajišnik</i> Trial Judgement, para. 106.
97.	During [January 1992], the SDS started contemplating military conflict as a likelihood, and no longer as a mere possibility. Thus, arming and mobilization of the population in cooperation with the JNA increased.	<i>Krajišnik</i> Trial Judgement, para. 108.
98.	On 13 February 1992 [Momčilo] Mandić directed the CSB chiefs in Banja Luka, Doboj, and Goražde, the SJB heads in Nevesinje, Sokolac, and Bijeljina, and the chief of the SUP in Sarajevo to prepare for the Serb MUP. Part of the preparation for separation included the arming of Serb police officers and Serb police stations. The CSBs and SJBs reassigned stockpiled weapons belonging to the reserve police force to the new Serb MUP.	<i>Krajišnik</i> Trial Judgement, para. 110.
99.	On or about 12 February 1992 a meeting of representatives of three SAOs was held in Doboj, which [Radovan] Karadžić, [Momčilo Krajišnik], and Maksimović attended. During the meeting, an exchange of population was discussed to achieve territorial continuity between Croatian and Bosnian Krajina, on the one side, and Semberija and Serbia proper, on the other.	<i>Krajišnik</i> Trial Judgement, para. 111.
100.	On [28 February 1992], the Bosnian-Serb Assembly unanimously adopted the Constitution of the Serbian Republic	<i>Krajišnik</i> Trial Judgement, para.

	of Bosnia-Herzegovina, along with a Government Act, a Law on Defence, and a Law on Internal Affairs. The Constitution defined the Bosnian-Serb Republic as part of federal Yugoslavia, and not of Bosnia-Herzegovina.	118.
101.	On 6 April 1992 the independence of Bosnia-Herzegovina was recognized by the European Community. The next day, the Bosnian-Serb Assembly, chaired by Milovan Milanović, declared the independence of the Bosnian-Serb Republic (on 12 August 1992, the name of the republic was changed to “Republika Srpska”). Plavšić and Koljević resigned from their positions in the Presidency of Bosnia-Herzegovina. On 17 April Radovan Karadžić called upon all employees of Serb ethnicity, appointed by the SDS to serve in institutions of Bosnia-Herzegovina, to withdraw from their positions and to be reappointed in the corresponding Bosnian-Serb institutions.	<i>Krajišnik</i> Trial Judgement, para. 128.
102.	Assembly sessions were often attended by the President of the Bosnian-Serb Republic, other members of the Presidency, Ministers of the Bosnian-Serb Republic, members of the SDS Main Board, presidents of municipalities, and representatives of the Orthodox clergy. Following the establishment of the VRS on 12 May 1992, Generals Ratko Mladić, Milan Gvero, and Momir Talić, as well as Colonel Zdravko Tolimir, would also often attend. They, together with other military officials, would address the Bosnian-Serb Assembly on the strategic situation and proposed plans of action. The deputies were regularly informed about the political and military situation by Radovan Karadžić, Biljana Plavšić, and [Momčilo Krajišnik].	<i>Krajišnik</i> Trial Judgement, para. 138.
103.	In its early days, the Bosnian-Serb Assembly was composed of 82 deputies. All but seven were SDS members. Other parties represented in the Bosnian-Serb Assembly were the Reformist Party, the former Communist League, and the Serb Renewal Movement.	<i>Krajišnik</i> Trial Judgement, para. 139.
104.	[T]he activities of the Assembly were supported financially by the SDS.	<i>Krajišnik</i> Trial Judgement, para. 139.
105.	The Assembly’s composition and operating methods thus ensured that the decision making process was heavily influenced by SDS policy. [Momčilo Krajišnik], both as President of the Assembly and as a prominent member of the SDS, played an important role in effecting the SDS’s influence over the Bosnian-Serb Assembly.	<i>Krajišnik</i> Trial Judgement, para. 140.
106.	In the first days of April 1992, following international recognition of Bosnia-Herzegovina as an independent state and the beginning of the conflict, the Bosnian-Serb leadership relocated to Pale, about 20 kilometers from Sarajevo.	<i>Krajišnik</i> Trial Judgement, para. 147.
107.	[T]he Government moved to the Bistrica Hotel on Mount Jahorina. [Momčilo Krajišnik] remained in the Kikinda Hotel, as did Koljević, Plavšić, and Karadžić. By the end of	<i>Krajišnik</i> Trial Judgement, para. 148.

	July 1992, Biljana Plavšić moved to Mount Jahorina.	
108.	[M]ilitary telecommunication lines were used to share information and transmit orders between Pale and local authorities.	<i>Krajišnik</i> Trial Judgement, para. 147.
109.	In April 1992, Nikola Koljević proposed to JNA colonel Bogdan Subotić that he set up a Bosnian-Serb Ministry of Defence. Branko Đerić and the Assembly were aware of this approach. Subotić accepted the assignment, moved to Pale, and with the assistance of the SFRY Ministry of Defence, started organizing the Ministry and preparing drafts of the Law on Defence and Law on the Army. These drafts were eventually adopted by the Government and submitted to the Bosnian-Serb Assembly. The Ministry's central office was located at the Bistrica Hotel and consisted of approximately 30 staff members. Branches of the Ministry existed in Banja Luka, Bijeljina, and Sarajevo. Since communication was often disrupted in the first months, local military detachments were asked to dispatch messages through deputies traveling to Pale for Assembly sessions.	<i>Krajišnik</i> Trial Judgement, para. 149.
110.	In the course of 1992, the Bosnian-Serb Government held around 90 sessions. Nedeljko Lakić, secretary of the Government from 27 April 1992 onwards, would see Prime Minister Đerić about twice a week and would liaise with him and other Ministers to organize the sessions. After each session, Lakić would write the minutes of the meetings, and show them to Đerić. Legislative proposals were forwarded to the Assembly, while decisions within the competence of the Government were published in the <i>Official Gazette</i> .	<i>Krajišnik</i> Trial Judgement, para. 150.
111.	[T]he Government exercised a certain amount of control over, and cooperated with, municipal authorities and crisis staffs.	<i>Krajišnik</i> Trial Judgement, para. 151.
112.	By early May 1992, the Government had at its disposal in Pale a Republican Information Centre which connected with regional communication centres in the Bosnian- Serb territory. It operated 24 hours per day and had five employees. By June 1992, written reports, as well as dozens of telegrams, were received daily by the Centre and sent on to the intended recipients. Most of those were addressed to the Presidency, the Government, "units and institutions in Pale", and "units in Sokolac". Some of the delivered documents were long and confidential.	<i>Krajišnik</i> Trial Judgement, para. 153.

VI. Bosnian-Serb Presidency

#	Facts	Source(s)
113.	In accordance with the Bosnian-Serb Constitution, the	<i>Krajišnik</i> Trial

	President of the Republic would represent the Bosnian-Serb Republic.	Judgement, para. 158.
114.	The President was the commander-in-chief of the Army, with authority to define the Army's organization, establish the system of Army command, prepare the Army for war, and issue basic regulations related to combat.	<i>Krajišnik</i> Trial Judgement, para. 159.
115.	In contrast to the situation in peace time, when the President could merely propose laws, in a state of war or immediate threat of war, the President, on his or her own initiative, could enact laws on questions falling within the jurisdiction of the Bosnian-Serb Assembly, subject to confirmation by the Assembly as soon as it was able to reconvene.	<i>Krajišnik</i> Trial Judgement, para. 160.
116.	On 27 March 1992, the Bosnian-Serb Assembly established the SNB. Radovan Karadžić performed the role of the president of the SNB between 27 March and early May 1992, even though he was not the President of the Bosnian-Serb Republic at the time.	<i>Krajišnik</i> Trial Judgement, para. 161.
117.	Ex officio members of the SNB also included the President of the Bosnian-Serb Assembly ([Momčilo Krajišnik]) and the Bosnian-Serb Republic's Prime Minister, and the Ministers of Defence and Interior.	<i>Krajišnik</i> Trial Judgement, para. 161.
118.	By early April 1992, the SNB developed into an executive organ issuing instructions to, and receiving reports from, municipal crisis staffs and TOs. As mentioned earlier, the SNB would meet in joint sessions with the Bosnian-Serb Government for the purpose of taking decisions on military, political, and administrative matters.	<i>Krajišnik</i> Trial Judgement, para. 162.
119.	The SNB would meet in joint sessions with the Bosnian-Serb Government for the purpose of taking decisions on military, political, and administrative matters.	<i>Krajišnik</i> Trial Judgement, para. 163.
120.	Biljana Plavšić and Nikola Koljević, as elected Serb members of the Bosnia-Herzegovina Presidency, became ipso facto members of this collective body.	<i>Krajišnik</i> Trial Judgement, para. 163.
121.	On 12 May 1992, the Bosnian-Serb Assembly passed a constitutional law instituting a three-member Presidency until a President of the Bosnian-Serb Republic could be elected by the people. Radovan Karadžić, Nikola Koljević, and Biljana Plavšić were appointed to the Presidency on that same day.	<i>Krajišnik</i> Trial Judgement, para. 164.
122.	[O]n 12 May [1992], the Presidency held its first session, and Karadžić was elected President of the Presidency, thus becoming the President of the Bosnian-Serb Republic. The President was bestowed with the authority to appoint, promote, and discharge military officers, military judges, and military prosecutors.	<i>Krajišnik</i> Trial Judgement, para. 165.
123.	Following the establishment of the Presidency, the last reported meeting of the SNB took place on 15 May 1992. The SNB was effectively replaced by the Presidency.	<i>Krajišnik</i> Trial Judgement, para. 167.

124.	The sessions of the Presidency were regularly attended by five persons, namely, Radovan Karadžić, Biljana Plavšić, Nikola Koljević, Branko Đerić, and [Momčilo Krajišnik]. The three members of the Presidency envisaged by the Constitution, that is, Karadžić, Koljević, and Plavšić, never once met alone. [Momčilo Krajišnik] was present at all recorded official sessions in 1992, except possibly for one.	<i>Krajišnik</i> Trial Judgement, para. 168.
125.	The sessions were informal and were usually chaired by Karadžić or, in his absence, [Momčilo Krajišnik].	<i>Krajišnik</i> Trial Judgement, para. 169.
126.	As far as being informed, Presidency members had contacts with foreign negotiators and would go to Belgrade for consultations on negotiations and on the general situation in Bosnia-Herzegovina.	<i>Krajišnik</i> Trial Judgement, para. 173.
127.	Accordingly, the Presidency was well informed about the overall situation in the Republic. Indeed, it was generally the members of the Presidency, often Karadžić, who reported to the Assembly on the military and strategic situation in the Bosnian-Serb Republic.	<i>Krajišnik</i> Trial Judgement, para. 173.
128.	On 1 June 1992, the Bosnian-Serb Presidency amended the Constitution pursuant to its emergency powers in time of war or immediate threat of war.	<i>Krajišnik</i> Trial Judgement, para. 174.
129.	However, a state of war had not been officially declared by the Bosnian-Serb Presidency prior to this date.	<i>Krajišnik</i> Trial Judgement, para. 175.
130.	The Presidency appears to have decided not to declare a state of war. This means that the formal condition for the establishment of the Expanded Presidency was not met at any time in 1992.	<i>Krajišnik</i> Trial Judgement, para. 175.
131.	The Bosnian-Serb Presidency thus operated in fact with five members from its inception on 12 May 1992.	<i>Krajišnik</i> Trial Judgement, para. 178.
132.	This Presidency acted as the commander-in-chief of the Bosnian-Serb Republic until 17 December 1992 when the Bosnian-Serb Assembly elected Karadžić as President of the Bosnian-Serb Republic, with Koljević and Plavšić as vice-presidents.	<i>Krajišnik</i> Trial Judgement, para. 181.
133.	[Mićo] Stanišić would report to the Presidency on his consultations with the Ministry of Interior of Serbia.	<i>Krajišnik</i> Trial Judgement, para. 184.
134.	The Presidency was composed entirely of SDS members, and the Assembly almost exclusively. This meant that, when the Bosnian-Serb institutions started operating, control over the SDS meant control over the policies of the Bosnian-Serb state-to-be.	<i>Krajišnik</i> Trial Judgement, para. 187.
135.	The Bosnian-Serb Government, and by extension, the Bosnian-Serb Republic, was nothing more than an agency	<i>Krajišnik</i> Trial Judgement, para.

	implementing policies dictated by the leadership of the SDS under the watchful eyes and strong hands of Karadžić and [Momčilo Krajišnik].	187.
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VII. Armed Forces

#	Facts	Source(s)
136.	On 1 June 1992, the Law on the Army proclaimed the Army of the Bosnian-Serb Republic (VRS), which was charged with defending the Republic's sovereignty, territory, and independence.	<i>Krajišnik</i> Trial Judgement, para. 188.
137.	The Bosnian-Serb President was commander-in-chief and had authority to define the VRS organization, establish the system of command, establish a plan for deployment, and make decisions on deployment, define the demarcation of military territory, and issue regulations related to combat	<i>Krajišnik</i> Trial Judgement, para. 189.
138.	On 15 April 1992, at a joint meeting of the SNB and the Government, a JNA colonel was appointed commander of the Serb TO and tasked with supervising and controlling local TOs.	<i>Krajišnik</i> Trial Judgement, para. 192.
139.	On 16 April 1992, the Ministry of Defence of the Bosnian-Serb Republic publicly affirmed the state of imminent threat of war declared the day before by the Bosnian-Serb Presidency pursuant to its emergency powers, and informed the ARK, other SAO governments, and all Serb municipalities of the decision made the previous day by the Bosnian-Serb Presidency that the Serb TO would become "an armed force" of the Bosnian-Serb Republic.	<i>Krajišnik</i> Trial Judgement, para. 192.
140.	Despite the creation of the VRS, TO units were not disbanded completely and the role of the TO remained significant.	<i>Krajišnik</i> Trial Judgement, para. 194.
141.	On 12 May 1992, in a long speech to the Assembly, General Ratko Mladić explained his "vision" that the Serbs could prevail in the territories they considered theirs without completely destroying the Muslims: "we cannot cleanse nor can we have a sieve to sift so that only Serbs would stay, or that the Serbs would fall through and the rest leave. ... I do not know how Mr. Krajišnik and Mr. Karadžić would explain this to the world. ... that would be genocide."	<i>Krajišnik</i> Trial Judgement, para. 975.
142.	Mladić advised the Bosnian-Serb leadership on how to achieve controversial military objectives quietly, cynically, ruthlessly, while staying below the radar of international attention: "We should not say: we will destroy Sarajevo, we need Sarajevo. We are not going to say that we are going to destroy the power supply pylons or turn off the water supply, no, because that would get America out of its seat, but ... one	<i>Krajišnik</i> Trial Judgement, para. 975.

	day there is no water at all in Sarajevo. What it is we do not know ... And the same with the electrical power ... we have to wisely tell the world, it was they who were shooting, hit the transmission line and the power went off, they were shooting at the power supply facilities ... that is what diplomacy is”.	
143.	On 15 May 1992, Mićo Stanišić mobilized the TO further pursuant to a decision of Biljana Plavšić and Nikola Koljević.	<i>Krajišnik</i> Trial Judgement, para. 194.
144.	In addition, in the months that followed, and despite some delay, many Serb TO units were renamed “light brigades” of the VRS	<i>Krajišnik</i> Trial Judgement, para. 196.
145.	In June 1992 the VRS comprised 177,341 personnel divided into five Corps, as well as some units not attached to any specific Corps, all under the command of an Army Main Staff headed by Ratko Mladić.	<i>Krajišnik</i> Trial Judgement, para. 197.
146.	The five Corps were the 1st Krajina Corps (formerly the JNA 5th Corps, headed by Momir Talić from 17 March 1992); the 2nd Krajina Corps (formerly the JNA 10th Corps); the East Bosnia Corps (formerly the JNA 17th Corps); the Sarajevo-Romanija Corps (formerly the JNA 4th Corps); and the Herzegovina Corps (formerly part of the JNA 9th Corps).	<i>Krajišnik</i> Trial Judgement, para. 197.
147.	In November 1992 the Drina Corps was created on territory previously under the authority of the East Bosnia Corps and the Sarajevo-Romanija Corps.	<i>Krajišnik</i> Trial Judgement, para. 197.
148.	Following the establishment of the VRS, the army continued to receive substantial financial and material support from the JNA and SFRY.	<i>Krajišnik</i> Trial Judgement, para. 198.
149.	Its assistance was not limited to financial resources. Large quantities of military and medical supplies, as well as foodstuffs and means of communication, were delivered in the course of 1992 from Yugoslavia both to the VRS Main Staff and to the various Corps of the VRS.	<i>Krajišnik</i> Trial Judgement, para. 198.
150.	The supreme military commander of the VRS was the President of the Republic, Radovan Karadžić.	<i>Krajišnik</i> Trial Judgement, para. 205.
151.	Directly below him was Mladić, who was the Commander of the VRS Main Staff.	<i>Krajišnik</i> Trial Judgement, para. 205.
152.	[F]rom May to November 1992, General Mladić would consult the Bosnian-Serb leadership regularly.	<i>Krajišnik</i> Trial Judgement, para. 205.
153.	The chain of command and the resulting close relationship between the members of the Presidency and the Main Staff also meant that the former were well briefed on the military situation throughout the Bosnian-Serb Republic by the latter.	<i>Krajišnik</i> Trial Judgement, para. 206.
154.	In an order dated 19 November 1992, [General Mladić] wrote: “The Drina Corps: From its present positions, its main forces	<i>Krajišnik</i> Trial Judgement, para.

	<p>shall persistently defend Višegrad (the dam), Zvornik and the corridor, while the rest of its forces in the wider Podrinje region 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.” This language (including the requirement that the Muslim population be expelled following the enemy’s surrender) was reproduced in the orders of officers down the line of command.</p>	999.
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VIII. Paramilitary Formations

#	Facts	Source(s)
155.	<p>Even before the hostilities began in Bosnia-Herzegovina, there existed a centre in Belgrade where volunteers were gathered to be sent to fight in Bosnia-Herzegovina. Furthermore, the Serbian Radical Party (SRS) recruited volunteers from within Bosnia-Herzegovina.</p>	<p><i>Krajišnik</i> Trial Judgement, para. 208.</p>
156.	<p>Many paramilitary units were seen operating independently at first. Often, paramilitary units were later incorporated within the TO structures and eventually ended up being either disbanded or integrated within the VRS structures.</p>	<p><i>Krajišnik</i> Trial Judgement, para. 208.</p>
157.	<p>A VRS Main Staff intelligence report on paramilitary formations dated 28 July 1992 was sent to the five VRS Corps, the President of the Presidency, the Prime Minister, and the commander of the Main Staff.</p>	<p><i>Krajišnik</i> Trial Judgement, para. 210.</p>
158.	<p>According to the report, paramilitaries did not express an affiliation with the SDS, but rather with parties in Serbia.</p>	<p><i>Krajišnik</i> Trial Judgement, para. 210.</p>
159.	<p>In Zvornik, in the period April to May 1992, the Yellow Wasps, a paramilitary unit consisting of around 100 heavily armed men, cooperated closely with the TO and was even issued arms by the TO’s logistics staff.</p>	<p><i>Krajišnik</i> Trial Judgement, para. 213.</p>
160.	<p>Once the VRS was established and the Zvornik Brigade formed towards the end of May, the Yellow Wasps were subordinated to it. This paramilitary unit had direct contact with the Pale leadership.</p>	<p><i>Krajišnik</i> Trial Judgement, para. 213.</p>
161.	<p>Local SDS boards, crisis staffs, and regional (SAO) governments often invited and assisted paramilitary groups.</p>	<p><i>Krajišnik</i> Trial Judgement, para. 215.</p>
162.	<p>This occurred, for example, with the Yellow Wasps, the Red Berets, Mauzer’s men, and Arkan’s men, operating in north-eastern Bosnia-Herzegovina (Bijeljina, Brčko, and Zvornik).</p>	<p><i>Krajišnik</i> Trial Judgement, para. 215.</p>
163.	<p>[I]nstead of disarming the paramilitaries, the VRS incorporated them into regular forces.</p>	<p><i>Krajišnik</i> Trial Judgement, para.</p>

		219.
164.	In the period May to August 1992, the Sarajevo-Romanija Corps also incorporated a paramilitary group into its ranks.	<i>Krajišnik</i> Trial Judgement, para. 220.
165.	In addition, and despite General Mladić's order of 28 July, some paramilitaries remained active in relative independence from the VRS.	<i>Krajišnik</i> Trial Judgement, para. 221.
166.	[I]nstead of suppressing these groups, the leadership and the VRS attempted, on several occasions to incorporate them into the regular VRS units.	<i>Krajišnik</i> Trial Judgement, para. 222.
167.	Some groups, "invited" by SDS local boards, crisis staffs, and regional government, were accepted as fighters for the "Serbian cause" despite their record of lawlessness and ruthless efficiency.	<i>Krajišnik</i> Trial Judgement, para. 222.
168.	Others were tolerated as long as they did not pose too much of a problem for Bosnian-Serb "legitimate" authorities.	<i>Krajišnik</i> Trial Judgement, para. 222.

IX. Ministry of Internal Affairs (MUP)

#	Facts	Source(s)
169.	The new Law on Internal Affairs was based to an overwhelming extent on the 17 April 1990 Bosnia-Herzegovina Law on Internal Affairs.	<i>Krajišnik</i> Trial Judgement, para. 226.
170.	One of the differences was that the 1992 law referred to "national security" whereas the 1990 law referred to "state security". Another difference was that the new law made reference to the MUP's ethnic composition and invited "employees of Serbian nationality and other employees who so desire" to take employment in the MUP.	<i>Krajišnik</i> Trial Judgement, para. 226.
171.	The 1992 law provided for five Security Services Centres (CSBs) in the Bosnian-Serb Republic: Banja Luka for the territory of the ARK; Trebinje for the SAO of Herzegovina; Doboј for the SAO of Northern Bosnia; Sarajevo for the SAO of Romanija-Birač; and Bijeljina for the SAO of Semberija.	<i>Krajišnik</i> Trial Judgement, para. 228.
172.	Each of the five CSBs was in charge of a number of Public Security Stations (SJBs) found in municipalities covered by that particular CSB.	<i>Krajišnik</i> Trial Judgement, para. 228.
173.	In this structure the SJBs would continue to play the role of the main organ of the Ministry of Internal Affairs at the municipal level.	<i>Krajišnik</i> Trial Judgement, para. 228.
174.	The new law stipulated that CSBs and SJBs were to cease cooperating with the Bosnia-Herzegovina MUP.	<i>Krajišnik</i> Trial Judgement, para. 229.
175.	The 1992 law extended the maximum period of allowable	<i>Krajišnik</i> Trial

	detention on the premises of CSBs and SJBs to three days (from the maximum of 24 hours permitted by the 1990 law).	Judgement, para. 230.
176.	In addition, persons of unknown identity suspected of serious criminal offences could be detained indefinitely under the 1992 law.	<i>Krajišnik</i> Trial Judgement, para. 230.
177.	According to internal regulations, the MUP's head office was to coordinate the work of CSBs, and, in circumstances that jeopardized the security of the Bosnian-Serb Republic, to activate reserve police forces and supply police units with arms.	<i>Krajišnik</i> Trial Judgement, para. 231.
178.	In addition to tasks assigned to them by the MUP's head office, the CSBs and SJBs were to implement the regulations of municipal assemblies in connection with the maintenance of law and order.	<i>Krajišnik</i> Trial Judgement, para. 231.
179.	The Minister could also limit public movement and assembly if the security of the Republic, the work of republican organs, or the freedom and rights of the citizens of the Republic were threatened, although before doing so the Minister was obliged to consult the Assembly – or, if the circumstances made it impossible to consult the Assembly, the Republic's President.	<i>Krajišnik</i> Trial Judgement, para. 232.
180.	Fixed and movable assets of the CSBs and SJBs in districts, parts of which had become part of SAOs, were to be transferred to the Bosnian-Serb Republic in proportion to the size of the parts separated from the districts.	<i>Krajišnik</i> Trial Judgement, para. 234.
181.	The Bosnian-Serb MUP was one of the first institutions of the nascent Republic to start functioning effectively. At its session of 11 March 1992, the Bosnian-Serb Assembly unanimously called for the implementation of the new Law on Internal Affairs by the Ministerial Council.	<i>Krajišnik</i> Trial Judgement, para. 235.
182.	At the next session, one week later, Radovan Karadžić predicted the imminent withdrawal of Bosnian Serbs from the Bosnia-Herzegovina MUP and Miroslav Vještica, an SDS delegate from Bosanska Krupa, described the establishment of a Bosnian-Serb MUP as a precondition for Bosnian Serbs to seize control of "their territories".	<i>Krajišnik</i> Trial Judgement, para. 235.
183.	On 24 March 1992, Mićo Stanišić was appointed Minister of Internal Affairs by the Bosnian-Serb Assembly.	<i>Krajišnik</i> Trial Judgement, para. 235.
184.	The Law on Internal Affairs, published in the Official Gazette on 23 March 1992 was to enter into force on 31 March 1992. From that date, all CSBs and SJBs of Bosnia-Herzegovina throughout the territory of the Bosnian-Serb Republic were to stop functioning.	<i>Krajišnik</i> Trial Judgement, para. 236.
185.	On 24 March, the Bosnian-Serb Assembly instructed the Ministerial Council to prepare an operational plan for "assuming power, that is for establishing power and rendering operational the authorities in the territory of the [the Bosnian-	<i>Krajišnik</i> Trial Judgement, para. 236.

	Serb Republic] and in particular in the field of internal affairs” and to submit it to the Assembly on 27 March.	
186.	On 31 March 1992, Momčilo Mandić sent a dispatch to the Bosnia-Herzegovina Minister of Interior, as well as to all SJBs, CSBs, and to the Secretary of the Bosnia-Herzegovina SUP in Sarajevo.	<i>Krajišnik</i> Trial Judgement, para. 237.
187.	On 6 April 1992, Momčilo Mandić organized the take-over of the Vraca police academy, which became the first headquarters of the new MUP and the CSB Sarajevo.	<i>Krajišnik</i> Trial Judgement, para. 239.
188.	The MUP headquarters was later moved to two locations in Pale. At the beginning of July 1992, CSB Sarajevo was moved to Lukavica.	<i>Krajišnik</i> Trial Judgement, para. 239.
189.	In its early days the Bosnian-Serb MUP coordinated with, and was helped by, the forces of the Republic of Serbia.	<i>Krajišnik</i> Trial Judgement, para. 240.
190.	Reports prepared by the (Yugoslav) Federal State Security Services in March 1992 confirm formal cooperation between the Federal SUP in Belgrade and the Bosnian-Serb police in the take-over of power and maintenance of power in the territories claimed by the Bosnian Serbs in Bosnia-Herzegovina.	<i>Krajišnik</i> Trial Judgement, para. 240.
191.	The coordination plan included the deployment of members of the Serbian MUP and the Federal SUP in Bosnia-Herzegovina.	<i>Krajišnik</i> Trial Judgement, para. 240.
192.	In addition, in March and April 1992, the Federal SUP used JNA helicopters to send weapons and military equipment for use by the Bosnian-Serb MUP, in Pale and Banja Luka.	<i>Krajišnik</i> Trial Judgement, para. 240.
193.	By September 1992, the Bosnian-Serb MUP numbered 11,240 employees, which was more than the 10,195 employees in all of the Bosnia-Herzegovina MUP in January 1990.	<i>Krajišnik</i> Trial Judgement, para. 241.
194.	Already in April 1992 the Bosnian-Serb MUP started establishing special police units armed with weaponry up to and including 120 mm mortars. The commander of the first Bosnian-Serb MUP special unit was Milenko Karišik.	<i>Krajišnik</i> Trial Judgement, para. 242.
195.	By 29 April, Stojan Župljanin, head of the Banja Luka CSB, had at his disposal armed combat vehicles, anti-aircraft artillery, and helicopters. The SOS units discussed above would, he said, be absorbed into the special police detachment.	<i>Krajišnik</i> Trial Judgement, para. 242.
196.	By early May, Župljanin had established a “counter-sabotage and counter-terrorist” police unit equipped for combat and numbering 150 men who had had combat experience in Croatia.	<i>Krajišnik</i> Trial Judgement, para. 242.
197.	At the end of June 1992, the MUP noted the presence of special police units at Sokolac and Pale. By September 1992 the Special Brigade of the police had five detachments, one based at each of the five CSBs. Some SJBs, such as those in	<i>Krajišnik</i> Trial Judgement, para. 242.

	Ilidža and Novo Sarajevo, also had their own special police units.	
198.	As stated earlier, on 16 April 1992, the Minister of Defence, Bogdan Subotić, declared that a state of imminent threat of war existed in the Bosnian-Serb Republic, and ordered full mobilization. Subotić's order allowed the authorities to take "all necessary measures appropriate to the situation."	<i>Krajišnik</i> Trial Judgement, para. 243.
199.	The measures decreed by the ARK on 4 May pursuant to Subotić's order included a general mobilization, introduction of a curfew, and a deadline of 11 May for the surrender of illegal weapons.	<i>Krajišnik</i> Trial Judgement, para. 243.
200.	These orders were disseminated to all SJBs within CSB Banja Luka.	<i>Krajišnik</i> Trial Judgement, para. 243.
201.	At a joint meeting of the SNB and the Bosnian-Serb Government on 22 April 1992, the MUP was directed to report daily on the situation in the territory of the Bosnian-Serb Republic.	<i>Krajišnik</i> Trial Judgement, para. 244.
202.	In a report on the work of the MUP produced at the end of June 1992, the MUP noted that the Prime Minister had received almost 60 "Bulletins of Daily Events"	<i>Krajišnik</i> Trial Judgement, para. 244.
203.	The MUP also cooperated closely with the VRS. On 15 May 1992, Stanišić ordered that all employees of the MUP organize into "war units".	<i>Krajišnik</i> Trial Judgement, para. 245.
204.	This order formalized the cooperation by explaining how MUP units should cooperate with the VRS. Stanišić authorized the CSB heads to implement these arrangements.	<i>Krajišnik</i> Trial Judgement, para. 245.
205.	Thus, in addition to the TO units and the VRS, the MUP personnel played a major role in the armed conflict of 1992, both as combatants and as the responsible organs of security in the daily lives of the population.	<i>Krajišnik</i> Trial Judgement, para. 247.
206.	There is also evidence of both cooperation at first, and then discord later, between the Bosnian-Serb MUP and paramilitary formations. The problems between the two usually started at the moment when the paramilitaries began committing crimes against Bosnian Serbs and when the MUP could not control them anymore.	<i>Krajišnik</i> Trial Judgement, para. 248.
207.	In the course of 1992, the Bosnian-Serb MUP also became heavily involved in the operation of detention centres.	<i>Krajišnik</i> Trial Judgement, para. 249.
208.	On 20 July 1992 Stojan Župljanin, head of the Banja Luka CSB and a member of the ARK war staff, explained this aspect of MUP operations to Mićo Stanišić. Župljanin noted that the processing of detainees had resulted in a three-fold categorization.	<i>Krajišnik</i> Trial Judgement, para. 249.
209.	The first comprised of persons suspected of the commission of criminal acts. The second comprised of persons suspected of	<i>Krajišnik</i> Trial Judgement, para.

	aiding and abetting those in the first category. The third category comprised of “adult males concerning whom the Service has not to date gathered any security-relevant data on the basis of which these persons may be treated as hostages.”	249.
210.	MUP’s first annual report, covering the period April to December 1992, stated that participation in combat activities stood at “1,451 police officers, on average, every day.”	<i>Krajišnik</i> Trial Judgement, para. 250.
211.	The Ministry had put 6,167 police officers at the disposal of the VRS, most of them from the reserve.	<i>Krajišnik</i> Trial Judgement, para. 250.
212.	Active and reserve police, as well as special units which would not form part of the MUP’s wartime structure, were to be transferred to the Army or used for other wartime tasks	<i>Krajišnik</i> Trial Judgement, para. 251.
213.	Minister [Mićo] Stanišić stated in several orders that his subordinates would be held responsible for not carrying out his orders, and also expressed an awareness that MUP employees had been involved in the commission of illegal acts such as theft and plunder, but no disciplinary committees or courts were ever established	<i>Krajišnik</i> Trial Judgement, para. 252.
214.	The MUP Ministry and the Bosnian-Serb leadership would only go so far as placing those who misbehaved under the auspices of the VRS.	<i>Krajišnik</i> Trial Judgement, para. 252.
215.	MUP forces were involved in criminal activities in the indictment municipalities [LIST MUNICIPALITIES]. These activities ranged from mere war profiteering to the running of detention centres where Bosnian Muslims and Bosnian Croats were subjected to ill-treatment.	<i>Krajišnik</i> Trial Judgement, para. 255.
216.	Units also participated in forcing non-Serbs to leave municipalities that ought to become “Serb” territory. Although there were some investigations, they were mostly aimed at stopping looting and the disruption of order.	<i>Krajišnik</i> Trial Judgement, para. 255.
217.	The evidence shows a conscious decision to use MUP forces in combat and “mopping up” operations rather than to protect the civilian population, especially non-Serbs.	<i>Krajišnik</i> Trial Judgement, para. 255.

X. Crisis Staffs, War Presidencies and War Commissions

218.	A collective presidency was to be formed in time of war or imminent threat of war to replace a municipal assembly, and was to remain in existence until the assembly was able to reconvene.	<i>Krajišnik</i> Trial Judgement, para. 257.
219.	This war presidency, consisting of the municipal assembly leadership and some additional members, was accorded extraordinary powers in dealing with situations of war or imminent threat of war.	<i>Krajišnik</i> Trial Judgement, para. 257.
220.	The 1984 Law on All-People’s Defence provided for	<i>Krajišnik</i> Trial

	“operational and policy” committees. These committees were to consist of municipal leaders, the JNA, the TO, and the secretariats of national defence and internal affairs.	Judgement, para. 258.
221.	The main function of a committee of this kind was to lead resistance in case of foreign occupation and act within the competence of government organs that were not able to function at the time.	<i>Krajišnik</i> Trial Judgement, para. 258.
222.	The crisis staffs that came into being in the Bosnian-Serb Republic in late 1991 and early 1992 were created without reference to the legal instruments mentioned above. Instead, they started out as SDS organs and were only later transformed into organs of the Bosnian-Serb Republic.	<i>Krajišnik</i> Trial Judgement, para. 258.
223.	The SDS crisis staffs in the Bosnian-Serb Republic were all fully set up and operational by April or May 1992	<i>Krajišnik</i> Trial Judgement, para. 260.
224.	As the leading governing body in the municipality, the crisis staffs exercised control over civilian, military, and paramilitary affairs.	<i>Krajišnik</i> Trial Judgement, para. 260.
225.	In addition, throughout the period of their existence, the crisis staffs functioned as the coordinating body between municipal authorities, the SDS, and the central republican level (both state and SDS) on the one side, and the military, the police, and other forces on the ground in the municipalities, on the other.	<i>Krajišnik</i> Trial Judgement, para. 261.
226.	On 24 February 1992, the SDS Executive Board assigned “coordinators” for the ARK and the different SAOs. Among other tasks, these coordinators were to ensure the implementation of decisions of the Bosnian-Serb Assembly and the Bosnian-Serb Government and to take part in the work of the regional crisis staffs.	<i>Krajišnik</i> Trial Judgement, para. 262.
227.	Members of the SDS Main Board but, in particular, the Bosnian-Serb Assembly deputies “were the link from the republic level to the municipal”.	<i>Krajišnik</i> Trial Judgement, para. 265.
228.	Their role was to transfer authority from the central to the municipal level, and also to convey information between those two levels.	<i>Krajišnik</i> Trial Judgement, para. 265.
229.	The central republican level ensured that the members of the crisis staffs would include at least one Assembly deputy. By prescribing the membership of crisis staffs in this way, the central republican bodies and the Bosnian-Serb leadership exercised a substantial amount of control over them and were able to exert central influence on the municipal level.	<i>Krajišnik</i> Trial Judgement, para. 267.
230.	The Bosnian Serb leadership saw the crisis staffs as an extension of the leadership’s authority in the municipalities. For example, the Bosnian Serb leadership, through the party or the republican organs, issued direct orders or instructions both to crisis staffs in general and to individual crisis staffs,	<i>Krajišnik</i> Trial Judgement, para. 268.

	and these were received and acted upon. The crisis staffs themselves would cite orders and decisions from regional and central organs as the basis for their actions.	
231.	On 15 April 1992, in pursuance of this goal of subordination and centralization of power, the Bosnian-Serb Government and the SNB concluded that the political leaderships of all the SAOs should be notified that cooperation and all contacts between them were to be conducted through the central organs of the Bosnian-Serb Republic.	<i>Krajišnik</i> Trial Judgement, para. 269.
232.	Other examples of attempts at centralization exist. The central authorities would support the crisis staffs materially, in the form of loans, direct funding, and material, including weapons and ammunition. Such support was often requested by the crisis staffs.	<i>Krajišnik</i> Trial Judgement, para. 270.
233.	The crisis staffs would report on their activities to the Bosnian-Serb leadership, although not necessarily formally or in written form.	<i>Krajišnik</i> Trial Judgement, para. 270.
234.	Reflecting the conflation of state and party organs, such reporting was sometimes done via the SDS Main Board, sometimes via the Bosnian-Serb Assembly, sometimes via individual leaders such as Karadžić or [Momčilo Krajišnik], and sometimes directly to the Bosnian-Serb Presidency	<i>Krajišnik</i> Trial Judgement, para. 270.
235.	In June 1992, in order to further centralize the power and streamline its authority, the Bosnian-Serb leadership pursued efforts to transform the municipal crisis staffs first into war presidencies and then, later, into war commissions. The three were, however, essentially the same body.	<i>Krajišnik</i> Trial Judgement, para. 272.
236.	One distinction between them was that while the crisis staffs were meant to be replacing the municipal assemblies only, the war presidencies and war commissions were to replace both the assembly and the executive committee. There might not have been any practical difference, however, since, as explained above, the crisis staffs already acted as executive organs.	<i>Krajišnik</i> Trial Judgement, para. 272.
237.	On 1 June 1992, the Constitution of the Bosnian-Serb Republic was amended by the Bosnian-Serb Presidency to allow war presidencies at both the republican and municipal levels.	<i>Krajišnik</i> Trial Judgement, para. 275.
238.	It was clear from this amendment that the power to form the municipal war presidencies, as well as “the manner, composition and competence” of these, was a prerogative of the Bosnian-Serb Presidency.	<i>Krajišnik</i> Trial Judgement, para. 275.
239.	Accordingly, on 10 June 1992, it issued an official decision establishing war commissions. The war commissions were to consist of “four members from the ranks of the most influential citizens within the crisis staff, the economy and the ruling party” and a “state commissioner”, appointed by the	<i>Krajišnik</i> Trial Judgement, para. 276.

	Bosnian-Serb Presidency.	
240.	A list of commissioners was drawn up on the same day and included Dragan Đokanović, Nikola Poplašen, Milimir Mučibabić, Miroslav Radovanović, Jovan Tintor, and Danilo Veselinović. Soon thereafter, Dragan Đokanović was appointed state commissioner for Zvornik, Vlasenica, Skelani, Bratunac, Šekovići, and Novo Sarajevo	<i>Krajišnik</i> Trial Judgement, para. 276.
241.	Once a state commissioner was appointed he or she would appoint the remaining members of the war commission, which would then have to be confirmed by the Bosnian-Serb Presidency.	<i>Krajišnik</i> Trial Judgement, para. 276.
242.	The exact setting up and transformation from crisis staff, to war presidency, to war commission varied from municipality to municipality. Some of the factors determining this variation were location, time, and personalities. Nevertheless, as illustrated by the fact that many state commissioners were appointed by the Presidency, and sometimes even [Momčilo Krajišnik] himself, the main role of the war commissions was to keep the Presidency and the Bosnian-Serb Assembly informed about the situation on the ground.	<i>Krajišnik</i> Trial Judgement, para. 279.
243.	The relationship between crisis staffs and the various military forces present in the municipalities (JNA units, the TO, paramilitary units, and the VRS), differed from municipality to municipality. At a minimum, however, the relationship involved a coordinating and supporting role for the crisis staffs. In at least one municipality, Zvornik, the local JNA commander was listed as member of the crisis staff.	<i>Krajišnik</i> Trial Judgement, para. 280.
244.	Generally there was a progression from SDS-formed military units to infantry units under the command of the crisis staffs, to full VRS control of military units by mid-June 1992.	<i>Krajišnik</i> Trial Judgement, para. 281.
245.	The Zvornik SDS municipal board elected a crisis staff for the municipality, consisting of leading SDS persons from Zvornik, as well as the municipal command staff of the JNA.	<i>Krajišnik</i> Trial Judgement, para. 283.
246.	In a formal sense no other relationship existed, however, in practice, the military presence in the crisis staffs ensured a high degree of commonality of purpose.	<i>Krajišnik</i> Trial Judgement, para. 283.
247.	the Bosnian-Serb Assembly session of 27 March 1992, Karadžić recommended that TO units formed by the crisis staffs should, where possible, be placed under the command of the JNA. Some of these units were integrated into the JNA, while other existing Bosnian-Serb forces were integrated into the TO.	<i>Krajišnik</i> Trial Judgement, para. 285.
248.	Once the JNA formally withdrew from Bosnia-Herzegovina they all became part of the VRS. Thus, even though the local TOs had certain autonomy prior to the establishment of the VRS, soon after they were subordinated to the Presidency. Nevertheless, the local crisis staffs were often responsible for	<i>Krajišnik</i> Trial Judgement, para. 285.

	logistical support to the TO.	
249.	The crisis staff of Ilijaš municipality invited Arkan's men to come to its assistance. The crisis staff in the municipality of Iliđža also had extensive dealings with various paramilitary groups, including Arkan's men, and Nedjeljko Prstojević, the president of the Iliđža crisis staff, was visited by Vojislav Šešelj several times.	<i>Krajišnik</i> Trial Judgement, para. 286.
250.	In some cases the municipal authorities extended financial and logistical support to paramilitary groups operating in the municipality. Other examples show that paramilitary units on certain occasions worked together with the TO, under the command or supervision of the municipal crisis staffs, on specific military tasks.	<i>Krajišnik</i> Trial Judgement, para. 286.
251.	With the establishment of the VRS, the central role envisioned for the crisis staffs when it came to defence became less pertinent, as the aim was then to place all armed forces under the unified command of the Main Staff of the VRS.	<i>Krajišnik</i> Trial Judgement, para. 287.
252.	Coordination and contacts between the crisis staffs and the armed forces continued, however.	<i>Krajišnik</i> Trial Judgement, para. 287.
253.	The relationship between the crisis staffs and the police was much closer than the relationship between the crisis staffs and the army. Some crisis staffs were active in setting-up Serb police forces in the municipality, including appointing and dismissing police officers.	<i>Krajišnik</i> Trial Judgement, para. 288.

B. Crime Base Facts

I. Bijeljina

254.	According to the 1991 census in Bosnia-Herzegovina, the ethnic composition of Bijeljina municipality was 57,389 (59 per cent) Serbs, 30,229 (31 per cent) Muslims, 492 (1 per cent) Croats, 4,426 Yugoslavs, and 4,452 persons of other or unknown ethnicity. The municipality of Bijeljina is located in the north-east of Bosnia-Herzegovina. Approximately two-thirds of its municipal boundaries form part of the border between Bosnia-Herzegovina and Serbia. Bijeljina is the closest municipality in Bosnia-Herzegovina to Belgrade. One of the roads connecting Sarajevo and Belgrade crosses the Municipality.	<i>Krajišnik</i> Trial Judgement, para. 297.
255.	Bijeljina was the first municipality in Bosnia-Herzegovina to be taken over by the Bosnian Serbs in 1992. This seizure of power established a pattern which was later repeated in other municipalities in north-eastern Bosnia-Herzegovina.	<i>Krajišnik</i> Trial Judgement, para. 298.
256.	First, paramilitary groups, or so-called "volunteer units", from Serbia arrived, and started intimidating and terrorizing local	<i>Krajišnik</i> Trial Judgement, para.

	Muslims, as well as Serbs they considered “disloyal”. Many Muslims were killed. As a result, many of the remaining Muslims would eventually leave the territory.	298.
257.	Actual fighting started in Bijeljina town on 31 March 1992. Members of Željko (Arkan) Ražnatović’s paramilitary group came to Bijeljina and, in cooperation with a local paramilitary group under the command of Mirko Blagojević, took control of important town structures.	<i>Krajišnik</i> Trial Judgement, para. 299.
258.	On 1 or 2 April 1992, armed JNA reservists surrounded the town and columns of JNA tanks and other vehicles were seen in the area.	<i>Krajišnik</i> Trial Judgement, para. 299.
259.	Despite some resistance, Serb forces quickly took control of Bijeljina, and by 4 April, Serb flags had been hoisted on the two mosques in the town.	<i>Krajišnik</i> Trial Judgement, para. 299.
260.	Arkan’s men were installed in the local SDS building and, for several days, accompanied all regular police patrols and were involved in arresting members of Bijeljina’s SDA presidency. At this time, members of the White Eagles and the local TO were also present in Bijeljina town.	<i>Krajišnik</i> Trial Judgement, para. 299.
261.	At least 48 civilians, most of whom were non-Serbs, had been killed by Serb paramilitaries during the Serb take-over of Bijeljina.	<i>Krajišnik</i> Trial Judgement, para. 300.
262.	Around 3 April 1992, [...], a police officer was sent by his commander to protect a hearse collecting dead bodies in Bijeljina town.	<i>Krajišnik</i> Trial Judgement, para. 300.
263.	A total of 48 bodies, including those of women and children, were collected from the town’s streets and houses, 45 of these victims were non-Serbs and none wore uniforms. Most of the dead had been shot in the chest, mouth, temple, or back of the head, some at close range.	<i>Krajišnik</i> Trial Judgement, para. 300.
264.	The removal of bodies from the streets of Bijeljina was ordered by Serb forces in anticipation of a visit on 4 April 1992 of a delegation of high-ranking Bosnia-Herzegovina officials, including Biljana Plavšić, Fikret Abdić, Minister of Defence Jerko Doko (a Croat), and chief-of-staff of the JNA 2nd Military District General Prašćević.	<i>Krajišnik</i> Trial Judgement, para. 301.
265.	At the time of the visit, the roads to Bijeljina town were blocked by checkpoints attended by Serb soldiers in olive-green uniform. Journalists and European monitors were prevented from entering the town with the delegation.	<i>Krajišnik</i> Trial Judgement, para. 301.
266.	On arrival in Bijeljina, the delegation visited the crisis staff to inform itself about the situation, as well as the military barracks a few kilometres from the town centre. At the military barracks, a large number of displaced persons of different ethnicities were surrounded by ten to fifteen JNA soldiers. At the time, General Janković, commander of the 17th Corps of the JNA, claimed he was providing shelter to	<i>Krajišnik</i> Trial Judgement, para. 301.

	309 Muslims and Serbs at the barracks, and that another 1,500 Muslims were at the Patkovača barracks.	
267.	At one stage during the official visit, Arkan took the delegation on a tour of the town.	<i>Krajišnik</i> Trial Judgement, para. 302.
268.	A Serb journalist who had slipped into town by avoiding the checkpoints approached the group and told Arkan: “You’ll never be forgiven for what you have done to the Muslims in Bijeljina. History will judge you”.	<i>Krajišnik</i> Trial Judgement, para. 302.
269.	Arkan and the SDS appeared to be in control of the town.	<i>Krajišnik</i> Trial Judgement, para. 303.
270.	When, in the course of the visit, Plavšić asked Arkan to hand over control of Bijeljina to the JNA, he replied that he had not yet finished his “business” there, and that he would settle the situation in Bosanski Brod next. Plavšić did not persist with [his] request, and repeatedly praised the good job Arkan had done in saving the local Serb population from the threat of the Muslims.	<i>Krajišnik</i> Trial Judgement, para. 303.
271.	When the group returned to the municipality building, Plavšić publicly thanked and kissed Arkan. This scene was met by shouts of approval from the local SDS members present.	<i>Krajišnik</i> Trial Judgement, para. 303.
272.	At a dinner with UNPROFOR representative Cedric Thornberry on 20 April 1992, Plavšić described Bijeljina as a “liberated” town.	<i>Krajišnik</i> Trial Judgement, para. 303.
273.	Arkan’s men remained in Bijeljina until at least May 1992.	<i>Krajišnik</i> Trial Judgement, para. 303.
274.	From at least June 1992 [...], Serbs detained Muslims and Croats in the Batković camp in Bijeljina municipality. The detainees originated from a large number of different municipalities, including Brčko, Ključ, Lopare, Rogatica, Sokolac, Ugljevik, Vlasenica, and Zvornik. Many had been transferred from other detention facilities, particularly Sušica camp in Vlasenica and Manjača camp in Banja Luka.	<i>Krajišnik</i> Trial Judgement, para. 304.
275.	In August 1992, the commander at the camp was Velibor Stojanović. At that time, around 1,280 Muslim men were detained in a single warehouse. There were also some women, children, and elderly persons detained in a separate area.	<i>Krajišnik</i> Trial Judgement, para. 304.
276.	Sanitary conditions at Batković were poor and detainees were given little food or water. The detainees were beaten by Serb guards. Three detainees were beaten to death while one detainee was shot dead. Ten detainees were singled out for especially harsh treatment. They were beaten three times a day, forced to beat each other, and repeatedly forced to engage in degrading sexual acts with each other in the presence of other detainees. Detainees at Batković were forced to perform	<i>Krajišnik</i> Trial Judgement, para. 304.

	manual labour daily, including digging trenches and carrying munitions at the front line, burying bodies, working in fields and factories, and assisting in the construction of an airport near Bijeljina.	
277.	In late August or September 1992, when representatives of the ICRC visited Batković, the youngest and oldest prisoners, together with the most badly beaten detainees, were temporarily removed from the camp.	<i>Krajišnik</i> Trial Judgement, para. 304.
278.	In addition to the Batković camp, Serb authorities detained mostly Croat and Muslim civilians in six detention centres in Bijeljina municipality, namely the Bijeljina agricultural school, KP Dom Bijeljina, the Bijeljina SUP, the Bijeljina sugar factory, a fortified castle, and the “4th of July” public utilities building.	<i>Krajišnik</i> Trial Judgement, para. 305.
279.	In the months following the take-over of Bijeljina, paramilitary groups in the municipality, together with members of the local MUP, engaged in criminal activities on a massive scale.	<i>Krajišnik</i> Trial Judgement, para. 306.
280.	Muslim residents of Bijeljina, as well as some Serbs, were terrorized by these groups through killings, rapes, house searches, and looting.	<i>Krajišnik</i> Trial Judgement, para. 306.
281.	During the summer of 1992, two mosques in Bijeljina municipality were damaged or destroyed.	<i>Krajišnik</i> Trial Judgement, paras. 306 and 309.
282.	On 15 June 1992, Mauzer stated that the presidency of SAO Semberija-Majeвица had decided to replace Muslims in managerial positions in Bijeljina, and should “the genocide against the Serbian people” in Bosnia-Herzegovina continue, all Muslims would be fired from their jobs and expelled from the territory.	<i>Krajišnik</i> Trial Judgement, para. 306.
283.	Mauzer also stated that the 2,500 Muslims aged between 18 and 35 who had fled Bijeljina in the aftermath of the Serb take-over would lose their jobs, and their apartments would be seized and sealed, and he advised them not to return.	<i>Krajišnik</i> Trial Judgement, para. 306.
284.	From at least July 1992, Muslims in Bijeljina were targeted by an organized campaign of looting and expulsion.	<i>Krajišnik</i> Trial Judgement, para. 307.
285.	The Bijeljina SDS compiled a list of names of wealthy Muslims.	<i>Krajišnik</i> Trial Judgement, para. 307.
286.	Aided by Mauzer’s men, Vojkan Đurković of the Bijeljina SDS paid visits to those on the list in order to extort property from them. Some of these Muslims initially paid to be able to stay in Bijeljina. Others were detained immediately, stripped of their valuables, and transferred to “no-man’s land” between the warring factions, where they remained, sometimes for days, before being able to cross into Muslim-controlled	<i>Krajišnik</i> Trial Judgement, para. 307.

	territory. The abandoned Muslim houses were looted, and then allocated by Đurković to Serbs upon payment of a fee.	
287.	The Bijeljina SDS was determined to rid the municipality of its remaining Muslims.	<i>Krajišnik</i> Trial Judgement, para. 308.
288.	[A]t least 52 persons of mainly Muslim ethnicity were killed by Serb forces in Bijeljina municipality in April-September 1992.	<i>Krajišnik</i> Trial Judgement, para. 309.
289.	After the takeover of Bijeljina in early April, paramilitary groups, in particular Arkan's men, terrorized mainly Muslims through killings, rapes, house searches, and looting.	<i>Krajišnik</i> Trial Judgement, para. 309.
290.	From at least July 1992, Muslims in Bijeljina were targeted by an organized campaign of looting and expulsion. Many Muslims were transferred out of the municipality and from there fled to Muslim controlled territory.	<i>Krajišnik</i> Trial Judgement, para. 309.

II. Doboj

291.	According to the 1991 census in Bosnia-Herzegovina, the ethnic composition in Doboj municipality was 41,164 (40 per cent) Muslims, 39,820 (39 per cent) Serbs, 13,264 (13 per cent) Croats, 5,765 Yugoslavs, and 2,536 persons of other or unknown ethnicity.	<i>Krajišnik</i> Trial Judgement, para. 338.
292.	In March and April 1992, the JNA set up checkpoints in Doboj town.	<i>Krajišnik</i> Trial Judgement, para. 339.
293.	A large unit of the White Eagles had entered the municipality around January or February 1992. This paramilitary group consisted of approximately 500 men in olive-drab uniforms that often came to the town's JNA barracks for meals.	<i>Krajišnik</i> Trial Judgement, para. 340.
294.	Just prior to 3 May, this paramilitary group took over an area of Ankare, near Doboj town, and forced the residents to leave.	<i>Krajišnik</i> Trial Judgement, para. 340.
295.	On 3 May, Serb paramilitaries, the JNA, and the police took over Doboj town.	<i>Krajišnik</i> Trial Judgement, para. 340.
296.	The Serb crisis staff took control of the municipality, and all remaining Muslim police officers were arrested. Muslims and Croats were ordered to surrender their weapons.	<i>Krajišnik</i> Trial Judgement, para. 340.
297.	The Serb authorities issued a curfew allowing Muslims and Croats to be outside their homes for only two hours per day, prompting many Muslims and Croats to leave town.	<i>Krajišnik</i> Trial Judgement, para. 340.
298.	Around 10 May, Šešelj's men intimidated the remaining residents of Doboj town	<i>Krajišnik</i> Trial Judgement, para. 340.

299.	As a result of the Serb take-over and of rumours of incidents occurring in Bratunac and Bijeljina, thousands of Muslims, Croats, and displaced persons left Doboj town for Tešanj, a Muslim-majority town south of Doboj in Tešanj municipality.	<i>Krajišnik</i> Trial Judgement, paras. 340.
300.	During May and June 1992, 21 Muslim and Catholic monuments in Doboj municipality, including the Tmjak mosque and one other mosque in Doboj town, the mosque in Gomja Grapska, and the Catholic Church in Doboj town were either heavily damaged or completely destroyed through shelling or explosives, or occasionally both.	<i>Krajišnik</i> Trial Judgement, para. 341.
301.	On 20 May 1992, Serb forces sealed off the Muslim town of Dragalovci and set up checkpoints.	<i>Krajišnik</i> Trial Judgement, para. 342.
302.	On 2 June, Serb police officers called the villagers to gather at the town railway station and ordered them to surrender their weapons. Armed Serbs then separated out the male villagers at gunpoint, and Serb police took 26 of these men, including Witness Garić, to Spreča prison in Doboj town.	<i>Krajišnik</i> Trial Judgement, para. 342.
303.	In the prison, detainees were threatened and abused by soldiers wearing red berets and black shirts.	<i>Krajišnik</i> Trial Judgement, para. 342.
304.	Around 22 June, [...] detainees were taken in armoured trucks to a discotheque in Usora in Doboj municipality. The Serb guards packed them tightly into the building, together with other detainees already present, and beat them. One elderly man died due to the harsh conditions.	<i>Krajišnik</i> Trial Judgement, para. 342.
305.	In addition to the facilities mentioned above, Serb authorities detained mainly Muslim and Croat civilians in 21 detention centres in Doboj municipality in 1992, namely the JNA (Milikovac) 4th of July barracks, Šešlija camp, a warehouse in Usora, the railway station, SRC Ozren, the high school, the tyre factory in Bare, the Stanari mine, Stanari elementary school, the handball stadium, Bosanska, the Rudanka transmission line factory, Kotorko village, Majevisa hangar PD, the Putnikovo brdo military premises, Seona, Grapska elementary school, Piperi shop, the Ševarlije military barracks, and Podnovlje.	<i>Krajišnik</i> Trial Judgement, para. 344.
306.	Doboj town was taken over by Serb forces on 3 May 1992. In May and June 1992, Serb authorities in Doboj municipality detained Muslim and Croat civilians in 33 detention centres under cramped and inhumane conditions.	<i>Krajišnik</i> Trial Judgement, para. 345.
307.	The detainees were severely mistreated, and at least one detainee died as a result. Serb authorities restricted the freedom of movement of Muslims and Croats, and Serb paramilitaries terrorized the population in Doboj town.	<i>Krajišnik</i> Trial Judgement, para. 345.

308.	Muslim and Croat monuments were deliberately damaged or destroyed through shelling or explosives.	<i>Krajišnik</i> Trial Judgement, para. 345.
309.	The take-over of Doboj town and the threats and intimidation of Muslims in Doboj prompted many thousands to leave the town for Tešanj.	<i>Krajišnik</i> Trial Judgement, para. 345.

III. Zvornik

310.	According to the 1991 census in Bosnia-Herzegovina, the ethnic composition of Zvornik municipality was 48,102 (59 per cent) Muslims, 30,863 (38 per cent) Serbs, 122 Croats, 1,248 Yugoslavs, and 960 persons of other or unknown ethnicity.	<i>Krajišnik</i> Trial Judgement, para. 359.
311.	On 3 April 1992, despite ongoing discussions between representatives of the SDA, SDS, and JNA about defence measures to be taken in case of an attack, a long convoy of Serbs left Zvornik town.	<i>Krajišnik</i> Trial Judgement, para. 360.
312.	On 5 April 1992, the Serb TO was mobilized pursuant to an order of the Serb crisis staff. Around this time, paramilitary forces, including the White Eagles, the Yellow Wasps and the Red Berets, began to arrive in the municipality.	<i>Krajišnik</i> Trial Judgement, para. 360.
313.	They had been invited by Branko Grujić, president of the crisis staff of Zvornik, who later became a member of the Zvornik war commission on 17 June 1992 by decision of the Bosnian-Serb Presidency.	<i>Krajišnik</i> Trial Judgement, para. 360.
314.	On 5 and 6 April 1992, Serb police and paramilitary forces - mainly Arkan's men - erected barricades throughout the municipality, the police was divided along ethnic lines pursuant to a dispatch of Momčilo Mandić, and Serb members of the Zvornik SJB relocated to Karakaj, where the Serb crisis staff was located.	<i>Krajišnik</i> Trial Judgement, para. 361.
315.	During the night of the 7 April [1992], the SDA also erected barricades, on the bridge linking Zvornik to Serbia.	<i>Krajišnik</i> Trial Judgement, para. 361.
316.	[On 8 April 1992,] a combination of Serb forces - the police, the TO, the JNA, and Arkan's men - launched an attack against Zvornik town, which originated, at least partially, from inside Serbia. Many civilians were killed during the attack and Zvornik town was taken over by the Serb forces within a day.	<i>Krajišnik</i> Trial Judgement, para. 362.
317.	The Serbian flag was hoisted on top of the main town mosque.	<i>Krajišnik</i> Trial Judgement, para. 362.
318.	On 10 April [1992], Arkan's men looted houses in Zvornik town and piled dozens of dead bodies – including the bodies of women, children and elderly persons – onto trucks.	<i>Krajišnik</i> Trial Judgement, para. 362.

319.	More dead bodies lay in the streets and outside houses.	<i>Krajišnik</i> Trial Judgement, para. 362.
320.	As a result of the take-over, many Muslims withdrew to the nearby deserted village of Kula Grad, which was also attacked and taken over by paramilitaries and local police on 26 April [1992].	<i>Krajišnik</i> Trial Judgement, para. 362.
321.	On 10 April 1992, the provisional government of Zvornik instructed all persons with tenancy rights in socially owned apartments, as well as all owners of immovable property including private houses and businesses, to return and lay claim to those properties before 15 May, or face loss of title to the municipality.	<i>Krajišnik</i> Trial Judgement, para. 364.
322.	On 5 May, the provisional government established a "real estate exchange agency" authorized to execute exchanges of real estate between residents of Zvornik municipality and other municipalities.	<i>Krajišnik</i> Trial Judgement, para. 364.
323.	By late April 1992, Serb authorities had taken control of the Muslim village of Đulići in Zvornik municipality, and the villagers surrendered their weapons to Serb forces.	<i>Krajišnik</i> Trial Judgement, para. 365.
324.	In order to remain employed, Muslims had to sign a pledge of loyalty to the Serb authorities.	<i>Krajišnik</i> Trial Judgement, para. 365.
325.	Also in late April or early May, Serb forces demanded the surrender of the Muslim village of Divić. However, before the deadline for surrender had expired, Divić was attacked by Serb forces consisting of Arkan's men, White Eagles, and reserve police officers.	<i>Krajišnik</i> Trial Judgement, para. 365.
326.	About 1,000 Muslims fled towards the nearby village of Jošanica. When some of them attempted to return later in May, they were turned away by Serb forces.	<i>Krajišnik</i> Trial Judgement, para. 365.
327.	Around 28 May, between 400 and 500 Muslims from Divić village, including women, children, and elderly persons, were forced onto buses by members of the Yellow Wasps and told that they would be taken to Muslim territory.	<i>Krajišnik</i> Trial Judgement, para. 365.
328.	The same day, Major Svetozar Andrić, commander of the VRS 1st Birač Brigade, ordered the Zvornik TO to organise and co-ordinate the moving out of the Muslim population with municipalities through which they would pass.	<i>Krajišnik</i> Trial Judgement, para. 365.
329.	Only women and children would be moved out, while men fit for military service were to be placed in camps for exchange.	<i>Krajišnik</i> Trial Judgement, para. 365.
330.	In early June, Serbs were seen moving into the villages in Zvornik municipality where Muslims had been evicted. Some of them had been ordered to do so by the provisional government of the Serb municipality of Zvornik.	<i>Krajišnik</i> Trial Judgement, para. 365.

331.	By the end of May 1992, a large number of Muslim villagers gathered in the Muslim-majority village of Kozluk fearing paramilitaries and Serb forces who harassed them with demands to surrender arms. After the take-over of Zvornik town, paramilitary groups and local Serbs had set up barricades in nearby villages and isolated Kozluk.	<i>Krajišnik</i> Trial Judgement, para. 366.
332.	On the night of 20 June, the Serb TO under the command of Marko Pavlović attacked Kozluk.	<i>Krajišnik</i> Trial Judgement, para. 366.
333.	On 26 June, a large number of Serb soldiers, TO, and paramilitary units entered Kozluk in tanks and other military vehicles. Among the group were Branko Grujić, president of the Zvornik SDS and crisis staff, Pavlović, and Jovan Mijatović, a member of the Zvornik crisis staff and a deputy to the Bosnian-Serb Assembly. They informed the Muslims that they had one hour to leave, or they would be killed. They also told them that they could not take any personal belongings with them, and forced them to sign statements surrendering their property.	<i>Krajišnik</i> Trial Judgement, para. 366.
334.	On [26 June 1992], a convoy of vehicles organized by the Serbs who had attacked and taken over Kozluk transported approximately 1,800 persons out of the municipality to Serbia.	<i>Krajišnik</i> Trial Judgement, para. 366.
335.	Most of the nineteen Muslim monuments in Zvornik municipality had been damaged or completely destroyed through shelling or explosives during the attacks on Muslim villages in April and May 1992.	<i>Krajišnik</i> Trial Judgement, para. 367.
336.	According to the Zvornik SJB's own reports, during the same period the Serb police engaged in house searches and interrogations of Muslims on a massive scale, accusing the Muslims of having "prepared the liquidation of Serbs".	<i>Krajišnik</i> Trial Judgement, para. 367.
337.	Many were detained in various locations in the municipality. For example, the Serb police, Arkan's men, and the White Eagles detained Muslims in the Alhos factory in the Karakaj area of Zvornik town, where the Muslims were extensively mistreated.	<i>Krajišnik</i> Trial Judgement, para. 367.
338.	On 9 April 1992, [an individual] was interrogated and beaten by Branko Grujić, and approximately eighteen other Muslim detainees were killed by Arkan's men that same day or soon thereafter.	<i>Krajišnik</i> Trial Judgement, para. 367.
339.	Around the end of April 1992, several Muslim men were detained at the Standard factory in Karakaj, guarded by local Serbs. Around 10 May, they were moved by the Serb police to the Ekonomija factory, also in Karakaj, where a lot of Muslim men were already detained. Some time later, they were moved again, to the Novi Izvor factory, guarded by the reserve police. This detention centre received another 186 Muslim detainees from Divič village on 27 May 1992. Armed	<i>Krajišnik</i> Trial Judgement, para. 368.

	groups, including members of paramilitaries from Serbia, frequently visited those three detention centres and severely mistreated the detainees. One detainee died in the Ekonomija factory.	
340.	On 30 May 1992, about 150 Muslim men, women, and children from the village of Kostijerevo in Zvornik municipality were arrested by JNA soldiers. They were taken to Dom Kulture in Drinjača, where they were guarded by the JNA. Muslim detainees from other villages in the municipality were also brought there, although all women and children were soon released.	<i>Krajišnik</i> Trial Judgement, para. 369.
341.	The male detainees who remained were beaten by the guards and by Arkan's men. Soon after the arrival of the detainees, a unit of White Eagles took them out in groups of ten and shot them dead.	<i>Krajišnik</i> Trial Judgement, para. 369.
342.	In early June, a paramilitary group from Serbia assaulted the detainees with spiked metal bars and chains. Some detainees were forced to beat each other, and three were murdered by the guards.	<i>Krajišnik</i> Trial Judgement, para. 372.
343.	The Yellow Wasps, headed by the Vučković brothers, Repić and Žučo, arrived at the Dom Kulture on 11 June and killed at least five detainees. One man had his ear cut off, others had their fingers cut off, and at least two men were sexually mutilated. Repić's men forced detainees to eat the severed body parts, killing two detainees who could not bring themselves to do so.	<i>Krajišnik</i> Trial Judgement, para. 372.
344.	On 27 June, Repić returned to the Dom Kulture alone and shot 20 detainees dead and wounded 22 others.	<i>Krajišnik</i> Trial Judgement, para. 372.
345.	In mid July, the remaining detainees were transferred with the assistance from the Serb municipal authorities of Zvornik, to Batković camp in Bijeljina municipality.	<i>Krajišnik</i> Trial Judgement, para. 372.
346.	In addition to the facilities mentioned above, Serb authorities detained mostly Muslim civilians at thirteen detention centres in Zvornik municipality in 1992, namely the Orahovac CS headquarters, a prison near Novi Izvor, the Zvornik prison, the SUP, the Zvornik town police station, the Kneževići school, a clay factory in Karakaj, an administration building entrance the Hladnjača refrigeration plant, the youth village, the sports hall, the house of Paša Salihović and elementary school at Liplje, and the Vidikovac motel.	<i>Krajišnik</i> Trial Judgement, para. 373.
347.	[I]n total, approximately 507 Muslim civilians were killed by Serb forces in Zvornik municipality from April to June 1992.	<i>Krajišnik</i> Trial Judgement, para. 374.
348.	Dozens were killed during the attack on Zvornik town on 8 April 1992 and many left the town in the direction of Tuzla.	<i>Krajišnik</i> Trial Judgement, para. 374.

349.	In April and May 1992, Serb forces attacked other villages in Zvornik municipality, including Divić.	<i>Krajišnik</i> Trial Judgement, para. 374.
350.	The attack on Divić prompted about 1,000 Muslim villagers to flee. They were not allowed to return to their homes, and 400 to 500 were forced onto buses by paramilitary units and brought to Cmi Vrh.	<i>Krajišnik</i> Trial Judgement, para. 374.
351.	Serb soldiers separated a column of approximately 3,000 Muslims who had left in fear of their safety, bringing the women, children, and elderly to Muslim-controlled territory, and detaining the military-aged men in a hangar in the Karakaj technical school.	<i>Krajišnik</i> Trial Judgement, para. 374.
352.	Serbs detained mainly Muslim civilians in 25 detention facilities in Zvornik municipality, where they were severely beaten, and large groups executed.	<i>Krajišnik</i> Trial Judgement, para. 374.
353.	A total of 88 detainees were executed by Serb paramilitaries in Dom Kulture on 30 May 1992.	<i>Krajišnik</i> Trial Judgement, para. 374.
354.	In the beginning of June 1992, about 160 detainees in Karakaj school were executed by Serb soldiers, and another 190 detainees were transported to Gero's slaughterhouse and executed there by Serb guards.	<i>Krajišnik</i> Trial Judgement, para. 374.

IV. Sanski Most

355.	According to the 1991 census in Bosnia-Herzegovina, the ethnic composition of Sanski Most municipality was 28,136 (47 per cent) Muslims, 25,363 (42 per cent) Serbs, 4,322 (7 per cent) Croats, 1,247 Yugoslavs, and 1,239 persons of other or unknown ethnicity.	<i>Krajišnik</i> Trial Judgement, para. 508.
356.	In March 1992, local SDS officials acting on the orders of regional SDS officials in Banja Luka repeatedly requested the municipal assembly to discuss the issue of Sanski Most becoming part of the Bosnian-Serb Republic.	<i>Krajišnik</i> Trial Judgement, para. 509.
357.	When the assembly refused, the local SDS authorities called for a division of the municipality along ethnic lines.	<i>Krajišnik</i> Trial Judgement, para. 509.
358.	On 25 March, by proclamation signed by the president of the local SDS Vlado Vrkeš, and the president of the Sanski Most municipal assembly Nedjeljko Rašula, all Serb territories in the municipality were declared part of the Bosnian-Serb Republic as the unified Serb municipality of Sanski Most.	<i>Krajišnik</i> Trial Judgement, para. 509.
359.	On 3 April, the Serb assembly of Sanski Most decided that the municipality would become part of the ARK. The Serb crisis staff in Sanski Most issued a statement that, as of 20 April, only the Constitution and laws of the Bosnian-Serb Republic	<i>Krajišnik</i> Trial Judgement, para. 509.

	shall be in effect in the territory of Serb Sanski. On the same day, the crisis staff declared the former municipal assembly illegal.	
360.	The crisis staff dismissed many Muslims and Croats from their jobs, including judges and directors of public companies, the local radio, and the health centre; others were put off from going to work by the treatment they received there, and were replaced with Serbs.	<i>Krajišnik</i> Trial Judgement, para. 509.
361.	Serb managers who had allowed Croats and Muslims to work in their companies were also dismissed. SDS president Vrkeš, accompanied by SOS members and the Serb police, forced out the Croat director of the municipal SDK, appointing a Serb in her place.	<i>Krajišnik</i> Trial Judgement, para. 509.
362.	On 11 April 1992, [...] the Muslim president of the Sanski Most municipal court, received a threatening letter signed by members of the White Eagles stating that he and the municipal deputy prosecutor, Enver Cerić, also a Muslim, were to leave Sanski Most by 15 May 1992 or their families would be harmed.	<i>Krajišnik</i> Trial Judgement, para. 510.
363.	On 15 May 1992, the Muslim employees of the court were informed by the Serb police that they had to take mandatory leave. Draganović was dismissed from his post and the judiciary authority was transferred to the Serbs, upon an order of the crisis staff.	<i>Krajišnik</i> Trial Judgement, para. 510.
364.	On 17 April 1992, Stojan Župljanin, head of CSB Banja Luka, ordered the division of the police along ethnic lines. Police officers were ordered to demonstrate their loyalty to the Serb municipality by wearing the insignia of the Bosnian-Serb Republic and signing a declaration that they would respect its laws and regulations. Only persons of Serb ethnicity signed the declaration.	<i>Krajišnik</i> Trial Judgement, para. 511.
365.	On 19 April, the crisis staff addressed an ultimatum to those inside. The building was surrounded by soldiers of the JNA 6th Krajina Brigade. Those inside the building managed to flee to surrounding villages. Nedjeljko Rašula, as head of the crisis staff, dismissed Muslim and Croat officers from the police force.	<i>Krajišnik</i> Trial Judgement, para. 511.
366.	On the same day, Serb forces attacked the municipality building in the town. Around that time, members of the SOS who were supported by the SDS, armed with automatic weapons and dressed in camouflage, destroyed 28 shops and restaurants belonging to Muslims and Croats in the Sanski Most area.	<i>Krajišnik</i> Trial Judgement, para. 511.
367.	In March and April 1992, Serb forces, including soldiers of the JNA 6th Krajina Brigade, and Serb police, erected checkpoints in the town of Sanski Most and around non-Serb villages, and the crisis staff established a curfew prohibiting movement at night. At the checkpoints, armed Serb forces	<i>Krajišnik</i> Trial Judgement, para. 512.

	checked the Muslims that went through.	
368.	During May 1992, various armed groups were seen in the municipality, including the SOS, the White Eagles, and local SUP and JNA Units.	<i>Krajišnik</i> Trial Judgement, para. 513.
369.	On 5 August, the Sanski Most SJB reported that in the previous two months, there had been a great deal of activity by certain paramilitary groups that had 'broken free' from the command of the army and conducted their own operations, such as planting explosives, torching houses, killings, looting and other types of crime against the Muslim and Croatian population, all aimed at acquiring material profit and putting pressure on them to move out. It further referred to 45 explosions that had been set off at Muslim houses and business premises, and two mosques destroyed. It reported that it had registered four such groups, among them the SOS group, a former paramilitary group with a strength of around 30 men, which had formally been placed under the command of the local military unit.	<i>Krajišnik</i> Trial Judgement, para. 513.
370.	On 25 May 1992, calls upon Muslims to surrender their weapons to the Serb authorities were broadcast over Sanski Most radio. Serb patrols collected the weapons.	<i>Krajišnik</i> Trial Judgement, para. 514.
371.	The broadcasts also called on several named individuals – wealthy Muslims and Muslim intellectuals – to surrender.	<i>Krajišnik</i> Trial Judgement, para. 514.
372.	On or around 25 May, the JNA 6th Krajina Brigade and the TO also launched an artillery attack on the Muslim settlements of Mahala, Muhići, and Otoka. Serb soldiers forced Mahala residents to gather at a training ground and then shelled the village and partially destroyed houses and the local mosque.	<i>Krajišnik</i> Trial Judgement, para. 514.
373.	The attack on Mahala is confirmed by a report of the SJB of Sanski Most.	<i>Krajišnik</i> Trial Judgement, para. 514.
374.	On 27 May 1992, between 50 to 100 Serb soldiers surrounded the majority-Muslim village of Lukavica and ordered the village be evacuated for the purpose of searching the houses for weapons.	<i>Krajišnik</i> Trial Judgement, para. 515.
375.	1 August, a group of soldiers in olive-coloured uniform with a red stripe pinned to their epaulettes came to Lukavica and broke into several houses. They led away fourteen civilian men aged 22 to 60 years. The following day, the villagers found the bodies of thirteen of the men, marked with bullet holes and severe wounds.	<i>Krajišnik</i> Trial Judgement, para. 515.
376.	Also on 27 May, Serb forces shelled the village of Hrustovo, an almost exclusively Muslim village. On 30 May, the Muslims of the village decided to hand in their weapons, but the shelling continued.	<i>Krajišnik</i> Trial Judgement, para. 516.
377.	The next day, as people from 21 households were forced to	<i>Krajišnik</i> Trial

	leave Jelečevići, a Muslim hamlet in the area of Hrustovo, about 30 women and children and one man took refuge inside a garage. Eight to ten Serb soldiers in camouflage uniform came to the garage and ordered the Muslims out. A man who tried to mediate was shot and the soldiers killed sixteen women and children when they tried to run away.	Judgement, para. 516.
378.	Between 50 and 100 Serb soldiers escorted the survivors with around 200 inhabitants of neighbouring villages to the hamlet of Kljevci, where their valuables were confiscated. Serb soldiers detained the villagers at various locations before transporting them by bus and train to Doboï, where they were ordered to find their way to Muslim-held territory.	<i>Krajišnik</i> Trial Judgement, para. 516.
379.	On or around 28 May 1992, the Muslim village of Vrhpolje was shelled by Serb forces. Shortly thereafter, the inhabitants were summoned to hand in their weapons. They were told that that was a condition for them to be allowed to leave their village.	<i>Krajišnik</i> Trial Judgement, para. 517.
380.	On 31 May or 1 June 1992, Serb soldiers led by Jadranko Palja escorted nineteen Muslim men from the hamlet of Donji Begići to Vrhpolje bridge. Four of the men were killed by the soldiers along the way. The others arriving on the bridge were surrounded by 50 Serb soldiers, forced to surrender their belongings, beaten, and ordered to jump off the bridge. From the bridge the soldiers shot at the men in the water and killed almost all of them.	<i>Krajišnik</i> Trial Judgement, para. 519.
381.	In late May 1992, Serb forces began to arrest Croat and Muslim leaders. Some, including the secretary of the SDA municipal board, a Muslim judge, and the municipal chief of police, were killed.	<i>Krajišnik</i> Trial Judgement, para. 523.
382.	The conditions at the police station were bad, with little food, insufficient space to lie down, no toilet, and no shower. Police officers, soldiers and ordinary citizens severely beat the detainees on a regular basis. The detainees were not given any medical treatment.	<i>Krajišnik</i> Trial Judgement, para. 523.
383.	Mirzet Karabeg, president of the executive board of the municipal assembly, was detained at the Sanski Most police station and in the Betonirka prison camp from 25 May to 28 August 1992. In the police station, he was held together with fourteen prominent Muslim and Croat civilians, and in Betonirka together with 75 persons.	<i>Krajišnik</i> Trial Judgement, para. 524.
384.	Approximately 30 men were detained in Betonirka prison camp by June 1992. At four or five meters, the building where the detainees were kept was so crowded that the detainees were forced to sleep sitting up. The detainees were provided with insufficient food and water. Serb police officers and outsiders who were allowed into the camp beat and mistreated the detainees.	<i>Krajišnik</i> Trial Judgement, para. 524.
385.	A Muslim religious leader from Vrhpolje, Emir Seferović,	<i>Krajišnik</i> Trial

	was mistreated more frequently than other detainees and was forced by prison guards to eat pork.	Judgement, para. 525.
386.	In early July 1992, all Muslims from Hrustovo, Trnopolje, and Kamićak who had sought refuge in Tomina elementary school were taken to the Krings Hall in Sanski Most, where they were detained with 600 others. The hygiene conditions at this detention centre were extremely poor. Serb police officers beat the detainees with batons and rifles, and [...] one man [was] beaten to death in July 1992.	<i>Krajišnik</i> Trial Judgement, para. 526.
387.	[I]n total, more than 88 Muslim civilians were killed by Serb forces in the municipality of Sanski Most in the period end of May to August 1992.	<i>Krajišnik</i> Trial Judgement, para. 533.
388.	Serb forces attacked many majority-Muslim villages and settlements in the municipality and deliberately destroyed mosques and Muslim houses and business premises.	<i>Krajišnik</i> Trial Judgement, para. 533.

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389.	According to the 1991 census in Bosnia-Herzegovina, the ethnic composition of Trnovo municipality was 4,790 (69 per cent) Muslims, 2,059 (29 per cent) Serbs, sixteen Croats, 72 Yugoslavs, and 54 persons of other or unknown ethnicity.	<i>Krajišnik</i> Trial Judgement, para. 589.
390.	In March and April 1992, Serbs and Muslims both erected checkpoints in and around Trnovo.	<i>Krajišnik</i> Trial Judgement, para. 590.
391.	Also, around March or early April 1992, Serb police officers formed their own police force, based at the local culture centre, and hoisted a Serb flag on the building.	<i>Krajišnik</i> Trial Judgement, para. 590.
392.	At the session of the SDS municipal board on 26 April 1992, Drašković, a member of the board, called for a division of the municipal administration along ethnic lines.	<i>Krajišnik</i> Trial Judgement, para. 590.