

**UNITED
NATIONS**

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

Case No. IT-04-75-PT
Date: 4 April 2012

IN TRIAL CHAMBER II

Before: Judge Guy Delvoie, Presiding
Judge Burton Hall
Judge Antoine Kesia-Mbe Mindua

Registrar: Mr John Hocking

Date: 4 April 2012

THE PROSECUTOR

v.

GORAN HADŽIĆ

PUBLIC

**SECOND JOINT REPORT ON AGREED FACTS AND
DOCUMENTS**

The Office of the Prosecutor:

Mr. Douglas Stringer

Counsel for the Accused:

Mr. Zoran Živanović
Mr. Christopher Gosnell

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

Case No. IT-04-75-PT

THE PROSECUTOR

v.

GORAN HADŽIĆ

PUBLIC

SECOND JOINT REPORT ON AGREED FACTS AND DOCUMENTS

I. Introduction

1. Pursuant to the Trial Chamber's Pre-trial Work Plan, dated 16 December 2011, this is the second Joint Report of the parties to report the status of efforts to identify agreed facts.¹ This report also incorporates efforts made by the parties to agree on documentary evidence.

II. Agreed Facts

2. On 16 March 2012, the Prosecution provided the Defence with a follow-up proposal in relation to a residual number of 15 facts from the list of 87 facts first proposed on 10 January 2012. The parties have agreed to 11 of these facts.² *Annex A* contains all facts agreed to previously as well as the newly agreed facts. The fifth column of this table indicates the status of these facts, distinguishing between those agreed to at the time of filing of the first Joint Report and those as to which agreement was reached subsequently.

¹ On 3 April 2012 the Pre-Trial Judge granted a request for a one-day extension of the 3 April 2012 deadline for filing this Second Joint Report.

² Facts numbered: 1, 2, 15, 25, 27B, 28, 31, 32, 36, 38 and 45.

3. On the same day, the Prosecution also submitted 15 facts that had been agreed by the parties in the *Martić* case. Five (5) of these facts have been agreed by the Parties in this case. They are included in *Annex A*.³

4. In order to avoid duplication, facts previously submitted by the Defence for the purpose of the first Joint Report and subsequently agreed by the Prosecution have been recoded with letters, rather than numbers.⁴ This avoids having, *e.g.*, a Prosecution Fact No.1 and also a Defence fact bearing the same number.

5. As indicated in the first Joint Report, the Prosecution has proposed that the Defence agree as to the circumstances and proof of death of 194 Vukovar Hospital/Ovčara Farm incident victims. On 15 February 2012, the Prosecution provided the Defence a DVD containing the underlying material proving the death of each of these 194 victims. On 22 March 2012, the Prosecution submitted a set of 10 general facts relating to the circumstances of the killings at the Ovčara farm and Grabovo mass grave. The Prosecution also provided the Defence with specific proposed facts for 2 of the 194 victims as examples. Should the Defence agree with the format of those 2 victims, the Prosecution will propose to apply the same to all 194 victims. The Defence is continuing to review those materials and to consider whether agreement on this issue can be reached.

III. Agreed documents

6. On 16 March 2012, the Prosecution submitted a list of 59 documents to the Defence, for the purposes of agreement on their authenticity, relevance and admissibility. The Prosecution indicated that, should the Defence agree to these documents, they will be submitted for admission from the Bar Table. The majority of the proposed documents are laws included in the Official Gazette of the SAO SBWS. Other document types include decisions, orders, minutes of meetings and letters.

³ Facts numbered: 90, 93, 95, 97 and 99.

⁴ Facts numbered: B, C, D and F.

7. On 26 March 2012, the Defence responded, agreeing to 43 of the 59 proposed documents⁵, seeking clarification in relation to a further set of nine (9) documents⁶ and indicating it was unable to agree in relation to five (5) documents.⁷ Two documents were withdrawn as duplicates.⁸

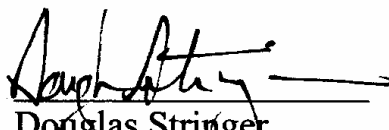
8. In its 26 March response, the Defence also submitted ten (10) documents for agreement between the parties. The Prosecution is able to agree to the authenticity, relevance and admissibility of six (6) of these.⁹ The Prosecution is currently considering three (3) proposed documents admitted in the *Dokmanović* case. The parties are consulting in relation to the last document.

9. In total, the Prosecution and the Defence have agreed to the admissibility of 56 documents and would seek these documents to be tendered through the Bar Table at the beginning of trial. *Annex B* contains a list of these documents including the date, title and ERN of the document; documents proposed by the Defence have the letter “D” preceding the number.

Word Count: 731



Mr. Zoran Zivanović
Counsel for Goran Hadžić



Douglas Stringer
Senior Appeals Counsel

Dated this 4th day of April 2012
At The Hague, The Netherlands

⁵ Documents numbered: 1, 2, 4-10, 14-22, 24-36, 38-40, 42, 44-45, 48, 50-51, 53, 55, 59

⁶ Documents numbered: 11-13, 23, 43, 46, 47, 49 and 54.

⁷ Documents numbered: 3, 37, 41, 52, 58.

⁸ Documents numbered: 56 and 57.

⁹ Documents numbered: D4, D6, D7, D8, D9 and D10.

ANNEX A**to**

**SECOND JOINT REPORT ON AGREED FACTS AND
DOCUMENTS**

Annex A
to the Second Joint Report on Agreed Facts and Documents

Date	Agreed fact number	Fact	Source	Status
07 September 1958	1	Goran HADŽIĆ was born on 7 September 1958 in the municipality of Vinkovci, Republic of Croatia, then SFRY. He lived in the village of Pačetin, Municipality of Vukovar.	V000-3814, p.5 Indictment, para.1	Newly Agreed, 2nd report
1973-1980/1981	2	Goran HADŽIĆ completed elementary school in 1973 at the Borovo Naselje in the municipality of Vukovar and completed gymnasium, that is secondary education in Vinkovci, around 1978. In 1979, he enrolled at the Faculty of Economy at the University of Osijek and stopped studies at the 3rd year of the university.	V000-3814, pp.5-6 Testimony Case No. IT-95-13a-T, T.3074-3075	Newly Agreed, 2nd report
1981	3	Goran HADŽIĆ was married in 1981.	V000-3814, p.5 Indictment, para.1	Previously Agreed, 1st report
1990	5	Goran HADŽIĆ was elected a member of the municipal assembly of Vukovar in the first multi-party elections, as a candidate of the SDP, the Party of Democratic Change.	Testimony Case No. IT-95-13a-T, T.3075 Indictment, para. 2	Previously Agreed, 1st report
1998	7	From 1998 until at least 2002, Goran HADŽIĆ worked at the Nafta Industrija Srbije, a Serbian oil company, as Advisor to the General Manager.	V000-3814, p.6	Previously Agreed, 1st report
late 1990's-early 2000's	8	Goran HADŽIĆ pursued university education at the Novi Sad University and graduated in 2000. Following this, he pursued postgraduate studies at the same university. By profession, Goran HADŽIĆ is an economist.	V000-3814, pp.5-6	Previously Agreed, 1st report
1945	9	From 1945 to 1990 the Socialist Federal Republic of Yugoslavia ("SFRY") was composed of six republics: Croatia, Bosnia and Herzegovina ("Bilj"), Macedonia, Montenegro, Serbia (including the autonomous regions of Kosovo and Vojvodina), and Slovenia.	Galić Trial Judgement, par. 192	Previously Agreed, 1st report

Annex A
to the Second Joint Report on Agreed Facts and Documents

Date	Agreed fact number	Fact	Source	Status
01 February 1990	11	Serbian people in Knin formed the SDS in February 1990. In the Vukovar region, the SDS was formed on 10 June 1990.	V000-3814, p.11	Previously Agreed, 1st report
10 June 1990	13	Goran HADŽIĆ took part in the formation of the SDS in Vukovar and was elected President of the Municipal Committee of the SDS for Vukovar on 10 June 1990 during a public gathering.	V000-3814, p.12 and 17	Previously Agreed, 1st report
25 July 1990	14	On 25 July 1990, a Serbian Assembly was established in Srb, north of Knin, as the political representation of the Serbian people in Croatia. The Serbian Assembly declared sovereignty and autonomy of the Serb people in Croatia. On 31 July 1990, Milan Babić became president of the Serbian National Council ("SNC"), the executive body of the Serbian Assembly. On 16 August 1990, the SNC called for a referendum on the autonomy of Serbs in Croatia to be held between 19 August and 2 September 1990. The referendum was held between 19 August and 2 September 1990: 97.7% voted in favour of autonomy.	Martić TJ, para. 128	Previously Agreed, 1st report
21 December 1990	15	On 21 December 1990, the SAO Krajina was proclaimed by the municipalities of the regions of Northern Dalmatia and Lika, in south-western Croatia. At that time, the SAO Krajina did not include the territories which formed part of the SAO SBWS (Slavonia, Baranja and Western Srem). Article 1 of the Statute of the SAO Krajina defined the SAO Krajina as "a form of territorial autonomy within the Republic of Croatia" on which the Constitution of the Republic of Croatia, state laws and the Statute of the SAO Krajina were applied.	Martić TJ, para. 129	Newly Agreed, 2nd report

Annex A
to the Second Joint Report on Agreed Facts and Documents

Date	Agreed fact number	Fact	Source	Status
1991	18	Vukovar had its own police force within the Croatian MUP. The Serbs separated from this MUP in early 1991 and established their own MUP in Borovo Selo. The first Secretary of MUP in Borovo Selo appointed by Goran HADŽIĆ was Janko Milaković.	V000-3814, p.121-122, 138-139	Previously Agreed, 1st report
04 January 1991	22	On 4 January 1991, the Executive Council of the SAO Krajina established the Regional Secretariat for Internal Affairs ("SUP") in Knin. On the same date, Milan Martić was appointed the Secretary for Internal Affairs of the SAO Krajina. On 5 January 1991, the Executive Council informed the MUP of Croatia that the establishment of the SUP revoked the authority of the MUP of Croatia in the SAO Krajina territory.	Martić TJ, para. 131	Previously Agreed, 1st report
07 January 1991	23	On 7 January 1991, Goran HADŽIĆ attended a secret meeting in a village near Vinkovci called Sidski Banovci. He was invited by Ilija Končarević and Ilija Petrović, both from Novi Sad (in Serbia). During this meeting, the Serbian National Council was created for Eastern Slavonia-Baranja and Western Srem, as a sub-Council of the Council in Knin.	V000-3814, pp.65-66	Previously Agreed, 1st report
March 1991	25	By March 1991, Goran HADŽIĆ was President of the Municipal Board of Vukovar, a member of the Main Board and Executive Committee of the SDS in Knin, and Vice-President of the Regional Board of the SDS for Slavonia, Baranja and Western Srem in Pakrac. Veljko Džakula was the President of the Regional Board. HADŽIĆ became a member of the Regional Board in the autumn of 1990.	Indictment, para.2 V000-3814, pp.12-13, 16, 20	Newly Agreed, 2nd report

Annex A
to the Second Joint Report on Agreed Facts and Documents

Date	Agreed fact number	Fact	Source	Status
01 April 1991	27	On 1 April 1991, the Executive Council of the SAO Krajina passed a decision joining the SAO Krajina to Serbia, wherein it was stipulated that the constitution and laws of Serbia, as well as the constitutional-legal system of the SFRY, were to apply in the SAO Krajina.	Martić TJ, para. 133	Previously Agreed, 1st report
12 May 1991	27B	On 12 May 1991, a referendum was held in the SAO Krajina on the following question: "[a]re you in favour of the SAO Krajina joining the Republic of Serbia and staying in Yugoslavia with Serbia, Montenegro and others who wish to preserve Yugoslavia?" with 99.8% voting in favour. On 16 May 1991, the Assembly of the SAO Krajina approved the outcome of the referendum and stated that "the territory of the SAO Krajina is a constitutive part of the unified state territory of the Republic of Serbia."	Mrkšić TJ, para.20 and Martić, TJ para.134	Newly Agreed, 2nd report
May 1991	28	On 19 May 1991 a referendum was held in Croatia, except in predominantly Serb areas, concerning independence of Croatia from Yugoslavia. 94.1% of those voting came out in favour of independence.	Mrkšić TJ, para.20 and Martić, TJ para.134	Newly Agreed, 2nd report
02 May 1991	31	On 2 May 1991, Croatian Ministry of Internal Affairs ("MUP") carried out an operation in the largest Serbian village in Vukovar municipality, Borovo Selo, in response to the arrest of two Croatian policemen the previous night. Five buses with policemen from Vukovar, Vinkovci and Osijek police stations participated in the raid. Twelve Croatian policemen and three Serb civilians were killed and there were also a number of wounded on both sides.	Mrkšić TJ, para.26	Newly Agreed, 2nd report

Annex A
to the Second Joint Report on Agreed Facts and Documents

Date	Agreed fact number	Fact	Source	Status
June 1991	32	JNA forces sporadically shelled parts of Vukovar in June, July and August 1991. Houses in the centre of Vukovar, as well as the Vukovar hospital, were hit and damaged and civilians were wounded. The first significant shelling occurred on 4 July 1991. Borovo Naselje was targeted from the direction of the predominantly Serb Borovo Selo. In June and July 1991, shelling would take place once a day or every two days in Vukovar. The intensity grew on a daily basis.	Mrkšić TJ, para.33	Newly Agreed, 2nd report
25 June 1991	34	On 25 June 1991, the Croatian Parliament passed a declaration on the sovereignty and independence of Croatia. On 8 July 1991, an international agreement was reached that Croatia and Slovenia would suspend implementation of their independence until 8 October 1991. The European Community recognised Croatia's independence on 15 January 1992.	Mrkšić TJ, paras.20, 136. V000-3814, p.33	Previously Agreed, 1st report
25 June 1991	36	Goran HADŽIĆ became President designate of the Government of the Serbian people in Slavonia-Baranja and Western Srem at the session of the 25th and 26th of June 1991, when a decision was adopted to secede from Croatia. At this meeting, the Serbian National Council ceased to exist as it transformed into the Assembly. Goran HADŽIĆ's title was "Prime Minister designate" of the Executive Council (or "President designate of the Government") of the Serbian people in Slavonia-Baranja and Western Srem (SBWS).	V000-3814, p.72, 77 Indictment, para.3	Newly Agreed, 2nd report
25 June 1991	37	The meeting of the 25th and 26th of June 1991 in Bačka Palanka was attended by the representatives of almost all the Serbian villages from SBWS. A Grand National Assembly, chaired by Ilija Končarević, was created during this meeting.	V000-3814, p.79	Previously Agreed, 1st report

Annex A
to the Second Joint Report on Agreed Facts and Documents

Date	Agreed fact number	Fact	Source	Status
25 June 1991	38	Goran HADŽIĆ acted as President designate of the Government of the SBWS between 25 June and 25 September 1991. On 25 September 1991, Goran HADŽIĆ was officially appointed President of the Government of the SAO SBWS, as published in the Official Gazette.	Indictment, para.3	Newly Agreed, 2nd report
August 1991	42	Goran HADŽIĆ started to form the government of SBWS in August 1991 in a library in Dalj.	V000-3814, p.82, 86, 135	Previously Agreed, 1st report
01 August 1991	45	On 1 August 1991, Dalj was taken by the JNA and local Serbs.	V000-3814, p.132-133	Newly Agreed, 2nd report
01 August 1991	46	Around 1 August 1991, 50 JNA tanks driving [through the area] were shelling Erdut as they passed. During September and early October, the JNA attacks on villages in Eastern Baranja intensified, causing extensive material damage to those villages and civilians to flee. By August 1991 people were already leaving Erdut, after the village was shelled with mortars. On 25 and 26 August 1991 the JNA and other Serb forces overran the entire district of Baranja. This area had a proportionally small Serb population, of between 20 and 25%.	Mrkšić TJ, para.35	Previously Agreed, 1st report
07 September 1991	47	Goran HADŽIĆ spoke to Serbia's President, Slobodan Milošević, around 7 September 1991 in relation to the signing of a peace agreement with Croatia. A peace agreement was brought to Goran HADŽIĆ which was to be signed by himself on behalf of the SAO SBWS and by Vladimir ŠEKS on behalf of the government of Croatia. HADŽIĆ did not want to sign a document which had ŠEKS as representative of the "government" whereas under HADŽIĆ's name was the term "representative of the people". In the end, HADŽIĆ agreed to sign the agreement.	V000-3814, p.101-103	Previously Agreed, 1st report

Annex A
to the Second Joint Report on Agreed Facts and Documents

Date	Agreed fact number	Fact	Source	Status
25 September 1991	48	On 25 September 1991, the UN Security Council passed Resolution 713 strongly urging all parties to the conflict in Yugoslavia to abide strictly to prior cease-fire agreements.	Mrkšić TJ, para. 421	Previously Agreed, 1st report
30 September 1991	49	By the end of September 1991, the JNA barracks in the city of Vukovar had been "blocked" by Croatian forces for an extended period of time. The JNA soldiers in the barracks were unable to leave, their water and electricity had been cut off and they had come under weapons fire.	Mrkšić TJ, para.44	Previously Agreed, 1st report
30 September 1991	50	On 30 September 1991, units of the JNA were deployed from Belgrade on a mission, inter alia, to de-block the barracks and relieve the JNA soldiers inside. A unit from Sremska Mitrovica had previously been unsuccessful in a similar attempt. On 2 October 1991, the JNA barracks was de-blocked. The JNA requested that Croatian forces put down their weapons and end the fighting but this request was denied and fighting continued. The battle for Vukovar between the JNA and other Serb forces on the one hand, and Croat forces on the other, then continued until the Croat forces capitulated on 18 November 1991.	Mrkšić TJ, para.44	Previously Agreed, 1st report
Autumn 1991	52	In late autumn 1991, prior to the fall of Vukovar, a joint session was held with the government of the SAO SBWS and representatives of the government of Serbia and dealt with technical assistance to the SBWS. DOKMANOVIĆ, SBWS Minister of Agriculture, was present. The meeting was chaired by Goran HADŽIĆ and Serbia's Prime Minister, Dragoslav ŽELENOVIĆ.	V000-3814, pp.99-100	Previously Agreed, 1st report

Annex A
to the Second Joint Report on Agreed Facts and Documents

Date	Agreed fact number	Fact	Source	Status
19 November 1991	56	Goran HADŽIĆ convened a meeting of the government of the SAO SBWS in Erdut on 19 November 1991. Goran HADŽIĆ's signature is affixed to the minutes of the meeting and Goran HADŽIĆ authenticated his signature to the minutes on 25 May 1998 while testifying in the case of Prosecutor v. Slavko Dokmanović. (Minutes are Defence Exhibit D53 in Case No. IT-95-13a-T).	Testimony Case No. IT-95-13a-T, T.3080	Previously Agreed, 1st report
20 November 1991	60	Zeljko RAZNJATOVIĆ ("Arkan") accompanied Goran HADŽIĆ to Velepromet for the meeting on 20 November 1991.	Testimony Case No. IT-95-13a-T, T. 3100.	Previously Agreed, 1st report
20 November 1991	62	On 20 November 1991, Goran HADŽIĆ gave an interview with a reporter at the Velepromet facility.	Testimony Case No. IT-95-13a-T, T. 3083, 3130.	Previously Agreed, 1st report
20 November 1991	64	Arkan attended the meeting at Velepromet on 20 November 1991 and was photographed with Goran HADŽIĆ at Velepromet. Goran HADŽIĆ identified himself and Arkan in the photograph while testifying in the Dokmanović case at the ICTY.	Testimony Case No. IT-95-13a-T, T. 3088.	Previously Agreed, 1st report
After 20 November 1991	67	After 20 November 1991, Goran HADŽIĆ visited the prison in Sremska Mitrovica and saw about a hundred prisoners in a big room.	V000-3814, pp.445-446 Testimony Case No. IT-95-13a-T, T.3103.	Previously Agreed, 1st report

Annex A
to the Second Joint Report on Agreed Facts and Documents

Date	Agreed fact number	Fact	Source	Status
23 November 1991	68	On 23 November 1991, the Vance Plan was signed by the President of Croatia Franjo Tudman, the President of Serbia Slobodan Milošević and the SFRY Federal Secretary for Defence General Veljko Kadijević. The Vance Plan made provision for the deployment of a United Nations Protection Force ("UNPROFOR") in the Krajina, Western Slavonia and Eastern Slavonia, for demilitarisation, and eventual return of refugees and displaced persons. The Vance Plan stated that "the role of the United Nations troops would be to ensure that the areas remained demilitarised and that all persons residing in them were protected from fear of armed attack."	Martić TJ, para. 138	Previously Agreed, 1st report
21 February 1992	69	The Security Council, in Resolution 743 of 21 February 1992 ("21 February 1992 SC Resolution"), decided to establish the UN Protection Force (UNPROFOR) to "create the conditions of peace and security required for the negotiation of an overall settlement of the Yugoslav crisis".	Galić Trial Judgement, par. 196	Previously Agreed, 1st report
26 February 1992	70	On 26 February 1992, the SAO Western Slavonia and the SAO Eastern Slavonia, Baranja and Western Šrem joined the Republic of Serbian Krajina /Republika Srpska krajina/ ("RSK").	Martić TJ, para. 151	Previously Agreed, 1st report
26 February 1992	71	On 26 February 1992, Goran HADŽIĆ was elected President of the RSK. Goran HADŽIĆ remained in this position until December 1993.	Indictment, para.3	Previously Agreed, 1st report
18 May 1992	72	On 18 May 1992, the SVK was established.	Martić TJ, para. 152	Previously Agreed, 1st report
1992	73	Throughout 1992, 1993 and 1994, the RSK leadership, including Goran HADŽIĆ requested financial, logistical and military support from Serbia on numerous occasions, including directly from Slobodan Milošević.	Martić TJ, para. 159	Previously Agreed, 1st report

Annex A
to the Second Joint Report on Agreed Facts and Documents

Date	Agreed fact number	Fact	Source	Status
20 April 1993	82	On 20 April 1993, the RSK Supreme Defence Council was established, which was composed of the President of the RSK, the Prime Minister, the Minister of Defence, the Minister of the Interior, and the Commander of the SVK.	Martić TJ, para. 155	Previously Agreed, 1st report
	83	The police of the SAO Krajina were mainly financed with funds and material from the MUP and SDB of Serbia.	Martić TJ, para. 141	Previously Agreed, 1st report
	85	The RSK Minister of Foreign Affairs was paid by Serbia as a result of being employed by the Ministry of Foreign Affairs of Serbia	Martić TJ, para. 159	Previously Agreed, 1st report
	86	Goran HADŽIĆ moved the seat of the SBWS government to Erdut when Slavko DOKMANOVIĆ showed him the premises of the Director of Erdut's wine factory, as this facility was more adequate to hold government sessions. DOKMANOVIĆ, as Minister of Agriculture, had established his seat in this building.	V000-3814, pp.145-146	Previously Agreed, 1st report
April - May 1990	90	In April and May 1990, the first multi-party elections after World War II were held in the Socialist Republic of Croatia, one of the federal units of the Socialist Federative Republic of Yugoslavia. In these elections, the Croatian Democratic Union ("HDZ") won 41.5% of the votes and 2/3 of the seats in the Parliament (Sabor) of the Socialist Republic of Croatia. The new Sabor then, on 30 May 1990, elected the HDZ candidate Dr. Franjo TUĐMAN President of the Presidency of the Socialist Republic of Croatia		Newly Agreed, 2nd report

Annex A
to the Second Joint Report on Agreed Facts and Documents

Date	Agreed fact number	Fact	Source	Status
17 August 1990	93	On 17 August 1990, the Croatian government declared the referendum of the Serb nation in Croatia illegal. The Croatian police moved towards several Serb towns in the Krajina region. Serbs put up barricades in Knin and its surroundings.		Newly Agreed, 2nd report
27 June 1991	95	On 27 June 1991, the Assembly of the SAO Krajina appointed Milan MARTIĆ as Minister of Interior of the SAO Krajina.		Newly Agreed, 2nd report
08 August 1991	97	On 8 August 1991, the President of the Government of the SAO Krajina, Milan BABIĆ, issued an order appointing Milan MARTIĆ Deputy Commander of the Territorial Defence (TO) of the SAO Krajina.		Newly Agreed, 2nd report
23 November 1991	99	In Geneva on 23 November 1991, Franjo TUDMAN, Slobodan MILO and Veljko KADIJEVIĆ reached a cease-fire agreement under the auspices of the UN Special Envoy Cyrus Vance.		Newly Agreed, 2nd report
After 2 May 1991	B	The incident of 2 May 1991 had an impact on the political life in the Vukovar area. Shortly after the incident, the HDZ took control of Radio Vukovar. The name of the station changed from "Radio Vukovar" to "Croatian Radio Vukovar." The editor-in-chief Mirko Stanković, who had a reputation of being pro-Serb, was replaced by Josip Esterajher, a Croat. The director of the radio left in May 1991. His departure was followed by the departure of a number of Serb employees. The content of the programmes of the radio station also changed	Mrkšić para 27	Previously Agreed, 1st report, renumbered (Defence proposed facts are not numbered, but now have letters)

Annex A
to the Second Joint Report on Agreed Facts and Documents

Date	Agreed fact number	Fact	Source	Status
6 June 1991	C	Slavko Dokmanović, a Serb and a member of the Social Democratic Party of Croatia ("SDP"), who was elected President of the Municipal Assembly of Vukovar following local elections in 1990, ceased to perform his functions in early July 1991 when the position of a commissioner for Vukovar was created by the Croatian government.	Mrkšić para 28	Previously Agreed, 1st report, renumbered (Defence proposed facts are not numbered, but now have letters)
From 6 June 1991	D	Marin Vidić, aka Bili, a Croat, who was previously Deputy Municipal President, was appointed to this position in late June 1991.	Mrkšić para 28	Previously Agreed, 1st report, renumbered (Defence proposed facts are not numbered, but now have letters)
Spring-summer 1991	F	People generally did not trust each other anymore and barricades were maintained on all the roads leading to predominantly Serb villages. Town defences began organising themselves.	Mrkšić para 30	Previously Agreed, 1st report, renumbered (Defence proposed facts are not numbered, but now have letters)

ANNEX B

to

**SECOND JOINT REPORT ON AGREED FACTS AND
DOCUMENTS**

Annex B to the Second Joint Report on Agreed Facts and Documents
List of documents proposed for agreement between the parties

Ordinal number	ERN	Description / Summary	Document Date
00001	0089-0422-0089-0422	Declaration of the Sovereign Autonomy of the Serbian People of Slavonia, Baranja and Western Srem.	26 February 1991
00002	0089-0423-0089-0423	Decision on status of Serb people from SBWS in Yugoslav State	25 June 1991
00004	0089-0423-0089-0426	Constitutional Law of the Srpska Autonomna Oblast Slavonija Baranja i Zapadni Srem, indicating intention to remain part of Socialistic Federativna Republika Jugoslavija upon secession of Republika Hrvatska / Republic of Croatia.	25 September 1991
00005	0089-0426-0089-0427	Law on Enforcement of the Constitutional Law signed by Ilija KONCAREVIC.	25 September 1991
00006	0089-0427-0089-0427	Decision electing Ilija KONCAREVIC the President of the Great National Assembly of Serbs from Slavonia, Baranja and Western Srem. of Srpska Autonomna Oblast Slavonija Baranja i Zapadni Srem.	25 September 1991
00007	0089-0427-0089-0427-A	Decision electing Djordje LATAS and Caslav NIKSIC as Vice Presidents of the Great National Assembly of Serbs from Slavonia, Baranja and Western Srem..	25 September 1991
00008	0089-0427-0089-0429	Law on Ministries of the Srpska Autonomna Oblast Slavonija Baranja i Zapadni Srem passed at the second session of the Great National Assembly of Serbs from Slavonia, Baranja and Western Srem..	25 September 1991
00009	0089-0430-0089-0430	Appointment of the new Cabinet pursuant to the newly-drafted Republika Srpske Krajine constitution.	25 September 1991
00010	0089-0430-0089-0431	Great National Assembly of Serbs from Slavonia, Baranja and Western Srem. Law on the Proclamation of Heroes	25 September 1991
00011	0280-9331-0280-9332	Decree Government of the Srpska Autonomna Oblast Slavonija Baranja i Zapadni Srem on protecting the property of economic and other subjects of the Srpska Autonomna Oblast Slavonija Baranja i Zapadni Srem located outside of the region.	27 September 1991
00012	0280-9332-0280-9332	Decision on Temporary Transfer of Croatia's assets to Srpska Autonomna Oblast Slavonija Baranja i Zapadni Srem, signed by Goran HADZIC with attached Decree on the Temporary Protection of Abandoned Property	2 October 1991
00013	0280-9335-0280-9336	Decree on the Temporary Protection of Abandoned Property, adopted by the Government of the Srpska Autonomna Oblast Slavonija Baranja i Zapadni Srem at their meeting on 2 October 1991.	2 October 1991
00014	0089-0431-0089-0431	Radmila BJELICA is appointed Secretary of the Great National Assembly of Serbs from Slavonia, Baranja and Western Srem.	9 October 1991

Annex B to the Second Joint Report on Agreed Facts and Documents
List of documents proposed for agreement between the parties

Ordinal number	ERN	Description / Summary	Document Date
00015	0089-0431-0089-0433	Law on the Government of the Srpska Autonomna Oblast Slavonija Baranja i Zapadni Srem.	9 October 1991
00016	0089-0434-0089-0434	Law on State of Emergency measures in Serbian Autonomous District SBWS	9 October 1991
00017	0089-0435-0089-0435	Law on Courts in the Srpska Autonomna Oblast Slavonija Baranja i Zapadni Srem.	9 October 1991
00018	0089-0436-0089-0436	Law on the Temporary Jurisdiction of Courts in Srpska Autonomna Oblast Slavonija Baranja i Zapadni Srem.	9 October 1991
00019	0089-0436-0089-0437	Law on Public Prosecutor's Offices in Srpska Autonomna Oblast Slavonija Baranja i Zapadni Srem.	9 October 1991
00020	0089-0437-0089-0438	Law on official use of language and script in Srpska Autonomna Oblast Slavonija Baranja i Zapadni Srem.	9 October 1991
00021	0089-0438-0089-0441	Law on State Seals and the Seals of Other Organs	9 October 1991
00022	0089-0441-0089-0441	Great National Assembly of Serbs from Slavonia, Baranja and Western Srem. decision fixing the number of judges, lay judges (professional jurors), public prosecutors and deputy public prosecutors.	9 October 1991
00023	0089-0441-0089-0442	Great National Assembly of Serbs from Slavonia, Baranja and Western Srem. decision to subordinate the Srpska Autonomna Oblast Slavonija Baranja i Zapadni Srem Territorialna obrana to the armed forces of the Socialisticka Federativna Republika Jugoslavija.	9 October 1991
00024	0089-0442-0089-0442	Great National Assembly of Serbs from Slavonia, Baranja and Western Srem. appointment of national legal officers.	9 October 1991
00025	0089-0443-0089-0443	Great National Assembly of Serbs from Slavonia, Baranja and Western Srem. request that the Republic of Serbia mobilize men who have fled there from areas at war.	24 October 1991
00026	0089-0443-0089-0443-A	Decision appointing 16 persons as lay judges of Vukovar Lower Court judges.	24 October 1991
00027	0089-0443-0089-0447	Law on Mass Communication in Srpska Autonomna Oblast Slavonija Baranja i Zapadni Srem.	8 November 1991
00028	0089-0447-0089-0448	Decision to set up the official gazette for Srpska Autonomna Oblast Slavonija Baranja i Zapadni Srem, to be edited by the Great National Assembly of Serbs from Slavonia, Baranja and Western Srem..	8 November 1991
00029	0089-0448-0089-0449	Decision to appoint 83 professional jurors to the courts in Srpska Autonomna Oblast Slavonija Baranja i Zapadni Srem.	8 November 1991

Annex B to the Second Joint Report on Agreed Facts and Documents
List of documents proposed for agreement between the parties

Ordinal number	ERN	Description / Summary	Document Date
00030	0089-0449-0089-0449	Decision on the appointment of two judges and a deputy public prosecutor for Srpska Autonomna Oblast Slavonija Baranja i Zapadni Srem.	8 November 1991
00031	0089-0449-0089-0450	Budget for 1991 for Srpska Autonomna Oblast Slavonija Baranja i Zapadni Srem.	8 November 1991
00032	Y034-5366-Y034-5367	Minutes of the 17th Session of the Government SAO SBZS held in Erdut.	19 November 1991
00033	0089-0450-0089-0454	Law on on the temporary territorial organisation of the Serb region of Slavonija, Baranja and Western Srem and the temporary local administration	22 November 1991
00034	0089-0454-0089-0455	Decision on individual taxes and contributions.	22 November 1991
00035	0089-0455-0089-0455	Decision on corporate income tax.	22 November 1991
00036	0089-0456-0089-0456	Decision on entrusting the National Fund for Economic Revival with reconstruction of Vukovar.	22 November 1991
00038	0055-5290-0055-5291	Appointment of Srbobran BIBIC as Vukovar Municipal Board President signed by Goran HADZIC, as reprinted in the official gazette.	3 December 1991
00039	0207-7680-0207-7680	Decree Promoting Milan MARTIC (Minister of Interior of Republika Srpske Krajine) to Colonel General of Srpska Vojska Krajina (Serbian Army of Krajina) signed by Goran HADZIC	19 December 1991
00040	0036-4413-0036-4424	The Constitution of the Republika Srpske Krajine and the Constitutive Law for the Implementation of the Constitution of the Republika Srpske Krajine.	19 December 1991
00042	0216-6106-0216-6107	Amendments to the Constitution of the Republika Srpske Krajine issued by Republika Srpske Krajine Assembly on 26 Feb 1992. Published in the Official Gazette of the Republic of Serbian Krajina, number 2, Knin, pages 13 and 14, 27 February 1992.	26 February 1992
00043	0036-4427-0036-4433	A Decree on the Enactment of the Law on Internal Affairs, issued by Goran HADZIC President of the Republic, on 26 February 1992, and a copy of the Law on Internal Affairs, dated 26 February 1992. /The document is barely legible./	26 February 1992
00044	0363-9743-0363-9755	Republika Srpske Krajine Law on Defense.	21 March 1992
00045	0364-6103-0364-6105	Law on Ministries, Sluzbeni Glasnik 3/ I, 23 March 1992.	23 March 1992
00048	0207-6424-0207-6426	Proposal sent to Presidency of the Socialistic Federativna Republika Jugoslavija signed by Goran HADZIC, Zdravko ZECEVIC and Milan MARTIC to promote Borislav DJUKIC to the rank of Major General.	2 June 1992

Annex B to the Second Joint Report on Agreed Facts and Documents
List of documents proposed for agreement between the parties

Ordinal number	ERN	Description / Summary	Document Date
00049	0040-4034-0040-4037	Extract from the Minutes of the XVIII session of the Assembly of the Autonomous Region of Krajina of the Serbian Republic of Bosnia and Herzegovina, held in Banja Luka, dated 17 July 1992	17 July 1992
00050	0207-7285-0207-7285	Notes of a meeting between Slobodan MILOSEVIC and the Republika Srpske Krajine on 12 November 1992	12 November 1992
00051	0040-2724-0040-2726	Letter to the Secretary General of the United Nations from the President of the Republic of the Serbian Krajina	4 December 1992
00053	0280-4259-0280-4261	Decisions re: proclamation of the state of war and ordering general mobilization Originator: Goran HADZIC, Pres Republika Srpske Krajine. Addressees: Republika Srpske Krajine Army Main Staff; Republika Srpske Krajine Prime Minister; Minister of the Interior.	22 January 1993
00054	0207-7287-0207-7287	A letter of Goran HADZIC to Slobodan MILOSEVIC dated 4 June 1993	4 June 1993
00055	0216-6103-0216-6103	Decision to Promulgate Amendments XII, XIII AND XIV to the Republika Srpske Krajine Constitution	22 April 1993
00059	Y032-5409-Y032-5410	Decree of Appointment of Mirko BJELANOVIC to the Main Staff of the Srpska Vojska Krajina (Serbian Army of Krajina) as Assistant Commander for Logistics signed by President Goran HADZIC.	11 December 1993
D00004	0280-9332-0280-9334	Decision of the Government of SAO SBWS on the Organization and Operation of the Territorial Defence and Civilian Protection	17 October 1991
D00006	0010-9373-0010-9374	Telefax by Mr. Vladimir S. Kotilar re meeting with Mr. Hadžić	12 November 1993
D00007	0012-4992-0012-4994	Telefax report submitted from Mr. Vladimir S. Kotilar re meeting with Mr. Hadžić	17 November 1993
D00008	0010-9626-0010-9629	Telefax from Mr. Eric Stover to Mr. Cherif Bassiouni re Ovčara investigation	24 November 1993
D00009	0010-9412-0010-9413	Letter from Mr. Bassiouni, Chairman of Commission of Experts established pursuant to SC Resolution 780 (1992) to Ambassador Boddens-Hosang re Hadžić written authorization for Ovčara the investigation	25 November 1993
D00010	0010-9509-0010-9511	Telefax from Mr. Bassiouni, Chairman of Commission of Experts established pursuant to SC Resolution 780 (1992) to members of the Commission regarding Ovčara investigation	20 December 1993