UNITED NATIONS MECHANISM FOR INTERNATIONAL CRIMINAL TRIBUNALS

Case No. MICT-14-79

Before: Judge Theodor Meron, President

Registrar: Mr John Hocking

Filing Date: 6 November 2015

PROSECUTOR

v.

NASER ORIĆ

PUBLIC with PUBLIC ANNEXES

SECOND MOTION REGARDING A BREACH OF *NON BIS IN IDEM*

Office of the Prosecutor
Mr. Hassan B. Jallow
Mr Mathias Marcussen

Counsel for Naser Orić
Ms Vasvija Vidović
Mr John Jones

I. INTRODUCTION

1. This motion is filed before the Mechanism for International Criminal Tribunals ("MICT" or "Mechanism") on behalf of Naser Orić ("the applicant"). It requests that, acting under rule 16 of the Rules of Procedure and Evidence ("RPE"):
   (i) the President designate a Trial Chamber; and
   (ii) the Trial Chamber issue an order requesting the Court of Bosnia and Herzegovina ("BiH Court") to permanently discontinue proceedings against the applicant.

II. PROCEDURAL HISTORY

2. On 28 March 2003 the International Criminal Tribunal for the Former Yugoslavia ("ICTY" or "Tribunal") confirmed an indictment ("ICTY Indictment")[1] against the applicant for alleged war crimes committed in Bosnia and Herzegovina ("BiH").

3. On 8 June 2005 Trial Chamber II dismissed parts of the indictment under rule 98*bis* of the Tribunal's RPE.[2] On 30 June 2006 Trial Chamber II issued its Judgement, acquitting the applicant of most charges, but convicting him of certain acts of murder and cruel treatment.[3] On 3 July 2008 the Appeals Chamber overturned the convictions and acquitted the applicant of all charges.[4]

4. In November 2008 the applicant was summoned for questioning before prosecutors in Republika Srpska. On 11 December 2008 the applicant filed a motion requesting an order that Republika Srpska permanently discontinue proceedings against the applicant, on the basis of *non bis in idem*.[5] On 7 April 2009 Trial Chamber II rejected that motion, holding that criminal proceedings had not been instituted.[6]

5. Also in April 2009 the applicant's case was transferred from Republika Srpska to the BiH Court, at the applicant's request.

[1] For this motion, the relevant version is the Second Amended Indictment (1 October 2004), on the basis of which trial proceeded. The subsequent (third) amendment reflected the removal of charges following the rule 98*bis* decision.
[2] *Prosecutor v Orić*, Case No.IT-03-68-T, Transcript, 8 June 2005.
[3] *Prosecutor v Orić*, Case No.IT-03-68-T, Judgement, 30 June 2006.
[4] *Prosecutor v Orić*, Case No.IT-03-68-A, Judgement, 3 July 2008.
[5] *Prosecutor v Orić*, Case No.IT-03-68-A, Motion Regarding a Breach of Non-Bis-In-Idem, 11 December 2008.
[6] *Prosecutor v Orić*, Case No.IT-03-68-A, Decision on Oric's Motion Regarding a Breach of *Non-Bis-In-Idem*, 7 April 2009.

6. In June 2015 the applicant was arrested in Switzerland on the basis of a Serbian arrest warrant. BiH then requested extradition and ultimately the applicant was extradited to BiH.

7. On 9 September 2015 the BiH Court confirmed an indictment ("BiH Indictment") against the applicant.[7] The applicant filed objections to that indictment but these were rejected on 5 October 2015. The objections did not include *non bis in idem*, which is a matter for the MICT to determine.

III. APPLICABLE LAW

8. Article 7(1) of the Statute of the MICT[8] states that:

> *No person shall be tried before a national court for acts constituting serious violations of international humanitarian law under the present Statute, for which he or she has already been tried by the ICTY, the ICTR or the Mechanism.*

9. Rule 16 of the RPE of the MICT[9] provides that:

> *When the President receives reliable information to show that criminal proceedings have been instituted against a person before a court of any State for a crime for which that person has already been tried by the ICTY, the ICTR, or the Mechanism, a Trial Chamber designated by the President shall, following mutatis mutandis the procedure provided in Rule 12, issue a reasoned order requesting that court permanently to discontinue its proceedings. If that court fails to do so, the President may report the matter to the Security Council.*

10. Minimal ICTY or MICT jurisprudence exists on these provisions, and what there is has mostly focused on what it means for a person to have "already been tried."[10]

IV. ANALYSIS

11. The preconditions for the issue of a rule 16 order are:

    (i) Reliable information shows that criminal proceedings have been instituted before a court of any state; and

    (ii) Those proceedings are "for a crime for which that person has already been tried" before the Tribunal or the Mechanism.

    Where these two requirements are met the Trial Chamber retains no discretion but "shall" issue an order requesting that the domestic proceedings be permanently discontinued.

[7] Indictment No.T200KTRZ000501507 (Annex 1).
[8] See also ICTY Statute, art.10(1).
[9] See also ICTY RPE, rule 13.
[10] *Prosecutor v Tadić*, Case No.IT-94-1-T, Decision on the Defence Motion on the Principle of *Non-Bis-In-Idem*, 14 November 1995;*Prosecutor v Karadžić*, Case No.IT-95-5/18-T, Decision on the Accused's Motion for Finding of *Non-Bis-In-Idem*, 16 November 2009.

(i) Criminal proceedings have been instituted

12. Annex 1 to this motion is the BiH Indictment.[11] It is respectfully submitted that this constitutes "reliable information" demonstrating the institution of criminal proceedings in BiH.

(ii) The proceedings concern events for which the applicant "has already been tried" by the ICTY

13. This second element of Rule 16 requires a comparison between the matters already dealt with by the ICTY and those currently before the BiH Court.

The ICTY proceedings

14. On 15 December 2002 and 3 March 2004 Republika Srpska made submissions concerning the applicant to the ICTY Prosecutor under the "Rules of the Road" process. The purpose of these submissions was to request authorisation from the ICTY to proceed with a domestic prosecution.

15. The submissions included charges against the applicant under articles 141, 142 and 144 of the Criminal Code of the Socialist Federal Republic of Yugoslavia ("SFRY") (genocide, war crimes against the civilian population and war crimes against prisoners of war). Those charges concerned killings allegedly carried out in Srebrenica Municipality from mid-1992 through 1993. Accompanying those charging documents was evidentiary material, including documents concerning a wider range of military operations in Eastern Bosnia in 1992 and 1993.

16. In 2003 the ICTY Indictment was issued. It charged the applicant with war crimes alleged to have occurred in Eastern Bosnia in 1992 and 1993. The particulars in the ICTY Indictment did not mention all incidents covered by the Rules of the Road submission. The particulars fell into two categories:

    (i) Alleged instances of killings and cruel treatment between 24 September 1992 and 29 March 1993 in Srebrenica Municipality.

    (ii) Alleged instances of wanton destruction and plunder between 10 June 1992 and 8 January 1993 in Srebrenica and Bratunac Municipalities.

[11] The material in support of the indictment runs to 877 pages including translations and has therefore not been filed with this motion. It can be provided if required.

The BiH proceedings

17. The BiH Indictment charges the applicant under article 144 of the Criminal Code of the SFRY (war crimes against prisoners of war). The counts concern alleged killings in Srebrenica and Bratunac Municipalities:

    (i) Alleged killing of Slobodan Ilić on 12 July 1992 in Zalazje, Srebrenica Municipality;

    (ii) Alleged killing of Milutin Milošević in the second half of May 1992 in Lolići, Bratunac Municipality;

    (iii) Alleged killing of Mitar Savić in December 1992 in Kunjerac, Bratunac Municipality.

Comparison of the ICTY proceedings with the BiH proceedings

18. The proceedings against the applicant in BiH relate to the same military activities which formed the basis of the ICTY case. It encompassed operations undertaken by Muslim armed units in Eastern Bosnia between May 1992 and February 1993,[12] focusing on events in Srebrenica and Bratunac Municipalities. The case before the BiH Court concerns the same series of military activities and events in Srebrenica and Bratunac Municipalities from mid to late 1992.

19. The allegations in the BiH Indictment all concern matters which were before the ICTY Prosecutor prior to the issuance of the ICTY Indictment. The Rules of the Road submissions included allegations concerning the disappearance of persons from Zalazje on 12 July 1992, including Slobodan Ilić.[13] They also included information about deaths in Kunjerac and Sandići (near Lolići) including those of Milutin Milošević and Mitar Savić.[14] Additional documents relating to these matters were also collected by the ICTY Prosecutor from other sources.[15]

20. It is irrelevant that the BiH Indictment uses a different legal characterisation from that adopted in the ICTY Indictment. *Non bis in idem* is engaged not only where two cases use the same legal characterisation, but wherever the same underlying acts are involved. This

[12] ICTY Indictment, para.27.
[13] Annex 2 (documents marked RR145431 and RR322078).
[14] Annex 2 (documents marked RR321893 and RR321894).
[15] Annex 3.

is clear from the term "acts" used in article 7(1) of the MICT Statute, as well as the discussion in *Tadic*.[16]

21. Neither is the application of *non bis in idem* excluded by the fact that the specific acts alleged in the BiH Indictment were not among those specifically particularised in the ICTY Indictment. The ICTY and MICT are yet to consider this question,[17] however decisions from other jurisdictions strongly support the view that *non bis in idem* applies not only where two cases involve identical particulars, but also where the acts alleged form part of the same alleged course of conduct. In Canada courts look at "factors such as the remoteness or proximity of the events in time and place, the presence or absence of relevant intervening events... and whether the accused's actions were related to each other by a common objective."[18] The European Court of Justice considers that acts charged are the same for the purpose of *non bis in idem* if "the material acts at issue constitute a set of facts which are inextricably linked together in time, in space and by their subject-matter."[19]

22. The Supreme Court of Republika Srpska treats the overall course of conduct as one act for this purpose, so that a subsequent prosecution for any part of it would violate *non bis in idem*:

> *"if one person commits several actions of the same type, or of different types, described in Article 142,* Paragraph *1 of the CC SFRY, they will not be considered as several criminal acts of war crimes against the civilian population, but rather as just one criminal act of this kind. This is based on the fact that the legal description of this criminal act states that the matter in question is one criminal act, regardless of the number of committed individual actions."*[20]

23. Moreover, *non bis in idem* also applies where a subsequent prosecution involves an abuse of process.[21] In England "double jeopardy" has been held to mean that where prosecutors consider a course of conduct and charge only in respect of a limited part of it, a later

[16] *Prosecutor v Tadić*, Case No.IT-94-1-T, Decision on the Defence Motion on the Principle of *Non-Bis-In-Idem*, 14 November 1995, para.13.
[17] In *Žigić* the MICT did not need to determine this issue. The acts for which Mr Žigić had been convicted in BiH were not linked to the conduct which formed the basis of his ICTY trial. Mr Žigić appears to have argued only that those acts could have been given the same legal characterization (persecution) as was applied to separate conduct in his ICTY trial: *Prosecutor v Žigić*, Case No.MICT-14-81-ES.1, Request of the Convicted Zoran Žigić for Non-Compliance with Republic of Austria's Extradition Decision, 10 September 2014; *Prosecutor v Žigić*, Case No.MICT-14-81-ES.1, Decision on Zoran Žigić's Request to Withhold Consent for the Execution of the Republic of Austria's Extradition Decision, 12 December 2014.
[18] *R v Prince* [1986] 2 SCR 480, para.20.
[19] *Van Esbroek*, Case C-436/04, 9 March 2006, para.38.
[20] Case No.110K00918212Kž, 22 November 2012 (Annex 4), p6.
[21] *R v Carroll* [2002] HCA 55 (Australia); *Fofana v Thubin* [2006] EWHC 744 (Admin)(England).

criminal proceeding covering other parts of the same course of conduct can amount to an abuse of process.[22]

24. This is consistent with the rationale for the principle of *non bis in idem*. It derives from a recognition that prosecutions may be used oppressively, and that it is inherently unfair to an accused if the outcome of a criminal proceeding is not final. The United States Supreme Court explained it in this way:

> *The underlying idea, one that is deeply ingrained in at least the Anglo-American system of jurisprudence,... is that the State with all its resources and power should not be allowed to make repeated attempts to convict an individual for an alleged offense, thereby subjecting him to embarrassment, expense and ordeal and compelling him to live in a continuing state of anxiety and insecurity, as well as enhancing the possibility that even though innocent he may be found guilty*.[23]

25. These principles have specific application in international war crimes prosecutions, for two reasons.

26. First, the finality which *non bis in idem* is designed to ensure is particularly difficult to achieve in international war crimes cases. ICTY cases usually begin as large, complex investigations which are ultimately reduced in size, even by removing arguable allegations, in order to achieve manageable proportions. Indeed this is the very purpose of rule 73*bis*(D) of the ICTY RPE[24] which enables a Chamber to limit the counts charged in an indictment "in the interest of a fair and expeditious trial." It would be ironic if that procedure, rather than creating fairness for an accused, meant that specific incidents dropped from an indictment could later provide the basis for a fresh trial.[25] Even where rule 73*bis*(D) is not used, the size of war crimes investigations means that prosecutors will inevitably pare down cases to what they consider are the strongest charges relating to a course of conduct. If other allegations, having been dropped at that stage, were later able to ground a fresh prosecution, this would fundamentally undermine the *non bis in idem* principle and mean that defendants before the ICTY could never be assured of finality.

27. Secondly, the ICTY enjoys a particular relationship with domestic courts from the region. This is demonstrated by the Rules of the Road agreement which, until it ended in 2004, gave the ICTY responsibility for preventing oppressive or unjustified domestic prosecutions. The consequences of this special relationship for the *non bis in idem*

[22] *Fofana v Thubin* [2006] EWHC 744 (Admin), paras27-29.
[23] *Green v United States*, (1957) 355 US 184, pp187-188.
[24] See also MICT RPE, rule 81(D).
[25] This argument was raised in *Karadžić*, however the Chamber considered it premature to address this issue before the end of trial: *Prosecutor v Karadžić*, Case No.IT-95-5/18-T, Decision on the Accused's Motion for Finding of *Non-Bis-In-Idem*, 16 November 2009.

principle were seen in the English case of *Serbia v Ganic*.[26] There a Serbian extradition request was held to be an abuse of process and refused. Mr Ganic, the subject of the extradition request, had earlier been the subject of a Rules of the Road referral. ICTY prosecutors had determined that there was no case against him. The English court noted that:

> *there is a distinction between the role of individual prosecutors and the role of the prosecutor within the ICTY. The ICTY [was] set up with international agreement to deal with war crimes alleged to have been committed in the former Yugoslavia and has within its responsibilities the investigation and prosecution of those cases. The investigation was carried out on behalf of the ICTY and acting upon a report from their investigators and prosecutors it was the ICTY that concluded that there was no case against Dr Ganic. Until The Rules of the Road Agreement ended in May 2004 no other prosecutor would have authority to bring proceedings.*[27]

28. The same applies to the applicant's case. Rules of the Road submissions were made in respect of him. They included charges and evidence relating to the allegations now made against the applicant in BiH. Parts of those submissions were incorporated into particulars in the ICTY Indictment, while other particulars were not included. Just as it was an abuse of process in *Ganic* for charges rejected by the ICTY Prosecutor to later be brought in Serbia, those allegations against the applicant which were ultimately not particularised in the ICTY Indictment should not later be permitted to form the basis of a case against him.

29. For these reasons, the proceedings being brought against the applicant in the BiH Court violate the principle of *ne bis in idem*.

V. REQUEST FOR URGENT DISPOSAL

30. It is respectfully requested that the present motion be dealt with urgently.

31. As a result of the BiH proceedings the applicant is subject to measures prohibiting him from leaving the Federation of Bosnia and Herzegovina and mandating that he report weekly to police. These measures interfere with the applicant's work and personal life. In combination with the ongoing threat of criminal sanction, they also add a measure of indignity and insecurity to the applicant's life from which his acquittal should have protected him. The criminal proceedings and associated restrictive measures should therefore be ended as soon as possible.

[26] *Serbia v Ganic* (unreported) 27 July 2010 (Annex 5).
[27] *Ibid*. para.32.

32. In case assurances on the matter are required, the present motion has been filed at the earliest opportunity following the BiH Court's 5 October decision rejecting the applicant's objections to the BiH Indictment. Some time has been required for translating the indictment and other materials.

VI. CONCLUSION

33. The requirements for an order under rule 16 of the MICT RPE are made out. Reliable information shows that criminal proceedings have been instituted before the BiH Court, and those proceedings concern acts which have already been dealt with by the ICTY.

34. It is requested that the President designate a Trial Chamber pursuant to rule 16 of the MICT RPE, and that the Trial Chamber issue an order under the same rule requiring the BiH Court to permanently discontinue its proceedings against the applicant.

Word count: 2893

Respectfully submitted,



Vasvija Vidović, Lead Counsel



John Jones, Co-Counsel

UNITED NATIONS MECHANISM FOR INTERNATIONAL CRIMINAL TRIBUNALS

Case No. MICT-14-79

PROSECUTOR

v.

NASER ORIĆ

PUBLIC

ANNEX 1

BOSNIA AND HERZEGOVINA
HERZEGOVINA

BOSNIA AND

COURT OF BIH
Sarajevo
RECEIVED
On: 27 Aug 2015
15:46 (signature)

(*emblem*)

Prosecutor's Office of Bosnia and Herzegovina

Indictment: T200KTRZ000501507
Confirmed on:
9 September 2015
Judge
(signature)

BOSNIA AND HERZEGOVINA
PROSECUTOR'S OFFICE OF BOSNIA AND HERZEGOVINA
SARAJEVO
No: T200KTRZ000501507
Sarajevo, 27 August 2015

(seal, translated: Bosnia and Herzegovina-Court of Bosnia and Herzegovina – Sarajevo)

THE COURT
OF BOSNIA AND HERZEGOVINA
- Addressed to the Judge in the previous hearing –

Pursuant to Article 35, Paragraph 2, Item h), and Article 226, Paragraph 1 of the Law on Criminal Procedure, I herein raise this:

INDICTMENT

AGAINST:

1. ***NASER ORIĆ,*** *son of Džemal (father) and Hata (mother), nee Mustafić, DOB 3 March 1967 in Gornji Potočari, Srebrenica Municipality, currently residing in Sarajevo, 25 Branilaca Šipa Street, Bosniak by nationality, citizen of BiH, retired, father of three children, carried out military service in the Yugoslav National Army, recipient of the Golden Lily Honour, a brigadier of the BiH Army, of average financial standing, Social Security No: 303967183124*
2. ***SABAHUDIN MUHIĆ,*** *salon known as* ***Mrčo,*** *son of Redžep (father) and Aiša (mother), nee Tihić, DOB 7 November 1968 in Voljevice, Bratunac Municipality, residing at F/A Izeta Sarajlića Street in Tuzla, married, father to two adult children, retired, a Bosniak, citizen of BiH, carried out military service in the Yugoslav National Army, with prior convictions, of average financial standing, Social Security No: 0711968181355*

For the following acts:

That, during the war in Bosnia and Herzegovina, during the armed conflict between the Army of the Republic of Srpska and the Army of the Republic of Bosnia and Herzegovina, they, as members of the Armed Forces of Srebrenica Territorial Defence – Naser Orić as the Commander of the Headquarters of the Territorial Defence of Srebrenica, and Commander of the Headquarters of the Armed Forces of the Territorial Defence of the Srebrenica Subregion, and Sabahudin Muhić, also known as "Mrčo" as a member of the Armed Forces of Srebrenica Territorial Defence, in the period between May and December 1992, in the municipalities of Srebrenica and Bratunac, acted contrary to the rules of the International Humanitarian Law, by violating the provisions of Article 3, Paragraph 1, Items a) and c) of the Third Geneva Convention relative to the Treatment of Prisoners of War, dated 12 August 1949, given that they:

Naser Orić:

1. *On the afternoon of 12 July 1992, in Zalazje, Srebrenica, in the vicinity of a house owned by Dragan Rakić, which is located approximately 100-150 meters from an Orthodox cemetery, killed Slobodan Ilić, a prisoner of war of Serb nationality, as follows: After Ilić was apprehended by an unidentified member of the Armed Forces of the Srebrenica Territorial Defence, and brought to the said house, Naser Orić hit him in the left foot, in the region of the hip, which made the said Ilić stumble, after which Naser Orić took out a knife from a sheath in his belt and stabbed Slobodan Ilić in the neck, so that the entire blade of the knife entered the neck, after which the said Ilić fell on his knees. Thereafter, Naser Orić kicked them with his military boot in the face and knocked him to the ground, all of which resulted in the death of the said Ilić.*

Naser Orić and Sabahudin Muhić jointly:

2. *On an undetermined date in the second half of May 1992, in the afternoon, in a place called Lolić, in Bratunac municipality, next to the Kravica River, and in the vicinity of a house owned by Asim Mehić, killed Milutin Milošević, a prisoner of*

war of Serb nationality, who was first apprehended by unknown members of the Armed Forces of the Srebrenica Territorial Defence in BiH, tied up and, under the orders of Naser Orić, brought to the above location, wherein he was kicked repeatedly in the stomach by Naser Orić and other members of the Armed Forces of Srebrenica. At one point, Naser Orić waved his hand and ordered the soldiers present to step back, then fired a burst into Milutin Milošević, who lay on the ground, from an automatic rifle. After that, Sabahudin Muhić, also known as "Mrčo" also fired a burst from an automatic rifle into the said Milutin Milošević, all of which led to the death of the Milutin Milošević as an injured party hereto.

3. *On an undetermined date in December 1992, in the afternoon, in a place called Kunjerac, Bratunac municipality, in the vicinity of the water reservoir, killed Mitar Savić, a prisoner of war of Serb nationality, who was prior to that apprehended by unidentified members of the Armed Forces of the Srebrenica Territorial Defence of BiH. After a brief conversation, Naser Orić slapped him in the face, and shot him from a distance of one meter from a "Colt" revolver. The said Savić thereupon fell on the floor, after which Sabahudin Muhić, also known as "Mrčo", fired a burst from an automatic rifle into the body of the said Mitar Savić, all of which resulted in the death of the said Savić.*

Whereby Naser Orić, by committing the act described in Item 1 of this Indictment, committed the criminal act of War Crime against Prisoners of War, as described by the provisions of Article 144 of the Criminal Code of the Socialist Federal Republic of Yugoslavia (SFRJ), and whereby Naser Orić and Sabahudin Muhić, by committing the acts described in Items 2 and 3 of this Indictment, committed the criminal act of War Crime against Prisoners of War, as described by the provisions of Article 144 of the Criminal Code of the SFRJ, and in relation to Article 22 of the Criminal Code of the SFRJ.

I PROPOSE

1. To summon before the Court:

- *The Prosecutor from the Prosecutor's Office of Bosnia and Herzegovina*
- *The suspect Naser Orić*
- *The suspect Sabahudin Muhić, also known as "Mrčo"*

2. *To deliver evidence by:*

a) Hearing the statements of the appointed experts:

1. *Conducting a hearing of Dr. Rifat Kešetović, an appointed expert at the Commemoration Centre in Tuzla*
2. *Conducting a hearing of Dr. Zoran Stanković, an appointed expert- residing at 29/10 Žitomislička Street, 11000 Belgrade, Republic of Serbia*

b) Hearing the statements of witnesses:

3. *Protected witness, identified under the pseudonym "O1",*
4. *Vidoje Ilić, residing at Križevčka bb, Bratunac municipality,*
5. *Milan Jeremić, residing at Svetog Save bb, Bratunac,*
6. *Milomir Lazarević, residing at 13 Petrodanska, Bratunac,*
7. *Nenada Gruičić, residing at Soloćuša bb, Srebrenica,*
8. *Radivoje Ostojić, residing at Gostilj bb, Srebrenica,*
9. *Branislav Stanojević, Rudarska bb, Srebrenica,*
10. *Samir Avdić, South Dakota, Xfalls, USA,*
11. *Ibran Mustafić, 22 Patriotske lige, Sarajevo,*
12. *Mehić Asim, Lolići bb, Bratunac,*
13. *Omerović Mehmed, Lolići bb, Bratunac,*
14. *Taib Delimustafuć, Stupari bb Kladanj,*
15. *Ilić Jelica, 2 Maršala Tita, Srebrenica,*
16. *Nikolić Radmila, Kravica Bb, Bratunac,*
17. *Bajić Slađana, Mike Petrovića Alasa bb, Šabac, Serbia*
18. *Stojanka Savić, 16 Popove Bare, Bratunac,*
19. *Dževad Hrvačić, 51 Cerik, Husini, Tuzla,*
20. *Suljić Avdo, Potočari, 3/1 Lamela, Srebrenica,*
21. *Simić Božana, Donje Polje bb, Srebrenica,*
22. *Rakić Stojka, Donje Polje bb, Srebrenica,*
23. *Marko Slijepčević, Milinište, c/2 Lamela, Srebrenica,*
24. *Vukadinović Miladin, Gniona bb, Srebrenica*
25. *Rakić Ljiljana, Vidikovac, Srebrenica,*
26. *Vasiljević Milanka, Žuti most bb, Srebrenica,*
27. *Vasiljević Branislav, Kpetanova ćuprija bb, Srebrenica*
28. *Petrović Zora, Gniona bb, Srebrenica*
29. *Jeremić Marija, Srebreničkog odreda, Building No 2, Srebrenica*
30. *Rakić Goran, Vidikovac bb, Srebrenica*
31. *Vesna Ivanović, 4 Kravička, Bratunac*

c) Inspecting the following documents:

1. *Photographic documentation held by the Ministry of Internal Affairs of the Tuzla Canton, No 08-02/3 -5-04.6-220/10, dated 16 February 2011,*
2. *Report of an expert forensic medicine assessment, No ZAL 04 SRE 041 D, dated 12 October 2010,*
3. *An Autopsy Report for Milutin Milošević, No Kr-S-35, dated 22 March 1993,*
4. *A Certificate of Death issued to the name of Slobodan Ilić, No 02-4/202-458/15, dated 25 August 2015,*
5. *A Certificate of Death issued to the name of Milutin Milošević, No 02-4/202-589/09, dated 19 October 2015,*
6. *A Certificate of Death issued to the name of Mitar Savić, No 02-4/202-457/15, dated 25 August 2015,*
7. *Minutes of a crime scene identification, dated 26 August 2015,*
8. *Photographic documentation held by the Bijeljina Public Safety Centre, No 678/15, dated 24 August 2015,*
9. *Photographic documentation held by the Bijeljina Public Safety Centre, No 679/15, dated 24 August 2015,*
10. *Photographic documentation held by the Bijeljina Public Safety Centre, No 680/15, dated 24 August 2015,*
11. *A video recording of the crime scene identification,*
12. *Presidency of BiH: Order No 1921/92, issued 23 August 1992 – identified at the Hague under No: 00498463*
13. *Presidency of BiH: Order No 1291/92, issued 23 August 1992, published in the Official Gazette of the Republic of BiH, No 15, issued 5 September 1992*
14. *An Act passed by the Federal Ministry for Veterans and Disabled Defence Veterans in the War for Liberation, No: 07- 03-94-2/11, issued 13 February 2012*
15. *Army of the Republic of BiH, Command 8, OG "Srebrenica" - Proposal No: 130-28 23/94, issued 10 April 1994- identified at the Hague under No: 8811003323*
16. *Army of the Republic of BiH, Command 8, OG "Srebrenica" - Proposal No: 130-28-122/94, issued 10 September 1994, identified at the Hague under Nos: 8811003163 to 8811003166*
17. *Army of the Republic of BiH, Command 8, OG "Srebrenica" - Proposal No: 04-28 / 95, issued 23 February 1995, identified at the Hague under Nos: 8811003734 to 8811003737*
18. *Army of the Republic of BiH, Command 8, OG "Srebrenica" - Proposal No: 130-28-08/94, dated 01 April 1994- a certified copy*
19. *Army of the Republic of BiH, Command of the 28th Division, "Srebrenica" - Proposal No: 04/55/95, dated 04 May 1995*
20. *Army of the Republic of BiH, Command 8, OG "Srebrenica" - Proposal No: 130-28-204/94, dated 09 December 1994, identified at the Hague under Nos: 01837569 to 01837601*
21. *Ministry of Defence of BiH, Document No: 08-04-4075-4/06, dated 27 September 2006, with annexes*

22. *Army of BiH, Municipal Headquarters of the Srebrenica Territory, Decision No: 11/92, dated 02 July 1992, identified at the Hague under No: 01801587, dated: 02 July 1992*
23. *Army of BiH, Municipal Headquarters of the Srebrenica Territory, Decision No: 11/92, dated 02 July 1992*
24. *Headquarters of the Armed Forces of Srebrenica, Order dated 28 August 1992, identified at the Hague under No: 88 11003760*
25. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Decision No: 05/92, dated 03 September 1992, identified at the Hague under No: 8811001993*
26. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Decision No: 06/92, dated 03 September 1992, identified at the Hague under No: 8811003754*
27. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 4/92, dated 07 September 1992, identified at the Hague under No: 8811002001*
28. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 28/92, dated 15 October 1992, identified at the Hague under No: 8811002002*
29. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 29/92, dated 15 October 1992, identified at the Hague under No: 8811003756*
30. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 34/92, dated 20 October 1992, identified at the Hague under No: 8811002013*
31. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Order No: 49/92, dated 29 October 1992, identified at the Hague under No: 8811002004*
32. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 51/92, dated 31 October 1992, identified at the Hague under No: 8811001992*
33. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 183/92, dated 24 December 1992, identified at the Hague under No: 8811001991*
34. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 185/92, dated 25 December 1992, identified at the Hague under No: 8811002008*
35. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 101/93, dated 03 February 1993, identified at the Hague under No: 8811001971,*
36. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 102/93, dated: 03 February 1993, identified at the Hague under No: 8811003372,*
37. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 107/93, dated 03 February 1993, identified at the Hague under No: 8811002010,*
38. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 116/93, dated 05 February 1993, identified at the Hague under No: 8811003370*

39. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 134/93, dated 12 February 1993, identified at the Hague under No: 8811003628,*
40. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 138/93, dated 12 February 1993, identified at the Hague under No: 88110022006*
41. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 137/93, dated 13 February 1993, identified at the Hague under No: 8811002005,*
42. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 183/93, dated 22 February 1993, identified at the Hague under No: 8811003676,*
43. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 202/93, dated 25 February 1993, identified at the Hague under No: 8811002009,*
44. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 414/93, dated 24 March 1993, identified at the Hague under No: 8811003630,*
45. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 487/93, dated 04 April 1993, identified at the Hague under No: 8811003757,*
46. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 586/93 of 14.04.1993 identified at the Hague under No: 8811003629,*
47. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 587/93, dated 16 April 1993, identified at the Hague under No: 8811003759,*
48. *Republic of BiH, Headquarters of the Supreme Command of the Armed Forces, Document No. 05-1/6-16, dated 11 July 1994, identified at the Hague under No: 01807376,*
49. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Document No: 431/93, dated 25 March 1993, identified at the Hague under No: 8811001928,*
50. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 717/93, dated 16 June 1993, identified at the Hague under No: 8811002216,*
51. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 867/93, dated 21 October 1993, identified at the Hague under No: 8811002215,*
52. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 171/92, dated 22 December 1992, identified at the Hague under No: 01239544,*
53. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Decision No: 06/92, dated 03 September 1992, identified at the Hague under No: 03720933,*
54. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Decision No: 11/92, dated 02 July 1992, identified at the Hague under No: 01001596,*
55. *Srebrenica Municipality, War Presidency, Decision No: 01-14/92, dated 01 July 1992, identified at the Hague under No: 01840629*

56. *Decision to declare an imminent threat of war, that came into force at the moment it was issued, "immediately" and published in the "Official Gazette of the Republic of BiH," No: 1/92, dated 09 April 1992,*
57. *Decision of the Presidency of the Republic of Bosnia and Herzegovina to declare a state of war, published in the "Official Gazette of the Republic of BiH," No: 7/92, dated 20 June 1992,*
58. *Decision of the Presidency of Bosnia and Herzegovina to cancel a state of war, published in the "Official Gazette of the Republic of BiH," No: 50/95, dated 20 June 1992,*
59. *A Decision with Legal Force regarding the Armed Forces of the Republic of Bosnia and Herzegovina, published in the "Official Gazette of the Republic of BiH," No. 4/92, dated 20 May 1992,*
60. *The Decision to Establish the Army of the Serb Republic of Bosnia and Herzegovina, published in the "Official Gazette of the Serb People in BiH," No: 6/92, dated 12-17 May 1992,*
61. *Samir Avdić's diary, manuscript,*
62. *A Letter from the State Agency for Investigation and Protection, No: 1-16-17-04-2-964-14/11, dated 24 August 201, with annexes,*
63. *A Letter from the Ministry of Internal Affairs of the RS, Centre for Public Safety in Bijeljina, No: 10 /02/1-230-1080/08, dated: 23 December 2008, with annexes,*

Followed by these Records (Minutes),

- *Record of a hearing of suspect Naser Orić, dated 26 June 2015,*
- *Record of a hearing of suspect Naser Orić, dated 12 November 2008,*
- *Record of a hearing of suspect Naser Orić, dated 27 August 2015,*
- *Record of a hearing of suspect Sabahudin Muhić, dated 27 August 2015,*
- *Record of a hearing of witness "O1", dated 03 August 2015,*
- *Record of a hearing of witness "O1", dated 10 July 2014,*
- *Record of a hearing of witness "O1", dated 23 August 2015,*
- *Record of a hearing of witness Vidoje Ilić, dated 29 July 2015,*
- *Record of a hearing of witness Ilić Vidoje, dated 14 October 2005,*
- *Record of a hearing of witness Milan Jeremić, dated 29 July 2015,*
- *Record of a hearing of witness Milomir Lazarević, dated 29 July 2015,*
- *Record of a hearing of witness Nenad Grujičić, dated 30 July 2015,*
- *Record of a hearing of witness Radivoje Ostojić, dated 29 July 2015,*
- *Record of a hearing of witness Radivoje Ostojić, dated 03 October 2006,*
- *Record of a hearing of witness Branislav Stanojević, dated 30 July 2015,*
- *Record of a hearing of witness Avdić Samir, dated 01 December 2008,*
- *Record of a hearing of witness Avdić Samir, dated 09 December 2008,*
- *Record of a hearing of witness Ibran Mustafić, dated 05 August 2015,*
- *Record of a hearing of witness Ibran Mustafić, dated 01 December 2008,*
- *Record of a hearing of witness Mehić Asim, dated 27 July 2009,*
- *Record of a hearing of witness Mehmed Omerović, dated 28 July 2009,*
- *Record of a hearing of witness Taib Delimustafić, dated 14 June 2007,*

- *Record of a hearing of witness Taib Delimustafić, dated 20 November 2006,*
- *Record of a hearing of witness Ilić Jelica, dated 14 October 2005,*
- *Record of a hearing of witness Radmila Nikolić, dated 08 October 2009,*
- *Record of a hearing of witness Bajić Slađana, dated 24 August 2015,*
- *Record of a hearing of witness Stojanka Savić, dated 24 August 2009,*
- *Record of a hearing of witness Dževad Hrvačić, dated 27 June 2007,*
- *Record of a hearing of witness Suljić Avdo, dated 16 February 2014,*
- *Record of a hearing of witness Božana Simić, dated 17 October 2005,*
- *Record of a hearing of witness Stojka Rakić, dated 17 October 2005,*
- *Record of a hearing of witness Marko Slijepčević, dated 17 October 2013,*
- *Record of a hearing of witness Miladin Vujadinović, dated 16 October 2013,*
- *Record of a hearing of witness Ljiljana Rakić, dated 18 October 2005,*
- *Record of a hearing of witness Vasiljević Milanka, dated 19 October 2005,*
- *Record of a hearing of witness Branislav Vasiljević, dated 12 October 2005,*
- *Record of a hearing of witness Zora Petrović, dated 10 November 2005,*
- *Record of a hearing of witness Marija Jeremić, dated 11 November 2005,*
- *Record of a hearing of witness Gorana Rakić, dated 06 October 2005,*
- *Record of a hearing of witness Zoran Stanković, dated 25 August 2015,*
- *Record of a hearing of witness Vesna Ivanović, dated 24 August 2015,*

RESULTS OF INVESTIGATION

The results of the investigation, which was conducted by this Prosecutor's Office in an unequivocal manner, confirms the merits of this Indictment, that is, the claims that the suspected Naser Orić and Sabahudin Muhić, did, in the manner, time, place and under the circumstances stated in the main part of the Indictment, commit the legally criminal acts referred to in this Indictment, acts which contain all the essential characteristics of the criminal acts they are charged for.

The evidence obtained by the Prosecutor's Office during the investigation, both the material evidence and the testimonies of the witnesses heard, confirm that:

- *that suspects committed the criminal acts for which they are charged in this Indictment during the war in Bosnia and Herzegovina, at the time of an armed conflict between the Army of the Serb Republic of BiH, and the Army of the Republic of BiH*
- *That the legally criminal acts brought against the suspects, as given in the main part of the Indictment, represent serious violations of international humanitarian rights, as well as a violation of Article 3, Paragraph 1, Points a) and c) of the Third Geneva Convention relative to the Treatment of Prisoners of War, issued on 12 August 1949*

- *That the victims in this case were prisoners of war, and were, according to that fact, protected in accordance with the said Geneva Convention,*
- *That the criminal acts with which the suspects are charged were carried out on the territory of the Srebrenica and Bratunac municipalities,*
- *That they suspects committed the criminal offenses that they are charged with under this Indictment as members of the Armed Forces of Srebrenica, of the Army of the Republic of BiH, that is, as members of one party to the conflict,*
- *That the criminal acts that the suspects committed were not justified by military necessity,*
- *That the evidence collected during the investigation clearly indicates that there is a nexus between the war, or the armed conflict, and the criminal acts committed and given in the main part of the Indictment, and that the suspects used their "superior" military position, and the position of the injured persons as "subordinates" in order to carry out the said incriminating acts.*

Reasonable doubt that the suspect Naser Orić committed the murder of prisoner of war Slobodan Ilić is based on the testimony of protected witness O-1, witness Vidoje Ilić, witness Milan Jeremić, witness Milomir Lazarević, witness Jelica Ilić, witness Samir Avdić, witness Ibran Mustafić, and by material documents: photo-documentation held by the Ministry of Internal Affairs of the Tuzla Canton, No: 08-02/3-5-04.6-2200/10, dated 16 February 2011, Report of an expert forensic medicine assessment, No: ZAL04SRE041D, dated 12 October 2010, a Record of a crime scene identification, No: 16-06/1-04-2- /0, photographic documentation held by the Bijeljina Public Safety Centre, No: 678/15, dated 24 August 2015, photographic documentation held by the Bijeljina Public Safety Centre, No: 679/15, dated 24 August 2015, photographic documentation held by the Bijeljina Public Safety Centre, No: 680/15, dated 24 August 2015, a video recording of a crime scene identification in Zalazje, Srebrenica municipality, dated 23 August 2015, and a Certificate of Death issued for Slobodan Ilić.

Reasonable doubt that the suspects Naser Orić and Sabahudin Muhić committed the murder of prisoner of war Milutin Milošević is based on the testimony of protected witness O-1, witness Asim Mehić, witness Mehmed Omerović, witness Radmila Nikolić, witness Slađana Pajić, witness and appointed expert Dr. Zoran Stanković, A Record of the Autopsy and Exhumation of Milutin Milošević, and a Certificate of Death issued for Milutin Milošević.

Reasonable doubt that the suspects Naser Orić and Sabahudin Muhić committed the murder of prisoner of war Mitar Savić is based on the testimony of protected witness O-1, witness Taib Delimustafić, witness Stojanka Savić and witness Dr. Vesna Ivanović.

War in Bosnia and Herzegovina

The Decision to Declate an Iimminent Threat of War entered into force "immediately" i.e. at the moment it was issued, and was published in the "Official Gazette of the Republic of Bosnia and Herzegovina", No: 1/92, dated 09 April 1992.

Based on Article 8 of the Decision on the Defence, with Legal Force ("Official Gazette of the Republic of Bosnia and Herzegovina", No. 4/92, and on the grounds of a proposal of the Main Headquarters of the Armed Forces of the Republic of Bosnia and Herzegovina, the Presidency of the Republic of BiH, at a session held on 20 June 1992, passed a Decision to Declare a State of War. This decision was a declaration of a state of war on the territory of the Republic of Bosnia and Herzegovina. The Decision was published in the "Official Gazette of the Republic of BiH", No: 7/92, and entered into force on 20 June 1992.

The state of war on the territory of Bosnia and Herzegovina lasted until 20 June 199, when the Presidency passed a Decision to cancel the state of war.

From the statements given in the Indictment, it is clear that Naser Orić and Sabahudin Muhić, also known as "Mrčo" are charged with the criminal act of War crimes against Prisoners of War, stating that they committed the said act in the period from May to December 1992, i.e., during the war in Bosnia and Herzegovina.

It is evident that, in the relevant period, there was ongoing armed conflict in Bosnia and Herzegovina, that is, on the territory of the Srebrenica and Bratunac municipalities, between the Army of the Serb Republic of Bosnia and Herzegovina, and the Army of the Republic of Bosnia and Herzegovina.

Based on the material evidence obtained by the Prosecutor's Office of Bosnia and Herzegovina during the investigation, as well as witness testimonies, it can be claimed without ambiguity that, in 1992, on the territory of Bosnia and Herzegovina, i.e., in the Srebrenica and Bratunac municipalities, there was an armed conflict existed between the Army of the Republika Srpska and the Army of the Republic of BiH.

The existence of an armed conflict in the area of the Srebrenica and Bratunac municipalities is based on facts which the Prosecutor's Office of BiH is proposing be accepted as having been confirmed in the case which was led against Naser Orić and concluded with legal force before the Hague Tribunal.

e) Blanket regulation

The common article i.e. Article 3 of the Geneva Conventions relative to the Protection of Civilian Persons in Time of War, dated 12 August 1949, and of the Geneva Convention relative to the Treatment of Prisoners of War, also dated 12 August 1949, prescribes that persons who are not taking active part in hostilities, including those members of armed forces who have laid down their arms, as well as those who are hors de combat due to detention or any other cause, shall in all circumstances be treated humanely, with no adverse discrimination based on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria. To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

i. violence to the integrity life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;

ii. outrages upon personal dignity, in particular humiliating and degrading treatment;

Bearing in mind that the testimonies of witnesses and the physical evidence indicate that the victims in this criminal procedure were prisoners of war, apprehended on the territory of the Srebrenica and Bratunac municipalities, it can be concluded that these are persons protected by the abovementioned Geneva Conventions.

The Capacity of the Suspects

The fact that the suspect Naser Orić, in the period relevant to the Indictment, was a member of the Army of the Republic of Bosnia and Herzegovina arises from the following physical evidence: a Decision issued by the Ministry of Defence of BiH, No: 08-04-4075-4/06, dated 27 September 2006, with relevant annexes, a Decision issued by the Municipal Headquarters of the Srebrenica Territorial Defence, No: 11/92, dated 02 July 1992, a Decision issued by the Headquarters of the Srebrenica Armed Forces, No: 92, dated 28 August 1992, a Decision of the Headquarters of the Armed Forces of Srebrenica, No: 05/92, dated 03 September 1992, a Decision of the Headquarters of the Armed Forces of Srebrenica No: 06/92, dated 03 September 1992, a Decision of the Municipal Headquarters of the Armed Forces of Srebrenica No: 4/92, dated 7 September 1992, a Decision of the Headquarters of the Armed Forces of Srebrenica No: 28/92, dated 15 October 1992, a Decision of the Headquarters of the Armed Forces of Srebrenica No: 29/92, dated 15 October 1992, a Decision of the Headquarters of the Armed Forces of Srebrenica No: 34/92, dated 20 October 1992, a Decision of the Headquarters of the Armed Forces of Srebrenica No: 49/92, dated 29 October 1992, a Decision of the Headquarters of

the Armed Forces of Srebrenica No: 51/92, dated 31 October 1992, a Decision of the Headquarters of the Armed Forces of Srebrenica No: 183/92, dated 24 December 1992, a Decision of the Headquarters of the Armed Forces of Srebrenica No: 185/92, dated 25 December 1992, a Decision of the Headquarters of the Armed Forces of Srebrenica No: 50/93, A Decision of the Headquarters of the Armed Forces of Srebrenica No: 101/93, dated: 03 February 1993, a Decision of the Headquarters of the Armed Forces of Srebrenica No: 102/93, dated 03 February 1993, a Decision of the Headquarters of the Armed Forces of Srebrenica No: 107/93, dated 03 February 1993,a Decision of the Headquarters of the Armed Forces of Srebrenica No: 116/93, dated 05 February 1993, a Decision of the Headquarters of the Armed Forces of Srebrenica No: 134/93, dated 12 February 1993, a Decision of the Headquarters of the Armed Forces of Srebrenica No: 138/93, dated 12 February 1993, a Decision of the Headquarters of the Armed Forces of Srebrenica No: 187/93, dated 13 February 1993, a Decision of the Headquarters of the Armed Forces of Srebrenica No: 183/93, dated 22 February 1993, a Decision of the Headquarters of the Armed Forces of Srebrenica No: 202/93, dated 25 February 1993, a Decision of the Headquarters of the Armed Forces of Srebrenica No: 419/93, dated 24 March 1993, a Decision of the Headquarters of the Armed Forces of Srebrenica No: 487/93, dated 04 April 1993, a Decision of the Headquarters of the Armed Forces of Srebrenica No: 586/93, dated 16 April 1993, a Decision of the Headquarters of the Armed Forces of Srebrenica No: 587/93, dated 16 April 1993, a Decision of the Headquarters of the Armed Forces of Srebrenica No: 717/93, dated 16 June 1993, Headquarters of the Armed Forces of Srebrenica No: 867/93, dated 21 October 1993.

The above mentioned fact is also evident from the testimonies of witnesses: protected witness "O-1", Taib Delimustafić, Samir Avdić, Ibran Mustafić, Vidoje Ilić, Milomir Lazarević and other witnesses heard during the investigation.

The fact that the suspect Sabahudin Muhić, also known as "Mrčo", was, in the period relevant to this Indictment, a member of the Army of the Republic of BiH is based on physical evidence gathered during the investigation – a Letter from SIPA, No: 1-16-17-04-2-964-14/11, dated 24 August 20145, with annexes, and the testimony of protected witness "O-1".

Mens rea

Part of the responsibility of the suspects is information that points to the fact that suspects Naser Orić and Sabahudin Muhić, also known as "Mrčo", were aware that they were, as members of one party to the conflict, committing the actions described in the main part of the Indictment, as part of their treatment of prisoners of war who were

their subordinates at the time, with no freedom of movement, and deprived of any possibility to self-defense.

The state of mind of the suspects can in particular be seen in the physical evidence that point to commands and instructions given, to treat civilians and prisoners of war in accordance with the provisions of the Geneva Convention.

By hearing witnesses, we aim at proving to them that the legally criminal actions that the suspects are charged with were undertaken.

In course of 1985 and 1986, Naser Orić completed military service in the former Yugoslav National Army, in the unit for nuclear biological and chemical defence, where he progressed to the rank of Corporal. During 1988, he completed a six-month police training course in Zemun, and completed an internship in the field in Belgrade. He continued to attend courses for another two years with special mission police units. In 1991, he was assigned to the post of police officer at the Ilidža Centre for Public Safety, and was reassigned to the Centre for Public Safety in Srebrenica that same year. On 08 April 1992, he became the Police Constable at the Potočari Police Station, within the Centre for Public Safety in Srebrenica. On 17 April 1992, a Territorial Defence was established in Potočari, Srebrenica municipality, and Naser Orić was appointed as a Commander. In the period relevant to the Indictment, Naser Orić served as Commander of the Headquarters of the Territorial Defence of Srebrenica, and as the Commander of the Armed Forces of the Srebrenica Subregion.

Given the fact that the suspect Naser Orić was a member of Secretariat of the Interior in the former Socialist Federal Republic of Yugoslavia, and that he took a larger number of training courses, and that within the Secretariat of the Interior he carried out management functions, and given the fact that he carried out relevant command duties as Commander of the Srebrenica Armed Forces and Commander of the Srebrenica Subregion, the suspect was aware that, by killing disarmed prisoners of war, who were deprived of freedom of movement and any possibility of self-defence, he was violating the rules of international humanitarian law, and thus committing criminal acts then under applicable criminal law, from which it follows that he committed the acts classified as criminal acts with direct intent.

The Prosecutor's Office highlights the fact that the suspect Sabahudin Muhić committed the criminal actions he is charged with, with direct intent, given that he shot burst of fire into prisoners of war who had already been shot at prior to that.

The Capacity of Victims

The fact that that Slobodan Ilić, at the time of the criminal act in question was committed, had the status of a prisoner of war, stems from the testimony of protected witness "O-1", as well as witnesses Vidoje Ilić, Milomir Lazarević, Milan Jeremić, Jelica Ilić, and the testimonies of other witnesses heard during the investigation.

The fact that Milutin Milošević was, at the time of the said criminal act was carried out, had the status of a prisoner of war, stems from the testimony of protected witness "O-1", as well as of witnesses Asim Mehić, Mehmed Omerović, Radmila Nikolić, and Slađana Bajić.

The fact that Mitar Savić, at the time of the said criminal act was carried out, had the status of a prisoner of war status, stems from the testimony of protected witness "O-1", as well as witness Stojanka Savić.

The fact that Slobodan Ilić, as the injured party herein, died is based on the testimony of a protected witnesses "O-1", as well as of witness Ilić Jelica, and the following physical evidence: Photographic documentation No: 02/3-5-04.6-2200/10, dated 16 February 2011, A report on a forensic medical expertise No: ZAL04SRE041D, and a Death Certificate issued for the name of Slobodan Ilić, No: 02-4-202-458/15, dated 25 August 2015.

The fact that Milutin Milošević, as the injured party herein, died is based on the testimony of protected witness "O-1", witnesses Radmila Nikolić and Slađana Pajić, expert witness Dr. Zoran Stanković, an Autopsy Report from the Institute for Pathology and Forensic Medicine of the VMA, No: BC-S-35, dated 22 March 1993, and Certificate of Death issued to the name of Milutin Milošević, No: 02/4-202-589/09, dated 19 October 2009.

The fact that Mitar Savić, as the injured party herein, died is based on the testimony of protected witness "O-1", as well as witness Stojanka Savić, as well as on a death certificate issued for the name of Mitar Savić, No: 02-4-202-457/18, dated 25 August 2015.

Documents that support the allegations of the Indictment

- *Record of a hearing of protected witness "O1", dated 30 August 2015,*
- *Record of a hearing of protected witness "O1", dated 10 July 2014,*
- *Record of a hearing of protected witness "O1", dated 23 August 2015,*
- *Record of a hearing of witness Vidoje Ilić, dated 29 July 2015,*
- *Record of a hearing of witness Milan Jeremić, dated 29 July 2015,*
- *Record of a hearing of witness Milomir Lazarević, dated 29 July 2015,*
- *Record of a hearing of witness Nenad Grujičić, dated 30 July 2015,*
- *Record of a hearing of witness Radivoje Ostojić, dated 29 July 2015,*
- *Record of a hearing of witness Radivoje Ostojić, dated 03 October 2006,*
- *Record of a hearing of witness Branislav Stanojević, dated 30 July 2015,*
- *Record of a hearing of witness Vidoje Ilić, dated 29 July 2015,*
- *Record of a hearing of witness Avdić Samir, dated 01 December 2008,*
- *Record of a hearing of witness Avdić Samir, dated 09 December 2008,*
- *Record of a hearing of witness Ibran Mustafić, dated 05 August 2015,*
- *Record of a hearing of witness Ibran Mustafić, dated 01 December 2008,*
- *Record of a hearing of witness Mehić Asim, dated 27 July 2009,*
- *Record of a hearing of witness Mehmed Omerović, dated 28 July 2009,*
- *Record of a hearing of witness Taib Delimustafić, dated 14 June 2007,*
- *Record of a hearing of witness Taib Delimustafić, dated 30 November 2006,*
- *Record of a hearing of witness Ilić Jelica, dated 14 October 2005,*
- *Record of a hearing of witness Radmila Nikolić, dated 08 October 2009,*
- *Record of a hearing of witness Bajić Slađana, dated 24 August 2015,*
- *Record of a hearing of witness Stojanka Savić, dated 24 August 2015,*
- *Record of a hearing of witness Dževad Hrvačić, dated 27 June 2007,*
- *Record of a hearing of witness Suljić Avdo, dated 16 February 2014,*
- *Record of a hearing of witness Božana Simić, dated 17 October 2005,*
- *Record of a hearing of witness Stojka Rakić, dated 17 October 2005,*
- *Record of a hearing of witness Marko Slijepčević, dated 17 October 2013,*
- *Record of a hearing of witness Miladin Vujadinović, dated 16 October 2013*
- *Record of a hearing of witness Ljiljana Rakić, dated 18 October 2005,*
- *Record of a hearing of witness Vasiljević Milanka, dated 19 October 2005,*
- *Record of a hearing of witness Branislav Vasiljević, dated 12 October 2005,*
- *Record of a hearing of witness Zora Petrović, dated 10 November 2005,*
- *Record of a hearing of witness Marija Jeremić, dated 11 November 2005,*
- *Record of a hearing of witness Gorana Rakić, dated 06 October 2005,*

- *Record of a hearing of witness Zoran Stanković, dated 25 August 2015,*
- *Record of a hearing of witness Vesna Ivanović, dated 24 August 2015,*

As well as physical evidence, as follows:

1. *Photographic documentation held by the Ministry of Internal Affairs of the Tuzla Canton, No 08-02/3 -5-04.6-220/10, dated 16 February 2011,*
2. *Report of an expert forensic medicine assessment, No ZAL 04 SRE 041 D, dated 12 October 2010,*
3. *An Autopsy Report for Milutin Milošević, No Kr-S-35, dated 22 March 1993,*
4. *A Certificate of Death issued to the name of Slobodan Ilić, No 02-4/202-458/15, dated 25 August 2015,*
5. *A Certificate of Death issued to the name of Milutin Milošević, No 02-4/202- 589/09, dated 19 October 2015,*
6. *A Certificate of Death issued to the name of Mitar Savić, No 02-4/202-457/15, dated 25 August 2015,*
7. *Minutes of a crime scene identification, dated 26 August 2015,*
8. *Photographic documentation held by the Bijeljina Public Safety Centre, No 678/15, dated 24 August 2015,*
9. *Photographic documentation held by the Bijeljina Public Safety Centre, No 679/15, dated 24 August 2015,*
10. *Photographic documentation held by the Bijeljina Public Safety Centre, No 680/15, dated 24 August 2015,*
11. *A video recording of the crime scene identification,*
12. *Presidency of BiH: Order No 1921/92, issued 23 August 1992 – identified at the Hague under No: 00498463*
13. *Presidency of BiH: Order No 1291/92, issued 23 August 1992, published in the Official Gazette of the Republic of BiH, No 15, issued 5 September 1992*
14. *An Act passed by the Federal Ministry for Veterans and Disabled Defence Veterans in the War for Liberation, No: 07- 03-94-2/11, issued 13 February 2012*
15. *Army of the Republic of BiH, Command 8, OG "Srebrenica" - Proposal No: 130-28-23/94, issued 10 April 1994- identified at the Hague under No: 8811003323*
16. *Army of the Republic of BiH, Command 8, OG "Srebrenica" - Proposal No: 130-28-122/94, issued 10 September 1994, identified at the Hague under Nos: 8811003163 to 8811003166*
17. *Army of the Republic of BiH, Command 8, OG "Srebrenica" - Proposal No: 04-28/95, issued 23 February 1995, identified at the Hague under Nos: 8811003734 to 8811003737*
18. *Army of the Republic of BiH, Command 8, OG "Srebrenica" - Proposal No: 130-28-08/94, dated 01 April 1994- a certified copy*

19. *Army of the Republic of BiH, Command of the 28th Division, "Srebrenica" - Proposal No: 04/55/95, dated 04 May 1995*
20. *Army of the Republic of BiH, Command 8, OG "Srebrenica" - Proposal No: 130-28-204/94, dated 09 December 1994, identified at the Hague under Nos: 01837569 to 01837601*
21. *Ministry of Defence of BiH, Document No: 08-04-4075-4/06, dated 27 September 2006, with annexes*
22. *Army of BiH, Municipal Headquarters of the Srebrenica Territory, Decision No: 11/92, dated 02 July 1992, identified at the Hague under No: 01801587, dated: 02 July 1992*
23. *Army of BiH, Municipal Headquarters of the Srebrenica Territory, Decision No: 11/92, dated 02 July 1992*
24. *Headquarters of the Armed Forces of Srebrenica, Order dated 28 August 1992, identified at the Hague under No: 88 11003760*
25. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Decision No: 05/92, dated 03 September 1992, identified at the Hague under No: 8811001993*
26. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Decision No: 06/92, dated 03 September 1992, identified at the Hague under No: 8811003754*
27. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 4/92, dated 07 September 1992, identified at the Hague under No: 8811002001*
28. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 28/92, dated 15 October 1992, identified at the Hague under No: 8811002002*
29. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 29/92, dated 15 October 1992, identified at the Hague under No: 8811003756*
30. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 34/92, dated 20 October 1992, identified at the Hague under No: 8811002013*
31. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Order No: 49/92, dated 29 October 1992, identified at the Hague under No: 8811002004*
32. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 51/92, dated 31 October 1992, identified at the Hague under No: 8811001992*
33. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 183/92, dated 24 December 1992, identified at the Hague under No: 8811001991*
34. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 185/92, dated 25 December 1992, identified at the Hague under No: 8811002008*
35. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 101/93, dated 03 February 1993, identified at the Hague under No: 8811001971,*

36. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 102/93, dated: 03 February 1993, identified at the Hague under No: 8811003372,*
37. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 107/93, dated 03 February 1993, identified at the Hague under No: 8811002010,*
38. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 116/93, dated 05 February 1993, identified at the Hague under No: 8811003370*
39. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 134/93, dated 12 February 1993, identified at the Hague under No: 8811003628,*
40. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 138/93, dated 12 February 1993, identified at the Hague under No: 88110022006*
41. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 137/93, dated 13 February 1993, identified at the Hague under No: 8811002005,*
42. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 183/93, dated 22 February 1993, identified at the Hague under No: 8811003676,*
43. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 202/93, dated 25 February 1993, identified at the Hague under No: 8811002009,*
44. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 414/93, dated 24 March 1993, identified at the Hague under No: 8811003630,*
45. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 487/93, dated 04 April 1993, identified at the Hague under No: 8811003757,*
46. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 586/93 of 14 April.1993 identified at the Hague under No: 8811003629,*
47. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 587/93, dated 16 April 1993, identified at the Hague under No: 8811003759,*
48. *Republic of BiH, Headquarters of the Supreme Command of the Armed Forces, Document No. 05-1/6-16, dated 11 July 1994, identified at the Hague under No: 01807376,*
49. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Document No: 431/93, dated 25 March 1993, identified at the Hague under No: 8811001928,*
50. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 717/93, dated 16 June 1993, identified at the Hague under No: 8811002216,*
51. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 867/93, dated 21 October 1993, identified at the Hague under No: 8811002215,*

52. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Command No: 171/92, dated 22 December 1992, identified at the Hague under No: 01239544,*
53. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Decision No: 06/92, dated 03 September 1992, identified at the Hague under No: 03720933,*
54. *Army of the Republic of BiH, Headquarters of the Armed Forces of Srebrenica, Decision No: 11/92, dated 02 July 1992, identified at the Hague under No: 01001596,*
55. *Srebrenica Municipality, War Presidency, Decision No: 01-14/92, dated 01 July 1992, identified at the Hague under No: 01840629*
56. *Decision to declare an imminent threat of war, that came into force at the moment it was issued, "immediately" and published in the "Official Gazette of the Republic of BiH," No: 1/92, dated 09 April 1992,*
57. *Decision of the Presidency of the Republic of Bosnia and Herzegovina to declare a state of war, published in the "Official Gazette of the Republic of BiH," No: 7/92, dated 20 June 1992,*
58. *Decision of the Presidency of Bosnia and Herzegovina to cancel a state of war, published in the "Official Gazette of the Republic of BiH," No: 50/95, dated 20 June 1992,*
59. *A Decision with Legal Force regarding the Armed Forces of the Republic of Bosnia and Herzegovina, published in the "Official Gazette of the Republic of BiH," No. 4/92, dated 20 May 1992,*
60. *The Decision to Establish the Army of the Serb Republic of Bosnia and Herzegovina, published in the "Official Gazette of the Serb People in BiH," No: 6/92, dated 12-17 May 1992,*
61. *Samir Avdić's diary, manuscript,*
62. *A Letter from the State Agency for Investigation and Protection, No: 1-16-17-04-2-964-14/11, dated 24 August 201, with annexes,*
63. *A Letter from the Ministry of Internal Affairs of the RS, Centre for Public Safety in Bijeljina, No: 10 /02/1-230-1080/08, dated: 23 December 2008, with annexes.*

Pursuant to the provisions of Article 4 of the Law on Transfer of Cases from the ICTY, and in connection with Article 261, Paragraph 1, and Article 15 of the Criminal Procedure Code of Bosnia and Herzegovina, the Prosecutor's Office in Bosnia and Herzegovina herewith submits this

PROPOSAL
TO ACCEPT AS HAVING BEEN PROVEN THE FACTS DETERMINED IN THE ENFORCED DECISIONS MADE IN PROCEEDINGS BEFORE THE ICTY, AS WELL AS WRITTEN MATERIAL EVIDENCE FROM PROCEEDINGS HELD BEFORE THE ICTY THAT IS SIGNIFICANT FOR THIS LEGAL PROCESS

Namely, the Prosecutor's Office proposes that:

the court of BiH accepts as proven the facts determined in the enforced decisions made in proceedings before the International Crimes Tribunal for the former Yugoslavia

(ICTY), as well as facts determined in the first instance verdicts, that were not challenged in the appeals proceedings in the following cases:

1. ***The final judgement of the Trial Chamber of the ICTY in the Hague no: IT-03-68-T, issued 30 June 2006, in the case of Naser Orić – paragraphs 139 to 153, and paragraphs 597,598,601,602,603,604,605,606,608,631,632, 633,638,639,640,641,649,650,651,652,653,662,663,664,665,666,667,668 and 669.***

139. At the outset of the conflict, at a time when the sole organisational structure for combat on the Bosnian Muslim side was the TO, the municipalities were left to organise their own defence. The process leading to the establishment of the Srebrenica armed forces, when the first fighting groups were formed on a territorial basis under the auspices of the Srebrenica TO Staff, lasted from 20 May 1992 to mid-October 1992.

140. By 18 April 1992, the day Srebrenica fell to the Serbs, nearly all representatives of the municipal authorities had left Srebrenica town. In the weeks that followed, most Bosnian Muslims who remained behind hid in the surrounding woods. After the re-capture of the town subsequent to 8 May 1992, there was a pressing need to co-ordinate the local Bosnian Muslim groups under a single military command in order to organise an effective defence.

141. On 20 May 1992, an informal group of men who had set up individual fighting groups in the area after 18 April 1992, gathered in the nearby hamlet of Bajramovići and decided to co-ordinate their activities by setting up the Srebrenica TO Staff ("Bajramovići Decision"). Several local group leaders, including Akif Ustić, Ahmo Tihić, Zulfo Tursunović and the Accused, were present at the meeting. Others, including Hakija Meholjić and Sidik Ademović, did not attend, either because they believed the meeting to be illegitimate or because they had neither been informed nor invited. Further, some Muslim-held villages in the area of Srebrenica and Bratunac which had their own groups of fighters were not represented at Bajramovići and were organising their own defence at the time.

142. The Trial Chamber finds that while the legitimacy, and even the existence, of the Bajramovići Decision has been contested by some, it is undoubtedly the basis upon which local leaders in the Srebrenica area organised themselves after the start of hostilities. The Bajramovići Decision marks the establishment of the Srebrenica TO Staff, although this provided only a rudimentary form of defence structure.

143. At Bajramovići, it was decided that the Srebrenica TO Staff would include the Accused from Potočari as overall commander, Akif Ustić from Srebrenica as deputy-commander, Bečir Bogilović from Srebrenica as temporary commander of the civilian police, as well as Zulfo Tursunović from Sućeska, Hamdija Fejzić from Bajramovići, Ahmo Tihić from Tihići and Ševket \ozić from Bojna as members. On 26 May 1992, Atif Krdžić from Srebrenica, Nedžad Bektić from Karačići and Senahid Tabaković from Skenderovići also joined the Srebrenica TO Staff as members.

144. On 27 June 1992, Sefer Halilović, Chief of the Supreme Command Staff of the ABiH, officially confirmed the appointment of the Accused as commander of the Srebrenica TO Staff. On 8 August 1992, the position of the Accused as commander of the Srebrenica TO Staff was reconfirmed by the BiH President, Alija Izetbegović.

145. During a meeting held on 3 September 1992, the Srebrenica TO Staff, referring to itself for the first time as the 'Srebrenica Armed Forces Staff', established an Operations Staff as one of its constituent bodies. It appointed Osman Osmanović both as chief of the Operations Staff and as chief of staff of the Srebrenica Armed Forces Staff. The decision also provided for the possibility of merging the Operations Staff with the Srebrenica Armed Forces Staff, which ultimately took place on 14 October 1992. On 19 September 1992, Osman Osmanović proposed the names of 11 people to head the respective departments of the Operations Staff, a proposal which was adopted at a joint meeting of the Srebrenica War Presidency and the Srebrenica Armed Forces Staff on the same day. From that date onward, the Operations Staff, with only slight variance in composition, began meeting regularly to discuss issues both of a civilian and military nature, such as maintaining public order and planning military activities.

146. In addition, on 5 September 1992, Sefer Halilović ordered the formation and re-formation of a number of units for which mobilisation, in Srebrenica, would be coordinated by the Srebrenica Armed Forces Staff. However, in the particular circumstances prevailing in Srebrenica at the time, it remains uncertain whether this order was received by the relevant authorities in Srebrenica in a timely fashion. The Prosecution has not proven this fact to the Trial Chamber's satisfaction. However, the issuance of this order is immaterial as to whether a de facto 'municipal defence staff' existed in Srebrenica until then. The establishment of the Srebrenica TO Staff in Bajramovići on 20 May 1992, which was in early September 1992 re-designated the Srebrenica Armed Forces Staff, leaves no doubt about this.

147. Members of both the Operations Staff and the Srebrenica Armed Forces Staff soon came to realise that a merger between them would increase military efficiency. Hence, on 14 October 1992, they decided to merge into one joint staff, to be named the Srebrenica Armed Forces Staff.

148. On the same day, a decision on the structure of the Srebrenica Armed Forces was adopted by the still existing Operations Staff, according to which the Srebrenica Armed Forces would be composed of the following units: 1st Potočari Brigade, 2nd Sućeska Brigade and 3rd Karačići Brigade. Furthermore, six independent battalions were envisaged: 1st Srebrenica Battalion, 2nd Srebrenica Battalion, 3rd Biljeg Battalion, 4th Osmače Battalion, 5th Skenderovići Battalion, and 6th Luka Battalion. However, the Trial Chamber heard little evidence concerning the manner in which the Srebrenica Armed Forces operated on the ground.

149. As Bosnian Serb military activity in the area intensified from November 1992 onward, attempts were made to join Bosnian Muslim forces in eastern BiH under a single military authority. The establishment of a sub-region, which would have both a civilian and a military component, and encompass the Bosnian Muslim-held parts of the municipalities of Bratunac, Zvornik, Vlasenica and Srebrenica ("Sub-region"), was envisaged.

150. Throughout November 1992, a number of meetings were held in Konjević Polje and Cerska to discuss the implementation of the initiative. On 4 November 1992, at a meeting held in Konjević Polje, the Sub-region was formally proclaimed. The session was attended by a number of Bosnian Muslim representatives from the municipalities concerned, including Hamed Salihović, but not the Accused. At meetings in the days that followed, the War Presidency of the Sub-region was established, with Hamed Salihović as its President, the Accused as Commander of the Subregion, and Ferid Hodžić as Chief of Staff of the Sub-region.

151. In his capacity as President of the War Presidency of the Sub-region, Hamed Salihović was extremely active in trying to make the Sub-region operational. He issued reports to Tuzla, Sarajevo and the international community at large regarding the situation in eastern BiH via ham radio from Srebrenica. He also attempted to establish radio communications between Srebrenica and Cerska, which were isolated from each other.

152. Despite the strenuous efforts of Hamed Salihović, between November 1992 and demilitarisation of the Srebrenica enclave in April 1993, the Sub-region never materialised into an entity exercising political or military

authority in eastern BiH. One integrated command over the armed groups of Kamenica, Cerska, Konjević Polje and Srebrenica was not to be achieved before demilitarisation. A number of factors made it impossible for the Sub-region to become functional. The main factor was the intense Serb attacks on Cerska and Konjević Polje, resulting in their complete isolation from Srebrenica. To a lesser extent, the time and effort devoted to alleviating the dire humanitarian situation caused by the Serb attacks also played a role in the inability of the Sub-region to materialise.

153. Based on this evidence, the Trial Chamber finds that, in the circumstances prevailing between November 1992 and March 1993 in eastern BiH, the numerous reports and orders emanating from the War Presidency of the Sub-region did little to bring together the Bosnian Muslim forces in the area.

597. Between April and June 1992, Bosnian Serbs and Bosnian Muslims engaged in mutual fighting in the Ratkovići area. Evidence was heard that Bosnian Serbs attacked numerous Bosnian Muslim villages from the direction of Ratkovići, Dučići, Fakovići and Brađevina. Consequently, the inhabitants of these villages fled to the woods. On the morning of 21 June 1992, Bosnian Muslims attacked Ratkovići, Gornji Ratkovići and Dučići.

598. While part of the documentary evidence indicates that the attack was carried out by groups of Bosnian Muslim fighters from Osmače, Kragljivoda, Skenderovići and Biljeg, as well as other Bosnian Muslim fighters from Srebrenica, witness evidence does not go beyond confirming that the Bosnian Muslim fighters came from the nearby Bosnian Muslim villages of Poznanovići and Podkorjen. According to Omer Ramić, these fighters were led by Dževad Malkić. The Bosnian Muslim fighters who attacked Ratkovići were followed by a crowd of Bosnian Muslim civilians who were mostly refugees from Bosnian Muslim villages near Ratkovići.

601. In the afternoon of 21 June 1992, Bosnian Serbs counter-attacked Ratkovići, Gornji Ratkovići and Dučići. Artillery coming from Magudovići and Fakovići destroyed some of the houses.

602. By the end of that day, all the buildings in the village of Ratkovići were burned to the ground. In Gornji Ratkovići, Polimći and Dvorište, "there were no roofs left [and] [t]here was [one] hundred per cent damage."

603. In light of the above findings, the Trial Chamber is satisfied that property was destroyed on a large scale in Ratkovići, including Gornji Ratkovići on 21 June 1992. In regard to Dučići, however, there is no sufficient evidence to sustain the charge that destruction occurred on a large scale there.

604. The Trial Chamber recalls that Bosnian Muslim fighters and civilians set fire to all barns and outbuildings in the fields near Polimći. Furthermore, some of the Bosnian Muslim civilians who stayed behind in the Ratkovići area after the Bosnian Muslim fighters' withdrawal, may have set houses on fire. Bosnian Serbs conducting counter-attacks on Ratkovići using artillery could also have caused some destruction. Nonetheless, the possibility of further destruction caused by counter-attacks does not invalidate the finding that the substantial destruction of Ratkovići and Gornji Ratkovići was caused by Bosnian Muslims who set property on fire.

605. The Trial Chamber is satisfied that Bosnian Muslims who destroyed property in Ratkovići and Gornji Ratkovići acted with intent to destroy. The intent to destroy is evident from the Trial Chamber's finding that the destruction of property by Bosnian Muslims was not a result of fighting, but of deliberate torching of property after the fighting had ceased.

606. Ratkovići, including Gornji Ratkovići, was an exclusively residential area at the outset of the conflict and, at the time of the attack, civilian inhabitants were present. Prior to the Bosnian Muslim attack, the inhabitants of Ratkovići, including village guards, received at least some military support, and attacks were launched from Ratkovići on nearby Bosnian Muslim villages. In light of this evidence, the Trial Chamber does not exclude that a military justification for attacking Ratkovići is conceivable. However, as explained hereunder, such justification cannot extend to wanton destruction of civilian property, such as houses, as well as barns and outbuildings.

608. In conclusion, the Trial Chamber finds that the destruction of property on a large scale in Ratkovići and Gornji Ratkovići on 21 June 1992 by Bosnian Muslims fulfils the elements of wanton destruction of cities, towns or villages not justified by military necessity.

631. Ježestica was a solely residential area at the outset of the conflict. Civilian inhabitants of Ježestica were present in the village during the attack. The Trial Chamber is satisfied that, prior to the Bosnian Muslim

attack, the inhabitants of Ježestica, including village guards, received military support from the VRS. Moreover, prior to and during August 1992, attacks were launched from Ježestica on nearby Bosnian Muslim villages. In light of this evidence, the Trial Chamber does not exclude that a military justification to attack Ježestica is conceivable. However, as explained hereunder, such justification cannot extend to wanton destruction of houses.

632. The Trial Chamber finds that at the time of the attack, the property destroyed in Ježestica was neither of a military nature, nor was it used to make an effective contribution to the military action of the Bosnian Serbs. Although there was an exchange of fire between Bosnian Muslims and Bosnian Serbs, most of the destruction occurred after the Bosnian Serbs had withdrawn.As a consequence, the destruction of property in Ježestica was not required for the attainment of a military objective. Therefore, it was "not justified by military necessity".

633. Consequently, the destruction of property on a large scale in Ježestica on 8 August 1992 by Bosnian Muslims fulfils the elements of wanton destruction of cities, towns or villages not justified by military necessity.

638. The decision to attack Fakovići was taken by the Srebrenica Armed Forces Staff and leaders of fighting groups. The attack was planned in a meeting of the Srebrenica Armed Forces Staff Evidence given by witnesses corroborated what the Accused stated during the Interview, namely that both he and Zulfo Tursunović participated in the attack on Fakovići. The Accused, during the Interview, further stated that Akif Ustić also participated in the attack. According to documentary evidence, Mirzet Halilović and "his military policemen" also took part in the attack. As to which groups of Bosnian Muslim fighters participated in the attack, some documentary evidence indicates that they were from Srebrenica town, Potočari, Biljeg and Skenderovići. However, none of the witnesses heard at trial specifically confirmed this evidence. Rather, they stated that the attackers came from the villages of Osmače, Sućeska1, Kragljivoda1, Žanjevo, Jagodnja, Joševa and Tokoljaki. Šefik Mandžić led the group of fighters from Kragljivoda during the attack. The Bosnian Muslim fighters were followed by thousands of civilians, who were looking for food1.

639. At the time of the attack, there were a number of Bosnian Serb village guards and civilians in Fakovići and Divovići. The village guards were armed. However, there is conflicting evidence as to the degree to which they were militarised. Whereas some evidence suggests that they were not supported by any Serb military, and that there was no regular military presence in Fakovići and Divovići other convincing evidence suggests that

the village guards in Fakovići were well armed. Weapons and ammunition were stored in and around houses in Fakovići. The area around Fakovići was mined. Moreover, there is evidence of Serb and Bosnian Serb military presence in Fakovići apart from the village guards.

640. The Bosnian Muslim attack on Fakovići and Divovići met with some resistance. During the exchange of fire between the Bosnian Muslims and the Bosnian Serbs, the latter were shooting from houses, as well as from the guardhouse of Fakovići. One witness gave evidence that the guardhouse was eventually destroyed by a rocket-launcher. Several houses in Fakovići began to burn. According to another witness, there were bullet-holes on the walls of her house, and damage which may have been caused by an explosion. Eventually, the Bosnian Serbs fled Fakovići and Divovići.

641. On the afternoon of 5 October, a Serb counter-attack was launched, which included the shelling of Fakovići from Serbia proper. A Serb field plane also dropped a container with explosives on Fakovići. Following the counter-attack, the Bosnian Muslim fighters and some of the Bosnian Muslim civilians withdrew,whereas other Bosnian Muslim civilians stayed behind to look for food and building materials.

649. Tensions between Bosnian Muslims and Bosnian Serbs in the area began to mount as early as 1991. During May and June 1992, Bosnian Serbs, including inhabitants of Bjelovac, attacked Bosnian Muslim villages in the vicinity of Bjelovac, such as Zalužje and Voljevica, as well as Bosnian Muslim neighbourhoods in ethnically-mixed villages. As a result, Bosnian Muslims fled their homes. Bosnian Serb attacks on the dispersed Bosnian Muslim population from the direction of Bjelovac, Ložnicka Rijeka, Kunjerac, Sikirić and Zalužje took place between mid-October and the beginning of December 1992. On the early morning of 14 December 1992, Bosnian Muslims attacked Bjelovac and Sikirić.

650. The attack on Bjelovac was planned by members of the Srebrenica Armed Forces Staff, including Zulfo Tursunović and the Accused. While part of the documentary evidence indicates that the attack was carried out by groups of Bosnian Muslim fighters from Kragljivoda, Pusmulići, Skenderovići, Biljeg, Tokoljaći, Osmače, Glogova and Srebrenica, and that the military police were involved in its execution as well, witnesses heard at trial stated that the Bosnian Muslim attackers came from Voljevica, Biljača, Potočari, Kazani, Luljaska, Sućeska, Pale, Likari and Srebrenica Stari Grad. The fighters from Kazani were led by Suad Smajlović, and the

fighters from Luljaska were led by Midhat Salihović. The Bosnian Muslim fighters were armed, some wearing uniforms or civilian clothes. Further, some fighters were also wearing a coloured bandana around their heads. According to the Accused in his Interview, he, Hamed Salihović and Ejub Golić participated in the attack. There is also evidence that Akif Ustić participated in the attack. The Bosnian Muslim fighters who attacked the area of Bjelovac were followed by thousands of civilians.

651. At the time of the attack, village guards and Bosnian Serb civilians were present in Bjelovac and Sikirić. Some evidence suggests that prior to 14 December 1992, the village guards did not receive weapons or training from the Serb military. More convincing evidence, however, indicates that the village guards did receive weapons and ammunition from the Bratunac Brigade of the VRS, and that there was a Serb and Bosnian Serb military presence in the area. Weapons and ammunition were stored in Bjelovac, and positioned in between houses in Ložnička Rijeka and Kunjerac. The school building of Bjelovac was used as a kitchen to feed passing Bosnian Serb fighters.

652. The attack on Bjelovac began when Bosnian Muslims entered the village shooting. Although the attack caught the Bosnian Serbs by surprise, some were able to mount a defence, firing back on the attackers from their houses. Others looked for shelter or tried to escape. At around 9:30 a.m., and subsequently at different times during the day, while shooting continued, two planes flying from the direction of Bratunac circled the area dropping bombs. The concentration of bombing occurred over the area of Sikirić and Ložnička Rijeka.

653. During the attack, several houses in the vicinity of Bjelovac and Sikirić began to burn. One witness heard a Bosnian Muslim fighter in camouflage uniform telling others to "set the house on fire immediately". Another witness saw smoke coming out of houses that Bosnian Muslims in uniforms and civilian clothes had come out from.

662. Throughout the summer of 1992, Bosnian Serbs and Bosnian Muslims engaged in mutual fighting in the area of Kravica and Ježestica. The fighting intensified in December 1992 and the beginning of January 1993, when Bosnian Muslims were attacked by Bosnian Serbs primarily from the direction of Kravica and Ježestica. In the early morning of the 7 January 1993, Orthodox Christmas day, Bosnian Muslims attacked Kravica, Ježestica and Šiljkovići.

663. The details of the attack were planned by Hamed Salihović and Ramiz Bećirović. Some documentary evidence indicates that the Bosnian Muslim fighters that participated in the attack were from Blječeva, Srebrenica Stari Grad, Kragljivoda, Pusmulići, Kamenica, 114th East Bosnia, Voljevica and Cerani, and that Mirzet Halilović and members of the military police also took part in the attack. However, none of the witnesses heard at trial specifically confirmed this evidence. Rather, they stated that the attackers came from the villages of Sućeska (led by Zulfo Tursunović), Glogova (led by Ejub Golić), Biljeg, Mošići and Delići (led by a certain 'Zis' from Žanjevo),Cerska and Skugrići (led by Šemso Salihović), Jaglići, Šušnjari and Brezova Njiva (led by Sidik Ademović), Osmače, Konjević Polje, Jagodnja and Joševa, and included also unidentified fighters from Srebrenica. Furthermore, the Accused stated during the Interview that he and members of his group of fighters, as well as Hamed Salihović, participated in the attack. The Bosnian Muslim fighters who participated in the attack were preceded and followed by several thousand Bosnian Muslim civilians, who were mostly refugees.

664. At the time of the attack, a number of village guards and some Bosnian Serb civilians. were present in Kravica, Šiljkovići and Ježestica. There is conflicting evidence as to the degree to which these village guards were militarised. Whereas some evidence suggests that they were not supported by the VRS and had few weapons at their disposal, other convincing evidence suggests that the village guards were backed by the VRS, and following the fighting in the summer of 1992, they received military support, including weapons and training. A considerable amount of weapons and ammunition was kept in Kravica and Šiljkovići. Moreover, there is evidence that besides the village guards, there was Serb and Bosnian Serb military presence in the area.

665. Prior to the attack, Bosnian Muslims had surrounded the entire area, leaving the Bosnian Serbs with only one escape route to the north. Bosnian Serbs resisted, firing artillery on the attacking Bosnian Muslims. Explosions, shelling and shooting followed. There is evidence that in Kravica and Ježestica, Bosnian Serbs fired artillery from houses and other buildings, which led to house-to-house fighting in Kravica. Moreover, Bosnian Serbs located on hills north and northeast of Kravica fired artillery in the direction of Kravica and Ježestica. A witness observed shells landing on houses, causing fire. The Bosnian Serbs eventually withdrew. Kravica, Šiljkovići and Ježestica fell to the Bosnian Muslims on the same day.

666. Houses in the entire area of Kravica, Šiljkovići and Ježestica, as well as cowsheds and barns in Ježestica, were burning on 7 January 1993. In both Ježestica and Kravica, Bosnian Muslim fighters and civilians entered houses, searching for food and other items. In Ježestica, one witness saw smoke coming out of houses that had been searched by Bosnian Muslim fighters and civilians. According to another witness, a minimum of 16 houses were burned in Ježestica by Bosnian Muslims in uniforms, using an inflammable liquid.In Kravica, witnesses saw Bosnian Muslim civilians setting fire to houses and haystacks. Šiljkovići and Kravica were engulfed in smoke.

667. The attack ended on 7 January 1993 and at least some of the Bosnian Muslim fighters, including the Accused, withdrew that same day. However, armed Bosnian Muslims remained in the vicinity of Kravica between 8 and 12 January 1993. On 8 January 1993, Bosnian Muslims attacked the hamlets of Popovići and Čolakovići, driving away the cattle and burning houses.

668. Between January and March 1993, the area of Kravica and Ježestica remained under Bosnian Muslim control. Thousands of Bosnian Muslim civilians continued to flood in and out of this area, searching for food and building material. Some of them set fire to houses and haystacks. Bosnian Serbs continued to shell the area from the direction of Bratunac. In mid-March 1993, they recaptured the area.

669. As to the extent of destruction caused to Ježestica, Kravica and Šiljkovići, the Trial Chamber finds the following. In Ježestica, on 7 January 1993, more than 60 houses were burned. In Kajići, a hamlet of Kravica, six houses out of 15 were burned on 7 January 1993. By 8 January 1993, an indeterminate number of houses in Kravica were burned. According to one witness, on 12 January 1993, the extent of destruction in Kravica was "roughly about 50 per cent." Witnesses arriving in the Kravica area by mid-March 1993 found most of the houses and out-buildings burned down. There was no evidence presented with respect to the extent of destruction caused to Šiljkovići.

After an analysis of the evidence gathered during the investigations, both subjective and objective evidence, individual and connected evidence- The Prosecutor's Office of BiH believes that there is sufficient evidence that the suspects Naser Orić and Sabahudin Muhić committed the criminal acts that they are charged with in this Indictment, and thus the Prosecutor's Office believes that this Indictment is fully justified, and proposes that the judge in the previous hearing confirms it.

Pursuant to Article 35, Paragraphs 1 and 2, Article 134, Paragraph 1, and Article 137, and in connection with Article 126, Paragraphs 1 and 2), and Article 126b, Item 4), I herein submit this:

(...)

I, Sabina Gadžo Mutapčić, certified court interpreter for the English language, certified by the Ministry of Justice of the Federation of Bosnia and Herzegovina (BiH), *do hereby certify that the present English translation is a true and faithful rendering of a document written in Bosnian, sections of which were commissioned for translation.*

Issued in Sarajevo, 18 September 2015
Trans. no: 2015-Eng-02-068



UNITED NATIONS MECHANISM FOR INTERNATIONAL CRIMINAL TRIBUNALS

Case No. MICT-14-79

PROSECUTOR

v.

NASER ORIĆ

PUBLIC

ANNEX 2

RR321801

96/03
19. 12. 2003
A3

РЕПУБЛИКА СРПСКА
ОКРУЖНО ЈАВНО ТУЖИЛАШТВО
БИЈЕЉИНА

Број: Број: КТ-70/97; КТ-1/01; КТ-3/01; КТ-11/01; КТ-12/01; КТ-13/01; КТ-26/01; КТ-37/01; КТ-43/01; КТ-45/01; КТ-49/01; КТ-51/01; КТ-15/02
Дана 15.12.2002. године

БИРО ВЛАДЕ РС
ЗА ОДНОСЕ СА МЕЂУНАРОДНИМ СУДОМ
ЗА РАТНЕ ЗЛОЧИНЕ У ХАГУ

Б А Њ А Л У К А

У прилогу вам достављамо наш спис, обрађен у складу са споразумом "Друмска правила" заједно са досијеима предмета и свим доказним материјалом којим располажемо, број: КТ-70/97, КТ-1/01, КТ-3/01, КТ-11/01, КТ-12/01, КТ-13/01, КТ-26/01, КТ-37/01, КТ-43/01, КТ-45/01, КТ-49/01, КТ-51/01, и КТ-15/02 против **Насера Орића** и других због кривичних дјела: геноцид из члана 342., ратни злочин против цивилног становништва из члана 433., ратни злочин против рањеника и болесника из члана 434., ратни злочин против ратних заробљеника из члана 435., ратни злочин употребом недозвољених средстава борбе из члана 436. Кривичног законика Републике Српске, како би исти доставили Тужиоцу међународног суда у Хагу.

ЗАМЈЕНИК ОКРУЖНОГ
ЈАВНОГ ТУЖИОЦА

Предраг Дринић

Предраг Дринић

РЕПУБЛИКА СРПСКА ОКРУЖНО ЈАВНО ТУЖИЛАШТВО БИЈЕЉИНА

RR321796

REPUBLIKA SRPSKA
OFFICE OF DISTRICT PUBLIC PROSECUTOR
BIJELJINA
(stamp)

Number: Number: KT-70/97; KT-1/01; KT-3/01; KT-11/01; KT-12/01; KT-13/01; KT-26/01; KT-37/01; KT-43/01; KT-45/01; KT-49/01; KT-51/01; KT-15/02

Date: 15 December 2002

BUREAU OF THE GOVERNMENT OF RS
FOR RELATIONS WITH INTERNATIONAL TRIBUNAL
FOR WAR CRIMES IN THE HAGUE

BANJA LUKA

Please find enclose case file, processed in accordance with the "Rules of the Road" Agreement, together with dossiers of cases and complete evidences we have, numbers: KT-70/97; KT-1/01; KT-3/01; KT-11/01; KT-12/01; KT-13/01; KT-26/01; KT-37/01; KT-43/01; KT-45/01; KT-49/01; KT-51/01 and KT-15/02 against Naser Oric and others for crimes: genocide as pursuant to the article 342, war crimes against civilian population from the article 433, war crime against wounded and sick from the article 434, war crime against prisoners of war from the article 435, war crime committed by use of forbidden means of warfare from the article 436 of the Criminal Code of Republika Srpska in order to submit this to the Office of the Prosecutor of the International Tribunal in The Hague.

DEPUTY DISTRICT PUBLIC PROSECUTOR

Predrag Drinic
(signature) (stamp)

RR321829

~~KT-11/01~~
Кривичну пријаву против наведених лица поднио је ЦЈБ Зворник 27.07.1995. године ОЈТ-у Зворник и заведена је под бројем КТ-123/95. Посебна кривична пријава против Халиловића, достављена је од СЈБ-а Братунац ОЈТ-у Зворник и заведена под бројем КТ-9/94. По тој посебној кривичној пријави против Халиловића ОЈТ Зворник је ставио Захтјев за спровођење истраге Основном суду у Зворнику дана 28.01.1994. године. Основни суд у Зворнику је донио рјешење о спровођењу истраге број: Ки-35/94 дана 14.11.1994. године. Спис је достављен на надлежност Окружном суду у Бијељини дописом од 17.07.2001. године. У оквиру доставе кривичних списа овом тужилаштву достављен је и спис ОЈТ-а Зворник број: КТ-123/95 дана 14.12.2000. У складу са Процедуром и упутствима странама за подношење предмета Међународном кривичном суду за бившу Југославију у складу са мјерама договореним 18. фебруара 1996. године ("Правила пута") даљи поступак истраге пред овим тужилаштвом није вођен.

~~KT-12/01~~
Кривичну пријаву је поднио ЦЈБ Зворник број: 12-6/04-230- КУ-87/94 од 24.06.1994. године ОЈТ-у Зворник, која је заведена под бројем КТ-148/94. ОЈТ Зворнику је дана 02.11.2000. године спис доставио ОЈТ-у Сребреница. ОЈТ Сребреница је својим актом број: КТ-148/94 од 24.11.2000. године спис доставио овом тужилаштву на надлежност. Спис је примљен у ово тужилаштво дана 14.12.2000. године. У складу са Процедуром и упутствима странама за подношење предмета Међународном кривичном суду за бившу Југославију у складу са мјерама договореним 18. фебруара 1996. године ("Правила пута") даљи поступак истраге пред овим тужилаштвом није вођен.

~~KT-13/01~~
Кривичну пријаву је доставила СЈБ Скелани број: 13-1/02-2-230-7/92 од 13.04.1995. године ОЈТ-у Зворник која је заведена под бројем: КТ-71/95. ОЈТ Зворник је дана 30.06.1995. године ставило захтјев за прикупљање потребних обавјештења ЦЈБ-у Зворник. Подаци нису достављени. Након тога спис је достављен овом тужилаштву на надлежност. Спис је примљен у ово тужилаштво дана 14.12.2000. године. У складу са Процедуром и упутствима странама за подношење предмета Међународном кривичном суду за бившу

United Nations
Nations Unies

International Criminal Tribunal for the Former Yugoslavia

Tribunal Pénal International pour l'ex-Yougoslavie

Office of the Prosecutor

Bureau du Procureur

INTERNAL MEMORANDUM - MEMORANDUM INTERIEUR

Date: 4 March 2004

Ref.: RR321797

To:
A: Rules of the Road Unit
ICTY The Hague.

From:
De: Finn Tollefsen
Investigator
ICTY Banja Luka Office.

Subject:
Objet: Correspondence from the RS Secretariat for Co-operation with ICTY - Rules of the Road Case File.

Bijeljina District Prosecutor Cases No. KT70/01, KT01/01, KT03/01, KT26/01, KT37/01, KT43/01, KT45/01, KT49/01, KT51/01, KT15/02 Naser ORIĆ and others.

On Wednesday, 4 March 2004, I attended the office of the Republika Srpska Secretariat for Co-operation with ICTY in Banja Luka.

I received from the secretary to Mr. Miletić the attached correspondence: -

1. Letter from the RS Secretariat for Co-operation to the Tribunal, dated 03 March 2004. - (*Ref. No.01-773-122/04). A request for consideration of a criminal case from the District Prosecutor in Bijeljina against Naser ORIĆ.*

2. Memorandum from the Bijeljina District Prosecutor to the BUREAU OF THE GOVERNMENT OF RS FOR RELATIONS WITH THE INTERNATIONAL TRIBUNAL FOR WAR CRIMES IN THE HAGUE, dated 15 December 2002. - *Ref.*

3. Draft translations of items one and two above.

Forwarded for your information and attention.

RR321795

REPUBLIC OF SRPSKA GOVERNMENT

REPUBLIC SECRETARIAT FOR RELATIONS WITH INTERNATIONAL CRIMINAL TRIBUNAL FOR FORMER YUGOSLAVIA IN THE HAGUE AND RESEARCH WAR CRIMES

Vuka Karadžića 6, Banjaluka, Tel 051/221-670, fax 051/221-674, e-mail:hati@blic.net

NUMBER: 01-473-122/04
DATE: 03 March 2004

UNITED NATIONS
- INTERNATIONAL CRIMINAL COURT FOR CRIMINAL PROSECUTION OF PERSONS RESPONSIBLE FOR GRAVE BREACHES OF INTERNATIONAL HUMANITARIAN LAW COMMITTED ON THE TERRITORY OF FORMER YUGOSLAVIA SINCE 1991

CHURCHILLPLEIN 1 , 2517 JW THE HAGUE.
P.O. BOX 13888 , 2501 EW THE HAGUE.
NETHERLANDS

CASE: Reference of request to International Tribunal for war Crimes on the territory of former Yugoslavia for considering the criminal case of District Office of the Public Prosecutor in Bijeljina no: Кт – 70/01; Кт – 1/01; Кт – 3/01; Кт – 11/01; Кт – 13/01; Кт – 26/01; Кт – 37/01; Кт – 43/01; Кт – 45/01; Кт – 49/01; Кт – 51/01; Кт – 15/02; against Naser Orić and others, together with records of cases, copies of statements and other documents that compile evidences.

In attachment of this proceeding we deliver you request to International Tribunal for War Crimes in The Hague for consideration of criminal case of District Office of the Public Prosecutor in Bijeljina no: Кт – 70/01; Кт – 1/01; Кт – 3/01; Кт – 11/01; Кт – 13/01; Кт – 26/01; Кт – 37/01; Кт – 43/01; Кт – 45/01; Кт – 49/01; Кт – 51/01; Кт – 15/02; against Naser Orić and and 48 more persons, with copies of statements of witness, records and other documents that compile evidences on further competent procedure in accordance with item 5 of Procedure and instructions to sides for submittal of the case to International Tribunal for War Crimes on the territory of former Yugoslavia (The Rules of the Road) issued on 18 February 1996.

The Head of the Secretariat
Dejan Miletić
Miletić D.

RR321800

РЕПУБЛИКА СРПСКА
В Л А Д А
РЕПУБЛИЧКИ СЕКРЕТАРИЈАТ ЗА ОДНОСЕ СА МЕЂУНАРОДНИМ КРИВИЧНИМ СУДОМ У ХАГУ И ИСТРАЖИВАЊЕ РАТНИХ ЗЛОЧИНА

Вука Караџића 6, Бања Лука, тел: 051/221-670, факс: 051/221-674, E-mail: hati@blic.net

БРОЈ : 01-ХЗ-122/04
ДАНА 03.03.2004.ГОД.

УЈЕДИЊЕНЕ НАЦИЈЕ
- МЕЂУНАРОДНИ СУД ЗА КРИВИЧНО ГОЊЕЊЕ
ЛИЦА ОДГОВОРНИХ ЗА ТЕШКА КРШЕЊА
МЕЂУНАРОДНОГ ХУМАНИТАРНОГ ПРАВА
ПОЧИЊЕНА НА ТЕРИТОРИЈИ БИВШЕ ЈУГОСЛАВИЈЕ ОД 1991.ГОД. -
CHURCHILLPLEIN 1 , 2517 JW THE HAGUE.
P.O. BOX 13888 , 2501 EW THE HAGUE.
NETHERLANDS

ПРЕДМЕТ : Упућивање Захтјева Међународном кривичном суду за ратне злочине у Хагу за разматрање кривичног предмета Окружног јавног тужилаштва у Бијељини број: Кт – 70/01; Кт – 1/01; Кт – 3/01; Кт – 11/01; Кт – 13/01; Кт – 26/01; Кт – 37/01; Кт – 43/01; Кт – 45/01; Кт – 49/01; Кт – 51/01; Кт – 15/02; против Насера Орића и др, заједно са списом предмета, копијама изјава свједока, записника и других докумената који сачињавају доказни материјал.

У прилогу овог акта достављамо Вам Захтјев Међународном кривичном суду за ратне злочине у Хагу за разматрање кривичног предмета Окружног јавног тужилаштва у Бијељини број: Кт – 70/01; Кт – 1/01; Кт – 3/01; Кт – 11/01; Кт – 13/01; Кт – 26/01; Кт – 37/01; Кт – 43/01; Кт – 45/01; Кт – 49/01; Кт – 51/01; Кт – 15/02; против Насера Орића и још 48 лица, заједно са списом предмета, копијама изјава свједока, записника и других докумената који сачињавају доказни материјал, на даљи надлежан поступак у складу са тачком 5 Процедуре и упутстава странама за подношење предмета Међународном кривичном суду за ратне злочине на подручју бивше Југославије (тзв. "Друмска правила"), од 18.2.1996.год.

РУКОВОДИЛАЦ СЕКРЕТАРИЈАТА
Дејан Милетић

1

RR321760

A
COPY OF DOCUMENTS
THAT HAVE TO BE REVIEWED

RR321761

2

- Excerpts form Criminal Code of RS (Official Gazette RS number 22/00)
- Content of evidential materials for the criminal case

1. Document without number of the record and date from the Centre for Public Safety Srebrenica of chief Meholjic Hakija;
2. Document without number of the record and date from Headquarters of the 1st Bratunacka brigade;
3. Listing without number of the record and date of fatalities in the village Ratkovici;
4. Listing without number of the record and date of fatalities in the village Fakovici;
5. Listing without number of the record and date of injured persons on the region of Fakovici;
6. Listing without number of the record and date of fatalities in the village Hranci;
7. Listing without number of the record and date of injured persons in the village Hranci;
8. Listing without number of the record and date of fatalities in the village Glogova;
9. Listing without number of the record and date of injured persons in the village Glogova;
10. Listing without number of the record and date of fatalities in the village Kravica;
11. Listing without number of the record and date of injured persons in the village Kravica;
12. Listing without number of the record and date of fatalities and injured persons in the village Shiljkovici;
13. Listing without number of the record and date of fatalities and injured persons in the village Jezeestici;
14. Listing without number of the record and date of fatalities in the village Sandici;
15. Listing without number of the record and date of fatalities and injured persons in the village Kunjerac;
16. Listing without number of the record and date of injured persons in the village Zaluzje;
17. Listing without number of the record and date of injured persons in the village Bjelovac;
18. Listing without number of the record and date of injured persons in the village Sikiric;

RR321762

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19. Listing without number of the record and date of fatalities and injured persons in the village Voljavci;
20. Listing without number of the record and date of fatalities and injured persons in the village Magasici;
21. Listing without number of the record and date of fatalities in the village Zagoni;
22. Listing without number of the record and date of injured persons in the village Zagoni;
23. Photo documentation of CPS Bratunac dated 1 June 1992 of corpse of Nenad Rankovic;
24. Official note of CPS Bratunac without number of record dated 2 June 1992;
25. ID record on file from Department for Internal Affairs Bratunac issued 25 June 1990;
26. Statement of Obren Pavlovic, son of Cvjetko;
27. Decision of the Municipal headquarters for Territorial Defense Srebrenica number: 11/92 dated 2 July 1992;
28. Official note of the CPS Bratunac number: 18-4/02-230-54 dated 14 August 1992;
29. Listing PS Skelani of killed civilians with label "Official" dated 23 September 1992;
30. Listing PS Skelani of injured civilians with label "Official" dated 23 September 1992;
31. Entry in notebook dated 5 October 1992 about action on the Fakovici, village Boljevci;
32. Listing of the Centre of Department for Security of Romania and Birc of fatalities on 5 October 1992;
33. Command of the Headquarters of armed forces Srebrenica, classified, number: 28/92 dated 15 October 1992;
34. Official note on statement given to CPS Skelani number: 01-18-02-70 dated 24 October 1992;
35. Photo documentation of CPS Zvornik dated 6 December 1992;
36. Statement of Milorad Marjanovic without number of record dated 8 November 1992;
37. Decision of War Presidency of the municipal Srebrenica number: 01-54/92 dated 9 November 1992;
38. Statement of Miloje Petrovic dated 23 November 1992;
39. Criminal accusation from CDS Bijeljina number: 02-2/92 dated 26 November 1992;

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40. Photo documentation from CPS Bratunac without number of record dated 20 December 1992 for the village Bjelovac;
41. Criminal accusation from CPS Bratunac number: KU-55/92 dated 28 December 1992 with enclosures;
42. Statement of Radovan Ristic dated 31 December 1992;
43. Photo documentation of the Ministry for Internal Affairs Bijeljina without number of record and without date about consequences of attack on Kravice dated 7 January 1993;
44. Statement given to Commissariat for Refugees Obrenovac number: 70190 dated 13 January 1993;
45. Report about examination from CPS Skelani, dated 18 January 1993;
46. Two official reports from CPS Skelani dated 18 January 1993 with labels I and II;
47. Write-up from CPS Bratunac number: 55/92 dated 29 November 1993 with the statement of Gvozdenija Matic;
48. Official note from CPS Skelani number 01-18-02-14A/93 dated 5 February 1993 with the statement of Svetlana Trifunovic;
49. Statement of Milorad Nikolic dated 5 Fabruary 1993;
50. Official note of CPS Skelani number: 02-18-02-12/93 dated 7 February 1993 with the statement of Andja Radovic;
51. Deposition from CPS Bratunac number: 55/92 dated 9 February 1993 with findings from Health centre Bratunac;
52. Official note from Command of military police of municipality Srebrenica number: KU-14-3 dated 11 February 1993;
53. Record from CPS Skelani number: 01-18-02-23/93 dated 23 February 1993;
54. Deposition from CPS Braunac without number of record dated 27 February 1993 as supplement to criminal charge number: KU-55/92 dated 28 December 1992 with statement of Mira Filipovic;
55. Discharge list from the hospital in Srebrenica – war hospital, dated 3 March 1993;
56. Statement of Radenka Stanojevic (without number of record) dated 8 March 1993 (1) DZ/SG;
57. A 1. Statement of Milutin Maksimovic (without number of record) dated 8 March 1993 (2);
58. A 2. Statement of Milutin Vukovic (without number of record) dated 8 March 1993 (3);
59. A 3. Statement of Radoje Gvozdenovic (without number of record) dated 8 March 1993 (4);

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5

60. A 4. Statement of Trivun Petrovic (without number of record) dated 8 March 1993 (5);
61. A 5. Statement of Cvijetin Nikolic (without number of record) dated 8 March 1993 (6);
62. Statement of Zoran Vasic from Opravdic;
63. Two statements given to CPS Zvornik number: 01-16/04-230_/93 dated 15 March 1993 and 5 April 1993;
64. Official note from CPS Bratunac dated 29 March 1993;
65. Listing from CSP Bratunac dated 24 March 1993;
66. Criminal accusation from CPS Bratunac number: KU-26/93, dated 29 March 1993;
67. Photo documentation of Romanija-Birc`s CDS Sarajevo dated 30 March 1993;
68. Statement of Ratko Nikolic dated 3 April 1993;
69. Statement of Milosava Nikolic dated 3 Aprli 1993;
70. Statement before CPS Milici – Vlasenica without number of record, dated 6 April 1993;
71. Statement of Milosava Nikolic dated 6 April 1993;
72. Statement of Dragomir Miladinovic dated 6 April 1993;
73. Two (I and II) official statements from CDS Sarajevo without number of record, dated 16 April 1993;
74. Deposition from CPS Bratunac number: 55/92 dated 16 April 1993 as supplement to criminal accusation number: KU-55/92 with statements of Stoja Petrovic and Borka Petrovic;
75. Statement of Milisav Markovic (without number of record) dated 23 April 1993;
76. Criminal accusation from CPS Bratunac number: KU-33/93 dated 24 April 1993;
77. Criminal accusation from CPS Bratunac number: KU-34/93 dated 24 April 1993;
78. Listing from Romanija-Birc`s CDS Sarajevo, dated 24 April 1993;
79. Decision of the Presidency of municipality Srebrenica number: 01-374/96, dated 26 April 1993;
80. Official record from Romanija-Birc`s CDS, dated 27 April 1993;
81. Listing from CPS Bratunac, dated 30 April 1993;
82. Listing from CDS Sarajevo dated 4 May 1993;
83. Official record from CDS Sarajevo dated 17 May 1993;
84. Official note from CDS Sarajevo dated 17 May 1993 about informational conversation;
85. Official note from CPS Skelani dated 19 may 1993;

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86. Official note from CDS Sarajevo dated 21 May 1993;
87. Document from Headquarters of the Army of Republic of Srpska, classified, number: 31/15-11-390, dated 21 May 1993;
88. Official record from CSP Bratunac without number of record, dated 21 May 1993, about investigation on crime screen in the village Bjelovac;
89. Official note from CDS Sarajevo dated 21 may 1993;
90. Official note from CPS Bratunac without number of record dated 21 May 1993;
91. Official note from CPS Bratunac without number of record dated 22 may 1993;
92. Record on investigation of CPS Skelani number: 01-18-02-45/93, dated 22 may 1993;
93. Excerpt from the record on investigation of CPS Skelani number: 01-18-02-45/93, dated 22 may 1993;
94. Photo documentation, dated 22 May 1993;
95. Listing of fatalities from CPS Bratunac, dated 22 May 1993;
96. Official record from CSP Bratunac, dated 22 May 1993;
97. Statement before CPS Milici number: 15-17/02-222-57/93, dated 31 May 1993;
98. Official note of CDS Sarajevo dated 9 June 1993;
99. Official note of CDS Sarajevo dated 9 June 1993;
100. Report of CSP Srebrenica number: 170/93 dated 11 June 1993;
101. Emergency report of Command of Bratunac number: classified 03-151/93 dated 12 June 1993;
102. Photo documentation of CDS Sarajevo number: KU-42/93 dated 15 June 1993;
103. Photo documentation of CDS Sarajevo number: KU-40/93 dated 16 June 1993;
104. Photo documentation of CDS Sarajevo number: KU-38/93 dated 15 June 1993;
105. Photo documentation of CDS Sarajevo number: KU-37/93 dated 15 June 1993;
106. Photo documentation of CDS Sarajevo number: KU50/93, dated 16 June 1993;
107. Official note of CSP Bratunac without number of record dated 18 June 1993;
108. Record of CSP Bratunac without number of record dated 18 June 1993;
109. Official note of CSP Bratunac dated 18 June 1993;

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110. Official note of CSP Bratunac dated 22 June 1993;
111. Criminal accusation from CSP Bratunac number: 45/93 dated 30 June 1993;
112. Official note of CSP Bratunac number: 15-16/02-230-17, dated 1 July 1993;
113. Resignation on function of Commissioner of CSP Srebrenica dated 2 June 1993;
114. Criminal accusation from CSP Bratunac number: KU-46/93 dated 6 July 1993;
115. Special report from CDS Bijeljina number: 12-1/02-131/93 dated 22 July 1993;
116. Criminal accusation from CSP Bratunac number: KU-50/93, dated 24 July 1993, with list of fatalities;
117. Official record of CSP Skelani without number of record dated 25 July 1993, statement of Akija Krdzic;
118. Criminal accusation from CSP Skelani number: KU-63/93 dated 25 July 1993;
119. Transcript from diary of events from CSP Skelani dated 25 July 1993;
120. Listing of injured soldiers and civilians with KU-63/93 dated 25 July 1993;
121. Criminal accusation from CPS Skelani number: KU-65/93 dated 26 July 1993;
122. Deposition from CPS Srebrenica number: KU-14-8 dated 27 July 1993, with statement of Ramiz Husejnovic;
123. Deposition from CPS Srebrenica number: KU-14-9 dated 27 July 1993 with statement of Bahra Klempic;
124. Deposition from CPS Srebrenica number: KU-14-10 dated 27 July 1993 with statement of Indira Alic;
125. Deposition from CPS Srebrenica number: KU-14-11 dated 27 July 1993 with statement of Mejra Mujcic;
126. Deposition from CPS Srebrenica number: KU-14-1 dated 28 July 1993 with statement of Emir Halilovic;
127. Deposition from CPS Srebrenica number: KU-14-5 dated 28 July 1993 with statement of Omer Ahmic;
128. Deposition from CPS Srebrenica number: KU-14-4 dated 28 July 1993 with statement of Adil Mehmedovic;
129. Criminal accusation from CSP Bratunac number: KU-59/93 dated 24 August 1993;

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130. Submission of information from the Headquarters of armed forces of Srebrenica number: 664/93 dated 19 September 1993;
131. listing from CPS Srebrenica dated 21 September 1993;
132. Statement of Nurif Mesanovic dated 9 December 1993;
133. Criminal accusation from CDS Sarajevo number: KU-60/93 dated 17 December 1993 with external description of the corpse;
134. Supplement to criminal accusation KU-45/93 from CPS Bratunac dated 24 January 1994;
135. Listing CPS Srebrenica dated 11 February 1994;
136. Certificate CPS Srebrenica number: 99/94 dated 15 March 1994;
137. Record on statement, PS Skelani number: 15-18-02-16/94 dated 5 may 1994;
138. Record on statement PS Skelani number: 15-18-02-18/94 dated 5 May 1994;
139. List of burned houses in the villages Zalazje, Radonjici and Alzica from CDS Zvornik, dated 19 June 1994;
140. List of burned houses in the villages Zalazje and Obadi from CDS Zvornik, dated 20 June 1994;
141. List of captured civilians in the village Zalazje from CDS Zvornik, dated 20 June 1994;
142. Criminal accusation from CDS Zvornik number: 12-6/04-230-KU-87/94 dated 24 June 1994;
143. Statement of Mehmedalija Begzadic given to authorized official, dated 6 June 1994;
144. Deposition, CDS Zvornik number: 12-6/04-230-74 dated 7 July 1994 as supplement to criminal accusation KU-45/93 dated 30 June 1994;
145. Document of CDS Zvornik number: 12-6/04-230-71 KU-55/93 (Bratunac) dated 9 July 1994;
146. Photocopy of the list of soldiers who participated in attack on Kravica with criminal accusation number KU-50/94 dated 24 July 1994;
147. Certificate from CPS Srebrenica number 304/94 dated 28 July 1994;
148. Record on hearing of the witness at the municipal court in Zvornik number: Kri-68/94 dated 24 August 1994;
149. Record on hearing of the witness at the municipal court in Zvornik number: Ki-71/94 dated 24 August 1994;
150. Record on hearing of the witness at the municipal court in Zvornik number: Ki-71/94 dated 24 August 1994;

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151. Record on hearing of the witness at the municipal court in Zvornik number: Ki-71/94 dated 24 August 1994;
152. Record on hearing of the witness at the municipal court in Zvornik number: Ki-71/94 dated 24 August 1994;
153. Record on hearing of the witness at the municipal court in Zvornik number: Ki-71/94 dated 24 August 1994;
154. Record on hearing of the witness at the municipal court in Zvornik number: Kri-80/94 dated 24 August 1994;
155. Record on hearing of the witness at the municipal court in Zvornik number: Kri-82/94 dated 24 August 1994;
156. Record on hearing of the witness at the municipal court in Zvornik number: Kri-83/94 dated 24 August 1994;
157. Record on hearing of the witness at the municipal court in Zvornik number: Kri-94/94 dated 24 August 1994;
158. Certificate CPS Srebrenica number: 407/94 dated 21 September 1994;
159. Record on hearing of the witness Mira Filipovic Stojanovic at Municipal Court in Zvornik number: Kri-108/94 dated 8 October 1994;
160. Record on hearing of the witness from the Municipal Court in Zvornik number: Kri-112/94 dated 9 October 1994;
161. Record on hearing of the witness from the Municipal Court in Zvornik number: Kri-113/94 dated 10 October 1994;
162. Record on hearing of the witness from the Municipal Court in Zvornik number: Kri-114/94 dated 11 October 1994;
163. Record on hearing of the witness Sekulic Mirko from the Municipal Court in Zvornik number: Kri-118/94 dated 12 October 1994;
164. Record on hearing of the witness from the Municipal Court in Zvornik number: Kri-119/94 dated 12 October 1994;
165. Record on hearing of the witness from the Municipal Court in Zvornik number: Kri-120/94 dated 12 October 1994;
166. Record on hearing of the witness from the Municipal Court in Zvornik number: Kri-121/94 dated 13 October 1994;
167. Record on hearing of the witness from the Municipal Court in Zvornik number: Kri-122/94 dated 13 October 1994;
168. Record on hearing of the witness from the Municipal Court in Zvornik number: Kri-123/94 dated 14 October 1994;
169. Record on hearing of the witness from the Municipal Court in Zvornik number: Kri-124/94 dated 14 October 1994;

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170. Record on hearing of the witness from the Municipal Court in Zvornik number: Kri-126/94 dated 16 October 1994;
171. Record on hearing of the witness from the Municipal Court in Zvornik number: Kri-128/94 dated 17 October 1994;
172. Record on hearing of the witness from the Municipal Court in Zvornik number: Kri-129/94 dated 18 October 1994;
173. Record on hearing of the witness from the Municipal Court in Zvornik number: Kri-131/94 dated 18 October 1994;
174. Record on hearing of the witness from the Municipal Court in Zvornik number: Kri-132/94 dated 20 October 1994;
175. Record on hearing of the witness from the Municipal Court in Zvornik number: Kri-132/94 dated 20 October 1994;
176. Record on hearing of the witness Velimir Simeunovic from the District Court Belgrade number: Kri-1503/94 dated 31 October 1994;
177. Record on hearing of the witness Mladjen Subotic from the District Court Belgrade number: Kri-1503/94 dated 1 November 1994;
178. Record on hearing of the witness Petar Gagic from the District Court Belgrade number: Kri-1503/94 dated 2 November 1994;
179. Record on hearing of the witness from the District Court Belgrade number: Kri-1784/94 dated 9 November 1994;
180. Record on hearing of the witness from the Municipal Court in Zvornik number: Kri-153/94 dated 14 December 1994;
181. Record on hearing of the witness from the Municipal Court in Zvornik number: Kri-155/94 dated 14 December 1994;
182. Record on hearing of the witness from the Municipal Court in Zvornik number: Ki-66/94 dated 15 December 1994;
183. Record on hearing of the witness from the Municipal Court in Zvornik number: Kri-154/94 dated 15 December 1994;
184. Record on hearing of the witness from the Municipal Court in Zvornik number: Kri-160/94 dated 15 December 1994;
185. Record on hearing of the witness from the Municipal Court in Zvornik number: Kri-156/94 dated 16 December 1994;
186. Record on hearing of the witness from the Municipal Court in Zvornik number: Kri-159/94 dated 17 December 1994;
187. Record on hearing of the witness from the Municipal Court in Zvornik number: Ki-35/94 dated 19 December 1994;
188. Record on hearing of the witness Slavka Matic (born Ilic) from the Municipal Court in Zvornik number: Ki-69/93 dated 20 December 1994;

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189. Record on hearing of the witness Bogdana Ilic (born Milosavljevic) from the Municipal Court in Zvornik number: Ki-69/93 dated 20 December 1994;
190. Record on hearing of the witness from the Municipal Court in Zvornik number: Ki-64/93 dated 20 December 1994;
191. Record on hearing of the witness from the Municipal Court in Zvornik number: Ki-64/93 dated 20 December 1994;
192. Record on hearing of the witness from the Municipal Court in Zvornik number: Ki-64/93 dated 20 December 1994;
193. Record on hearing of the witness Gvozdenija Matic from the Municipal Court in Zvornik number: Ki-69/93 dated 21 December 1994;
194. Record on hearing of the witness Dusan Petrovic from the Municipal Court in Zvornik number: Ki-69/93 dated 21 December 1994;
195. Record on hearing of the witness Stoja Petrovic from the Municipal Court in Zvornik number: Ki-69/93 dated 22 December 1994;
196. Record on hearing of the witness Slavoljub Rankic from the Municipal Court in Zvornik number: Ki-63/93 dated 22 December 1994;
197. Record on hearing of the witness from the Municipal Court in Zvornik number: Ki-64/93 dated 32 December 1994;
198. Official note Police Station Skelani number: "Officially" dated 6 February 1995;
199. Official note PS Skelani number: "Officially" dated 10 February 1995;
200. Official note PS Skelani number: "Officially" dated 10 February 1995;
201. Official note PS Skelani number: "Officially" dated 10 February 1995 with list of survivers;
202. Dispatch from CPS Srebrenica number: 168/95 dated 14 February 1995;
203. Statement of Miloje Milosevic without number of record dated 2 March 1995;
204. Official note of CDS Zvornik without number of record dated 2 March 1995;
205. Deposition from CDS Zvornik number: 13-02/230-36/95 dated 4 March 1995 as supplement to criminal accusation number KU-63/94 dated 25 June 1994;
206. Notification CPS Srebrenica number: 371/95 dated 6 April 1995;

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207. Information about deaths, without number of records, dated 6 April 1995 from lists of international organizations;
208. Record from PS Skelani dated 10 April 1995;
209. Record from PS Skelani dated 10 April 1995;
210. Criminal accusation from PS Skelani number: 13-1/02-2-230-7/95 dated 13 April 1995;
211. Document CDS Srebrenica from Commissioner Hakija Meholjic number 426/95 dated 24 April 1995;
212. Listing of CPS Srebrenica number: 442/95 dated 26 April 1995;
213. Record on hearing of the witness from Municipal Court in Zvornik number: Ki-64/93 dated 12 May 1995;
214. Record on hearing of the witness from Municipal Court in Zvornik number: Ki-64/93 dated 12 May 1995;
215. Transcript of the record on hearing of the witness from Municipal Court in Zvornik number: Ki-64/93 dated 13 May 1995;
216. Record on hearing of the witness from Municipal Court in Zvornik number: Ki-64/93 dated 13 May 1995;
217. Record on hearing of the witness from Municipal Court in Zvornik number: Ki-64/93 dated 12 May 1995 with enclosed photography;
218. Document of CPS Srebrenica of Hakija Meholjic, dispatch number: 33/95 dated 23 May 1995;
219. Official note from CDS Zvornik number: 190/95 dated 23 May 1995;
220. Official note from CDS Zvornik number: 13-02/230-95 dated 15 June 1995;
221. Record on investigation from CPS Zvornik number: 13/02-230-_/95 dated 15 June 1995;
222. Official note from CPS Zvornik number: 13/02-230-_/95 dated 17 July 1995;
223. Official note from CPS Zvornik number: 13/02-230-_/95 dated 18 June 1995;
224. Criminal accusation from CPS Zvonik number: 13/02-230-120/95 dated 27 July 1995;
225. Document of CDS Zvornik number: KU-50/94 dated 27 July 1995 as supplement to criminal accusation;
226. Photo documentation from CPS Zvornik dated 2 August 1995;
227. Record on hearing of the accused from District Court Belgrade number: Kri-1046/95 dated 8 August 1995;
228. Statement of Abdurahman Malkic dated 11 August 1995;
229. Statement of Suljo Maklic dated 11 August 1995;

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230. Statement of Sade Ramic dated 11 August 1995;
231. Statement of Sakib Hasic dated 15 August 1995;
232. Statement of Kasim Jusic dated 15 August 1995;
233. Statement of Hamza Malkic dated 17 August 1995;
234. Statement of Hedib Osmancevic dated 17 August 1995;
235. Criminal accusation from APO 7192/1 Bijeljina number: 70-2 dated 18 August 1995;
236. Criminal accusation from APO 7192/1 Bijeljina number: 70-3 dated 18 August 1995;
237. Criminal accusation from APO 7192/1 Bijeljina number: 70-4 dated 18 August 1995;
238. Criminal accusation from APO 7192/1 Bijeljina number: 70-5 dated 18 August 1995;
239. Record on hearing of the witness from Military Court in Bijeljina without number of record dated 18 August 1995;
240. Record on hearing of the accused from Military Court in Bijeljina number: Ki-4803/95, dated 29 August 1995;
241. Record on hearing of the accused from Military Court in Bijeljina number: Ki-4804/95, dated 29 August 1995;
242. Record on hearing of the accused from Military Court in Bijeljina number: Ki-4803/95, dated 29 August 1995;
243. Record on hearing of the accused from Military Court in Bijeljina number: Ki-4803/95, dated 29 August 1995;
244. Record on hearing of the witness from Military Court in Bijeljina number: Ki-4803/95, dated 29 August 1995;
245. Record on hearing of the witness from Military Court in Bijeljina number: Ki-4803/95, dated 29 August 1995;
246. Criminal accusation from CPS Zvornik number: 13/02-239 KU-127/95 dated 7 September 1995;
247. Criminal accusation from APO 7192/1 Bijeljina number: 70-8 dated 21 September 1995;
248. Official note of CPS Zvornik without number of protocol dated 30 October 1995;
249. Official note of CPS Zvornik number: 282/95 dated 4 December 1995;
250. Official note of CPS Zvornik number: 13/02-230-298/95 dated 16 December 1995;
251. Official note from CPS Zvornik number: 13/02-230-298/95 dated 25 December 1995;

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252. Deposition from CDS Zvornik number: 13/02-230-194/96 dated 6 November 1996;
253. Document of CDS Zvornik number: 13/02-230-KU-120/95 dated 11 November 1996 with Record about examination from CPS Srebrenica without number of record dated 11 May 1993 with sketch of crime scene of murder dated 9 October 1993;
254. Deposition from CDS Zvornik number: 13/02-230-KU-87/94 dated 15 November 1996 with enclosures;
255. Official note from CPS Zvornik number: 13/02-230-_97 dated 10 April 1997;
256. Statement of Milan Markovic dated 10 April 1997;
257. Official note from CPS Zvornik number: 13/02-230-_97 dated 11 April 1997 with decision of Army of BH, command unit 6338 Potocari, classified number: 06-08/95 dated 19 May 1993;
258. Official note from CPS Zvornik number: 13/02-230-_97 dated 2 May 1997;
259. Official note from CPS Zvornik number: __97 dated 2 May 1997;
260. Official note from CPS Zvornik number: __97 dated 2 May 1997;
261. Official note from CPS Zvornik number: 13/02-230-_97 dated 8 May 1997;
262. Criminal accusation from CPS Zvornik number: 13/02-230-_97 dated 12 May 1997;
263. Photo documentation from CPS Zvornik dated 16 May 1997;
264. Criminal accusation from CPS Zvornik number: 13/02-230-KU-85/97 dated 26 May 1997;
265. Official note from CPS Zvornik number: 13/02-230-__/97 dated 26 May 1997;
266. Statement of Miladin Milivojevic given to CPS Zvornik number: 13/02-230-__97 dated 24 October 1997;
267. Statement of Zivko Bogicevic given to CDS Zvornik number: 13/02-230-_97 dated 24 October 1997;
268. Statement of Veseljko Bogicevic given to CPS Zvornik without number of record dated 24 october 1997;
269. Criminal accusation from CPS Zvornik number: 13/02-230-KU-165/97 dated 1 November 1997;
270. Official note from CDS Sarajevo – Srpsko Sarajevo number: 15-02-25/97 dated 24 December 1997;
271. Photo documentation of CPS Zvornik without number of record dated 15 April 1998;

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272. Official note of CPS Sekovici number: 13-4/02-99/98 dated 31 August 1998;
273. Document of CPS Zvornik number: 13/02-230-KU-50/94 dated 20 October 1998 as supplement to criminal accusation;
274. Official note of CDS Zvornik number: 118/98 dated 6 November 1998;
275. Official note of CDS Zvornik number: 125/98 dated 12 november 1998;
276. Official note of CPS Milici number: 13-3/02-230-152/98 dated 11 December 1998;
277. Official note of CDS Zvornik number: 13/02-230-103/99 dated 10 February 1999;
278. Supplement to criminal accusation of CDS Zvornik number: 18-02/2-230-KU-130/95 dated 24 January 2000;
279. Document of CPS Zvornik number: 18-02/2-230-KU-55/92 dated 5 June 2000 with photo copy of directory of liaisons of military units of Srebrenica and Official note of CPS Zvornik number: 114/200 dated 5 June 2000;
280. Decision of CDS Zvornik number: 18-02/2-230-KU-120/95 dated 18 July 2000 as supplement to criminal accusation number KU-120/95 dated 27 July 1997, with medical documentation for prisoners Rade Pejic;
281. Photo documentation of CPS Zvornik without number of record dated 25 July 2000;
282. Deposition CPS Zvornik number: 18-02/2-230-KU-45/93 dated 26 July 2000;
283. Statement given to CPS Zvornik number: 18-02/2-230-793/01 dated 2 June 2001;
284. Article from the newspaper "Oslobodjenje" dated 7 July 2001;
285. Record from the District Court in Bijeljina number: Ki-27/2001 dated 7 August 2001;
286. Record from the District Court in Bijeljina number: Ki-27/2001 dated 7 August 2001;
287. Record on hearing of the witness at the District Court in Bijeljina number: Ki-18/2001 dated 19 September 2001;
288. Record on conducted conversation of Ministry of Internal Affairs Tuzla number: 08-01/2-2-3- dated 24 September 2001;
289. Record on hearing of the witness from the Cantonal Court in Tuzla number: Kri-168/01 dated 9 January 2002;

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290. Official note of CPS Bratunac without number of record dated 30 March 2002;
291. Official note of CPS Bratunac number: 12-1-7/02-230-386/02 dated 17 June 2002 with list of burned and destructed property:
292. Deposition of CPS Bratunac number: 12-1-7/02-230-139/02 dated 18 June 2002 with photographs of funeral;
293. Article from newspaper "Glas Srpski" dated 11 July 2002;
294. Article from newspaper "Oslobodjenje" dated 25 July 2002;
295. Article from newspaper "Oslobodjenje" dated 4 August 2002;
296. Article fromnewspaper "Oslobodjenje" dated 21 August 2002;
297. Video tape, dated 16 January 1993, "Skelani.

REPUBLIC OF SRPSKA
MINISTRY OF INTERNAL AFFAIRS
CENTRE FOR PUBLIC SECURITY
ZVORNIK

(illegible text)

RR145430

Number: 12-6/04-230-KU-87/94
Date: 24 June 1994

~~01189487~~

TO THE PRIMARY PUBLIC PROSECUTION
Z V O R N I K

Based on Article 148, Paragraph 1 and Article 151, Paragraph 6 of the Law on Criminal Proceedings, the Centre for Public Security in Zvornik, submits a

CRIMINAL CHARGE

(Illegible) 266

1854 *(illegible)*

Against: 1. Naser Orić from the Potočari village, former municipality of Srebrenica, residing in Srebrenica, former police officer, commander of the Muslim Army of Srebrenica.

1855

2. Zulfo Tursumović from the Sušeska village, residing in Sućeska, former municipality of Srebrenica, previously convicted of double homicide.

1867

3. Hakija Meholjić, son of Husein, born 1949, former police officer of the Centre for Public Security of Srebrenica, married, father of two children, carpenter by profession, residing in Petriča, Srebrenica municipality.

2181

4. Amir Mehmedović, also known as "Geza", residing in Srebrenica, other identification data unknown.

2182

5. Nurija Husić, also known as "Senahid", son of Ramo and Zuhra (mother), born on 26 May 1951 in the Podčauš village, municipality of Bratunac, former police officer of the Centre for Public Security of Bratunac, previously residing in Bratunac, Andrije Markovića Street bb. According to collected intelligence, he lives in Tuzla, concrete address not known.

2183

6. Azema Mulalić, also known as "Beno", from the Bajramovići Village, former Srebrenica municipality, previously residing in Srebrenica, other concrete data currently unknown.

2003

7. Midhat Otanović, also known as "Mijač", son of Bahrija, residing in Srebrenica, Maršala Tita Street bb, unemployed, single, with a previous criminal record, other data unknown.

2184

8. Sejad Halilović, son of Asim, also known as "Kreja", residing in Srebrenica, Petriča bb, single, unemployed, with a previous criminal record, other data unknown.

2185

9. "Djuli" Otanović, residing in Srebrenica, M. Mičića Street bb, unemployed, previously committed criminal acts, other data currently inaccessible.

2186

10. Velid Delić, son of Suljo, residing in Srebrenica, in the Crne Guber Street bb, previously employed in the Potočari Battery Factory, other data unknown.

2187

11. Sarija Mulalić from the Bajramovići village, Srebrenica municipality, other data unknown.

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(2188)
12. Šukrija, also known as "Ćelo", residing in the Potočari village, former municipality of Srebrenica, previously employed in the Potočari Battery Factory, other data currently unavailable.
(2189)
13. Hariz Ahmetović, also known as Ćelo, residing in Srebrenica, Kazani bb; he played football in Srebrenica until the beginning of the war in 1992, other data unknown.

Due to the fact that: there is reasonable doubt that they committed criminal acts form Article 142 and 144 of the Criminal Code of the Socialist Federal Republic of Yugoslavia.

Description of the Criminal Act

On 08 June 1992, strong Muslim forces attacked the Serb village of Zalazje and the Serb hamlet of "Obadi". During this attack, the Muslims burned the houses of the following Serb citizens in Zalazje: Jefto Jeftić, Živko Živanović, Momir Cvijetinović, Stanislav Rankić, Nedjo Stanoiević, Stanko Stanojević, Ljubo Radić, Desimir Radić, Svetozar Rankić, Kosana Dragičević and Drago Simić, as well as houses in the Obadi hamlet, owned by: Nedjo Spahić, Milovan Cvjetinović and Dušan Cvjetinović. Apart from these houses, the Muslims set ablaze and destroyed other ancillary buildings belonging to the said citizens.

Feast of St. Peter

On 12 July 1992, on the occasion of the Serb holiday, ~~Ilindan~~, larger Muslim forces of Srebrenica, which were at the time under the command of the Naser Orić, the first named in this charge, once again attacked the Serb village of Zalazje, in which some houses and buildings had remainedintact after the first attack. On that same day, apart from Zalazje, they also attacked the hamlets of Radonjići and Azlica.

During the attack, the Muslims burned 15 houses in Zalazje, i.e., on this occasion they completely destroyed the village together with its entire property, and likewise, on this same day, they did the same with the houses in Azlica (12 houses) and Radonjići (3 houses).

On 12 July 1992, in the Zalazje village, the Muslims imprisoned the following persons, i.e., defenders of the village: Slobodan Ilić, Branko Simić, Miodrag Rakić, Ljubomir, Petko Simić, Miladin
ž Tubić, Dragomir Vujadinović, Ivan Cvjetinović and Milisav Ilić, son of Sreten. To date, there is no information on what happened to the detained, and it is believed that, after being imprisoned, they
llegible) underwent inhumane conduct and were killed.

The evidence offered in the cased is:

- The statement of Velislav Vasić, who survived the attack on Zalazje
- A list of the burned houses on 08 June 1992
- The statement – official note of the interview with Radivoje Ostojić from Srebrenica, now residing in Bratunac, Rječka street bb,
- A list of the imprisoned persons on 12 July 1992 in the Zalazje village
- A list of the destroyed Serb houses on 12 July 1992

Potential new evidence will be delivered subsequently.

CHIEF OF THE CENTRE FOR PUBLIC SECURITY
Dragomir Vasić

In handwriting: Ministry of Internal Affairs of the RS – UKP Bijeljina

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REPUBLIKA SRPSKA
MINISTRY OF INTERNAL AFFAIRS
CENTRE FOR PUBLIC SAFETY
Z V O R N I K

No: 13/02-230-RU-87/94
Date: 15 November 1996

TO THE BASIC PUBLIC PROSECUTOR'S OFFICE
Z V O R N I K

The Centre for Public Safety in Zvornik sent you a criminal charge under No: KU-87/94, dated 24 June 1994, against Orić Naser and others, under the suspicion that they committed a crime in the village of Zalazje, Srebrenica Municipality.

The criminal officers of the Centre for Public Security in Srebrenica subsequently, in 1995, found evidence at the Hotel Domav in Srebrenica that show the appointment of Orić Naser as the Commander of the Territorial Defence of Srebrenica on 20 May 1992.

This document has remained at the said hotel after the Muslim authorities had left Srebrenica in July 1995. The document bears the number 08/92, is dated 23 June 1992, and is addressed to the Republic Headquarters of the Srebrenica Territorial Defence.

We are sending you a copy of the report of the Municipal Headquarters of the Srebrenica Territorial Defence, No 08/92 as evidence, particularly since your Prosecutor's Office is processing several criminal charges against the Muslim commander Orić.

Attachments: 1. The official note on the finding of evidence,

2. The Report of the Srebrenica Territorial Defence, No 08/92, dated 23 June 1992.

GOVERNOR OF THE CENTRE
COLONEL
Dragomir Vasić
(Signature)

(*seal, illegible*)

RR145433
"copy"
~~01189489~~

Sent by: THE MUNICIPAL HEADQUARTERS OF THE SREBRENICA TERRITORIAL DEFENCE
No: 08/92
Date: 23 June 1992

To: THE REPUBLIC HEADQUARTERS OF THE TERRITORIAL DEFENCE
71000 S A R A J E V O

Subject: REPORT FROM THE TERRITORIAL DEFENCE OF
S R E B R E N I C A

After the action that took place on 20 April 1992, which was carried out on Potočari, and when 14 Arkanovci soldiers were killed, and Arkan himself was wounded, only to die of his injuries later.

Up until 20 May 1992, several successful moves have been carried out in the area of the SC Srebrenica. All the actions were carried out without coordination, because all the members of the government had, before the start of the war, left the territory of Srebrenica, as did the pre-war commander of the Territorial Defence of Srebrenica. Many of them took refuge in Serbia.

Given than a need has a risen for a coordinated effort of all the actions taking place in the Srebrenica (illegible) area, the organisers of the actions hereto met on 20 May 1992 in the village of Bajramovići, and made a decision to establish a Crisis Headquarters of the Srebrenica Territorial Defence, which included the following members: Tursunović Zulfo, Istić Akif[1], Bogilović Bećir, Orić Naser, Fejzić Hamdija, Djozić Ševket and Tihić Ahmo.

The members above made a decision to appoint as the Commander of the Srebrenica (*illegible*) Orić Naser, who had led the first action that had taken place on 20 April 1992, and that had contributed greatly to the population not handing down their arms, and deciding to fight the enemy (Chetniks) instead.

Since the establishment of the Headquarters, several coordinated actions have taken place in the area of the municipalities of Srebrenica, Bratunac and Vlasenica.

Most of the villages in the territory of these municipalities were successfully defended from the chetniks, and the enemy was pushed back towards Bratunac, Milići and Bajina Bašta.

A large number of chetniks were also killed in these actions, among them the leader of SDS (Serb Democratic Party) in Srebrenica, and Karadžić's close associate, Goran Zekić.

A large amount of light infantry weapons and ammunition was also confiscated, as well artillery weapons and their ammunition.

A total of four armoured conveyors were destroyed, and two were seized. The army of the SC Srebrenica is stronger by the day, and is ready to confront the chetniks more successfully with each day.

....

[1] Name quite illegible.

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- 2 - ~~1189491~~

That Serbia is waging a war against BiH is demonstrated also by these examples: from the right bank of the Drina River, from the direction of the village of Rastište, municipality of Bajina Bašta, the chetniks are firing at the civilian facilities and the population in the Muslim villages of: Klotijevac, Osatica, Beširevići and other villages.

Trucks belonging to the Bajina Bašta hydropower plant are transporting chetniks from Serbia into Bosnia and Herzegovina across the dam, and are also shooting at Muslim villages with mortars, cannons, machine guns and other weapons.

The main problems on the free territory of the municipality are: the loss of telephone and other lines, the loss of power and water supply, and a large number of refugees coming from the areas of the Bratunac and Vlasenica municipalities, and from Muslim villages that had burnt down.

The problems we are also facing include a lack of basic food, sanitation, medications and professional medical staff.

The Srebrenica (*illegible*) Headquarters has (*illegible*) information that the chetniks are planning a push from the direction of Han Pijesak, through Vlasenica, Milići, Konjević Polje, Kravica and Bratunac, to Serbia.

The territorial forces of Srebrenica, (*illegible*) the forces from Cerska, Pobuđe and Konjević Polje are ready to (*illegible*) confront the chetnik push.

(illegible)

_____

(illegible)

I, Sabina Gadžo Mutapčić, certified court interpreter for the English language, certified by the Ministry of Justice of the Federation of Bosnia and Herzegovina (BiH), *do hereby certify that the present English translation is a true and faithful rendering of a document written in Bosnian.*

Issued in Sarajevo, 19 September 2015
Trans. no: 2015-Eng-02-071



August 31 PROSECUTION OFFICE

RR322077

REPUBLIKA SRPSKA

MINISTRY OF INTERIOR

PUBLIC SECURITY CENTER

ZVORNIK

No. 13/02-230-12/95

Date: July 27, 1995

Stamp: Serb Republic of Bosnia and Herzegovina

Serb Autonomous Region (SAO) of Semberija and Majevica

Serb Municipality of Zvornik

BASIC PUBLIC PROSECUTION OFFICE

IN ZVORNIK

No. KT-123/95

Date: September 4, 1995

Stamp: REPUBLIKA SRPSKA

DISTRICT PUBLIC PROSECUTION OFFICE

BIJELJINA

No. KT-11/2001

Date: (illegible, but could be Dec 12, 2000)

REPUBLIKA SRPSKA

MINISTRY OF INTERIOR

PUBLIC SECURITY CENTER

ZVORNIK

FOR: BASIC PUBLIC PROSECUTION OFFICE

ZVORNIK

Pursuant to Article 148, paragraph 1, and Article 151, paragraph 6, of the Criminal Procedure Code, the Public Security Center of Zvornik is hereby submitting the following

CRIMINAL REPORT

Against:

1. NASER ORIĆ, born in 1967, in Potočari, Municipality of Srebrenica, residing at the place of birth, used to be the commander of the Muslim Army, the so-called Army of BiH in Srebrenica, the current address of residence unknown, married, a Muslim by ethnicity, currently at large.

2. EMIR HALILOVIĆ, son of Safet, residing in Potočari, Municipality of Srebrenica, current address of residence unknown, other identification data unknown, member of the so-called Army of BiH, a Muslim by ethnicity, currently at large.
3. An unknown perpetrator.

Because: there is grounded suspicion that they have perpetrated the crimes referred to in Article 141, of the CC RS, General Section.

Description of the Crime

- Until the outbreak of war activity in 1992, Rada Milanović, a nurse by profession and a Serb by ethnicity, lived in Srebrenica. The aforementioned citizen was employed in Srebrenica at the health center, i.e. at the hospital of Srebrenica, and once the war began she was located in the abovementioned town. According to the gathered information, once the war started in Srebrenica, Milanović was engaged by the Army of BiH as a nurse at the unit of Hakija Ustić. On an undetermined date in the second half of 1992, the aforementioned female person was killed, because allegedly she was not treating the Muslim soldiers based on the rules of the medical profession. At the time of her murder, the commander of the Muslim army in Srebrenica was Naser Orić. It is still undetermined where Rada Milanović was buried, as well as who is the perpetrator of the crime of murdering her, as well as the very manner of perpetration of the crime.
- On an undetermined date, probably in the summer period of 1993, in front of the department store in Srebrenica, for unknown reasons, an argument broke out between Emir Halilović from Potočari and Slobodan Zekić from Srebrenica. Zekić is otherwise the son of Uglješa, and he lived with his mother Zaga in the apartment in Srebrenica. Several days after the abovementioned argument, son Slobodan and his mother Zaga were found dead in the Zekić apartment; they had most probably been killed with a blunt object. For the time being, it is knot known where this Serb family was buried in Srebrenica.
- In the same year, and at an approximately the same time, the Muslims liquidated one more Serb family in Srebrenica, which was found in the aforementioned town during the war, specifically Anđa Mihajlović and her son „Bato". The place of burial is unknown,

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as well as the manner of murder and who the perpetrator of this crime is, because this family was simply taken away, that is, they „disappeared" from their apartment in Srebrenica.

- Sometime before the murder of Slobodan Zekić, or approximately at the same time, in one part of the Kazani Mine in Srebrenica a slaughtered Serb man was found at dawn, named Krsto Dimitrovski. This was a person with impaired hearing. While unknown Muslims killed Krsto Dimitrovski, the wife of the same person, Velinka, was found dead at the city waste dump on the road from Srebrenica in the direction of Sase.

- During the attack of the Muslim forces against the Serb village of Zalazje, Srebrenica Municipality, at St. Peter's Day on July 12, 1992, Muslims captured the following Serbs in this village and took them away to Srebrenica: Slobodan Ilić, Branko Simić, Mijodrag Rakić, Ljubomir Rakić, Petko Simić, Miladin Tubić, Dragomir Vujadinović, Ivan Cvjetinović, and Milisav Ilić, son of Sreten. (*added in handwriting on the left hand-side of the text: the procedure is already underway*). Criminal report on this event was submitted to the Prosecution Office in Zvornik, no. KU 87/94, on June 24, 1994. It was established that the captured persons had been taken to Srebrenica, where they were most probably all killed. The place of burial and other circumstances of this case are unknown.

- In the month of January 1993, the Muslim Army from Srebrenica captured and put into the Srebrenica prison the following Serbs: Bogdan Živanović, born in 1927, from the village of Ćosići, Skelani Municipality, and Kostadin (son of Risto) Popović, born in 1947, from Kravice, Bratunac Municipality. Živanović was captured in Ćosići on January 16, 1993, and Popović (was captured) on January 7, 1993, in the area of Kravice. It has been established that both of them succumbed due to the beatings in the Srebrenica prison.

- On an undetermined date, most probably on December 14, 1992, in the area of the village of Sase, Srebrenica Municipality, Mićo Milanović, an elderly man from Sase, was captured, from where the Muslims, that is, their army, once captured, took him away to the Srebrenica prison, where he most probably succumbed from the consequences of torture.

Because Naser Orić, as the commander of the Muslim Army in Srebrenica, should have, could have and ultimately had to know what was going on at the prison kept by them in Srebrenica just as usual, this is why the criminal report against him is being filed. It has been established that Halilović killed Slobodan Zekić, aka „Zec", and his mother, Zaga.

The evidence attached to this criminal report is as follows:

- Official note on the interview with Staniša Orašanin,
- Official note on the interview with Đemil Hadžić, who is found in prison at the Drina Corps in Vlasenica,
- Informative statement from Ilija Ivanović, taken at the Public Security Center in Skelani, on February 23, 1993,
- Informative statement from Šukrija Hajdarević dated June 18, 1993,
- Informative statement from Milosava Nikolić from Opravdići, Bratunac Municipality, now living in Bratunac,
- Informative statement from Ratko Nikolić from Opravdići, Bratunac Municipality, now living in Bratunac.

HEAD OF CENTER

Dragomir Vasić

- Stamped and signed -

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XIV XIV

SPISAK POGINULIH U SANDIĆIMA:

Red. br.	PREZIME (očevo ime) IME	DATUM RODJE.	MJESTO STANOV.	DATUM POGIBIJI
1.	Blagojević (Sretena) Boro	1973	Repovac	29.05.92
2.	Petrović (Desimira) Dragan	1967	Bratunac	29.05.92
3.	Milošević (Steve) Milutin	1948	Bratunac	29.05.92
4.	Ivanović (Ratka) Ivan	1970	Hranča	29.05.92
5.	Milanović (Radovana) Goran	1964	Bratunac	29.05.92
6.	Mastikosa Dragica	1955	N.Sad	29.05.92
7.	Krdžalić Vesna			29.05.92
8.	Vorkapić (Mjodraga) Mile	1871	Tenje	29.05.92
9.	Jovanović Žarko	1956	Medulin	29.05.92
10.	Grahovac Aleksandar	1971	B.Naselje	29.05.92
11.	Suzić Sreto		B.Manastir	29.05.92
12.	Dolijanović (Dušana) Vujadin	1964	Mratinjci	24.05.92
13.	Dragičević (Ilije) Momir	1946	Mratinjci	24.05.92
14.	Ilić (Arsena) Radomir	1966	Suha	02.07.92
15.	Opačić (Djure) Borislav	1961	Vukovar	27.11.92
16.	Vojinović (Dušana) Milan	1960	Vukovar	27.11.92
17.	Vujaklija Djuro	1957	Vukovar	27.11.92

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XV XV

30. SPISAK RANJENIH U KUNJERCU

Red. br.	PREZIME (očevo ime) IME	GODINA RODJ.	MJESTO STANOV.	DATUM RANJAV.
1.	Cvjetinović (Grujo)Milivoje	1971	Milići	07.12.92
2.	Miladinović (Obrad) Lazar	1960	Bjelovac	16.12.92
3.	Ostojić (Milovana) Brano	1939	Mječeva	16.12.92
4.	Stanojević Tomislav	1966	Kunjerac	13.07.92
5.	Janjić (Vladeta) Radomir	1973	Mandići	14.01.93
6.	Obradović (Todor) Rajo	1974	Mandići	14.01.93
7.	Cvjetinović Dragan	1965	Lipenovići	05.06.92
8.	Kajtazović Biljana	1974	Zenica	08.09.92

30. SPISAK POGINULIH U KUNJERCU

Red. br.	PREZIME (očevo ime) IME	GODINA RODJ.	MJESTO STANOV.	DATUM POGIBIJE
1.	Josipović (Miladina) Ivan	1955	Krasanpolje	12.07.92.
2.	Simić (Ilije) Ratko	1951	Kunjerac	14.12.92
3.	Savić (Ostoje) Mitar	1954	Bratunac	14.12.92
4.	Trišić (Tomislava) Zoran	1968	Jelah	14.12.92
5.	Stanković (Cvetka) Dragoslav	1962	Niš	15.02.92

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XIV

THE LIST OF PERSONS KILLED IN SANDIĆI:

SURNAME (father's name) FIRST NAME, DATE OF BIRTH, PLACE OF RESIDENCE, DATE OF DEATH

1. Blagojević, (son of Sreten) Boro, 1973, Repovac, May 29, 1992
2. Petrović, (son of Desimir) Dragan, 1967, Bratunac, May 29, 1992
3. Milošević, (son of Stevo) Milutin, 1948, Bratunac, May 29, 1992
4. Ivanović, (son of Ratko) Ivan, 1970, Hranča, May 29, 1992
5. Milanović, (son of Radovan) Goran, 1964, Bratunac, May 29, 1992
6. Mastikosa, Dragica, 1955, Novi Sad, May 29, 1992
7. Krdžalić, Vesna, , , May 29, 1992
8. Vorkapić, (son of Miodrag) Mile, 1871, Tenje, May 29, 1992
9. Jovanović, Žarko, 1956, Medulin, May 29, 1992
10. Grahovac, Aleksandar, 1971, B. Naselje, May 29, 1992
11. Suzić, Sreto, , B. Manastir, May 29, 1992
12. Dolijanović, (son of Dušan) Vujadin, 1964, Mratinjci, May 24, 1992
13. Dragičević, (son of Ilija) Momir, 1946, Mratinjci, May 24, 1992
14. Ilić, (son of Arsen) Radomir, 1966, Suha, July 2, 1992
15. Opačić, (son of Đuro) Borislav, 1961, Vukovar, November 27, 1992
16. Vojinović, (son of Dušan) Milan, 1960, Vukovar, November 27, 1992
17. Vujaklija, Đuro, 1957, Vukovar, November 27, 1992

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XV

30. THE LIST OF PERSONS WOUNDED IN KUNJERAC

SURNAME (father's name) FIRST NAME, DATE OF BIRTH, PLACE OF RESIDENCE, DATE OF WOUNDING

1. Cvjetinović, (son of Grujo) Milivoje, 1971, Milići, December 7, 1992
2. Miladinović, (son of Obrad) Lazar, 1960, Bjelovac, December 16, 1992
3. Ostojić (son of Milovan) Brano, 1939, Blječeva, December 16, 1992
4. Stanojević, Tomislav, 1966, Kunjerac, July 13, 1992
5. Janjić, (son of Vladeta) Radomir, 1973, Mandići, January 14, 1993
6. Obradović, (son of Todor) Rajo, 1974, Mandići, January 14, 1993
7. Cvjetinović, Dragan, 1965, Lipenovići, June 5, 1992
8. Kajtazović Biljana, 1974, Zenica, September 8, 1992

30. THE LIST OF PERSONS KILLED IN KUNJERAC:

SURNAME (father's name) FIRST NAME, DATE OF BIRTH, PLACE OF RESIDENCE, DATE OF DEATH

1. Josipović, (son of Miladin) Ivan, 1955, Krasanpolje, July 12, 1992
2. Simić, (son of Ilija) Ratko, 1951, Kunjerac, December 14, 1992
3. Savić, (son of Ostoja) Mitar, 1954, Bratunac, December 14, 1992
4. Trišić, (son of Tomislav) Zoran, 1968, Jelah, December 14, 1992
5. Stanković, (son of Cvetko) Dragoslav, 1962, Niš, February 15, 1992

DŽ/SG

UNITED NATIONS MECHANISM FOR INTERNATIONAL CRIMINAL TRIBUNALS

Case No. MICT-14-79

PROSECUTOR

v.

NASER ORIĆ

PUBLIC

ANNEX 3

00658549

D-39

VP 7042 BRATUNAC

S P I S A K

Poginulih boraca 1.Brlpbr
od 18.04.1992.g. do 25.09.1995.g.

R.br.	PREZIME / OČEVO IME / I IME	JEDINICA	GODINA ROĐENJA	ADRESA	MJESTO POGIBIJE	DATUM POGIBIJE
1	2		3	4	5	6
1.	ŽIVANOVIĆ BLAGOJA BLAGOJE	2.pb	1954	DUGO POLJE	DUGO POLJE	12.07.92.
2.	ŽIVANOVIĆ CVIJETINA JOVAN	O.T	1969	BRATUNAC	BILJAČA	12.07.92.
3.	ŽIVANOVIĆ DRAGANA MILIVOJE	3.pb	1972	BRATUNAC	BILJAČA	12.07.92.
4.	ŽIVANOVIĆ MARINKA MIRKO	1.pb	1946	KRAVICA	KALUDRA	03.04.93.
5.	ŽIVANOVIĆ MIRKA MILOVAN	1.pb	1974	KAJIĆI	GLOGOVA	24.12.92.
6.	ŽIVANOVIĆ OBRENA ĐOKO	2.pb	1967	JELOVCI	ZAGONI	02.11.92.
7.	ŽIVKOVIĆ NENADA DRAGOMIR	3.pb	1970	BRATUNAC	BILJAČA	12.07.92.
8.	ALEMPIĆ BOGOSAVA SLAVKO	3.pb	1950	BRATUNAC	MILOVANOVIĆI	30.01.93.
9.	ANDRIĆ ANTE KAZIMIR	3.pb	1952	BRATUNAC	LAĐA	02.01.93.
10.	ANDRIĆ BOGOMDIRA LJUBIŠA	3.pb	1960	s.LOZNICA	BJELOVAC	17.09.92.
11.	ANDRIĆ KRSTONIJE DRAGAN	2.pb	1970	BRATUNAC	TANASIĆI	12.07.95.
12.	ANDRIĆ SREĆKA PETKO	C.B	1964	ĆIĆEVCI	V.OSIĆI-OKLANAK	18.11.94.
13.	ANDRIĆ STOJANA MIROSLAV	3.pb	1967	SREBRENIC	BILJAČA	12.07.92.
14.	ANDRIĆ VLADIMIRA DRAGOLJUB	3.pb	1940	ĆIĆEVAC	RADIJEVIĆI	24.03.93.
15.	ARSENOVIĆ MILORADA NENAD	3.pb	1965	VRANEŠEVIĆI	LEMEŠAC	13.03.93.
16.	AVRAMOVIĆ SVETISLAVA SLAVKO	3.pb	1971	OBADI	OBADI	08.06.92.
17.	BLAGOJEVIĆ ŽIVORADA MILOVAN	3.pb	1967	KRASANPOLJE	GRABOVSKO	29.06.92.
18.	BLAGOJEVIĆ RADOVANA ZORAN	O.T	1962	BRATUNAC	BJELOVAC	18.11.92.
19.	BLAGOJEVIĆ SLOBODANA DUŠAN	3.pb	1946	OSREDAK	ZALAZJE	12.07.92.
20.	BLAGOJEVIĆ SRETENA BORO	3.pb	1973	REPOVAC	SANDIĆI	29.05.92.
21.	BLAGOJEVIĆ ĐORĐA MILADIN	2.pb	1946	REPOVAC	GLOGOVA	16.01.93.
22.	BOŽIĆ MIRKA BOŽO	3.pb	1953	FAKOVIĆI	KALUDRA	03.04.93.
23.	BOŽIĆ NOVAKA LJUBIŠA	3.pb	1952	BRATUNAC	FAKOVIĆI	18.09.92.
24.	BOŽIĆ RADOMIRA ŽARKO	3.pb	1973	RADIJEVIĆI	RADIJEVIĆI	09.01.93.
25.	BOŽIĆ RADOSAVA MILOJE	3.pb	1948	BRATUNAC	LIPAK	10.03.93.
26.	BOŽIĆ STOJANA STEVAN	1.pb	1951	MANDIĆI	MANDIĆI	07.01.93.
27.	BOŽIĆ VLADIMIRA RADOSAV	3.pb	1924	STANATOVIĆI	FAKOVIĆI	18.09.92.
28.	BOŽIĆ ĐOKE MILOVAN	1.pb	1949	MAGAŠIĆI	MAGAŠIĆI	25.11.92.
29.	BOGDANOVIĆ NIKAILA ANĐELKO	1.pb	1928	KRAVICA	JEŽEŠTICA	19.07.92.
30.	BOGIĆEVIĆ VOJISLAVA OBREN	3.pb	1932	RATKOVIĆI	RATKOVIĆI	21.06.92.
31.	BOGIĆEVIĆ JOVANA SLOBODAN	1.pb	1945	KRAVICA	JEŽESTICA	07.01.93.
32.	BOGIĆEVIĆ LJUBOMIRA RADOJKO	1.pb	1954	JEŽESTICA	JEŽESTICA	07.01.93.
33.	BOGIĆEVIĆ LJUBOMIRA VOJISLAV	1.pb	1949	KRAVICA	KRAVICA	07.01.93.
34.	BOGIĆEVIĆ MILENKA ZLATAN	C.B	1975	BRATUNAC	VOLJAVICA	14.12.92.
35.	BOGIĆEVIĆ RADE VOJIN	1.pb	1929	JEŽEŠTICA	JEŽEŠTICA	08.08.92.
36.	BOGIĆEVIĆ SLOBODANA NOVICA	1.pb	1976	ŠILJKOVIĆI	ŠILJKOVIĆI	07.01.93.
37.	BOJIĆ ŽIVKA DUŠKO	3.pb	1971	SLAPAŠNICA	LEMEŠAC	20.03.93.
38.	BOJIĆ RADOVANA RADOJE	3.pb	1948	SREBRENICA	SASE	08.08.92.
39.	CVJETINOVIĆ BOGDANA MILADIN	3.pb	1936	OBADI	OBADI	08.06.92.
40.	CVJETINOVIĆ CVIJETINA SPASOJE	2.pb	1956	HRANČA	GLOGOVA	22.06.92.
41.	CVJETINOVIĆ CVJETINA TOMO	2.pb	1946	REPOVAC	PALE	22.07.95.
42.	CVJETINOVIĆ DUŠANA DRAGAN	1.pb	1965	LIPENOVIĆI	JASIKOVAČA	04.11.92.
43.	CVJETINOVIĆ DRAGOMIRA RADINKA	3.pb	1951	AŽLICA	ZALAZJE	12.07.92.
44.	CVJETINOVIĆ DUŠANA RATKO	3.pb	1971	OBADI	PODĆAUŠ	04.06.92.
45.	CVJETINOVIĆ RANKA IVAN	3.pb	1953	SREBRENICA	ZALAZJE	12.07.92.
46.	CVJETINOVIĆ VOJISLAVA ŽIVKO	2.pb	1950	D.MAGAŠIĆI	D.MAGAŠIĆI	23.06.92.
47.	CVJETINOVIĆ VOJISLAVA VIDOJE	3.pb	1967	D.MAGAŠIĆI	LEMEŠAC	20.03.93.
48.	ĐAĐIĆ MARKA RATKO	1.pb	1954	OĆENOVIĆI	ŠILJKOVIĆI	17.12.92.
49.	ĐAMNJANOVIĆ MITRA MILOJE	3.pb	1971	s.LOZNICA	s.LOZNICA	28.06.92.
50.	ĐAMNJANOVIĆ RADIVOJA SLAVOMIR	3.pb	1971	s.LOZNICA	s.LOZNICA	14.12.92.

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51. DAMNJANOVIĆ SVETOZARA NEDELJKO	3.pb	1959	s.LOZNICA	s.LOZNICA	14.12.92.
52. DERONJIĆ SPASOJA NEBOJŠA	1.pb	1960	MAGAŠIĆI	GLOGOVA	02.08.92.
53. DESPOTOVIĆ VITOMIRA SLOBODAN	C.B	1968	MAJUR	VOLJAVICA	14.12.92.
54. DIMITRIĆ MIRKA MILOVAN	2.pb	1962	ZAGONI	ZAGONI	12.07.92.
55. DIMITRIĆ MITRA MIRKO	2.pb	1974	ZAGONI	ZAGONI	05.07.92.
56. DOLIJANOVIĆ DUŠANA MILADIN	1.pb	1963	KRAVICA	KRAVICA	07.01.93.
57. DOLIJANOVIĆ DUŠANA VOJADIN	1.pb	1964	MRATINJCI	SANDIĆI-MRATINJCI	24.05.92.
58. DRAGIĆEVIĆ ILIJE MILOMIR	1.pb	1946	BREŽANI	BREŽANI	30.06.92.
59. DRAGIĆEVIĆ MILOŠA MIRKO	3.pb	1947	ORAHOVICA	GLOGOVA	24.12.92.
60. DRAGIĆEVIĆ MIRKA MILOŠ	3.pb	1933	ZALAZJE	ZALAZJE	05.07.92.
61. DRAGIĆEVIĆ TADIJE SVETISLAV	3.pb	1949	ZALAZJE	ZALAZJE	12.07.92.
62. ERIĆ MIKAILA BOGOLJUB	1.pb	1914	KRAVICA	VRESINJE-BREKINJA	29.05.92.
63. FILIPOVIĆ ŽIVANA VERICA	3.pb	1975	s.LOZNICA	s.LOZNICA	28.06.92.
64. FILIPOVIĆ DRAGOLJUBA DRAGAN	3.pb	1962	BRATUNAC	s.LOZNICA	14.12.92.
65. FILIPOVIĆ MILISAVA DRAGOLJUB	3.pb	1942	s.LOZNICA	s.LOZNICA	14.12.92.
66. FILIPOVIĆ MILISAVA ĐORĐO	3.pb	1949	s.LOZNICA	s.LOZNICA	28.06.92.
67. FILIPOVIĆ NEDE STEVO	3.pb	1951	BJELOVAC	BJELOVAC	14.12.92.
68. FILIPOVIĆ VLADIMIRA ŽIVAN	3.pb	1954	s.LOZNICA	s.LOZNICA	28.06.92.
69. GAJIĆ RADE STANKO	1.pb	1963	OPRAVDIĆI	GLOGOVA	24.12.92.
70. GAVRIĆ PAJE PAJKAN	1.pb	1963	KRAVICA	KRAVICA	07.01.93.
71. GILJEVIĆ MILORADA ŽELJKO	3.pb	1970	SREBRENICA	ZALAZJE	12.07.92.
72. GLIGIĆ DESIMIRA NEDELJKO	3.pb	1948	SREBRENICA	ZALAZJE	12.07.92.
73. GORDIĆ MILOŠA ALEKSA	3.pb	1955	SREBRENICA	ZALAZJE	12.07.92.
74. GRUJIĆ MILISAVA SAVO	1.pb	1972	ŽILJKOVIĆI	GLOGOVA	02.01.93.
75. GRUJIČIĆ ANĐELKA MILOVAN	3.pb	1943	GOSTILJ	ZALAZJE	09.06.92.
76. GRUJIČIĆ CVETKA VASILIJE	3.pb	1944	SREBRENICA	ZALAZJE	11.01.94.
77. GRUJIČIĆ CVJETKA JOVAN	3.pb	1954	GOSTILJ	SASE	12.07.92.
78. GRUJIČIĆ IGNJATA STANOJE	3.pb	1946	SREBRENICA	SASE	12.07.92.
79. GRUJIČIĆ SAVE DRAGOLJUB	3.pb	1953	GOSTILJ	GOSTILJ	24.05.92.
80. GRUJIČIĆ SLAVOLJUBA MILOMIR	3.pb	1969	GOSTILJ	ZALAZJE	13.10.92.
81. GVOZDENOVIĆ MILADINA DRAGOLJUB	2.pb	1954	ZAGONI	ZAGONI	05.07.92.
82. GVOZDENOVIĆ MILADINA RADOJE	2.pb	1948	SELIŠTA	DLJEČEVSKA REKA	21.02.95.
83. GVOZDENOVIĆ MILORADA BLAGOJE	2.pb	1944	ZAGONI	ZAGONI	05.07.92.
84. GVOZDENOVIĆ RADOJA RADA	2.pb	1973	ZAGONI	ZAGONI	05.07.92.
85. GVOZDENOVIĆ RISTE JAKOV	3.pb	1968	BRATUNAC	KRSTAŠ	28.01.93.
86. GVOZDENOVIĆ SRETENA RAJKO	2.pb	1927	ZAGONI	ZAGONI	05.07.92.
87. IGNJATOVIĆ CVJETINA RANKO	3.pb	1953	FAKOVIĆI	FAKOVIĆI	15.07.93
88. ILIĆ ARSENA RADOMIR	2.pb	1966	SUHA	SANDIĆI	02.07.92.
89. ILIĆ BLAGOJA ŽIVOJIN	3.pb	1931	GOSTILJ	LOZ.RIJEKA	14.12.92.
90. ILIĆ BOŽE CVIJETIN	3.pb	1957	TEGARE	TEGARE	17.07.92.
91. ILIĆ BOŽE RADOJKO	3.pb	1968	TEGARE	TEGARE	17.07.92.
92. ILIĆ BOŠKA SLOBODAN	3.pb	1973	SOLOĆUŠA	ADE	20.08.92.
93. ILIĆ DRAGOMIRA MARJAN	1.pb	1963	G.MAGAŠIĆI	G.MAGAŠIĆI	20.07.92.
94. ILIĆ DRAGUTINA DRAGIĆ	3.pb	1939	OPARCI	OPARCI	01.06.92.
95. ILIĆ ILIJE MILISAV	3.pb	1957	BJELOVAC	BJELOVAC	14.12.92.
96. ILIĆ MILANA SLOBODAN	3.pb	1946	SREBRENICA	ZALAZJE	12.07.92.
97. ILIĆ MIĆE MILUN	3.pb	1939	BOJNA	BJELOVAC	14.12.92.
98. ILIĆ MOMČILA RATKO	3.pb	1942	OPARCI	OPARCI	01.06.92.
99. ILIĆ MOMČILA UGLJEŠA	3.pb	1939	OPARCI	OPARCI	01.06.92.
100. ILIĆ NEĐE SLAVKO	1.pb	1939	OPRAVDIĆI	D.MAGAŠIĆI	14.12.92.
101. ILIĆ OBRENA DRAGAN	Izv.vod	1972	TEGARE	GRMEČ	11.11.94.
102. ILIĆ SRETENA DRAGAN	3.pb	1964	GOSTILJ	PETRIČA	07.05.92.
103. ILIĆ SRETENA MILISAV	3.pb	1957	GOSTILJ	ZALAZJE	12.07.92.
104. ILIĆ STANIMIRA VUKOTA	1.pb	1945	OPRAVDIĆI	VELIKA NJIVA	14.03.93.
105. ILIĆ STANOJA RADOVAN	3.pb	1951	OBADI	GLOGOVA	24.12.92.
106. ILIĆ VIDOJA MILIĆ	3.pb	1972	BJELOVAC	LOZNIČKA RIJEKA	25.09.92.
107. IVANOVIĆ MILANA MIROSLAV	3.pb	1973	FAKOVIĆI	FAKOVIĆI	05.10.92.
108. IVANOVIĆ RATKA IVAN	3.pb	1970	HRANČA	SANDIĆI	29.05.92.
109. JAKOVLJEVIĆ MILADINA RADIVOJE	3.pb	1933	BOLJEVIĆI	RADIJEVIĆ	15.08.92.
110. JANJIĆ MIRKA VLADISLAV	1.pb	1948	OPRAVDIĆI	GLOGOVA	24.12.92.
111. JAŠINSKI STEVANA MATIJA	2.pb	1940	BRATUNAC	ZAGONI	06.07.92.
112. JAĆIMOVIĆ MITRA MARKO	2.pb	1972	BRATUNAC	TAMBURIĆA KOSA	05.05.94.

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113.	JEREMIĆ LJUBOMIRA LUKA	3.pb	1927	OSREDAK	ZALAZJE	12.07.92.
114.	JEREMIĆ MILOŠA RATKO	3.pb	1969	OSREDAK	ZALAZJE	12.07.92.
115.	JEREMIĆ RATKA MARKO	3.pb	1965	OSREDAK	ZALAZJE	12.07.92.
116.	JEREMIĆ RATKA RADOVAN	3.pb	1963	OSREDAK	ZALAZJE	12.07.92.
117.	JOKIĆ IVANA BOŽIDAR	3.pb	1968	POLOM	BILJAČA	12.07.92.
118.	JOKIĆ JOVANA MIODRAG	1.pb	1967	OPRAVDIĆI	GLOGOVA	01.06.92.
119.	JOKIĆ MILANA STANKO	1.pb	1935	POLOM	POLOM BRDO	07.02.93.
120.	JOKIĆ MILOŠA RADE	3.pb	1963	SREBRENICA	BILJAČA	05.07.92.
121.	JOKIĆ MIODRAGA MILISAV	3.pb	1964	POLOM	GLOGOVA	15.05.92.
122.	JOKIĆ SAVE DRAGOLJUB	O.T	1961	POBRĐE	BILJAČA	12.07.92.
123.	JOKIĆ STOJANA MILO	1.pb	1926	JEŽESTICA	JEŽESTICA	07.01.93.
124.	JOKIĆ STOJANA NOMČILO	2.pb	1928	HRANČA	HRANČA	25.07.92.
125.	JOSIPOVIĆ MILADINA IVAN	3.pb	1955	KRASANPOLJE	KUNJERAC	12.07.92.
126.	JOVANOVIĆ BLAGOJA MILOŠ	3.pb	1935	OBADI	SASE	04.07.92.
127.	JOVANOVIĆ CVIJETINA KRSTO	3.pb	1955	BRATUNAC	ZALUŽJE	16.09.92.
128.	JOVANOVIĆ DRAGE ILIJA	3.pb	1950	DUBOVA	ZALUŽJE	00.00.92.
129.	JOVANOVIĆ JAKOVA MIODRAG	2.pb	1952	BRATUNAC	ZAGONI	12.07.92.
130.	JOVANOVIĆ MILADINA DRAGO	3.pb	1962	SIKIRIĆ	LOZNIČKA RIJEKA	21.09.92.
131.	JOVANOVIĆ MITRA STOJAN	1.pb	1948	BAĆIĆI	BRANA BAĆIĆI	07.01.93.
132.	JOVANOVIĆ NEDELJKA NIKOLA	3.pb	1955	ZENICA	STOŽERSKO	04.09.94.
133.	JOVANOVIĆ OBRADINA RADO	3.pb	1963	STANATOVIĆI	BRAĐEVINA	27.06.92.
134.	JOVANOVIĆ PETKA MILAN	3.pb	1948	s.LOZNICA	s.LOZNICA	14.12.92.
135.	JOVANOVIĆ PETRA ĐOKO	3.pb	1956	s.LOZNICA	s.LOZNICA	14.12.92.
136.	JOVANOVIĆ RADE DRAGOLJUB	3.pb	1928	VIOGOR	VIOGOR	15.05.92.
137.	JOVANOVIĆ RADE LJUBOMIR	1.pb	1952	ŠILJKOVIĆI	ŠILJKOVIĆI	00.00.92.
138.	JOVANOVIĆ RADENKA	3.pb	1974	BJELOVAC	BJELOVAC	14.12.92.
139.	JOVANOVIĆ RADOJA MILENKO	2.pb	1964	JELOVCI	ZAGONI	09.10.92.
140.	JOVANOVIĆ RADOJA MILOMIR	2.pb	1966	JELOVCI	ZAGONI-ČIŽMIĆI	14.09.92.
141.	JOVANOVIĆ SLAVKA RADO	JSN	1968	OPRAVDIĆI	BJELAŠNICA	18.07.93.
142.	JOVANOVIĆ VESELINA MILOŠ	3.pb	1928	s.LOZNICA	s.LOZNICA	14.12.92.
143.	JOVANOVIĆ VITOMIRA MIODRAG	3.pb	1973	s.LOZNICA	BOŽIĆI	21.03.93.
144.	JOVANOVIĆ VLADE MILAN	3.pb	1940	SREBRENICA	SASE	00.00.92.
145.	JOVANOVIĆ VOJISLAVA RADO	3.pb	1960	TEGARE	TEGARSKA R.	20.06.92.
146.	JOVANOVIĆ VUJADINA RADOMIR	1.pb	1959	JEŽEŠTICA	JEŽEŠTICA	07.01.93.
147.	JOVANOVIĆ ĐORĐA SLAVKO	3.pb	1953	STANATOVIĆI	BRAĐEVINA	28.06.92.
148.	KALAJDŽIĆ NEDELJKA ZORAN	1.pb	1953	PODGAUŠ	PEĆINA-VLASENICA	27.07.95.
149.	KANDIĆ RADOVANA MILOJKO	1.pb	1944	JEŽEŠTICA	JEŽEŠTICA	19.03.93.
150.	KOJIĆ PERE PETAR	1.pb	1962	BANJEVIĆI	BANJEVIĆI	00.10.92.
151.	KOVAČEVIĆ ANDRE BOŠKO	O.T	1969	BRATUNAC	BJELOVAC-BILJAČA	12.07.92.
152.	KOVAČEVIĆ BOŠKA DRAGAN	3.pb	1959	s.LOZNICA	ZALUŽJE	16.09.92.
153.	KOVAČIĆ NIKOLE BOŽIDAR	3.pb	1939	TEGARE	TEGARE	09.06.92.
154.	KRIBL ANTONIJA MIRKO	3.pb	1949	SREBRENICA	GLOGOVA	24.12.92.
155.	KRKELJAŠ PETRA SIMO	1.pb	1954	ZENICA	SASE	00.11.92.
156.	KRSMANOVIĆ SAVE MILADIN	1.pb	1973	ŠILJKOVIĆI	BRANA BAĆIĆI	05.10.92.
157.	LAZAREVIĆ MALIŠE MILOVAN	3.pb	1946	OSREDAK	ZALAZJE	12.07.92.
158.	LAZAREVIĆ STANKA MOMIR	3.pb	1955	OSREDAK	ZALAZJE	12.07.92.
159.	LAZIĆ GOJKA RISTO	1.pb	1968	BRANA BAĆIĆI	BRANA BAĆIĆI	22.10.92.
160.	LAZIĆ NEĐE VOJIN	3.pb	1941	KRAVICA	PERVANI	10.08.93.
161.	LAZIĆ SAVE DRAGAN	3.pb	1960	POLOM	GRABOVSKO	29.06.92.
162.	LONČAREVIĆ MILANA TOMO	3.pb	1948	SUHA	ZALUŽJE	16.09.92.
163.	LUKIĆ GOJKA ŽELJKO	3.pb	1969	POBRĐE	VOLJAVICA	31.07.92.
164.	LUKIĆ GRUJE DUŠAN	C.B	1962	REPOVAC	OPARCI	00.04.93.
165.	LUKIĆ MILANA GOLUB	3.pb	1969	POBRĐE	VOLJAVICA	31.07.92.
166.	LUKIĆ MILANA RADIVOJE	3.pb	1954	s.LOZNICA	s.LOZNICA	12.11.93.
167.	LUKIĆ MILANA RADOVAN	3.pb	1950	s.LOZNICA	s.LOZNICA	28.06.92.
168.	LUKIĆ OBRADA MIODRAG	3.pb	1952	BRATUNAC	GLOGOVA	28.12.92.
169.	LUKIĆ RADOVANA SVETOZAR	3.pb	1935	POBRĐE	ZALUŽJE	06.02.93.
170.	LUKIĆ STOJANA MILISAV	3.pb	1942	DUBOVA	ZALUŽJE	16.09.92.
171.	MALOVIĆ ILIJE MIODRAG	2.pb	1943	BRATUNAC	ZAGONI	05.07.92.
172.	MARKOVIĆ ANDRIJE OGNJEN	3.pb	1950	FAKOVIĆI	PODKORJEN	00.06.92.
173.	MARKOVIĆ JOVE MIRKO	3.pb	1946	SREBRENICA	SREBRENIC	09.05.92.
174.	MARKOVIĆ MARKA MILISAV	1.pb	1955	BRATUNAC	TAMBURIĆA KOSA	05.05.94.

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175. MARKOVIĆ SVETE RADOJE	3.pb	1941	FAKOVIĆI	FAKOVIĆI	05.10.92.
176. MARKOVIĆ SVETE RADOMIR	2.pb	1939	BRATUNAC	FAKOVIĆI	05.10.92.
177. MATIĆ BORISAVA MILORAD	3.pb	1962	SLAPAŠNICA	PETROVIĆI	02.04.93.
178. MATIĆ DESIMIRA MILAN	3.pb	1958	SIKIRIĆ	GORNJI SIKIRIĆ	29.07.92.
179. MATIĆ ILIJE RADIVOJE	3.pb	1937	BJELOVAC	BJELOVAC	14.12.92.
180. MATIĆ JOVE BOŠKO	1.pb	1956	ŠILJKOVIĆI	ŠILJKOVIĆI	00.00.92.
181. MATIĆ NIKODINA DESIMIR	3.pb	1928	SIKIRIĆ	SIKIRIĆ	14.12.92.
182. MATIĆ RADIVOJA GORDANA	O.T	1967	BJELOVAC	BJELOVAC	14.12.92.
183. MATIĆ RADIVOJA SNEŽANA	O.T	1965	BJELOVAC	BJELOVAC	14.12.92.
184. MIHAILOVIĆ JEVTE MIHAILO	2.pb	1951	REPOVAC	ZAGONI	05.07.92.
185. MIJATOVIĆ RISTE BOŠKO	3.pb	1942	ZENICA	ČIZMIĆI	19.03.93.
186. MILADINOVIĆ DRAGOMIRA RATKO	1.pb	1959	JEŽESTICA	KAJIĆI	07.01.93.
187. MILADINOVIĆ DRAGOMIRA ĐORĐO	1.pb	1958	JEŽESTICA	JEŽESTICA	07.01.93.
188. MILADINOVIĆ NIKOLE MILADIN	1.pb	1963	JEŽEŠTICA	JEŽEŠTICA	20.07.92.
189. MILADINOVIĆ OBRADA LAZAR	3.pb	1960	s.LOZNICA	KVARC	15.04.93.
190. MILADINOVIĆ PETKA MIRKO	3.pb	1971	BJELOVAC	BJELOVAC	14.12.92.
191. MILADINOVIĆ PETKA ŠEĐO	3.pb	1975	BJELOVAC	BJELOVAC	14.12.92.
192. MILANOVIĆ DRAGE RADOMIR	1.pb	1940	JEŽEŠTICA	JEŽEŠTICA	24.12.92.
193. MILANOVIĆ MILANA VITOMIR	1.pb	1942	POPOVIĆI	POPOVIĆI	08.01.93.
194. MILANOVIĆ MILORADA NEĐELJKO	1.pb	1938	JEŽESTICA	JEŽESTICA	07.01.93.
195. MILANOVIĆ NEĐELJKA DRAGAN	1.pb	1970	JEŽESTICA	JEŽESTICA	07.01.93.
196. MILANOVIĆ NEĐELJKA MILADIN	1.pb	1920	MRATINJCI	MRATINJCI	27.05.92.
197. MILANOVIĆ RADE NEĐELJKO	3.pb	1950	BRATUNAC	BRATUNAC	28.08.94.
198. MILANOVIĆ RADOVANA GORAN	1.pb	1964	BRATUNAC	KRAVICA	29.05.92.
199. MILANOVIĆ RADOVANA MILOŠ	1.pb	1952	LIPENOVIĆI	VRESINJE	20.03.93.
200. MILINKOVIĆ STEVE RADOVAN	3.pb	1959	SOLOĆUŠA	GLOGOVA	24.12.92.
201. MILIĆ MARKA STOJAN "MIŠO"	3.pb	1959	SASE	SASE	14.12.92.
202. MILKOVSKI NIKOLČE BOJAN	3.pb	1938	SREBRENICA	ZALUŽJE	16.12.92.
203. MILOVANOVIĆ BOŽE SVETOLIK	3.pb	1950	SASE	GLOGOVA	24.12.92.
204. MILOVANOVIĆ MILORADA CVIJETIN	2.pb	1945	BRATUNAC	ZAGONI	19.03.93.
205. MILOVANOVIĆ RADIVOJA SREĆKO	3.pb	1943	s.LOZNICA	s.LOZNICA	08.06.92.
206. MILOVANOVIĆ RADOJA MILISAV	3.pb	1950	SASE	GLOGOVA	24.12.92.
207. MILOŠEVIĆ ŽIVOJINA BOŽO	2.pb	1951	ZAGONI	ZAGONI	09.10.92.
208. MILOŠEVIĆ ŽIVOJINA DUŠAN	2.pb	1963	ZAGONI	ZAGONI	12.07.92.
209. MILOŠEVIĆ ALEKSE ĐORĐO	2.pb	1934	ZAGONI	ZAGONI	12.07.92.
210. MILOŠEVIĆ BOŽE RADOMIR	1.pb	1956	KRAVICA	GLOGOVA	01.06.92.
211. MILOŠEVIĆ BRANKA VIDOSAV	2.pb	1968	ZAGONI	ZAGONI	12.07.92.
212. MILOŠEVIĆ JOVANA MILOŠ	2.pb	1932	ZAGONI	ZAGONI	05.07.92.
213. MILOŠEVIĆ MILKA DRAGIŠA	2.pb	1963	ZAGONI	ZAGONI	12.07.92.
214. MILOŠEVIĆ MILKA MIODRAG	2.pb	1970	ZAGONI	ZAGONI	12.07.92.
215. MILUTINOVIĆ ĐEDE SLAVKO	3.pb	1956	LIPENOVIĆI	BJELOVAC	14.12.92.
216. MITROVIĆ BOGOSAVA RADOVAN	3.pb	1948	SIKIRIĆ	SIKIRIĆ	14.12.92.
217. MITROVIĆ BOGOSAVA SREĆKO	3.pb	1946	SIKIRIĆ	SIKIRIĆ	14.12.92.
218. MITROVIĆ JEVTE DRAGOMIR	2.pb	1929	HRANČA	POTOČARI	16.06.92.
219. MITROVIĆ MILOJKA NEĐELJKO	2.pb	1965	ZAGONI	BILJAČA	12.07.92.
220. MITROVIĆ MILORADA ŽARKO	3.pb	1961	DUBRAVICE	GRABOVSKO	30.06.92.
221. MITROVIĆ SAVE RADE	2.pb	1972	VITKOVIĆI	ZAGONI	29.04.93.
222. MITROVIĆ SAVE STANIMIR	2.pb	1938	HRANČA	BRATUNAC	31.10.92.
223. MITROVIĆ VOJISLAVA GORAN	3.pb	1970	D.MAGAŠIĆI	BJELOVAC	12.07.92.
224. MIĆIĆ JAKOVA MARKO	2.pb	1949	SLAPAŠNICA	PAJIĆI	24.07.92.
225. MIĆIĆ MILISAVA MILOVAN	3.pb	1957	TEGARE	TEGARE	20.06.92.
226. MIĆIĆ RADISAVA ILIJA	2.pb	1949	SLAPAŠNICA	PAJIĆI	24.07.92.
227. MLAĐENOVIĆ LJUBOMIRA ANĐELKO	1.pb	1965	JEŽEŠTICA	JEŽEŠTICA	00.00.92.
228. MLAĐENOVIĆ LJUBOMIRA DRAGAN	1.pb	1960	JEŽEŠTICA	JEŽEŠTICA	00.00.92.
229. MLAĐENOVIĆ MILADINA STANOJE	1.pb	1944	BRANA ĐAĆIĆI	ŠILJAK BRDO	04.03.93.
230. MOMČILOVIĆ DRAGE MILADIN	1.pb	1935	OPRAVDIĆI	OPRAVDIĆI	07.01.93.
231. NEDELJKOVIĆ BOGOLJUBA MILOMIR	3.pb	1940	SIKIRIĆ	SIKIRIĆ	14.12.92.
232. NEDELJKOVIĆ OBRADA LJUBISAV	3.pb	1927	SIKIRIĆ	SIKIRIĆ	14.12.92.
233. NEDELJKOVIĆ RATKA SLOBODAN	3.pb	1970	BRATUNAC	BJELOVAC	14.12.92.
234. NEDELJKOVIĆ SVETISLAVA RATKO	3.pb	1946	SIKIRIĆ	SIKIRIĆ	14.12.92.
235. NEŠKOVIĆ NEDELJKA BOŠKO	C.B	1956	POĐRĐE	V.OSIĆI-OKLANAK	18.11.94.
236. NEŠKOVIĆ RAJKA SLOBODAN	JSN	1972	POBRĐE	BJELAŠNICA	18.07.93.

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237. NEŠKOVIĆ VIDOJA PETAR	2.pb	1960	BRATUNAC	ŠEPA	24.07.95.
238. NEŠKOVIĆ ĐEDOMIRA MILADIN	3.pb	1956	POBRĐE	PODLOZNIK	04.04.93.
239. NIKOLIĆ CVIJANA MITAR	1.pb	1927	KAJIĆI	KAJIĆI	07.01.93.
240. NIKOLIĆ CVIJETINA ĐORĐAN	1.pb	1958	JEŽESTICA	JEŽESTICA	07.01.93.
241. NIKOLIĆ MILOVANA PETKO	3.pb	1954	KRNJIĆI	FAKOVIĆI	05.10.92.
242. NIKOLIĆ MILOVANA TODOR	3.pb	1951	s.LOZNICA	LOZNIČKA RIJEKA	22.10.92.
243. NIKOLIĆ NEDELJKA MILENKO	3.pb	1963	s.LOZNICA	s.LOZNICA	20.06.92.
244. NIKOLIĆ SRETENA MILOVAN	3.pb	1923	STANATOVIĆI	FAKOVIĆI	05.10.92.
245. NIKOLIĆ TODOSIJE MILOVAN	1.pb	1946	OPRAVDIĆI	OPRAVDIĆI	07.01.93.
246. NIKOLIĆ ĐORĐE DUŠKO	1.pb	1961	KAJIĆI	HRANČA	06.06.93
247. NOVAKOVIĆ SVETOZARA MILOŠ	3.pb	1942	ĆIĆEVCI	ĆIĆEVCI	20.05.92.
248. OBRADOVIĆ BORIVOJA OZREN	1.pb	1968	OPRAVDIĆI	VREŠINJE	20.03.93.
249. OBRADOVIĆ ĐEĐE BORIVOJE	1.pb	1944	OPRAVDIĆI	GLOGOVA	24.12.92.
250. OSTOJIĆ BORISAVA GVOZDEN	2.pb	1941	ZAGONI	ĆAUŠ	26.01.93.
251. OSTOJIĆ DRAGE MILORAD	2.pb	1969	BRATUNAC	KREĆICE	12.05.94.
252. OSTOJIĆ MILOŠA MILE	1.pb	1950	BUKOVA GLAVA	JEŽEŠTICA	22.05.92.
253. OSTOJIĆ RISTE MILOVAN	1.pb	1949	JEŽEŠTICA	JEŽESTICA	07.01.93.
254. OSTOJIĆ RISTE MITAR	1.pb	1934	JEŽEŠTICA	KRAVICA	07.01.93.
255. PAJIĆ ALEKSE SIMO	1.pb	1954	BRATUNAC	SUHA	27.01.93.
256. PAJIĆ MILADINA GAVRILO	2.pb	1947	SREBRENICA	ĆAUŠ	26.01.93.
257. PAJIĆ NEDELJKA SLAVKO	3.pb	1965	OSREDAK	ZALUŽJE	08.08.92.
258. PAUNOVIĆ PERIŠE DUŠANKA		1954	BRATUNAC	ZAGONI	05.07.92.
259. PAVLOVIĆ JOSE MILOVAN	3.pb	1919	RATKOVIĆI	RATKOVIĆI	21.06.92.
260. PAVLOVIĆ NOVAKA DUŠAN	1.pb	1965	LIPENOVIĆI	LIPENOVIĆI	14.06.92.
261. PAVLOVIĆ OBRADA VLADIMIR	3.pb	1948	VRANEŠEVIĆ	MAGUDOVIĆA BRDO	27.06.92.
262. PAVLOVIĆ RADOVANA RADOJE	1.pb	1934	LIPENOVIĆI	ŠILJKOVIĆI	07.01.93.
263. PERIĆ MILORADA ŽELJKO	O.T	1973	BRATUNAC	BILJAČA	12.07.92.
264. PETROVIĆ BOGDANA MIODRAG	3.pb	1948	s.LOZNICA	s.LOZNICA	14.12.92.
265. PETROVIĆ BOGDANA MLAĐEN	3.pb	1958	s.LOZNICA	s.LOZNICA	14.12.92.
266. PETROVIĆ CVJETINA ŽIVOJIN	3.pb	1919	OPARCI	OPARCI	01.06.92.
267. PETROVIĆ ĐESIMIRA DRAGAN	VP	1967	BRATUNAC	SANDIĆI	29.05.92.
268. PETROVIĆ ILIJE MIRKO	3.pb	1964	ŠPAT	ŠPAT	08.06.92.
269. PETROVIĆ IVANA MLADEN	3.pb	1971	SREBRENICA	ZALUŽJE	21.05.92.
270. PETROVIĆ JEZDIMIRA MILENKO	3.pb	1956	KOŠTANOVICE	GLOGOVA	24.12.92.
271. PETROVIĆ JUGOSLAVA GOJKO	3.pb	1963	GNIONA	ZALAZJE	12.07.92.
272. PETROVIĆ MILADINA SLOBODAN	3.pb	1976	OBADI	SIKIRIĆ	14.12.92.
273. PETROVIĆ MILANA MIRKO	3.pb	1972	BJELOVAC	BJELOVAC	14.12.92.
274. PETROVIĆ MILORADA DUŠAN	1.pb	1938	BRANA BAĆIĆI	BRANA BAĆIĆI	14.12.92.
275. PETROVIĆ MIĆE RADOJKO	3.pb	1932	ORAHOVICA	ORAHOVICA	15.05.92.
276. PETROVIĆ NEDELJKA BOJO	3.pb	1959	MAGAŠIĆI	DRVAR-KAMENICA	12.09.95.
277. PETROVIĆ RADOVANA VELISAV	2.pb	1953	BRATUNAC	LOMANAC	23.06.95.
278. POPOVIĆ ŽIVORADA STOJAN	1.pb	1967	MAGAŠIĆI	MAGAŠIĆI	16.05.92.
279. POPOVIĆ RISTE KOSTADIN	1.pb	1947	KRAVICA	KRAVICA	07.01.93.
280. PRODANOVIĆ RADE DUŠAN	3.pb	1931	SIKIRIĆ	SIKIRIĆ	14.12.92.
281. RADIĆ MILIVOJA NIKODIN	2.pb	1938	ZAGONI	ZAGONI	30.06.94.
282. RADIĆ MIRKA MILENKO	1.pb	1962	REPOVAC	GLOGOVA	17.03.93.
283. RADIĆ NEDELJKA GORAN	2.pb	1971	BRATUNAC	LEMEŠAC	23.01.93.
284. RADOVIĆ ŽIVOJINA KRSTO	2.pb	1966	HRANČA	PAJIĆI	20.08.92.
285. RADOVIĆ DRAGE BOŽO	1.pb	1943	ŠILJKOVIĆI	ŠILJKOVIĆI	07.01.93.
286. RADOVIĆ LJUBOMIRA RADENKO	1.pb	1974	ŠILJKOVIĆI	ŠILJKOVIĆI	07.01.93.
287. RADOVIĆ RADOSAVA DRAGAN	1.pb	1968	ŠILJKOVIĆI	ŠILJKOVIĆI	07.01.93.
288. RADOVIĆ ĐORĐE VASKRSIJE	1.pb	1956	KRAVICA	KRAVICA	07.01.93.
289. RADOVIĆ ĐEĐE RAJKO	2.pb	1952	POLOM	BOŽIĆI	03.05.93.
290. RAKIĆ BORISAVA DRAGOMIR	3.pb	1957	ZALAZJE	ZALAZJE	12.07.92.
291. RAKIĆ CVIJETINA SVETOZAR	3.pb	1951	ZALAZJE	ZALAZJE	12.07.92.
292. RAKIĆ LJUBOMIRA MIODRAG	3.pb	1959	ZALAZJE	ZALAZJE	12.07.92.
293. RAKIĆ LJUBOMIRA MOMČILO	3.pb	1949	ZALAZJE	ZALAZJE	12.07.92.
294. RAKIĆ MOMČILA MILE	3.pb	1966	ZALAZJE	ZALAZJE	12.07.92.
295. RANKIĆ BORISAVA NENAD	3.pb	1967	SREBRENICA	ŠIZMIĆI	26.05.92.
296. RANKIĆ KRSTE GRUJICA	C.B	1974	BRATUNAC	V.OSIĆI-OKLANAK	18.11.94.
297. RANKOVIĆ MILOŠA SRETEN	1.pb	1962	JEŽEŠTICA	JEŽEŠTICA	08.08.92.
298. RANKOVIĆ VUJADINA MILAN	1.pb	1935	JEŽESTICA	JEŽESTICA	08.08.92.

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299.	RISTANOVIĆ ŽIVKA LJUBOMIR	JSN	1970	BRATUNAC	PAŠINO BRDO	18.03.93.
300.	RISTANOVIĆ MILADINA DESIMIR	2.pb	1956	SELIŠTA	LADA	29.08.94.
301.	RISTIĆ DRAGE MILORAD	2.pb	1971	JELOVCI	ZAGONI	09.11.92.
302.	RISTIĆ LJUBISAVA MILUTIN	3.pb	1940	BOLJEVIĆI	BOLJEVIĆI	05.10.92.
303.	RISTIĆ NOVICE ZARIJA	3.pb	1928	BOLJEVIĆI	BOLJEVIĆI	05.10.92.
304.	RISTIĆ ZARIJE ZORAN	3.pb	1952	BOLJEVIĆI	RADIJEVIĆI	09.01.93.
305.	RONĆEVIĆ MIĆE MILORAD	3.pb	1960	BJELOVAC	s.LOZNICA	28.06.92.
306.	SAVIĆ BOGOLJUBA RADOSAV	3.pb	1963	STANATOVIĆI	ŽANJEVO	22.11.92.
307.	SAVIĆ BRANKA MILENKO	3.pb	1968	BRATUNAC	BILJAĆA	12.07.92.
308.	SAVIĆ JOVE RADOVAN	3.pb	1965	RATKOVIĆI	FAKOVIĆI	05.10.92.
309.	SAVIĆ LAZARA DRAGAN	3.pb	1953	POBRĐE	BILJAĆA	29.06.92.
310.	SAVIĆ OSTOJE MITAR	3.pb	1954	BRATUNAC	KUNJERAC	14.12.92.
311.	SAVLJEVIĆ SAVE MILE	1.pb	1964	ŠILJKOVIĆI	ŠILJKOVIĆ	07.01.93.
312.	SEKULIĆ LJUBISAV PETKO	3.pb	1953	VRANEŠEVIĆI	MOĆEVIĆI	11.04.93.
313.	SIMIĆ ŽIVKA DRAGO	3.pb	1949	ZALAZJE	ZALAZJE	08.06.92.
314.	SIMIĆ ŽIVOJINA DRAGAN	JSN	1969	SIKIRIĆ	BJELAŠNICA	18.07.93.
315.	SIMIĆ DRAGE LJUBIŠA	3.pb	1972	POLOM	GLOGOVA	15.05.92.
316.	SIMIĆ DRAGE MITAR	1.pb	1959	POLOM	POLOM BRDO	07.02.93.
317.	SIMIĆ DRAGE NENAD	3.pb	1963	POLOM	GLOGOVA	15.05.92.
318.	SIMIĆ GOJKA BRANKO	3.pb	1959	SREBRENICA	ZALAZJE	12.07.92.
319.	SIMIĆ GOJKA PETKO	3.pb	1963	GNIONA	ZALAZJE	12.07.92.
320.	SIMIĆ ILIJE RATKO	3.pb	1951	s.LOZNICA	KUNJERAC	14.12.92.
321.	SIMIĆ MAKSIMA MILOVAN	3.pb	1949	SIKIRIĆ	SIKIRIĆ	14.12.92.
322.	SIMIĆ MILIVOJA LAZAR	3.pb	1936	STUDENAC	GNIONA	06.05.92.
323.	SIMIĆ RANKA ZLATAN	3.pb	1961	SIKIRIĆ	SIKIRIĆ	14.12.92.
324.	SIMIĆ SVETOLIKA ŽIVADIN	3.pb	1946	SIKIRIĆ	SIKIRIĆ	14.12.92.
325.	SIMIĆ SVETOLIKA RADISAV	3.pb	1937	SIKIRIĆ	SIKIRIĆ	14.12.92.
326.	SIMIĆ SVETOLIKA VOJISLAV	3.pb	1941	SIKIRIĆ	SIKIRIĆ	21.05.92.
327.	SPAJIĆ DRAGE SREĆKO	3.pb	1928	OBADI	OBADI	08.06.92.
328.	SPASOJEVIĆ ŽIVKA GORAN	C.B	1974	POBRĐE	BJELAŠNICA	18.07.93.
329.	SPASOJEVIĆ STJEPANA TOMO	O.T	1956	POBRĐE	BILJAĆA	12.07.92.
330.	STAMATOVIĆ ĐEDE VLADETA	2.pb	1953	BRATUNAC	HRANČA	24.12.92.
331.	STANKOVIĆ MILOVANA RANKO	1.pb	1957	ZENICA	LEMEŠAC	18.02.93.
332.	STANOJEVIĆ MIHAJLA BLAGOJE	3.pb	1940	ZALAZJE	ZALAZJE	08.06.92.
333.	STANOJEVIĆ STANKA BOŽO	3.pb	1966	ZALAZJE	SASE	12.07.92.
334.	STANOJEVIĆ VITOMIRA NOVICA	3.pb	1951	MAGUDOVIĆI	MAGUDOVIĆI	27.06.92
335	STANOJEVIĆ VOJINA MILADIN	3.pb	1929	ZALAZJE	ZALAZJE	12.07.92.
336.	STEVANOVIĆ BRANKA DRAGIŠA	3.pb	1966	ORAHOVICA	SIKIRIĆ	14.12.92.
337.	STEVANOVIĆ RADOVANA MILAN	1.pb	1973	ŠILJKOVIĆI	ŠILJKOVIĆI	07.01.93.
338.	STEVANOVIĆ ĐEDE MILOSAV	O.T	1953	SREBRENICA	BILJAĆA	12.07.92.
339.	STEVIĆ DANILA BOŽO	3.pb	1956	BRATUNAC	KVARAC	17.04.93.
340.	STEVIĆ PERE MILENKO	2.pb	1966	SLAPAŠNICA	GLOGOVA	28.12.92.
341.	STJEPANOVIĆ ŽIVKA LJUBO	3.pb	1969	OBADI	PEĆIŠTA	20.04.92.
342.	STJEPANOVIĆ DRAGOSLAVA MILENKO	3.pb	1944	SREBRENICA	ZALAZJE	08.06.92.
343.	STJEPANOVIĆ GOJKA MILIVOJE	2.pb	1967	SLAPAŠNICA	HRANČA	25.08.92.
344.	STJEPANOVIĆ OBRADA MILOSAV	1.pb	1923	JEŽEŠTICA	JEŽEŠTICA	08.08.92.
345.	STOJANOVIĆ ŽIVOJINA JELENA	3.pb	1952	s.LOZNICA	s.LOZNICA	28.06.92.
346.	STOJANOVIĆ MILORADA SREĆKO	3.pb	1949	BJELOVAC	BJELOVAC	15.09.92.
347.	STOJANOVIĆ MILOŠA TOMISLAV	3.pb	1966	s.LOZNICA	ZALUŽJE	16.09.92.
348.	STOJANOVIĆ RANKA SLAVOLJUB	3.pb	1959	s.LOZNICA	KUNJERAC	24.06.92.
349.	SUBOTIĆ BLAGOJA MILOMIR	3.pb	1959	STANATOVIĆI	FAKOVIĆI	05.10.92.
350.	TANASIJEVIĆ BLAGOJA ĐEDOMIR	2.pb	1942	BRATUNAC	ZAGONI	05.07.92.
351.	TANASIJEVIĆ SRETENA MILENKO	3.pb	1952	ĆIĆEVCI	ĆIĆEVCI	10.05.92.
352.	TANASIĆ LJUBISAVA MILOMIR	3.pb	1940	SIKIRIĆ	SIKIRIĆ	14.12.92.
353.	TANASIĆ PETRA MILAN	3.pb	1957	SIKIRIĆ	SIKIRIĆ	14.12.92.
354.	TANASIĆ SRETENA RADOVAN	3.pb	1923	BJELOVAC	BJELOVAC	14.12.92.
355.	TODOROVIĆ KRSTE BOŽO	3.pb	1949	s.LOZNICA	s.LOZNICA	14.12.92.
356.	TODOROVIĆ PETRA VASILJ	1.pb	1960	G.BAĆIĆI	BRANA BAĆIĆI	17.12.92.
357.	TOMIĆ ŽIVOJINA RAJKO	1.pb	1954	OĆENOVIĆI	B.BAĆIĆI	17.12.92.
358.	TOMIĆ BOGOLJUBA RADIVOJE	3.pb	1950	SREBRENICA	ZALAZJE	12.07.92.
359.	TOŠIĆ ŽIVORADA MILORAD	C.B	1972	JELAH	BJELOVAC	14.12.92.
360.	TOŠIĆ ŽIVORADA RADENKO	3.pb	1966	JELAH	ANDRIĆI	02.02.93.

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361. TRIŠIĆ MIKAJLA VIDOSAVA	1.pb	1946	JEŽEŠTICA	JEŽEŠTICA	Ø7.Ø1.93.
362. TRIŠIĆ STANKA SLAVORAD	1.pb	1934	BRATUNAC	BRATUNAC	Ø7.Ø2.93.
363. TRIŠIĆ TOMISLAVA ZORAN	3.pb	1968	JELAK	KUNJERAC	14.12.92.
364. TUBIĆ RADA MILADIN	3.pb	1955	SASE	ZALAZJE	12.Ø7.92.
365. VASILJEVIĆ RADOVANA RADISAV	3.pb	1963	OSREDAK	ZALAZJE	12.Ø7.92.
366. VASILJEVIĆ RADOVANA RADISLAV	3.pb	1965	OSREDAK	ZALAZJE	12.Ø7.92.
367. VASIĆ MANOJLA VLADAN	3.pb	1929	BOLJEVIĆI	BOLJEVIĆI	Ø5.1Ø.92.
368. VASIĆ MILOVANA BOŽIDAR	3.pb	1951	RAKOVAC	TAMBURIĆA KOSA	Ø3.Ø5.94.
369. VASIĆ MILOVANA OBRAD	3.pb	1954	ORAHOVICA	SREBRENICA	Ø9.Ø5.92.
370. VASIĆ RADOVANA DRAGAN	3.pb	1964	BOLJEVIĆI	BOLJEVIĆI	2Ø.11.92.
371. VESELINOVIĆ KOSTADINA LAZAR	1.pb	1935	MRATINJCI	KRAVICA	Ø7.Ø1.93.
372. VESELINOVIĆ SLAVOMIRA DRAGAN	3.pb	1965	SASE	GLOGOVA	24.12.92.
373. VEĆERINOVIĆ MILOJA MILOJKO	3.pb	1968	TEGARE	TEGARE	17.Ø7.92.
374. VUJADINOVIĆ ŽIVOJINA BOŠKO	3.pb	1951	OSREDAK	ZALAZJE	12.Ø7.92.
375. VUJADINOVIĆ ŽIVOJINA VASO	3.pb	1954	OSREDAK	ZALAZJE	12.Ø7.92.
376. VUJADINOVIĆ BOGDANA NEDELJKO	3.pb	1947	OSREDAK	ZALAZJE	12.Ø7.92.
377. VUJADINOVIĆ DUŠANA PETKO	3.pb	1958	OSREDAK	GLOGOVA	24.12.92.
378. VUJADINOVIĆ MILOVANA DRAGOMIR	3.pb	1947	OSREDAK	ZALAZJE	12.Ø7.92.
379. VUJADINOVIĆ NEDELJKA RAJKO	3.pb	1971	OSREDAK	ZALUŽJE	16.Ø9.92.
380. VUJADINOVIĆ SLAVOLJUBA MILOVAN	3.pb	1948	OSREDAK	ZALAZJE	12.Ø7.92.
381. VUJADINOVIĆ VASE DUŠAN	3.pb	1940	OSREDAK	ZALAZJE	12.Ø7.92.
382. VUKOSAVLJEVIĆ DRAGE MILISAV	3.pb	1959	ČIĆEVCI	PRIBIĆEVA	31.Ø5.92.
383. VUKOSAVLJEVIĆ MILOVANA JOVAN	3.pb	1968	ČIĆEVCI	SREBRENICA	Ø7.Ø5.92.
384. VUKOSAVLJEVIĆ MILOVANA MILAN	3.pb	1971	ČIĆEVCI	SREBRENICA	Ø7.Ø5.92.
385. VUKŠIĆ SREĆKA NOVAK	3.pb	1931	SIKIRIĆ	SIKIRIĆ	14.12.92.
386. VUČETIĆ PETKA NEBOJŠA	3.pb	1972	s.LOZNICA	s.LOZNICA	16.Ø5.92.
387. VUČETIĆ RADOVANA MILENKO	3.pb	1975	s.LOZNICA	s.LOZNICA	14.12.92.
388. VUČETIĆ SLAVOLJUBA RADOVAN	3.pb	1943	s.LOZNICA	s.LOZNICA	14.12.92.
389. VUČETIĆ SRETENA SVETOZAR	3.pb	1957	s.LOZNICA	s.LOZNICA	28.Ø6.92.
390. ZARIĆ SRETENA ŽIVORAD	3.pb	1956	TEGARE	TEGARE	Ø9.Ø6.92.
391. ZEKIĆ DRAGE GORAN	3.pb	1956	SREBRENICA	SREBRENICA	Ø8.Ø5.92.
392. ZEKIĆ JOVANA ILIJA	3.pb	1955	SOLOČUŠA	ZALAZJE	Ø8.Ø6.92.
393. ZEKIĆ KRSTE BOŠKO	3.pb	1949	VIDOGOR	GLOGOVA	24.12.92.
394. ZEKIĆ MILKE MILAN	2.pb	1954	BLJEČEVA	BLJEČEVA	Ø6.Ø5.92.
395. ZEKIĆ ZAGORKE MILAN	3.pb	1959	SREBRENICA	ZALAZJE	12.Ø7.92.
396. ŠARAC RANKA DRAGAN	3.pb	1954	OBADI	GLOGOVA	24.12.92.
397. ĐOKANOVIĆ PAVLA SRETEN	3.pb	1937	KOŠTANOVIĆ	KOŠTANOVICE	17.12.92.
398. ĐOKIĆ DRAGE MILOVAN	3.pb	1936	BOLJEVIĆI	FAKOVIĆI	Ø5.1Ø.92.
399. ĐOKIĆ MILETE SRETEN	3.pb	1938	BOLJEVIĆI	FAKOVIĆI	Ø5.1Ø.92.
400. ĐOKIĆ NEDELJKA ĐOKO	3.pb	1955	BOLJEVIĆI	FAKOVIĆI	Ø5.1Ø.92.
401. ĐOKIĆ NEĐE MILAN	3.pb	1967	HRANČA	BILJAČA	12.Ø7.92.
402. ĐOKIĆ SRETENA SVETOZAR	3.pb	1965	BOLJEVIĆI	FAKOVIĆI	Ø5.1Ø.92.
403. ĐOKIĆ STANKA STANOJE	1.pb	1942	MRATINCI	MRATINJCI	Ø7.Ø1.93.
404. ĐOKIĆ VASILIJA MILADIN	1.pb	1951	JEŽEŠTICA	Đ.BAĆIĆI	19.Ø1.93.
405. ĐUKANOVIĆ MIKE BOŠKO	1.pb	1928	JEŽEŠTICA	JEŽEŠTICA	Ø7.Ø1.93.
406. ĐUKANOVIĆ SLAVKA ŽIVOJIN	1.pb	1960	BRATUNAC	ČIZMIĆI	Ø9.Ø7.95.
407. ĐUKANOVIĆ VLADE IVAN	1.pb	1954	JEŽEŠTICA	JEŽEŠTICA	Ø7.Ø1.93.
408. ĐUKANOVIĆ VLADIMIRA KRSTIVOJE	1.pb	1935	JEŽEŠTICA	JEŽEŠTICA	Ø7.Ø1.93.
409. ĐUKIĆ ŽIVANA RATKO	3.pb	1967	BOLJEVIĆI	ŽANJEVO	Ø1.Ø8.92.
410. ĐUKIĆ MILOŠA RAJKO	3.pb	1960	BOLJEVIĆI	RADIJEVIĆI	Ø9.Ø1.93.
411. ĐUKIĆ RADISLAVA MIRKO	1.pb	1973	ZENICA	LEMEŠAC	2Ø.Ø1.93.
412. ĐUKIĆ RADOVANA VIDOJE	3.pb	1954	BOLJEVIĆI	FAKOVIĆI	Ø5.1Ø.92.
413. ĐURIĆ NOVAKA SLAVIŠA	1.pb	1975	JEŽESTICA	BLJEČEVSKA KOSA	27.1Ø.93.
414. ĐURIĆ SAVKANA SRBOLJUB	1.pb	1944	JEŽEŠTICA	JEŽEŠTICA	Ø8.Ø8.92.
415. ĐURIČIĆ NIKOLIJE CVIJETIN	2.pb	1930	Đ.MAGAŠIĆI	Đ.MAGAŠIĆI	25.Ø7.92.
416. ĐURKOVIĆ DRAGOLJUBA DRAGAN	3.pb	1952	OSAMSKO	BANDERA	15.Ø3.93.
417. ĐURKOVIĆ RATKA MILENKO	3.pb	1969	DUBRAVICE	BANDERA	15.Ø3.93.
418. ĆETKOVIĆ SPASOJA VUKAŠIN	3.pb	1938	SASE	SASE	12.Ø7.92.
419. ĆIRKOVIĆ JOVANA VUJADIN	3.pb	1974	BRATUNAC	LEMEŠAC	25.Ø1.93.
420. ĆIRKOVIĆ JOVANA SLAVIŠA	3.pb	1973	SELIŠTA	SIKIRIĆ	17.Ø6.92.
421. ĆIRKOVIĆ SREĆKA LJUBIŠA	2.pb	1971	MOŠTANICE	BRESTOVIK	29.Ø7.95.

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S P I S A K

Poginulih pripadnika 1.Brlpbr - dobrovoljci

R.br.	PREZIME / OČEVO IME / I IME	JEDINICA	GODINA ROĐENJA	ADRESA	MJESTO POGIBIJE	DATUM POGIBIJE
1	2		3	4	5	6
1.	BELAKOVIĆ VOJISLAVA PREDRAG	3.pb	1966	BANATSKI KARLOVAC	ZALAZJE	13.10.92.
2.	ĆEROVAC MILENKA BRANISLAV	C.B	1973	SREM.MITROVICA	RAJLOVAC	05.01.94.
3.	CVIJIĆ ILIJE MIODRAG	C.B	1972	NOVI SAD	BJELOVAC	14.12.92.
4.	GLIGORIĆ NIKOLE LJUBISAV	3.pb	1962	LJUBOVIJA	ZALAZJE	12.07.92.
5.	GRAHOVAC MIRKA ALEKSANDAR		1972	BOROVO NASELJE	SANDIĆI	29.05.92.
6.	IGNJATIJEVIĆ ĐORĐE			VUKOVAR	POTOČARI	27.04.92.
7.	IVANOVSKI ŽARKO	1.pb		PRILEP	SANDIĆI	29.05.92.
8.	JOVICA V.SAŠA	2.pb		ZRENJANIN	POTOČARI	28.07.92.
9.	KABLIMOVIĆ BRANKO	2.pb	1950	BEOGRAD	GLOGOVA	28.07.92.
10.	KOMNENSKI ŽARKO	3.pb	1953	NOVI SAD	VOLJAVICA	14.08.92.
11.	KRDŽALIĆ VESNA	1.pb		BELI MANASTIR	SANDIĆI	29.05.92.
12.	MAKSIMOVIĆ NOVAKA BORIVOJE	3.pb	1956	S.MITROVICA	SASE	09.09.92.
13.	MARINĆEVIĆ MIROSLAV	1.pb	1965	NIŠ	ŠILJKOVIĆI	17.12.92.
14.	MASTIKOSA DRAGICA	1.pb	1955	NOVI SAD	SANDIĆI	29.05.92.
15.	MILOJEVIĆ JOVAN zv.RAMBO	2.pb	1955	VARVARIN	ŽUTI MOST	06.09.92
16.	MILOVIĆ BOŽIDARA MILJAN	2.pb		RAŠKA	POTOČARI	20.04.92.
17.	NIKOLIĆ SVETOZAR	2.pb	1971	KRALJEVO	POTOČARI	20.04.92.
18.	OPAČIĆ ĐURE BORISLAV	1.pb	1961	VUKOVAR	SANDIĆI	27.11.92.
19.	PAVLOVIĆ ALEKSANDRA BRANISLAV		1947	BEOGRAD	ZALAZJE	12.07.92.
20.	SAŠA -dobrovoljac	2.pb			POTOČARI	20.04.92.
21.	SUZIĆ SRETO	1.pb	1960	B.MANASTIR	SANDIĆI	29.05.92.
22.	TODOROVIĆ RADIVOJA MIROLJUB	3.pb	1961	NIŠ	ZALAZJE	12.07.92.
23.	UZELAC UROŠA MIHAJLO	1.pb		ZEMUN	JEŽEŠTICA	29.06.92
24.	VOJINOVIĆ DUŠANA MILAN	1.pb	1960	VUKOVAR	SANDIĆI	27.11.92.
25.	VORKAPIĆ MILE MIODRAG	1.pb	1971	TENJA	SANDIĆI	24.05.92.
26.	VUJAKLIJA ĐURĐ	1.pb	1957	VUKOVAR	SANDIĆI	27.11.92.
27.	ĐUKIĆ LEPOSAVE RADOSLAV	3.pb	1968	PAKRAC-RATKOVO	VOLJAVICA	14.12.92.

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S P I S A K

Poginulih pripadnika MUP-a Bratunac

R.br.	PREZIME / OČEVO IME / I IME	JEDINICA	GODINA ROĐENJA	ADRESA	MJESTO POGIBIJE	DATUM POGIBIJE
1	2		3	4	5	6
1.	MIJATOVIĆ SVETOZARA STOJAN		1957	POBRĐE	GLOGOVA	18.05.92.
2.	MILANOVIĆ MILIVOJA MILOVAN		1966	KRAVICA	GLOGOVA	01.06.92.
3.	MILOŠEVIĆ STEVE MILUTIN		1948	BRATUNAC	SANDIĆI	29.05.92.
4.	SIMIĆ JOVANA MOMČILO		1970	BRATUNAC	ŠIRNIĆI	27.10.93.
5.	VASIĆ MILANA NOVO		1967	KRASANPOLJE	BRATUNAC	26.05.92.

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Poginulih pripadnika 1.Grmb

R.br.	PREZIME / OčEVO IME / I IME	JEDINICA	GODINA ROĐENJA	ADRESA	MJESTO POGIBIJE	DATUM POGIBIJE
1	2		3	4	5	6
1.	GRBIć RADENKA MILENKO		1973	PRIJEDOR	MOćEVIćI	17.04.93.
2.	IVANćEVIć RADENKA ELVIS		1973.	MAGLAJ	KVARAC	17.04.93
3.	JUNGIć STANISLAVA JUGOSLAV		1971	BANJA LUKA	KVARAC	17.04.93
4.	LALOVIć LUKE DRAGAN		1964	KALINOVIK	MOćEVIćI	17.04.93.
5.	MILANOVIć MILAN		1964	DOBOJ	KVARAC	17.04.93
6.	PEJIć RANKA NEBO		1967	OMARSKA PRIJEDOR	MOćEVIćI	10.04.93.
7.	ćOLIć STEVE DUŠAN		1952	PANćEVO	MOćEVIćI	10.04.93.

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S P I S A K

Poginulih pripadnika spec.policije Bjeljina

R.br.	PREZIME / OČEVO IME / 1 IME	JEDINICA	GODINA ROĐENJA	ADRESA	MJESTO POGIBIJE	DATUM POGIBIJE
1	2		3	4	5	6
1.	VIĆNJIĆ TODORA RATKO		1949	SARAJEVO	ŠILJKOVIĆI	07.01.93.
2.	ĐUKIĆ MILOMIR			BJELJINA	KRAVICA	07.01.93.

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Poginulih pripadnika spec. brigade "Panteri"

R.br.	PREZIME / OČEVO IME / I IME	JEDINICA	GODINA RODENJA	ADRESA	MJESTO POGIBIJE	DATUM POGIBIJE
1	2		3	4	5	6
1.	NIKOLIĆ VLADE VELJKO		1971	PRIBOJ-LOPARE	GLOGOVA	Ø3.Ø1.93.
2.	PERENDIĆ IVKA RADIVOJE		1967.	PODRAVANJE	ZALAZJE	16.Ø4.93
3.	PERENDIĆ TOMISLAVA SLAVIŠA		1967	PODRAVANJE	ZALAZJE	16.Ø4.93.
4.	PERENDIĆ UROŠA PREDRAG		1968	PODRAVANJE	OBADI	16.Ø4.93.
5.	SAVIĆ JOVANA MILAN		1972	KARAKAJ	KUNJERAC	14.Ø2.93.
6.	STANKOVIĆ CVETKA DRAGOSLAV		1962	NIŠ	KUNJERAC	14.Ø2.93.
7.	STOJANOVIĆ SAVE RADENKO		1973	BIJELJINA	SIKIRIĆ	26.Ø3.93.
8.	ĆIRKOVIĆ PETRA VLADIMIR		1962	ZVORNIK	KUNJERAC	15.Ø2.93.

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Poginulih pripadnika Krajškog bataljona

R.br.	PREZIME / OČEVO IME / I IME	JEDINICA	GODINA ROĐENJA	ADRESA	MJESTO POGIBIJE	DATUM POGIBIJE
1	2		3	4	5	6
1.	KNEŽEVIĆ VOJISLAVA ŽELJKO		1966	PEČENEG ILOVI	s.LOZNICA	14.12.92.
2.	KONDIĆ DANA STEVO		1939	SAN.MOST	BANJEVIĆI	10.02.93.
3.	MALIĆ JOVE MILAN		1963	SAN.MOST	BANJEVIĆI	10.02.93.
4.	MARIĆ RADA STANOJE		1952	ŠTRPCI	VOLJAVICA	20.12.92.
5.	RAKIĆ LUKA		1948	B.BROD	VOLJAVICA	16.12.92.

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summary – REV 0372-0963-0372-0965

WAR PATH OF "POTOČARI" BRIGADE
(MORE IMPORTANT DATES)

-COPY

summary – REV 0372-0963-0372-0965

War path of "Potočari" Brigade More important dates

20th April 1992 Sabotage at Potočari at Arkan's men, first combat assignment
06th May 1992 Action at GNIONA
06th May 1992 Defence of Blječeva
08th May 1992 Sabotage at Vidikovac. Cutting of corridor SASE-SREBRENICA
09th May 1992 Cleansing of the enemy stronghold at Dubovac
12th May 1992 Setting up of guards in Blječeva and the people returned to live there
15th May 1992 Action at Orahovica
17th May 1992 Attack at Sućeska and Buljim by the Chetnika
27th May 1992 Cleansing of Jasikovača
26th May 1992 Attack at Čizmići by the Chetniks
06th May 1992 attack at Bajramovići
01st June 1992 Sabotage at Glogova, with following participants: ALJO-KOLE, SEJAD DELIĆ, OMEROVIĆ SALI, HASANOVIĆ MEVLUDIN, MURATOVIĆ HIDAJET, MURATOVIĆ MEVLUDIN, IBIŠEVIĆ RIFET, OSMIĆ ZEHRUDIN-SELE, EJUB GOLIĆ, BABIĆ SABRIJA, GOLIĆ AZMIR.
08th June 1992 Return to Likari and taking over of Obadi, Radonjići, half of Zalazje
02nd June 1992 Burnt Gajevi towards Zalazje
16th June 1992 Attack at Likari and defence of Likari
20th June 1992 Attack of Chetniks at Budak and Veresinja
22nd June attack at Likari
30th June 1992 Action at Brežani and attack of Chetniks on Buljim and Slatina
01st July 1992 Sabotage at Počauš
02nd July 1992 General attack at Likari
05th July 1992 Action at Zagoni
12th July 1992 Action at Zalazje, Ažlica, Zvijezda
15th July 1992 Sabotage by demolishing the bridge under Ažlica
18th July 1992 Action at Magašići and sabotage at Zalužje
25th July 1992 Sabotage at Paići Hranča
08th August 1992 Action Andrići, Ježestica-unsuccessful
06th August 1992 attack at Sućeska, Petrovići taken over
08th August 1992 Sabotage at Zalužje and a transporter-vehicle destroyed

20th August 1992 Sabotage at Hajdučko groblje, Šiljkovići

14th 15th 16th September 1992 Attack at Blječeva

24th September 1992 Attack at Podravanje

05th October 1992 Action at Fakovići

09th October 1992 Action at Zalazje

14th October 1992 Brigade "Potočari" formed

06th November 1992 Participation in defence of Kamenica at Zvornik

22nd November 1992 an aeroplane destroyed

14th 15th 16th December 1992 Cleansing of Voljavica, Bjelovac, Kunjerac, Sase, Andrići

24th December 1992 Return of Glogova to our hands

27th December 1992 Attack at Đogazi

01st January 1993 Chetniks taking over Paići

02nd January 1993 Attack at Paići

07th January */month not clear in the original possibly June/* Action at Kravica

From 16 to 20th 1993 Cleansing of the region of Jezero

18th January 1993 Attack at Čauš

From 20th to 24th March 1993 Attack at Buljim

24th March 1993 Action at Buljim and Čauš taken over

09th March 1993 Attack at Mačeši

16th April 1993 Action at Zanik

18th April 1993 Kvarc-defence of Srebrenica

11th April 1993 Attack at Osmače

08th April 1993 Repulsing of a sabotage group in the region of Bujaci

17th April 1993 Attack at Likari

REPUBLIC OF BOSNIA AND HERZEGOVINA
BH ARMY GENERAL STAFF

Form no. 1
/handwritten: SCK/

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LIST OF INFORMATION ON COMBAT OPERATIONS (MARKED B/D)

1. NAME OF B/D /COMBAT OPERATION/: Attack on Zalazje **CODE:** -

2. UNIT IN CHARGE OF B/D: TO Srebrenica Municipal Staff

2.1. Commander: Naser Orić
2.2. Place and date of birth: Srebrenica 1967
2.3. Occupation: a) worker; b) clerk: c) farmer: state which: policeman
2.4. Education: a) primary school; b) secondary school; c) post-secondary; d) university: degree level: MA/Sc PhD
2.5. Active officer before the war, rank: No.
2.6. Reserve officer before the war, rank: No.
2.7. No military schools completed: Yes.
2.8. Rank during b/d: No.
2.9. Rank after the war: brigadier

3. OFFICER MOST RESPONSIBLE FOR PLANNING THE B/D:

3.1. First and last name: Naser Orić
3.2. Place and date of birth: Srebrenica Nickname: -
3.3. During planning of the b/d, member of which unit: TO Srebrenica Municipal Staff
3.4. Occupation: a) worker; b) clerk; c) farmer: state which: policeman
3.5. Level of education: a) primary school; b) secondary school; c) post-secondary; d) university: degree level: MA/Sc PhD
3.6. Active officer before the war, rank: No.
3.7. Reserve officer before the war, rank: No.
3.8. No military schools completed: Yes.
3.9. Rank during b/d: No
3.10. Rank after the war: Brigadier

4. COMPOSITION OF DEFENCE/LIBERATION UNIT IN CHARGE OF B/D DURING ITS EXECUTION:

Name of unit	Participated in b/d	Commander	Active officer before war - rank	Reserve officer before war - rank	Rank during b/d
TO Srebrenica Municipal Staff	350	Naser Oric	No	No	-

5. DEFENCE/LIBERATION UNITS TAKING PART IN B/D:

Name of unit	Participated in b/d	Commander	Active officer before war - rank	Reserve officer before war - rank	Rank during b/d
-	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-

6. OCCUPYING/AGGRESSOR UNIT IN CHARGE OF B/D:

Name of unit	Participated in b/d	Commander	Active officer before war - rank	Reserve officer before war - rank	Rank during b/d
Zalazje detachment	150	Sreten Petrović	-	-	Duke

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7. OCCUPYING/AGGRESSOR UNITS TAKING PART IN B/D:

Name of unit	Participated in b/d	Commander	Active officer before war - rank	Reserve officer before war - rank	Rank during b/d
Bratunac Battalion	100	Momir Nikolic	-	-	major
-	-	-	-	-	-
-	-	-	-	-	-

8. BASIC AIM AND TASK OF B/D:

8.1. Aim: liberate PZT /?/

8.2. Task: Inflict losses to the aggressor personnel and Mts /material and technical equipment/

9. IMPORTANCE OF B/D:

9.1. Strategic
9.2. Operational
9.3. Tactical

10: TYPE OF B/D:

10.1. Defence
10.2. Attack

11. FORM OF B/D:

[11.1] Combat
11.2 Battle
11.3. Operation
11.4. Combat - battle
11.5. Combat - operation
11.6. Battle – operation
11.7. Combat – battle – operation

12. DATE OF B/D: 12 July 1992 beginning at 07 hours ending at 1900 hours lasting: twelve hours

13. MARKINGS FOR RECOGNITION OF UNITS – PARTICIPANTS IN B/D:
13.1. Defence/ liberation units: Stripe
13.2. Occupying/aggressor units: uniforms

14: BATTLE CRIES DURING EXECUTION OF B/D:
14.1. Defence/ liberation units: *tekbir"Allahuekber"*
14.2. Occupying/aggressor units: _____

15: PLACE – ZONE (AREA) – SECTOR – FEATURE WHERE B/D WAS EXECUTED: Zalazje

16: CONDITIONS OF EXECUTION OF B/D:

16.1. Time of year:	16.2. Time of day:	16.3. Weather conditions:
a) Spring	a) Dawn	a) Rain
[b] Summer	[b] Daytime	b) Snow
c) Autumn	c) Twilight	c) Wind
d) Winter	d) Night	d) Fog
	d/1 – good visibility	[e] Sunny
	d/2 – poor visibility	

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17. IN COMPARISON WITH OTHER B/D CARRIED OUT BY DEFENCE/LIBERATION UNITS, THIS B/D MAY BE ASSESSED AS HAVING:

17.1. Strategic importance	17.2. Operational importance	[17.3.] Tactical importance
a) great	a) great	[a)] great
b) moderate	b) moderate	b) moderate
c) lesser	c) lesser	c) lesser

18. FORCES ENGAGED:

I. Defence/liberation forces:

18.1. Manpower: 350 fighters
18.2. Combat equipment: -
a) Light weapons: Personal weapons, AP /automatic rifle/ - 300, PAT /anti-aircraft cannon/ and PAM /machinegun/ /illegible/
b) Heavy weapons: MB /mortar/ 82 mm, BST /anti-aircraft cannon/ 82 mm
18.3. Other MTS /materiel and technical equipment/:
a) Ammunition: One combat set
b) Quartermaster: -
c) Medical: -
d) Veterinary: -

e) Construction: -
f) Fire-fighting: -
g) Financial: -

II Occupying/aggressor forces: (estimated)

18.1.1. Manpower: 150 cetniks
18.1.2. Combat equipment: -
a) Light weapons: personal weapons
b) Heavy weapons: MB – 82 mm, Cannon 81, armoured personnel carriers, planes

18.1.3. Other MTS (materiel and technical equipment):
a) Ammunition: -
b) Quartermaster: -
c) Medical: -
d) Veterinary: -
e) Construction: -
f) Fire-fighting: -
g) Financial: -

19. COMBAT DOCUMENTATION:

19.1. Fully preserved, kept at (with): -
19.2. Partly preserved, kept at (with): -
19.3. Not preserved: -
19.4. Prepared and carried out without combat documentation:

20. RESULT (OUTCOME) OF B/D:

20.1. Defended territory, which (km^2): -
20.2. Defended important facilities, which:
20.3. Liberated temporarily occupied territory, which (km^2): 15 km^2
20.4. -
20.5. Liberated inhabited areas (village – town): Zalazje – Ažlica /?/
20.6. Ensured conditions for further b/d: -
20.7. Communication links between units (which): -

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20.7. /as written/: Losses suffered by **occupying/aggressor** forces:
a) Manpower: a/1) Killed: 108 a/2) Seriously wounded: - a/3) Captured: 7
b) MTS: b/1) Light weapons: 100 rifles
b/2) Heavy weapons: MB 82 mm – 7; 120 mm -1; Cannon 8.1 – 1, 105 1 truck
b/3) Ammunition: approximately 7000 pieces; 7.9 and 7.62 MES
b/4) Other MTS: armoured personnel carrier destroyed; liaison means

20.8. Losses suffered by **defence/liberation** forces:
a) Manpower: a/1) Killed: 9 a/2) Seriously wounded: 14 a/3) Captured: -
b) MTS: b/1) Light weapons: -
b/2) Heavy weapons: -
b/3) Ammunition: -
b/4) Other MTS: -

c) Feature, populated area, area (in km^2): -

20.9. Strengthened – undermined combat morale (b/m):
a) Strengthened b/m of defence/liberation units
b) Undermined b/m of defence/liberation units
c) Strengthened b/m of occupying/aggressor units
d) Undermined b/m of occupying/aggressor units

21. SUCCESS LEVEL OF COMBAT AIM AND TASK:

21.1. Combat aim:
a) Full
b) Partial
c) Poor – none

21.2. Combat task:
a) Full
b) Partial
c) Poor - none

.....

Form filled in, date and place: Zivinice 12 May 1997

Source of information:

1. Amir Mehmedovic (Data research)	1. Smajo Mandzic, commander of 28... (First and last name – rank – function during b/d)
2. Smajo Mandzic (Data research)	2. Amir Mehmedovic, Assistant Chief of Staff (First and last name – rank – function during b/d)
	3. Suad Smajlovic, company commander (First and last name – rank – function during b/d)
Information reviewed by:	4. - (Combat document)
1. Zulfo Tursunović, commander of 281st light brigade (First and last name – rank – function during b/d)	5. - (Combat document)
2. Ekrem Salihović, t.k. 040 /?/ (First and last name – rank – function during b/d)	6. - (Combat document)
3. Amir Kulaglic, assistant commander for morale (First and last name – rank – function during b/d)	

/stamp:
28th DIVISION COMMAND/

COMMANDER
- Corps
28th Division

/a signature/
(signature)

Information about combat operations in the defence/liberation war in Bosnia and Herzegovina 1992-1995 is an integral part of overall research carried out within the project: "Analysis of combat operations of the territorial defence or BH Army from 1992 to1995" commissioned by the General Staff and initiated on the order of the General Staff Commander, Army General Rasim DELIC, issued under number 1/1-958 on 2 August 1996. The completed form should be treated as a confidential document.

THE COMMAND HEADQUARTERS OF THE FIRST LIGHT INFANTRY BRIGADE OF BRATUNAC
STRICTLY CONFIDENTIAL, DOC NO: Ø1-22-1/94 01334556
ON 17 JANUARY 1994

REGULAR COMBAT REPORT
SUBMITTED TO: - THE COMMAND OF THE DRINA CORPUS

1. THE ENEMY DID NOT CARRY OUT ANY MILITARY ACTIVITY IN THE ZONE OF OUR BRIGADE.

2. OUR MILITARY READINESS IS AT THE NEEDED LEVEL.

3. THE SITUATION WITHIN THE ZONE OF RESPONSIBILITY OF OUR BRIGADE IS UNCHANGED I.E. THE SAME AS THAT YESTERDAY.

4. THE SECURITY AND MORALE LEVELS ARE GOOD.

5. THERE WERE NO CASUALTIES OR WOUNDED. IN THE REGION OF THE VILLAGE OF ZALAZJE, WE FOUND SEVERAL CORPSES (SKELETONS) OF SERBS IN RUINED HOUSES, WHO HAD BEEN KILLED IN BATTLES IN ZALAZJE IN 1992. THE CORPSES WERE FOUND THANKS TO THE PROGRESSION OF THE LINES OF THE 3RD INFANTRY BRIGADE. IT IS NECESSARY TO GET THE HELP OF PATHOLOGISTS FROM THE MILITARY MEDICAL ACADEMY (VMA) AND TV CREWS, SO AS TO CARRY OUT AN IDENTIFICATION OF THE VICTIMS, AS WELL AS A MEDIA PROPAGANDA OF GENOCIDE AGAINST SERBS AND A DECENT BURIAL OF VICTIMS OF GENOCIDE AGAINST SERBS.
6. OTHER BUSINESS: WE HAVE NOT SUCCEEDED IN SECURING A CONNECTION WITH THE "RED BERETS" PLATOON IN RAJLOVAC THROUGH PUMUP, SO WE KINDLY ASK YOU TO TAKE MEASURES TO RETURN THIS UNIT, OUR UNIT, TO BRATUNAC.

COMMANDER
LIEUTENANT COLONEL
SLAVKO OGNJENOVIC

SUBMITTED: 17 JAN 1994, at 15.20hrs
CODE WRITER: (signature)

RECEIVED: At 15.40hrs

I**,** Sabina Gadžo Mutapčić, certified court interpreter for the English language, certified by the Ministry of Justice of the Federation of Bosnia and Herzegovina (BiH), *do hereby certify that the present English translation is a true and faithful rendering of document written in Bosnian.*

Issued in Sarajevo, 19 June 2015
Trans. no: 2015-02-Eng-54



D219e

BOSNIA AND HERZEGOVINA
FEDERATION OF BOSNIA AND HERZEGOVINA
MILITARY UNIT 5036 - TUZLA

Number: 30-26-/34-1/-17-03/1-1-768
Tuzla, January 18, 2000

Based on Article 171 of the Law on general administrative procedure (RBiH Official Gazette No. 2/92, 6/92, 16/..., 21/93 and 13/94), and following the order of the 2nd Corps Command, conf. No.: 03/12-72 from June 05, 1997, with previously completed revision by the Commission for revision of issued certificates about way, conditions, circumstances of death, wounding, missing soldiers of the RBiH armed forces, after a request of the Secretariat for soldiers' issues in Srebrenica, we hereby issue the

CERTIFICATE

Confirming that ORIC Dzemal NASER from Srebrenica, born on March 03, 1967 in Potocari was a member of VJ */military unit/* 6445 from April 17, 1992 to April 22, 1996, and that he was wounded on July 12, 1992 in Zalazje during a task execution (in the left leg, by pieces of a hand bomb) and on March 15, 1993 in Pribicevac, executing a task (by pieces of a tank grenade.)

This certificate abolishes all previously issued certificates related to personal and family invalid fees and extraordinary material provision.

This certificate is issued for the purpose of regulating rights based on soldier-invalid protection of families of missing-killed soldiers and war invalids (personal and family invalid fees, extraordinary material provision etc.) and may not be used for other purposes.

COMMANDER
Colonel
Nariz Saric

/Appropriate seal affixed/

D 220e

BOSNIA AND HERZEGOVINA
FEDERATION OF BOSNIA AND HERZEGOVINA
Federation Ministry of Defence
JOINT COMMAND OF FEDERATION ARMY
2nd Division of Federation Army
Military Post Office 5294 Tuzla

No.: 29-24-20-4-34-1-162-1/04
Tuzla, August 02, 2004

Submits to- Attorney VASVIJA VIDOVIC

SUBJECT: Excerpt from database of 28th division of KoV
for the brigadier Naser Oric

Based on a request of the attorney, Vasvija Vidovic dated on August 02, 2004, in order to submit evidence materials for the brigadier Oric (Dzemal) Naser, born on March 03, 1967 in Potocari, Srebrenica municipality, we hereby submit to you the excerpt from official records on wounding:

1. On July 12, 1992 he was wounded in the left leg by pieces of a hand grenade in Zalazje, EXECUTING A FIGHTING TASK.
2. On March 15, 1993 he was wounded by pieces of a tank grenade on defence in Pribicevac, EXECUTING A FIGHTING TASK.
3. The above-mentioned information was taken from database of 28th division, from official records on date, place, way and circumstances of wounding or death.

BK/NK

COMMANDER
Colonel
Dzevad Salibasic
Signature

SUBMITTED TO.
-The addressed person
-a/a

BOSNIA AND HERZEGOVINA
FEDERATION OF BOSNIA AND HERZEGOVINA
Federation Ministry of Defence
MILITARY UNIT 5294 - TUZLA
Number: 29-24-20-4-34-1-719/04
Tuzla, August 02, 2004-11-06

After a request of Vasvija Vidovic, temporarily residing in _____, based on Article 169 of the Law on administrative procedures ("FBiH Official Gazette", No.: 2/98), I hereby issue:

CERTIFICATE

1. Confirming that Oric (Dzemal) Naset, born on March 03, 1967 in Potocari, Srebrenica municipality is included in records of the military unit 6445 in the period from April 17, 1992 to April 22, 1996.
2. The above-mentioned person was wounded on July 12, 1992 in Zalazje and March 15, 1993 in Pribicevac as the RBiH Army soldier, executing a fighting task.

The certificate is issued for the purpose of regulating _____-, and as such cannot be used for any other purposes.

COMMANDER
Colonel
Dzevad Salibasic
Signature

MILOŠEVIĆ BRANISLAV

Father's name: Nedeljko,

Born: 1956

B r a t u n a c **03728048**

S T A T E M E N T

-regarding the circumstances of the perishing of Milošević Milutin from Bratunac

On 29 May 1992, a message arrived to the Bratunac Police Station that the regional road Bratunac - Konjević Polje – Sarajevo had been closed since the Muslim extremists had set up barricades and were preventing free passage on that road by gunfire. The then chief of the Public Safety Station - Police Station in Bratunac, Milošević Milutin, a native of Kravica, had sent a police platoon, to which I was also appointed, and were arrived at the scene, at the said road in the vicinity of the village of Lolići, immediately after Kravica. There was an obstacle on the road, and on the surrounding hilltops the Muslims – the "Green Berets" – were dispersed, or the ustashas[1], I can call them that – who, as soon as they arrived, opened fire on us from all available weapons. They mostly shot from infantry automatic weapons, so that a couple of our men were killed as soon as we arrived there, among the first Milutin Milošević, and from the victims who were killed there, and whom I knew, were: Milutin, Petrović Dragan, Ivanović Ivan, Milanović Goran, who were all from Bratunac, and nearby, two girls were also killed, but I do not know their names, as well as other Serbs who had found themselves close to there, so that there were a total of 12 victims. Milutin was undoubtedly among them, whom I saw being shot and falling, and his body was identified the other day by relatives with the help of professional doctors, after they had been exhumed from a joint grave. Because we were being attacked by a very large army, who were obviously well organised, and there were around 300 of them, those of us who hadn't been shot had to pull back, so that our own dead remained there on that spot, Milutin among them. After our territory was liberated, they were all found in the joint grave. That the facts I am giving in this statement are true can be confirmed by several people, who are were members of the police who had been there on the spot. I am prepared to repeat this statement before any international organ or court, especially the fact that Milutin Milošević had been killed by Muslims on that day and at the said location. I can repeat and swear to this if needed, because I was an eyewitness to his death.

Bratunac, 8 April 1993

THIS STATEMENT WAS GIVEN BY:
Milošević Branislav
(signature)

[1] The name given to members of a nationalist Croat movement.

I, Sabina Gadžo Mutapčić, certified court interpreter for the English language, certified by the Ministry of Justice of the Federation of Bosnia and Herzegovina (BiH), *do hereby certify that the present English translation is a true and faithful rendering of a document written in Bosnian.*

Issued in Sarajevo, 19 September 2015
Trans. no: 2015-Eng-02-070



UNITED NATIONS MECHANISM FOR INTERNATIONAL CRIMINAL TRIBUNALS

Case No. MICT-14-79

PROSECUTOR

v.

NASER ORIĆ

PUBLIC

ANNEX 4

SUPREME COURT
OF THE REPUBLIKA SRPSKA
No: 11 0 K 009182 12 Kž
Banja Luka, 22 November 2012

IN THE NAME OF THE REPUBLIKA SRPSKA!

The Supreme Court of the Republika Srpska, in a judicial council comprising Judge Dragomir Miljević, the President of the Council, Daniela Milovanović and Gorana Mikeš, as members of the Council, with the presence of Sonja Matić as recorder, in the criminal case against the accused Brane Dmičić and Rade Brkić, for the criminal act of war crimes against the civilian population, as described in Article 142, Paragraph 1 of the Criminal Code of the Socialist Federal Republic of Yugoslavia (hereinafter: CC SFRY), and in relation to Article 22 of the same Code, in deliberating an appeal submitted by the defence counsels of the accused, filed against a judgement of the District Court in Banja Luka No: 11 0 K 009182 12 K, dated 25 June 2012, at a session which was also attended by the Republic Prosecutor Branka Milošević, the accused parties and their defence counsels, reached this:

JUDGEMENT

I

The appeal submitted by the defence counsel of the accused Rade Brkić is rejected as unfounded, and in the case of this accused, the Supreme Court confirms the judgement of the District Court in Banja Luka No 11 0 K 009182 12 K, dated 25 June 2012.

II

Following an appeal submitted by the defence counsel for the accused Brane Dmičić, the judgement of the District Court in Banja Luka No 11 0 K 009182 12 K, dated 25 June 2012 is modified by official duty in relation to the accused Brane Dmičić, such that, in the case of the accused Brane Dmičić, identified under the personal data provided in the first instance judgement,

and pursuant to provisions of Article 297, Item 6) of the Criminal Procedure Code of the Republika Srpska,

THE ACCUSATION IS ABANDONED

The accused were seen as having committed the following:

That they, in violation of the rules of international law contained in Article 3 of the Fourth Geneva Convention relative to the protection of civilian persons in time of war, adopted 12 August 1948, and in Article 13, Paragraphs 2 and 3, in connection with Article 4, Paragraph 2, Item e) of the Additional Protocol to the said Convention, relative to the protection of the victims of non-international armed conflicts, dated 8 June 1977 (Protocol II), during the armed conflict, which took place from the first half of April 1992 until the end of November 1995 at the latest, on the territory of Bosnia and Herzegovina between the organised armed forces of

2

the Army of the Republika Srpska on the one side, and the Army of Bosnia and Herzegovina and the Croat Defence Council on the other, as members of the Gornji Ribnik Police Department, that they, together with Garić Dragan, also a member of the same Department, who has perished in the meantime (24 September 1995), took the life of one civilian of Muslim (Bosniak) nationality, even though this person did not belong to any armed formation nor participated in military operations, such that, on 14 July 1992, after the second accused in this case had apprehended and brought the victim Lemeš Alija from his family house in Velečevo, Ključ municipality, to the premises of the Gornji Ribnik Police Department, where he was interrogated for a brief while, and was then, after the first accused and second accused, together with Garić Dragan, had agreed on and wanted wilfully to take his life, led out of the police station, put into a TAM car (refrigerator car), owned by the Gornji Ribnik Agricultural Cooperative, and driven by Savanović Dragan. Savanović had prior to that been ordered by Garić to bring the car in front of the police station, and sometime between 3 pm and 4 pm, the driver Savanović, together with the refrigerator, and followed by two police cars of the Gornji Ribnik Police Department, carrying the first accused, second accused and Garić, drove off in the direction of Srnetica, and, after arriving at the area of Vučija Poljana, which is today within Ribnik municipality, around 11 km away from Ribnik, the first accused and Garić stopped the cars, took Lemeš out of the car – refrigerator, and took his life by shooting at him from automatic rifles, during which time the second accused kept guard some 10 to 15 m away, watching that someone does not pass that way. They then buried the body. The remains of the victim's body were exhumed on 9 October 1998 in Vučija Poljana.

Thus, the accused would qualify as having committed the criminal act of war crime against the civilian population, as given in Article 142, Paragraph 1 of the CC SFRYa, and in connection with Article 22 of the same Code.

J u s t i f i c a t i o n

(...)

In relation to the accused Brane Dmičić, this Court has, in response to the appeal submitted by his defence counsel, and by official duty, found that the contested judgement has violated the Criminal Code at the expense of this accused, since the accused Dmičić had already been convicted of the same criminal act of war crime against the civilian population, as given in Article 142, Paragraph 1 of the CC SFRY, and in connection with Article 22 of the same Code, in a judgement that is in full effect.

Namely, the District Court in Banja Luka, in Judgement No 11 0 K 008567 12 K, dated 30 March 2012, found Brane Dmičić guilty of the criminal act of war crime against the civilian population as described in Article 142, Paragraph 1 of the CC SFRY, and in relation to Article 22 of the same Code, and he was sentenced to a penalty of imprisonment in the duration of 3 (three) years.

In deliberating the appeals submitted by the District Prosecutor's Office in Banja Luka and by the defence counsel of the accused, the Supreme Court of the Republika Srpska issued Judgement No 11 0 K 008567 12 Kž, dated 11 September 2012, rejecting the appeal submitted

by the defence counsel for the accused Dmićić as unfounded, but took into consideration the appeal of the District Prosecutor and modified the said Judgement of the District Court in its decision on the penalty, by convicting the said accused of the act of war crime against the civilian population, as given Article 142, Paragraph 1 of the CC SFRY, and sentencing him to a penalty of imprisonment of 4 (four) years.

After looking into the above mentioned Judgement of the District Court in Banja Luka, No 11 0 K 008567 12 K, dated 30 March 2012, which is in force, this Council determines that this Judgement has pronounced the accused Brane Dmičić guilty, since he, during the armed conflict, and violating the rules of international law, as an active member of the Gornji Ribnik Police Department, that he, together with Dragan Garić, on 15 July 1992, took the life of civilian Omer Hadžić, though Hadžić was neither a member of any armed formation, nor did he take part in military operations.

The contested judgement has pronounced the accused Brane Dmičić guilty, since he, during the armed conflict, and violating the rules of international law, as an active member of the Gornji Ribnik Police Department, that he, together with the accused Rade Brkić and with Dragan Garić, on 14 July 1992, took the life of civilian Alija Lemeš, though Lemeš was neither a member of any armed formation, nor did he take part in military operations.

Therefore, in the cited judgement of the District Court in Banja Luka, which is in force, the accused Dmičić was found guilty of the following: that he, during the same armed conflict cited in the contested verdict (an armed conflict that lasted from the first half of April 1992 until the end of November 1995 at the latest, on the territory of Bosnia and Herzegovina, between the organised armed forces of the Army of the Republika Srpska on the one side, and the Army of Bosnia and Herzegovina and the Croat Defence Council on the other), by violating the same rules of international law cited in contested judgement (given in Article 3 of the Fourth Geneva Convention relative to the Protection of Civilians in Times of War, dated 12 August 1948, Article 13, Paragraphs 2 and 3, and in connection with Article 4, Paragraph 2, Item e) of the Additional Protocol to said Convention relative to the protection of victims of non-international armed conflicts, dated 7 June 1977 (Protocol 2)), as member of the same armed formation (the Gornji Ribnik Police Department), that he, together with Dragan Garić, did on 15 July 1992, take the life of civilian Omer Hadžić, though Hadžić was neither a member of any armed formation, nor did he take part in military operations. In the contested judgement, the accused is additionally charged with taking the life of another civilian, the victim Alija Lemeš, just a day earlier i.e. on 14 July 1992.

The criminal act of war crime against the civilian population, as described by Article 142, Paragraph 1 of the CC SFRY, can be carried out only during a war, armed conflict or an occupation, as well as in the conditions of a civil war. The methods of execution of this act include the issuing of an order for these forbidden actions, or in committing the said actions oneself towards the civilian population (actions which are listed in the cited legal provisions), and in violation of the rights of international law. In addition, the actions that fall within this criminal act are defined as a number of alternatives, and thus, it is sufficient that a perpetrator has committed one of these alternatives for the criminal act to be determined as existing. However, if one person commits several actions of the same type, or of different types, described in Article 142, Paragraph 1 of the CC SFRY, they will not be considered as several criminal acts of war crimes against the civilian population, but rather as just one criminal act

of this kind. This is based on the fact that the legal description of this criminal act states that the matter in question is one criminal act, regardless of the number of committed individual actions.

The accused Dmičić has already been convicted in a judgement that is in force of having taken the life of one civilian, during the armed conflict, while he was a member of an armed formation, and in violation of the rules of international law. The contested judgement charges the accused that he, during the same armed conflict, violating the same rules of international law, and as a member of the same armed formation, took the life of another civilian. Therefore, had the accused been tried at the same time for both these events, he could not have been charged as having committed two criminal acts of war crimes against the civilian population, as described in Article 142, Paragraph 1 of the CC SFRY, but only as having committed oe criminal act of this kind, as given in the above article and paragraph, seeing as he committed two actions i.e. committed the murder of two persons.

Therefore, it is clear that in this case there has been a violation of the “non bis in idem” principle, that is, that the accused Brane Dmičić has already been convicted before a court of law, and that a binding decision has already been reached for this criminal act.

In relation to the above, this Council thus modified the first instance judgement in relation to the accused Brane Dmičić, by reaching a verdict of abandonment, as defined by the provisions of Article 328, Paragraph 1, and in connection with Article 312, Item v), and in connection with Article 297, Item g) of the Criminal Procedure Code of the RS.

Recorder
Sonja Matić

President of the Council
Dragomir Miljević

The accuracy of this copy is certified by
The Manager of the Court Registry Office
Amila Podraščić

I, Sabina Gadžo Mutapčić, certified court interpreter for the English language, certified by the Ministry of Justice of the Federation of Bosnia and Herzegovina (BiH), [illegible]

Issued in Sarajevo, 28 September 2015
Trans. no: 2015-Eng-02-085



UNITED NATIONS MECHANISM FOR INTERNATIONAL CRIMINAL TRIBUNALS

Case No. MICT-14-79

PROSECUTOR

v.

NASER ORIĆ

PUBLIC

ANNEX 5

In the City of Westminster Magistrates' Court

The Government of the Republic of Serbia
-v-
Ejup Ganic

1. In these proceedings the Government of the Republic of Serbia seeks the extradition of Dr Ejup Ganic in respect of offences said to have been committed in Bosnia in May 1992. In the course of the 6 day hearing I have received a substantial amount of evidential material amounting to some 20 lever arch files. I am greatly indebted to Counsel both for the Government and for the defendant for their various schedules and skeleton arguments which have guided me through that material. I have also considered the evidence of 17 witnesses of which 6 were called to give evidence personally on behalf of the defence and 1 in rebuttal on behalf of the Government.

   The proceedings are brought under the Extradition Act 2003 and Serbia is a Part II Territory. It is an accusation request certified by the Secretary of State on the 12th April 2010, the defendant having been arrested under a provisional warrant and first appearing before the court on the 1st March 2010.

2. Mr James Lewis QC, Mr Ben Watson and Miss Rachel Scott appear for the Government of Serbia. Mr Edward Fitzgerald QC and Mr John Jones appear on behalf of Dr Ganic. There are no issues over the certification of the request or over the identification of the defendant. In opposing an order for extradition the defence raise a number of issues. They are:-

- Abuse of Process
- The conduct alleged does not amount to an Extradition Offence
- Extradition would be barred by Section 81(a) and (b) on the grounds that the request is made for the purpose of prosecuting or punishing him on account of his race, religion, nationality and political opinions
- The defendant would be entitled to functional immunity
- That extradition should be barred under Section 82 of the Act by reason of passage of time
- That extradition would be incompatible with his Human Rights particularly Articles 2, 3, 6 and 8.

3. **Extradition Offences**

Section 137(3) of the 2003 Act requires:-

(a) The conduct occurs outside Category 2 Territory

(b) That conduct is punishable under the Law of the Category 2 Territory with imprisonment or another form of detention for a term of 12 months or a greater punishment

(c) In corresponding circumstances equivalent conduct would constitute an extra territorial offence under the law of the relevant part of the United Kingdom punishable with imprisonment or another form of detention for a term of 12 months or a greater punishment.

4. The conduct complained of all occurred within the territory of Bosnia and Herzegovina and therefore outside the Category 2 Territory of Serbia. Under the terms of the Criminal Code of the Socialist Federal Republic of Yugoslavia, which applied to Serbia at the relevant time, Article 143 (War Crimes against the Wounded and Sick) was punishable by a term of imprisonment of not less than 5 years or by capital punishment; Article 146 (the Unlawful Killing and Wounding of the Enemy) was punishable by

imprisonment of not less than 1 year and Article 148 (the Use of prohibited means of warfare) was punishable by a term of imprisonment of not less than 1 year. Similar conduct which would give rise to allegations of grave crimes would be prosecuted in the United Kingdom under the Geneva Conventions Act 1957 and all such offences carry more than 12 months imprisonment.

5. If the conduct amounts to a grave crime under the Geneva Conventions, I am satisfied that such offences would have been punishable by virtue of Criminal Code of the Socialist Federal Republic of Yugoslavia by imprisonment of not less than 12 months imprisonment. I am also satisfied that Section 196 of the Extradition Act 2003 would have applied had there not been any law in force in respect of the time and place where the conduct was alleged to have occurred, which would have rendered the conduct an Extradition offence.

6. Therefore, if the conduct in this case is capable of amounting to one or more of the grave breaches of the Geneva Conventions 1949, the conduct would amount to an extraditable offence.

7. In considering whether the conduct does amount to a grave breach of the conventions I have examined the conduct alleged in the request itself. In due course it will be necessary for me to examine the evidence that has been tendered during the course of this case together with the written materials. From that evidence I will make certain findings of fact which I shall need to apply to other facets of this case. For the purpose in deciding whether there is an extradition offence I have considered solely the conduct alleged in the request itself. The allegation is:

> On 2nd May 1992, in the absence of the President, the defendant, in the capacity of Acting President of the Presidency of Bosnia and Herzegovina, personally commanded an attack on the military hospital, the JNA Officers' Club and a column of medical vehicles. On the 3rd May 1992 is it alleged that the defendant personally issued the command to start an attack on JNA column in Dobroviljacka Street (Volunteers Street).

8. The request refers to the conflict as "The International Combat Conflict" whereas the grave war-crimes of the Geneva Convention would only be applicable if there was an international armed conflict. For the Government Mr Lewis submitted that this were merely an error in translation and that it was acknowledged by Serbia that the conflict at the time was one of an international armed conflict. Mr Fitzgerald QC on behalf of the defendant submitted that the term "International Combat Conflict" was coined to avoid a finding that it was an international armed conflict which might have rendered Serbia responsible in international law for aggressively entering Bosnia, thereby becoming responsible in international law to pay reparations to Bosnia. It is said that for that reason Serbia has always claimed that the conflict in Bosnia was an internal conflict.

9. On this aspect it is not for me to consider the consequences which would flow from this decision but it is in my view entirely clear that the events in Sarajevo on the 2nd and 3rd May 1992 and in the weeks prior to that weekend amounted to an international armed conflict.

10. "Grave Breaches" of the four Geneva Conventions of 1949 only apply to international armed conflicts which arise between two or more of the High Contracting Parties to the conventions. The independent State of Bosnia and Herzegovina was created by a declaration of independence on the 3rd March 1992 which was recognised by the European Union and others on

the 6th April 1992. At that time Serbia formed part of the Federal Republic of Yugoslavia which was the successor to the Socialist Federal Republic of Yugoslavia. It is submitted that it was not until the 14th December 1995 that Serbia as part of the Federal Republic of Yugoslavia recognised Bosnia and Herzegovina as a Sovereign State. It is submitted that Serbia could not have claimed at the time to have been a high contracting party to the Geneva Conventions. However it would appear that the Federal Republic of Yugoslavia assumed the obligations of the Socialist Federal Republic of Yugoslavia. This is a complex area of law and this court does not have the expertise to give an authoritative ruling on this issue. For the purposes of these proceedings I have concluded that the Geneva Conventions apply in the conflict that was taking place in Bosnia in May 1992.

11. If the defendant was responsible for giving the command for an attack upon the military hospital in Sarajevo and the command for the attack on the medical vehicles on the 2nd May these would amount to allegations of grave crimes under the Geneva Convention and are therefore extradition offences.

12. It is alleged that the defendant in his capacity as Acting President of Bosnia and Herzegovina personally commanded the attack upon the JNA Officers' Club. There is nothing in the request to indicate why in an international armed conflict such an attack would constitute a grave crime contrary to the Geneva Conventions. I therefore find that no war crime is committed by the attack on the JNA Officers' Club.

13. The following day a group of 30 JNA vehicles left the officers' club to restore President Izetbegovic to the Bosnian Presidency. It was also seized upon an opportunity to arrange for the evacuation of JNA forces and

military equipment from the officers' club to a destination outside the city. There is nothing within the request which would bring the conduct alleging issuing a command to attack a military convoy within the meaning of a grave breach of the Geneva Conventions 1949. However there is a reference to an Ambulance within the convoy and the request alleges that Dr Ganic expressly ordered an attack upon the Ambulance within the convoy. To that limited extent I am satisfied that the conduct alleges an extradition offence. I am not satisfied that the rest of the convoy had any right to protection or that the soldiers in the 30 vehicles were prisoners of war.

14. **Section 81 Bar to Extradition by virtue of Extraneous Circumstances and Abuse of Process**

The procedural history of the investigation with a view to prosecution is long and complex. Serbia began a lengthy investigation, a file was prepared and forwarded to the Republic of Serpska. Serpska in turn forwarded the case to the International Criminal Tribunal for former Yugoslavia (ICTY) and in 2002 and 2003, pursuant to the Rome Agreement of 1996, (which has become known as "Rules of the Road"), the ICTY carried out an investigation and a review of the evidence. Having reviewed all the evidence, the investigators found that there was no case against Dr Ganic. That decision was binding upon Serbia at the time but the arrangements under the Rome Agreement have now lapsed. It is quite properly submitted by the Government that this is not a case where a court has tried an issue and reached a conclusion. Therefore, the Government submits, the investigation remains open and can be reviewed and prosecutions commenced by their War Crimes Prosecutions Office. Whilst I accept that the decisions of the investigators at the International Criminal Court do not give rise to a bar in the sense of Autrofois, it raises a very

significant obstacle to any other prosecution. The ICTY was set up as an independent international organisation to deal with alleged war crimes so that trials could be conducted without it being said that defendants had to face trial by their enemies. I therefore attach considerable weight to the fact that no prosecution was brought.

15. In May 2002 the High Representative in Bosnia and Herzegovina established a Prosecutors Office for the State of Bosnia and Herzegovina which was to be an international and independent investigative team. The investigation was most thoroughly undertaken by a team led by a British CPS Lawyer, Mr Alcock, who gave evidence to me. He had read of the arrest of Dr Ganic and realising that he had material evidence contacted Dr Ganic's Solicitors.

16. Mr Alcock gave evidence before me. I reached the conclusion that he was a dedicated, thorough and entirely independent investigator lawyer. In giving evidence he was precise and extremely careful to give accurate, clear and unambiguous answers to the questions that were put to him. He was clearly a witness of truth and his investigations were extensive, including taking evidence in Canada from the United Nations Commanding Officer at the time.

17. He examined all the evidence which had been obtained and in many instances obtained further evidence from witnesses which clarified the earlier statements and their evidence was then "a lot less damaging than it had been". He examined the witness statements, film footage, historical documents and books about the events of 1992.

18. In respect of the events of 2nd May 1992 Mr Alcock reached the conclusion that Dr Ganic could not and was not "responsible in any war-crime guilt sense for anything at all, and could not have been on the facts that he knew at that time." In respect of the events of 3rd May he looked more critically at the evidence because by that time Dr Ganic had been assigned the role of Acting President. Mr Alcock told me "I believe it is in the interest of justice that war crimes that took place in Dobroviljacka Street are brought to trial but it is very much in the interest of justice to make sure one brings the right people to trial. As far as Dr Ganic is concerned I can see nothing, except a politically motivated trial against him to justify an indictment".

19. Mr Damir Arnaut gave evidence to me in person. He is the adviser for Legal and Constitutional Affairs to the President of Bosnia and Herzegovina. He has played a significant part in the diplomatic aspects of these extradition proceedings. He told me something of the diplomatic moves which occurred between Bosnia, Serbia and the Turkish Governments. It seems that these extradition proceedings come at a sensitive time for Serbia whose Government were anxious to proceed with the various stages of an application to join the European Union. One of the aspects of their application concerned the adoption of what is known as the Srebrenica Declaration which was designed to provide proof to the European Union that Serbia was distancing itself from the Milosevic Regime. That declaration would not be as effective if the Bosnian Muslims in Bosnia and Herzegovina were to criticise the declaration. The Serbian Government was anxious to avoid including the word genocide in the declaration but the Bosnians equally felt that the word should be included in the declaration. It is obviously a very sensitive issue. It seems that in attempting to resolve the issue the Turkish Ambassador had received an assurance from the Serbian Government that they would not send the

extradition request in time for the certification deadline thus bringing the extradition proceedings to an end. However the United Kingdom Ambassador in Belgrade confirmed that the extradition request had been received although a Serbian Government Minister claimed that the United Kingdom Ambassador must be mistaken. He was not and the extradition request had been received. The Serbian Ministry of Foreign Affairs in Belgrade reported that the extradition request "comes at a very sensitive time when the declaration on Srebrenica is expected to be adopted in the Serbian Parliament and the political climate in Serbia is in a very sensitive phase". The President of Bosnia was invited to issue an official press release praising the adoption of the declaration and in return it was said that the United Kingdom Home Office would receive an oral message to the effect that:-

> "The Republic of Serbia does not object to a decision by the UK Home Secretary not to certify the Republic of Serbia's request for extradition of Ejup Ganic to Serbia provided that the Attorneys for Ejup Ganic submit to the United Kingdom Home Secretary a written guarantee that Ejup Ganic will immediately return to Bosnia and Herzegovina and further provided that the authorities of Bosnia and Herzegovina submit to the United Kingdom Home Secretary a written guarantee that they will issue him such travel documents that allows only for his travel to Bosnia and Herzegovina".

20. It seems that further negotiations over future dealings with prosecutions for war crimes were attempted but came to no agreement. Following the agreed text, a letter was sent from Bosnia to the United Kingdom Home Office providing the written guarantee that had been sought about travel documents. It seems that Serbia's message had not been conveyed to the Home Office but pressure was still being put upon the Bosnia and Herzegovina Government not to condemn the declaration because of the absence of the word genocide against "unmistakable warnings that the

Ganic matter depended upon statements following the adoption of the declaration".

21. Mr Arnaut's evidence on these political moves was largely unchallenged but he also dealt with matters relating to witness 'A'. He made it clear that this witness had approached him unsolicited and had attended at his offices on the 16th March. He produced and was able to show to the prosecutor the record of the attendance log showing the witnesses attendance. Because the witness was protected there was no mention of witnesses identity in court and it was not disclosed to me. Mr Arnault commented that the witness had told him that he was surprised to give evidence about Dr Ganic, that the investigating magistrate had switched the tape recording off from time to time and that the two police officers who approached him had offered as an inducement some form of employment with the Serpska Police. The Government countered this evidence with allegations that Mr Arnault had offered bribes to the witness. I found Mr Arnault's evidence to be truthful and compelling both in relation to the creditability of witness 'A' and in relation to the political and diplomatic pressures that were being exerted.

22. Dr Schwarz-Schilling attended to give evidence before me. He was the High Representative of Bosnia and Herzegovina from 2005 – 2007 and also the Special Representative of the European Union. He told me that he was "of the absolute opinion that the prosecution was politically motivated and that it was geared towards achieving political aims." He pointed out that the Prime Minister of the Republic of Serbska had "made statements to the effect that it was about high time that Mr Ganic ended up behind bars". He commented that this was a statement from a high ranking politician. In his view the War Crimes Prosecution Office in Serbia was not independent

of political influence and that it would be impossible for the proceedings to take place fairly. He explained that this was political because "it was important for the Serbian side to demonstrate that Bosnian people and been brought in front of the court … and we are going to satisfy the requirements of the population". In his view it will be impossible to obtain a fair trial in Serbia under these conditions.

23. Dr Schwarz-Shilling acknowledged in cross-examination that he had not seen the evidence that was presented under the Rules of the Road Agreement or to the international prosecutor in the Bosnian State Prosecutors Office but in his view "two courts have been concerned with this matter already. The political situation is such that there is quite likely a political motivation."

24. Lord Ashdown the former High Representative of the European Union, whose evidence was given in statement form, said that in his "firm view, based on what I know about Dr Ganic's case and about Serbia and its national politics, the request is about politics rather than justice". Whilst I accept the general observation based upon his extensive knowledge of the region, I note that it is in part based upon the fact that Dr Ganic was arrested on the day that Radovan Karadzic was due to give his opening statement to the ICTY. In Lord Ashdown's view this was no coincidence and indeed the defence have submitted that this was a contrived situation brought about deliberately by the Serbian Government. However, on careful examination of the chronology it is apparent that the proceedings against Dr Ganic in Belgrade begun considerably earlier and that it is likely that the date of his arrest was dictated largely by the date of his arrival in the United Kingdom 2 days before his arrest. I am satisfied that it is more likely than not that the arrest was made on the day that Karadzic was

giving his opening statement was coincidence rather than design. I am therefore not taking that fact into account in considering the evidence of political motivation.

25. Marco Hoare's evidence concluded that the prosecution was brought for political reasons at a time when the Serbian Government was attempting to pass a resolution in the Serbian Parliament apologising for the Srebrenica Massacre of 1995. He believes there is also a more general desire to rewrite the history of the war in Bosnia in order to "equalise the guilt of the parties".

26. The defence submit that there is an absence of detail within the extradition request which had it been included would have demonstrated that the offences were not extradition offences. The submission is therefore, that as these facts, known to the Serbian Government, were withheld there is an inference that can be drawn that the request is made for the purpose of prosecuting him or punishing him on account of his religion, nationality or political opinions. I have received considerable volume of evidence from a large number of witnesses from which I make the following findings of fact:-

(a). That the siege of Sarajevo began on or about the 5th April 1992.

(b). That the city suffered severe bombardment each night.

(c). That there was fierce fighting within Sarajevo on the morning of the 2nd May

(d). That the military hospital also housed units of the Yugoslavian National Army.

(e). That although attacked subsequently it is more likely than not that the military hospital was not attacked on the 2nd May. (as per the prosecution evidence of Dr Tausan)

(f). That the JNA Officers' Club was occupied by soldiers and was a legitimate military target.

(g). That the President of Bosnia and Herzegovina was detained by enemy forces at the airport and held as hostage.

(h) That there was an attack on the JNA Officers' Club at about 11am on the 2nd May.

(i) That two ambulances were dispatched from the medical hospital together with other military vehicles to attend the wounded at the JNA Officers' Club.

(j) That somewhere between 12 noon and 1pm on the 2nd May thosevehicles became involved in fighting, although the accounts of how this arose are irreconcilable.

(k). That in the absence of the President, the State of Bosnia was under the authority of the Presidency which included at least six Vice Presidents.

(l). Dr Ganic as one of those Vice Presidents received authority from the President, then being detained, to assume the role of Acting President, that authority being given at about 7pm on the 2nd May 1992.

(m). With the assistance of the United Nations the President was taken, together with his daughter, to the JNA Headquaters where he was detained against his will.

(n). Dr Ganic negotiated for the President's release and agreed that the President and his daughter would be released in return for the safe passage of General Kukanjac. It was not agreed that a military convoy should leave the barracks with soldiers and military equipment.

(o). Between 250 and 400 JNA Troops together with military equipment attempted to leave in the convoy. The leading UN vehicles containing the President and the General.

(m). The convoy was divided by irregular forces and the military part of the convoy came under attack during which some 7 soldiers were killed.

27. I am satisfied that by the time the extradition request was made the Serbian Investigators were aware of evidence to support these facts and the withholding of this information in the request is a matter which I shall have to consider in relation to the submission on abuse of process.

28. **Abuse of Process in the light of Earlier Investigations**

On the 18th February 1996 Serbia, Bosnia and Herzegovina and Croatia entered into the Rome Agreement which became known as "The Rules of the Road". Amongst other things it provided that serious violations of international humanitarian law would be considered by the International Tribunal only if the evidence had been reviewed and deemed consistent with International Legal Standards by the International Tribunal. The Office of the Prosecutor for the ICTY was set up with responsibility for carrying out that review. The investigation and review was properly carried out and on the 17th June 2003 the ICTY concluded that the evidence was insufficient to provide reasonable grounds for believing that the defendant committed any serious violations of international humanitarian law.

29. The Rules of the Road procedure closed in May 2004. A War Crime Chamber of the State Court of Bosnia and Herzegovina came into being. Mr Philip Alcock was appointed an International Prosecutor for war crimes and conducted an investigation into whether Dr Ganic was responsible for war crimes arising out of the events of the 2nd and 3rd May 1992. Mr Philip Alcock's evidence to me was clear and precise. He was undoubtedly a witness of truth but it was also apparent that he was an immensely careful and thorough investigator. He concluded that in

respect of the events of the 2nd May this was "a day of simple war between two ethnic group in the horrible street fighting of that day, there is no evidence whatsoever to connect Dr Ganic with the commission of any war crime … I never saw nor heard of any conduct on the part of Dr Ganic which would justify indicting him for any JNA deaths that occurred in Sarajevo street fighting on the 2nd May 1992. Until the evening of the day Dr Ganic was not the Acting President". Mr Alcock recounts the details of the investigation and his findings. He concludes "My assessment of Dr Ganic's role is that he is not culpable. While any suspicions obviously had to be investigated, I thoroughly investigated those suspicions and the results of the investigation demonstrated that there was no basis for proceeding against Dr Ganic". "I do not know of any subsequent evidence since I handed over my file in October 2009, which would change my opinion".

30. Mr Lewis on behalf of the Government submits that first there is further evidence and secondly, because there is no finding of a court, the two decisions not to prosecute are decisions of prosecutors and that a third prosecutor might validly come to a different conclusion.

31. The fresh evidence on which the Government rely is the evidence of Dr Tausan whose evidence suggest there was no attack on the military hospital on the 2nd May and two further witnesses who claim to have been injured or tortured after being taken prisoner in Volunteers Street on the 3rd May. It said that 5 witnesses who had already been interviewed both by the ICTY and Dr Alcock were interviewed again.

32. Whilst I accept Mr Lewis' submission, in general, that nothing would prevent prosecution where a case is passed from one individual prosecutor

to another and a different conclusion is reached. However I conclude that there is a distinction between the role of individual prosecutors and the role of the prosecutor within the ICTY. The ICTY set up with international agreement to deal with war crimes alleged to have been committed in the former Yugoslavia and has within its responsibilities the investigation and prosecution of those cases. The investigation was carried out on behalf of the ICTY and acting upon a report from their investigators and prosecutors it was the ICTY that concluded that there was no case against Dr Ganic. Until The Rules of the Road Agreement ended in May 2004 no other prosecutor would have authority to bring proceedings. The Bosnian War Crimes Office also established itself on an international basis and it was to investigate crimes alleged to have been committed within the State of Bosnia. That enquiry also concluded that there was no case against Dr Ganic. It is in my view not sufficient for the War Crimes Prosecutor in Serbia merely to say that they take a different view of the evidence where a decision has been made by the ICTY.

33. I therefore have to consider whether there is any significant fresh evidence which was available to the Serbian War Crimes Prosecutor that was not available to the ICTY or to Mr Alcock in his review.

34. I note that the District Court that issued the original proceedings did so on the 29th December 2008, the file having been received by Serbia only a few days earlier. I therefore conclude that the decision to issue proceedings was made solely on the evidence available to the ICTY and to Mr Alcock. It seems that "particularly striking testimonies" on which the Serbian Government have decided to continue with the proceedings that they started in December 2008 relate to 5 witnesses who had already been interviewed and 2 further witnesses who claimed to have been tortured

and injured after the 3rd May attack on the convoy. All the witnesses included protected witnesses 'A' and 'B' were interviewed by Mr Alcock. Witness 'A' did not provide any new information and in Mr Alcock's view witness 'B' was a highly unreliable witness.

35. I have not been provided with any new evidence that could be described as "striking" or substantial .

36. The Government called Mr Milan Petrovic in rebuttal. Mr Petrovic is the Deputy Prosecutor of the War Crimes Prosecution Office in Belgrade and would have the responsibility of prosecuting if this matter were to be extradited. He gave me general information about the War Crimes Office in Serbia. In the course of his evidence he asserted that the War Crimes Office had not received any criticism or complaint and that the ICTY had been willing to transfer cases to them. I am satisfied that there has been criticism expressed and that applications to transfer cases to Serbia from the ICTY have been withdrawn because of concerns. He was a prosecutor in the case of Jurisic in which the defendant was convicted and sentenced to 12 years imprisonment based upon an agreement made on 27th April 1992. The witness acknowledged in cross-examination that no such agreement had been reached. I found his evidence unreliable.

37. In examining Mr Petrovic's evidence I have considered the evidence of Dr Noel Malcolm who gave evidence on behalf of the defence. He was asked about his view of the information contained in the request. He told me "In the errors of misrepresentations that I have found it seemed to me there was a pattern. This was not just random incompetence and getting things wrong. All the significant misrepresentations pointed in the same direction". He told me of a culture within Serbia which amounted to "a

very powerful current opinion which involves a fundamental denial of the origins nature and scale of what was done in Bosnia by Serb Forces". Dr Malcolm reached the conclusion that Dr Ganic being a very prominent Bosnian Muslim Politician who was also a Bosnian Leader during the war would suffer prejudice at his trial on grounds of politics and ethnicity.

38. On the first day of this extended hearing I was satisfied that there was prima facie evidence of an abuse of process and as a result of that ruling evidence has now been adduced in relation to that issue. No evidence having been adduced to show a striking or substantial change in the evidence available to the ICTY or to Mr Alcock I have concluded that there is no valid justification for commencing proceedings against Dr Ganic. I am satisfied from the evidence of Mr Arnaut that during the course of these extradition proceedings attempts were made to use the proceedings as a lever to try to secure the Bosnian Governments approval to the Srebrenica Declaration. If indeed the Government was prepared not to pursue these extradition proceedings in return from Bosnian co-operation that in itself must be capable of amounting to an abuse of this process of this court. Some corroboration for Mr Arnaut's evidence could be found in the unusual circumstances in which an application to vary conditions of bail was made to this court to enable Dr Ganic to return to Bosnia. It would appear that that application was founded upon attempts at diplomatic agreements. I am also satisfied that the descriptions in the request are as Dr Malcolm described significant misrepresentations. The combination of the two leads me to believe that these proceedings are brought and are being used for political purposes and as such amount to an abuse of the process of this court.

39. It is submitted that Section 81 provides a bar to extradition in these circumstances. The statutory protection from politically motivated prosecutions would arise if Dr Ganic would suffer prejudice at his trial on grounds of religion, race or politics. Two careful and thorough investigations have concluded that there is no evidence on which charges could be brought against Dr Ganic. The District Court in Serbia issued proceedings at the request of the War Crimes Prosecutor without any further evidence having been obtained. The evidence which has been subsequently obtained is not significant and does not justify any change in the initial decision. In the absence of any significant additional evidence there would appear to be only two possible explanations, that of incompetence by the Serbian Prosecutors or a motive for prosecuting which is based upon politics, race or religion. From the evidence I have received from Mr Petrovic I am satisfied that the War Crimes Prosecutors Office is far from incompetent. Mr Philip Alcock concluded that he could see nothing to justify an indictment other than a politically motivated trial. Dr Schwarz-Schilling told me that the prosecution was high on the political agenda and that he was "absolutely of the opinion that it is politically motivated". Dr Carole Hodge told me that in her view the prosecution was politically motivated and that there would be enormous pressure to convict because if he were acquitted there would be uproar in Belgrade. Dr Malcolm believed that Dr Ganic would be the target of Serb hostility.

40. I am therefore satisfied that extradition is barred by reason of extraneous considerations by virtue of Section 81(a) and (b) in due course I will be ordering that the defendant be discharged.

41. I have dealt in this hearing with issues relating to extradition offences, abuse of process and the Section 81 bar to extradition on the grounds of the

defendant's race, religion, nationality and political opinions. Although they have been raised I have not heard full argument in relation to functional immunity, passage of time and incompatibility with human rights.

42. Since reaching these conclusions I have been informed that the Chief War Crimes Prosecutor in Belgrade is reported as having informed the Press that Dr Ganic is wanted for the purposes of interrogation before a decision is made as to whether he is to be indicted. This is not evidence before me and I cannot be sure that the report is accurate but if it is the case that Dr Ganic is wanted for interrogation rather than prosecution extradition would not be permissible under the Extradition Act of 2003.

43. The defendant is therefore discharged.

Tim Workman
Senior District Judge
City of Westminster Magistrates' Court

27th July 2010