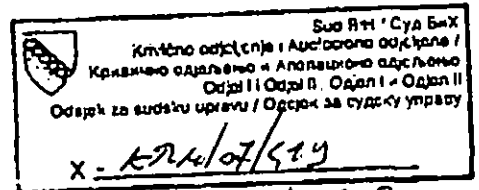


25.12.2007

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BOSNIA AND HERZEGOVINA
PROSECUTOR'S OFFICE OF BiH
SARAJEVO
Number KT-RZ-80/05
Sarajevo, 23 November 2007



ПРЕЈОД ДОБ. 287

**COURT OF BOSNIA AND HERZEGOVINA -
Preliminary Hearing Judge**

Pursuant to the BiH CPC Article 35 (2) (a) and Article 226 (1), I hereby file

INDICTMENT

Against

1. **RATKO BUNDALO**, son of Luka and Milisava nee. Kojić, born in the village of Kriškovci, the municipality of Laktaši, JMBG 3009944361306, Serb by ethnicity, citizen of BiH and of the Republic of Serbia, an officer in the former Yugoslav National Army- retired, of bad financial standing, graduated from the Military Academy and from the Higher Military and Political School, married, father of two children, with current address in Banja Luka, at Ulica Srpskih dobrovoljaca 15, received several medals before the war, received the *Karadorđe's Star* after the war; deprived of liberty at 9:15 a.m. on 31 August 2007, currently in custody at *KPZ Doboј /Penal/Correctional Facility/* upon the Decision of the Court of BiH number X-KRN-07/419; the custody may last until 9:15 a.m. of 30 November 2007; represented by the defense counsel Žarko Bulić, attorney from Sarajevo;

2. **NEĐO ZELJAJA**, son of Gojko and Zorka nee. Batinić, born on 21 August 1947 in the village of Grab, the municipality of Trnovo, JMBG 2108947171928, Serb by ethnicity, citizen of BiH, retired, of bad financial standing, completed his compulsory military service in Skoplje, the Republic of Macedonia, in 1965/66, residing in Kalinovik, at Omladinska 7, represented by the defense counsel Vesna Škiljević-Tupajić, attorney from Sokolac;

3. **ĐORĐISLAV AŠKRABA**, son of Grujo and Jela nee. Simić, born on 18 May 1951 in the village of Jelašca, the municipality of Kalinovik, JMBG 1805951171923, Serb by ethnicity, citizen of BiH, retired, of bad financial standing, completed his compulsory military service in 1972 in Paraćin, has a rank of inspector in the police, married, father of three children, with current address in the village of Jelašca, at Jelašca bb, the municipality of Kalinovik; deprived of liberty at 11:30 a.m. on 29 August 2007; currently in custody at *KPZ*

Kula Istočno Sarajevo, upon the Decision of the Court BiH number X-KRN-07/419; the custody may last until 11:30 a.m. of 29 November 2007; represented by the defense counsel Žika Krunić, attorney from Bijeljina;

Because they:

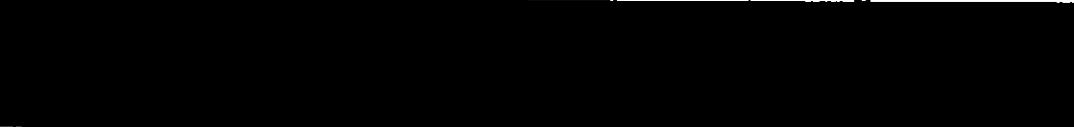
During the period from April 1992 until March 1993, as part of systematic and widespread attack by the *VRS /the Army of Republika Srpska/,* police and paramilitary units against the Bosniak civilian population of the Kalinovik municipality, Ratko Bundalo as the Commander of the Kalinovik Tactical Group, Neđo Zelja *Isić* as the Commander of *SJB Kalinovik /Public Security Station/* and Đorđislav Aškrača as the person in charge of the camp *Barutni Magacin /Gunpowder Warehouse/,* as conscious participants in the joint criminal enterprise consisting of [REDACTED]

Kalinovik, members of the War and Crisis Staff of the Kalinovik Municipality and other members of civil, military, police and paramilitary units of the 'Serb Armed Forces', planned, instigated, perpetrated, aided and abetted the persecution of the entire Bosniak population of the Kalinovik municipality on political, national, ethnic, cultural and religious grounds by way of killings, forcible transfer of population, extermination, unlawful imprisonment, torture, rapes, enforced disappearances, arbitrary destruction of property on a large scale, starvation of the population, causing great suffering and injury to body, by applying measures of intimidation and terror and other inhumane acts of a similar character, in the way that:

1. **Ratko Bundalo and Neđo Zeljaja** planned, ordered and perpetrated, as well as aided and abetted the persecution of the Bosniak population of the Kalinovik municipality and parts of the population of the neighboring municipalities, in the way that:
 - a) At the beginning of May 1992, members of the military commanded by Ratko Bundalo and the members of the Kalinovik Police Station commanded by Neđo Zeljaja surrounded and captured approximately 280 civilians from the local community of Jeleč, the municipality of Foča, who, fleeing from the attack of the Serb Armed Forces, attempted to cross through the territory of the Kalinovik municipality, in the zone of the settlement of Jažići in the municipality of Kalinovik, after which men were forcibly separated from women, children and the elderly and detained at the Elementary School of *Miladin Radojević*, where they were guarded by police officers of *SJB Kalinovik*, while food for the detainees

men was being provided by the army from the military barracks of *Gornji Logor /the Upper Camp/* in Kalinovik, which was under the command of Ratko Bundalo, while women, children and the elderly were transported by the units under his command to the territory controlled by the Army of BiH;

b) Detained civilians from Jeleč, some 50 of them, among whom were:


transported by Ratko Bundalo through his subordinating officers and soldiers to the Bileća Camp, where they stayed for approximately 20 days, then returned to Kalinovik, where they stayed one night at the Elementary School of *Miladin Radojević*, after which they were transferred to *KPD Foča /Penal/Correctional Institution/*, where most of these civilians were killed or disappeared;

c) On 25 June 1992 and on the following days, Neđo Zeljaja, as the Commander of the *SJB*, upon the decision by the Crisis Staff, organized and personally participated in the arrests of all Bosniak men in Kalinovik and the surrounding villages of Mjehovina, Jelašca and Vihovići; they detained the arrested civilians at the Gym of the Elementary School of *Miladin Radojević*, where they were guarded by the police officers of *SJB* Kalinovik, where they stayed until 7 July or close to that date, which is when the transfer of the detained Bosniaks was organized from the Elementary School of *Miladin Radojević* (where the detained civilians were entitled to family visits and where their families would bring them food and clothes) to the camp of *Barutni Magacin* (a military facility under the command of Ratko Bundalo, secured by barb wire, mined, with military guards);

d) In the beginning of July 1992, members of military and police forces of the Kalinovik municipality captured approximately 200 Bosniak civilians, mostly women and children, as well as a relatively small number of men from the area of the Gacko municipality, detained the civilians at the school in Ulog and the next day had them transported and detained at the Elementary School of *Miladin Radojević*, where they were placed on the ground floor, in the gym, the staff meeting room and one classroom; the guarding of the civilians was carried out by Neđo Zeljaja with the police officers of *SJB* Kalinovik, while food was provided by the army;

e) On 1 August 1992, they organized the attack on the Bosniak civilian population of the village of Jelašca, the municipality of Kalinovik, where at the time there were only women, children and some elderly; the police

officers of *SJB* Kalinovik surrounded the village and captured all women and children, burning Bosniak houses in the process, while members of artillery units under the command of Ratko Bundalo, using an anti-aircraft gun located in the zone of Brdo, near the houses of Badnjar, provided artillery support to the attack, in the course of which in the hamlet of Karaula they killed [redacted] and wounded a young girl called [redacted] and, using incendiary bullets, they set all houses in this hamlet on fire and detained the captured civilians at the Elementary School of *Miladin Radojević*, in the rooms on the upper floor; on the same night the remaining civilians (except for the old persons who were unable to walk across the hill) from Vihovići, Mjehovina and other neighboring villages, fleeing from the attack, left the Kalinovik municipality; and they disposed of the body of [redacted] at an unknown location, therefore she is still registered as a missing person;

- f) On 4 August 1992 or close to that date, in the village of Jelašca, the municipality of Kalinovik, unknown members of the Serb Armed Forces, killed 7 civilians, mostly elderly persons, as follows: [redacted]

[redacted] these civilians have been exhumed and identified, except for [redacted] who are still registered as missing persons;

- g) On 5 August 1992 or close to that date, in the village of Jezero, the municipality of Kalinovik, unknown members of the Serb Armed Forces killed [redacted] and [redacted] who were buried in a mass grave in the fields of Prezren, the village of Jezero; on 15 July 1999 their bodily remains were exhumed and identified;

- h) In the course of August 1992, Neđo Zeljaja personally took part in the deprivation of liberty of the civilian [redacted] in the village of Mjehovina, the municipality of Kalinovik, and took her to the Elementary School of *Miladin Radojević*, where she was detained until she was exchanged; in the days that followed, members of a paramilitary unit under the command of Ratko Bundalo, which was located in the weekend house of Mustafa Sabljica in the village of Mjehovina, deprived the lives of [redacted] and his wife [redacted] and his wife [redacted] all rather elderly civilians; 3 to 4 days later, using an excavator, they buried the killed into a mass grave at the local Muslim cemetery and in the following days police

officers of *SJB Kalinovik* deprived the remaining 5 Bosniak civilians of liberty and detained them at the Elementary School of *Miladin Radojević*;

- i) During the period from May 1992 until March 1993, in the detention premises of *SJB Kalinovik*, lacking any legal grounds they kept in detention the civilians [REDACTED] and others, among whom also a hodja [REDACTED] in the beginning of August they had them without any food rations for four days;
 - j) During the period from June 1992 until 18 September 1992, [REDACTED] who was being detained in the cellar premises of *SJB Kalinovik*, was used as a driver for mines detection, in the manner that he would drive a cargo vehicle ahead of military and civilian convoys down the road from Kalinovik to Miljevina, with police escort by *SJB Kalinovik* being assigned under the duty schedule by Neđo Zeljaja; while driving a vehicle in this capacity he came across a mine on 3 different occasions, all resulting in the destruction of the vehicle he was driving, but he managed to survive;
 - k) During the period from September 1992 until March 1993, civilians K.G. and FWS 130, who were brought from *KPD Foča*, were detained at *SJB Kalinovik* and used in the same capacity as described in previous paragraph as drivers for mines detection;
 - l) In the course of July or August 1992, Ratko Bundalo issued and Neđo Zeljaja, together with military officers and the senior officers at *SJB Kalinovik*, executed the order to set Bosniak villages in the municipality of Kalinovik on fire, as follows: the villages of Sočani, Daganj, Bojići, Hotovlje, Luko, Kutine and others; Neđo Zeljaja with the police carried out the setting of the village of Sočani on fire, while the soldiers set the other villages mentioned on fire;
 - m) At the end of August, they organized the exchange of women detained at the Elementary School of *Miladin Radojević* for the Serb soldiers killed in the zone of Jakomišlje, they organized the exchange in the manner that the women were forced to pull out the killed Serb soldiers from the front line and bring them to the place of exchange, to which they were allowed, with their children, to cross over to the territory controlled by the Army of BiH, this manner of exchange was approved by Ratko Bundalo;
2. Ratko Bundalo and Neđo Zeljaja took part in the forming of camps and prisons in the territory of the municipality of Kalinovik- it was the camp of *Barutni Magacin* at *Jelašaćiko Polje*, the prison at the Elementary

School of *Miladin Radojević* and the prison in the cellar premises of *SJB Kalinovik*, in order to unlawfully detain Bosniak population therein; thus, they kept about 300 Bosniak civilians from the area of the Kalinovik municipality, parts of the civilian population from the municipalities of Gacko, Nevesinje, Foča and Trnovo at the building of the Elementary School of *Miladin Radojević*, in the rooms that were inadequate, lacking adequate accommodation necessities, without the possibility to attend the basic hygienic needs, with very meager daily food rations, exposed to daily physical and mental abuse and humiliation by various soldiers whom the guards would allow to enter freely, whereby Nedo Zeljaja, as the Commander of *SJB Kalinovik* and as the person directly superior to the police officers on guard duty at the Elementary School of *Miladin Radojević*, was assigning police officers to the guard duty, he was informed by them of the crimes in which his subordinate officers and other persons were taking part, and Ratko Bundalo, as the Commander of the Kalinovik TG, by taking part in the setup of the camp he could have known that rapes, killings, torture and other inhuman treatment would take place therein, as such treatment with detained civilians was a foreseeable consequence of detention in the camps, in particular:

- a) In the beginning of August 1992 or approximately at that time, members of the paramilitary unit of *Pero Elez* from Miljevina, whom the police officers securing the premises allowed to enter the school freely, seized the money and jewelry from the detained civilians, to which they forced the civilians to strip naked and held them in that way for approximately 40 minutes;
- b) In the beginning of August 1992, they kept all detained civilians for four days without any food rations;
- c) In the course of August 1992, from the Elementary School of *Miladin Radojević*, members of the mentioned paramilitary formation, who would come on a daily basis and enter the school freely, took 7 mostly minor girls-detainees from the school to Miljevina and Foča, where they were kept for quite some time and raped on a daily basis;
- d) In the course of August 1992, detained women were raped on several occasions at the school premises by various soldiers who permitted to enter the school freely by the police officers, who were present during the rape;
- e) Detained women and men were physically abused by soldiers and in presence of the police officers from security almost daily; thus on 8 Aug

1992, [REDACTED] was being beaten for several hours by members of the unit of *Pero Elez*, in the course of which they were beating her all over the body, asking her to tell them where her son was, they were stabbing her with a knife, forcing her to cross herself and threatening to rape her and also forcing her to watch the abuse of [REDACTED] who was lying in a trough full of water, while water was pouring on him from the open faucets;

f) In the course of August 1992, unknown soldiers took [REDACTED] [REDACTED] from the classroom in which detained civilians were placed to a neighboring room where they physically abused them, after which shots were heard and on the same day the prisoners saw three bodies being taken out, in military blankets, whereas the police officers did not allow them to go to the corridors during that time threatening to kill anyone who would do so; the bodies of the killed persons were taken to an unknown location and they are still registered as missing persons;

g) During August 1992, in the course of one night unknown soldiers took [REDACTED] and the boy named [REDACTED] from the Elementary School of *Miladin Radojević* and they have been unaccounted for ever since;

h) In the course of August 1992, *Elez Pero* took [REDACTED] [REDACTED] from the school; [REDACTED] was exhumed and identified after the war, while the other two are still registered as missing persons;

i) In the course of August 1992, [REDACTED] was taken from the Elementary School of *Miladin Radojević* by unknown soldiers and his corpse was found, exhumed and identified after the war;

j) In the course of August 1992, detained women were taken on several occasions from the Elementary School of *Miladin Radojević* by unknown soldiers to the weekend house of *Mustafa Sabljica* in *Mjehovina*, where members of an unknown paramilitary unit were, the women were taken from the school in the manner that the soldiers would ride horses and the women would walk beside them; at the weekend house they would be raped repeatedly and physically abused, after which they would be returned to the school by the soldiers or by individual police officers;

k) In the course of August 1992, unknown soldiers took a group of women and [REDACTED] from the Elementary School of *Miladin Radojević*, loaded them onto a truck and drove them to the *Pavlovac Farm*, where they kept

beating [REDACTED] heavily until he was left lying on the ground immobile, and they took the women into the farm premises, where they raped them.

3. **Ratko Bundalo**, in his capacity of the Commander of the Kalinovik TG, actively participated in the forming and organized the operations of the camp of *Barutni Magacin* in Kalinovik, in which illegally detained was practically the entire Bosniak male civilian population of Kalinovik and the surrounding villages, a part of the captured civilians from Trnovo and Jelča in the municipality of Foča, in which civilians were detained under inhuman conditions without sufficient food and water, without being able to attend the basic hygienic needs, without health care, they were being taken to the front lines, physically abused and eventually killed; and **Đorđislav Aškraba**, as an immediate subordinate of Ratko Bundalo and in his capacity of the person who commanded this camp during the period from 7 July 1992 until 5 August 1992:

- a) On 2 August 1992, he took out of the camp of *Barutni Magacin* the civilians [REDACTED] who have been lost without a trace;
- b) On 3 August 1992, he took out of the camp of *Barutni Magacin* the civilians [REDACTED] who were found dead on the same day in the zone of Rogoj, their hands being tied by police handcuffs two and two together;
- c) On 4 August 1992, he took out of the camp [REDACTED] whose dead body was exhumed in the area of the Foča municipality;
- d) On 5 August 1992, he surrendered to members of the paramilitary unit of *Pero Elez* 12 detained civilians, as follows: [REDACTED]
[REDACTED] who loaded the detained civilians onto a *FAP* truck and drove them in the direction of *Mehka Brda*, where they deprived their lives and from where the people present could hear the shooting, after which the empty truck returned to *Barutni Magacin*; the mentioned civilians were exhumed and identified after the war, except for [REDACTED] who are still registered as missing persons;
- e) On 5 August 1992, somewhat later, he surrendered to the same soldiers [REDACTED] whom they took in the direction of Kalinovik and they have been registered as missing persons ever since;

f) On the same day in the afternoon hours, he surrendered to the members of the same paramilitary unit all the remaining prisoners, although he knew they would kill them; the prisoners were tied by the members of this unit with wire, loaded onto three trucks, in the process of which they were hitting them with fists, kicking them and hitting them with wooden sticks and in the direction /sic/ of the members of this paramilitary unit and escorted by a police vehicle with rotating lights in the direction of Miljevina, the municipality of Foča; in the place of Ratine, the municipality of Foča, they stopped the column and from the last truck in the column they took out 24 detainees, as follows:

[REDACTED]

detainees up above the stables of Mustafa Tuzlak which is close to the road, to which they opened fire at the detainees using firearms and they killed them all but [REDACTED] who was wounded in the leg but pretended to be dead, they threw the bodies of the killed into the upper part of the stables where there was hay, they lit the gasoline and set it on fire, while the wounded [REDACTED] after the remaining two trucks with the detainees had gone ahead, managed to get out of the stables and run onto the mountain of Husad, where certain Bosniaks had fled to and where he was given aid;

g) The remaining two trucks with the detainees were driven in the direction of Miljevina, to the location called Tuneli, the municipality of Foča, where they killed all the remaining detainees from *Barutni Magacin*, of which after the war exhumed and identified were:

[REDACTED]

are still registered as missing persons;

4. Aškraba Đorđislav

a) In the course of August 1992 he took part in the illegal detaining of the civilian [REDACTED] from Mjehovina, who was detained at the Elementary School of *Miladin Radojević*;

b) On 30 June 1992, at the premises of *SJB Kalinovik*, he hit the detainee [REDACTED] with his fist, threatening to cut his arms and legs off, and putting a gun barrel into his mouth threatening to kill him;

Therefore, **Ratko Bundalo and Neđo Zeljaja**, by the actions described in Counts 1, 1a, 1b, 1c, 1e, 1f, 1g, 1h, 1i, 1j, 1k, 1l, 1m, 2, 2a, 2b, 2c, 2d, 2e, 2f, 2g, 2h, 2i, 2j, 2k, 4a and 4b, and **Ratko Bundalo**, also by the actions under Counts 3, 3a, 3b, 3c, 3d, 3e, 3f, 3g, as part of the widespread and systematic attack aimed at the civilian population, knowing of such attack and as conscious participants of a joint criminal enterprise undertaken with the aim to persecute the entire Bosniak population on political, national, ethnic, cultural and religious grounds, carried out the persecution by killings, extermination, forcible transfer of population, imprisonment, torture, rape, enforced disappearances, arbitrary destruction of property on a large scale, starvation of the population, causing great suffering and injuries to body, by applying measures of intimidation and terror and other inhumane acts of a similar character;

a) **Đorđislav Aškraba**, by the actions described in Counts 3a, 3b, 3c, 3d, 3e, 3f, 3g, 4a and 4b, as part of the widespread and systematic attack aimed at the civilian population, knowing of such attack and as a conscious participant of a joint criminal enterprise undertaken with the aim to persecute the entire Bosniak population on political, national, ethnic, cultural and religious grounds, carried out the persecution by killings, forcible transfer of population, imprisonment, torture, enforced disappearances of persons and causing serious injury to body or mental health,

whereby they committed

Ratko Bundalo and Neđo Zeljaja, the criminal offense of Crimes against Humanity referred to in the BiH CC Article 172 (1) (h), in conjunction with subparagraphs (a), (b), (d), (e), (f), (g), (h), (i), (k) and in conjunction with the BiH CC Article 173 (1) (c), (e) and (f),

all in conjunction with the BiH CC subparagraph *sic*/ 180 (1)

Đorđislav Aškraba, the criminal offense of Crimes against Humanity referred to in the BiH CC Article 172 (1) (h), in conjunction with subparagraphs: (a), (e), (f), (i), (k),

all in conjunction with the BiH CC subparagraph *sic*/ 180 (1).

therefore

I move

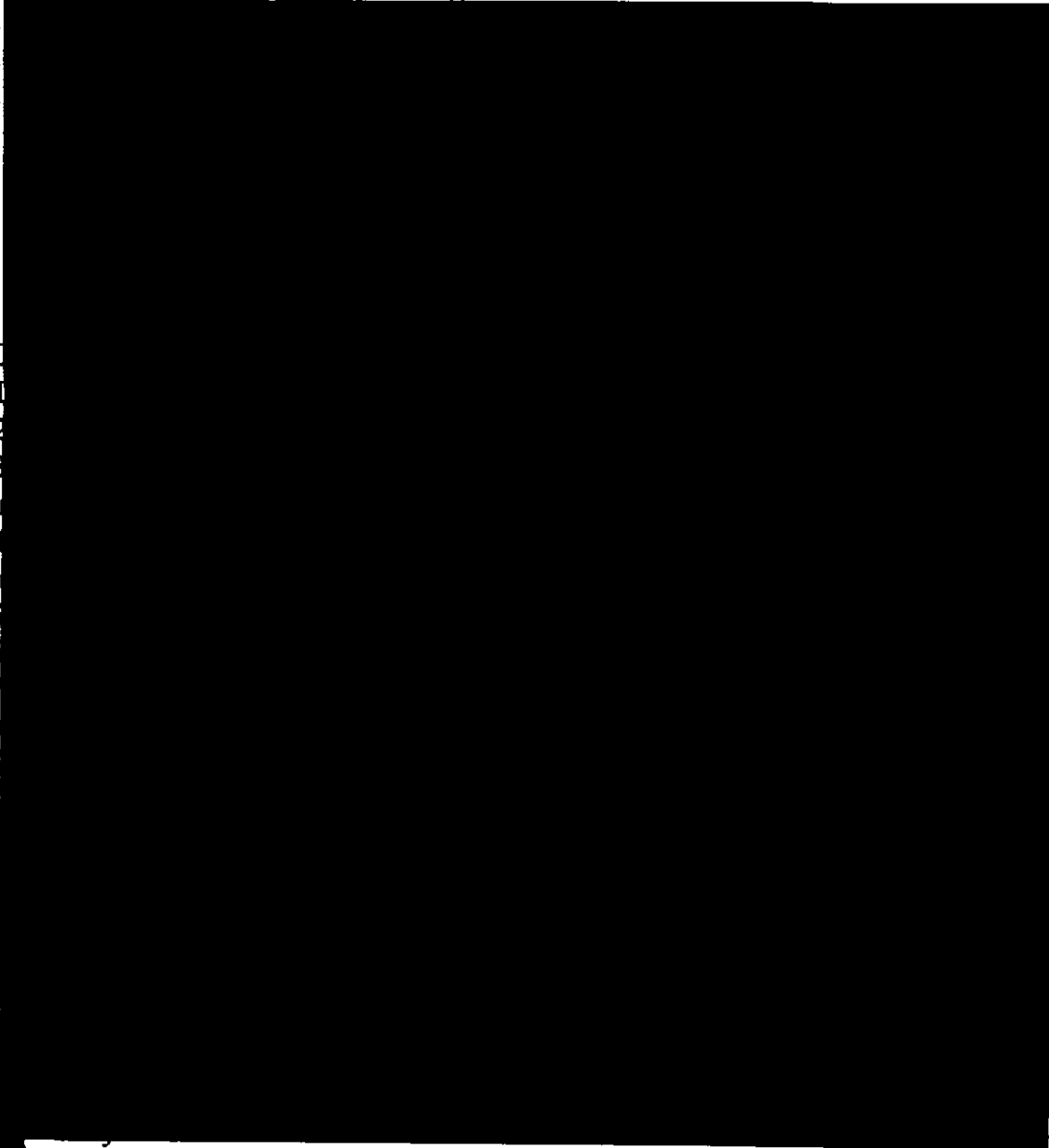
1. to summon:

- the prosecutor of the Prosecutor's office of BiH,
- the accused Ratko Bundalo and his defense counsel,
- the accused Nedo Zeljaja and his defense counsel,
- the accused Đorđislav Aškraba and his defense counsel;

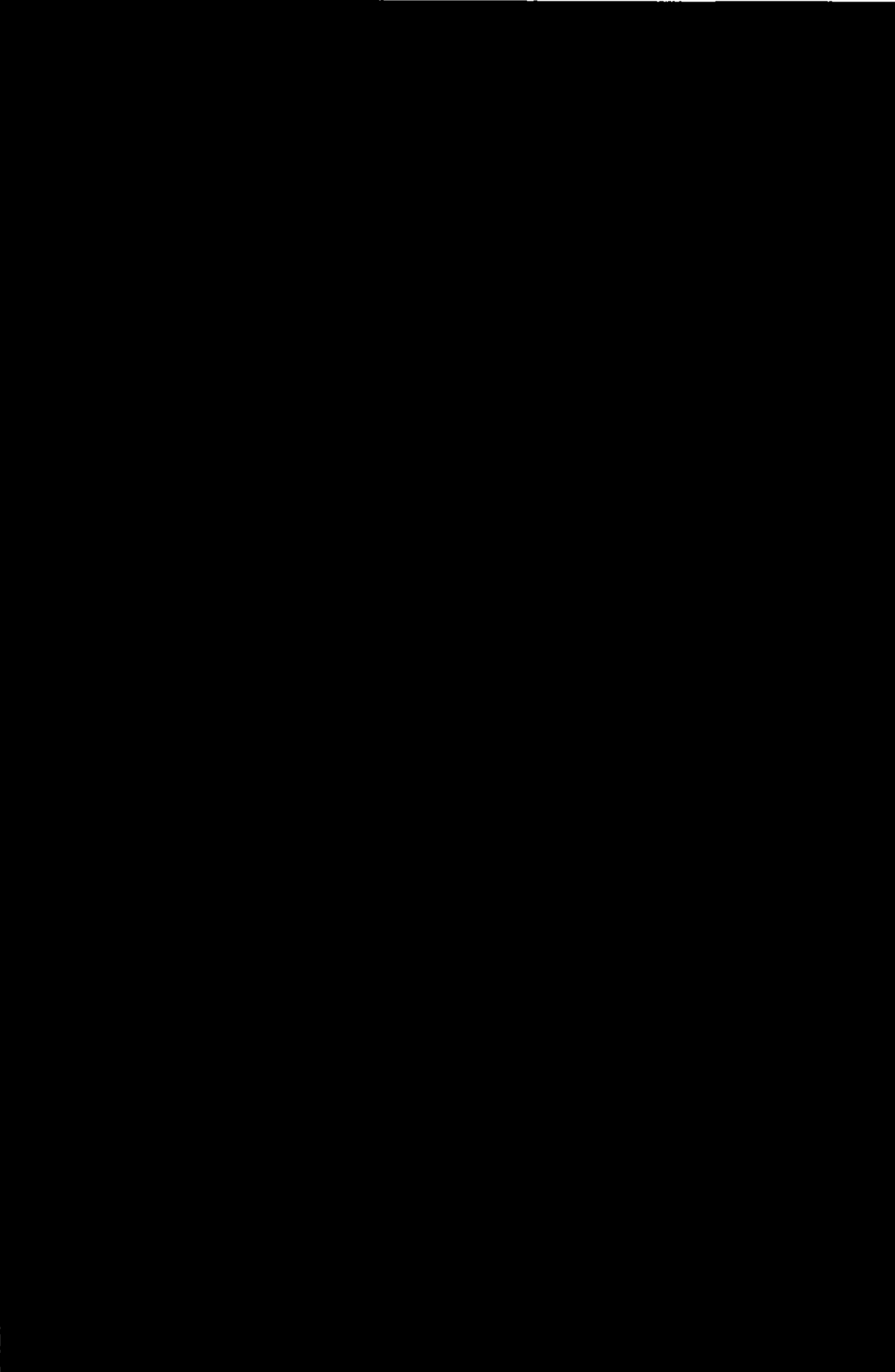
1. to present evidence:

a) by examining the following witnesses:

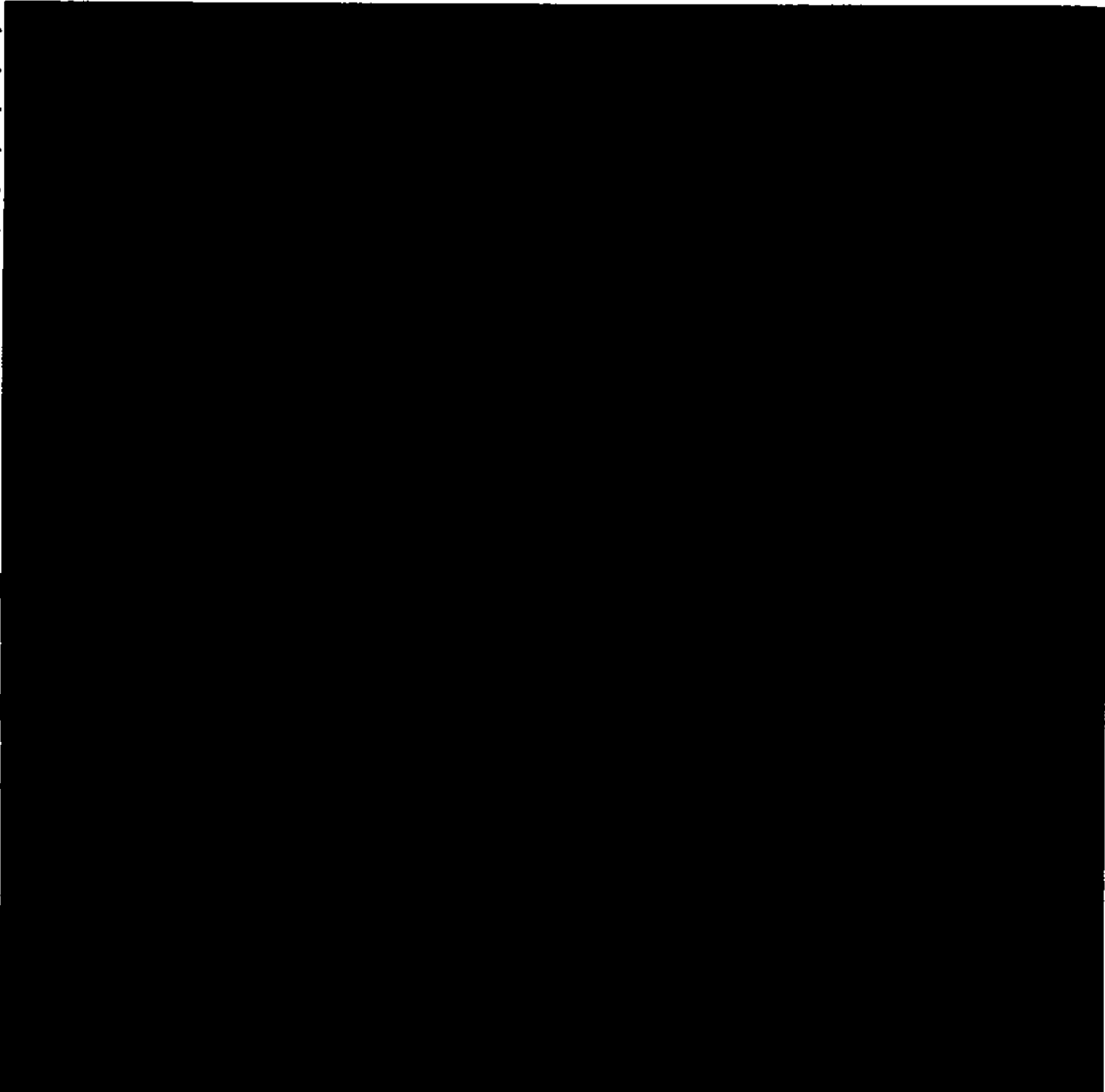
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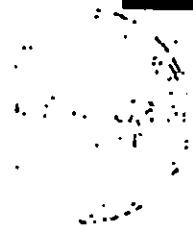
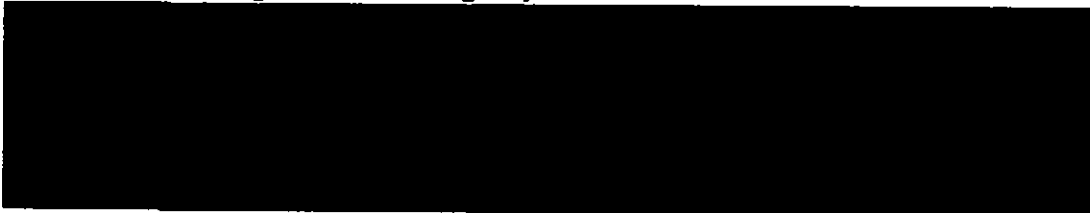


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- 73. Witness A;
- 74. Witness B;
- 75. Witness C;
- 76. Witness D;
- 77. Witness E;
- 78. Witness F;
- 79. Witness G;
- 80. Witness H;

a) by hearing the following expert witnesses:



b) Motion to present evidence by reading and reviewing the following:

1. Suspect Questioning Record- Nedo Zeljaja, the Prosecutor's Office of BiH no. KT-RZ-80/05 of 28 August 2007, with a sealed audio recording of the questioning;
2. Suspect Questioning Record- Đorđislav Aškraba, the Prosecutor's Office of BiH no. KT-RZ-80/05 of 29 August 2007, with a sealed audio recording of the questioning;
3. Suspect Questioning Record- Ratko Bundalo, the Prosecutor's Office of BiH no. KT-RZ-80/05 of 31 August 2007, with a sealed audio recording of the questioning;
4. Order of the Court of BiH no. X-HRN/07/419 of 3 September 2007;
5. Receipt on Seizure of Objects by SIPA BiH no. 17-04/2-04-2-17/07 of 5 Sep 2007;
6. Receipt on Seizure of Objects by SIPA BiH no. 17-04/2-04-2-18/07 of 5 Sep 2007;
7. Receipt on Seizure of Objects by SIPA BiH no. 17-04/2-04-2-19/07 of 5 Sep 2007;
8. Receipt on Seizure of Objects by SIPA BiH no. 17-04/2-04-2-20/07 of 5 Sep 2007;
9. Record on Search of Dwellings, Other Premises and Personal Property by the SIPA of BiH no. 17-04/2-04-2-11/07 of 5 September 2007;
10. Record on Search of Dwellings, Other Premises and Personal Property by the SIPA of BiH no. 17-04/2-04-2-12/07 of 5 September 2007;
11. Record on Opening and Inspection of Seized Objects and Documents by the Prosecutor's Office of BiH no. KT-RZ-80/05 of 24 September 2007;
12. Certificate of Employment for Đorđislav Aškraba covering the period from 3 May until 28 May 1992 at *SJB* Kalinovik, no. 14-2/01-211-465/93 of 13 Sep 1993;
13. Official Note by *SJB* Kalinovik sent to the Kalinovik TG Command, no. 17-16/01-211-640/92 of 17 September 1992;
14. Official Note by a police officer Miroslav Mišur, *SJB* Kalinovik, no. 17-16/01-211-640/92 of 14 September 1992;
15. Decision by the Executive Committee of the Kalinovik Municipality establishing a commission to conduct an inspection with the households in order to establish the quantity of firewood, no. 02-012-35/93 of 5 March 1993 (it also contains the Note on the Visit Conducted, signed by a reserve police officer Ilija Đorem);
16. Report on notice being given to a conscript, *SJB* Kalinovik, no. 17-16/01-211-180/3 of 27 March 1993;
17. Document by the RS Ministry of Defense, Kalinovik Department, sent to *SJB* Kalinovik, with the enclosure of the list of conscripts due to appear before the MUP building on 26 March 1993, *Pov.br.* 13-2/93 of 26 March 1993;

18. Bulletin of Daily Events for 27/28 May 1992, *SJB Kalinovik*, no. 17-16/01-211-503/92 of 28 May 1992 (handwritten and typed on a typewriter);
19. Conclusion, the Executive Committee of the Kalinovik Municipality, no. 02-012-39/93 of 22 June 1993;
20. Order by the Kalinovik TG Command, *Pov.br.985-1* of 9 December 1992;
21. Eviction Order, the Municipality of Kalinovik, no. 17-16/01-211-606/92 of 31 August 1992;
22. Request to assign [REDACTED] to work during the working day, *DP Šumarsvo Zelengora Kalinovik*, no. [REDACTED] of 8 July 1992;
23. Official Note on the interview conducted of P.V., *SJB Kalinovik*, no. 17-16/01-211-696/92 of 1 October 1992;
24. List of women and children of the Serb soldiers exchanged in the place called Jakomišlje and Rogoj, *SJB Kalinovik*, no. 17-16/01-211-894/92 of 28 December 1992;
25. Document by the Ministry of Defense in Kalinovik, no. 08/2-82-112-2/92 of 24 December 1992;
26. Official Note, *SJB Kalinovik*, no. 17-16/01-211-897/92 of 31 Dec 1992;
27. Official Note on the information gathered from the inhabitants of the Jelašca village, *SJB Kalinovik*, no. 17-16/01-211-897/92 of 31 December 1992;
28. Activity Report, Milan Perić and Ratko Govedarica – police officers of the Kalinovik Police Station, no. 17-16/01-211-889/92 of 16 December 1992;
29. Certificate, *SJB Kalinovik*, no. *sl/92* of 16 December 1992;
30. Official Note on the interviews conducted, Spasoje Doder and Milivoje Faladžić – police officers of the Kalinovik Police Station, no. 17-16/01-211-849/92 of 25 November 1992;
31. Report, Ratko Govedarica, *Punkt-92*, no. 17-16/01-211-784/92 of 9 October 1992;
32. Official Note, no. 17-16/01-211-668 of 30 September 1992;
33. Official Note, Spasoje Doder, Ranko Pavlović and Milivoje Faladžić, police officers of the Kalinovik Police Station, no. 17-16/01-211-668/92 of 26 September 1992;
34. Order – military secret confidential, the Kalinovik TG Command, no. *Pov.br.742-1* of 11 October 1992;
35. Order to Radomir Mandić, the Kalinovik TG Command, no. *Pov.br.825-1* of 22 October 1992;
36. Document, *SJB Kalinovik*, no. 17-16/01-211-1/93 of 6 February 1993;
37. Document, the Command of the 1st Koševo Light Infantry Brigade, military secret confidential, no. *Pov.br.30-1* of 4 February 1993;
38. Document (soldier issues) – military secret confidential, the Command of the 1st Koševo Light Infantry Brigade, no. *Pov.br.104-1* of 29 December 1992;
39. Certificate confirming that Mr. Đorđislav Aškraba was an employee of the former BiH MUP, that he reported for work with the Serb Police Station in

- Kalinovik on 4 May 1992, *SJB Kalinovik*, no. 17-16/01-211-222/93 of 8 April 1993;
40. Bulletin of Daily Events for 20 September 1993; *SJB Kalinovik*, of 20 Sep 1993;
 41. Order, the Executive Committee of the Kalinovik Municipality, no. 02-012-34/92 of 19 November 1992;
 42. Order, the Kalinovik TG Command, no. *str.pov.br.921-1* of 20 Nov 1992;
 43. Order, the Kalinovik TG Command, no. *pov.br.985-1* of 9 December 1992;
 44. Order, the Kalinovik TG Command, VP 7223, no. *str.pov.br.981-1* of 7 December 1992;
 45. Order, the Kalinovik TG Command, no. *str.pov.br.907-1* of 15 Nov 1992;
 46. Order to *SJB Kalinovik*, the Executive Committee of the Kalinovik Municipality, no. 02-012-33/92 of 19 November 1992;
 47. Order, the Executive Committee of the Kalinovik Municipality, no. 02-012-31/92 of 21 September 1992;
 48. Order to *SJB Kalinovik*, the Executive Committee of the Kalinovik Municipality, no. 02-012-32/92 of 30 September 1992;
 49. Order to *SJB Kalinovik*, the Executive Committee – *SAO /Serb Autonomous District/ HERZEGOVINA*, the Kalinovik Municipality, no. 02-012-27/92 of 19 May 1992;
 50. Order to *SJB Kalinovik*, the Executive Committee – *SAO HERZEGOVINA*, the Kalinovik Municipal Assembly, no. 02-012-29/92 of 2 June 1992;
 51. "Transcript", the Kalinovik Municipality, no. 02-012-29/92 of 29 May 1992;
 52. Order to Take Deserters from the Unit into Custody, the Kalinovik TG Command, of 2 June 1992, with the Note of 3 May 1992;
 53. Receipt for *DP Zagorje Kalinovik*, *SJB Kalinovik*, no. 17-16/01-222-618/92 of 8 September 1992;
 54. Travel Permission for a Muslim detainee, [REDACTED] *SJB Kalinovik*, no. *s/92* of 25 July 1992;
 55. Travel Permission for a Muslim detainee, [REDACTED] *SJB Kalinovik*, no. *s/92* of 10 July 1992;
 56. Travel Permission for 8 Muslim detainees with police escort, *SJB Kalinovik*, no. *Službeno/92* of 30 June 1992;
 57. Travel Permission for 6 Muslim detainees with police escort, *SJB Kalinovik*, no. *Službeno/92* of 6 July 1992;
 58. Travel Permission for 7 Muslim detainees with police escort, *SJB Kalinovik*, no. *S/92* of 18 July 1992;
 59. List of conscripts deployed to *SJB Kalinovik*;
 60. Order, the Kalinovik TG Command, VP 7223 Kalinovik, no. *pov.br.878-1* of 2 November 1992;
 61. Đordislav Aškraba, personal questionnaire, *SJB Kalinovik*, no. 14-2/01-631/93 of 16 December 1993;
 62. Personal questionnaire, the Sarajevo MUP, 9 December 1993;

63. Document on the transfer of Đorđislav Aškraba to *SJB Kalinovik, CSB /Security Services Center/ Trebinje*, Dispatch Note no. 1232/93 of 7 December 1993;
64. Recommendation on the treatment of military deserters and their relatives, the SDS Kalinovik Municipal Board, no. 35/94 of 30 May 1994;
65. Supplement to the list of soldiers at the front line, the Kalinovik TG Command, VP 4120, no. *sl-1* of 27 June 1992;
66. Supplement to the list of soldiers at the front line, the Kalinovik TG Command, VP 4120, no. 51-3 of 1 July 1992;
67. Transcript – Submission of the list of soldiers at the front line, the Kalinovik TG Command, VP 4120, no. 51-2 of 30 June 1992;
68. Lists by place/village;
69. List of Command Posts;
70. List of *TPAAB /anti-aircraft gun artillery battery/*;
71. List of the Kalinovik Unit;
72. Submission of the list of soldiers at the front line, the Kalinovik TG Command, VP 4120, no. 51-2 of 30 June 1992;
73. Request for an opinion on redeployment of conscripts, the Kalinovik TG Command, VP 4120, no. *Int.br.362-1* of 27 June 1992;
74. Order, the Executive Committee of the Kalinovik Municipality, no. *službeno* of 16 June 1992;
75. Order, the Executive Committee of the Kalinovik Municipality - *SAO Herzegovina*, no. 02-012-27/92 of 19 May 1992;
76. Order, the Executive Committee of the Kalinovik Municipality, no. 02-012-27/92 of 20 May 1992;
77. Minutes of the 26th session of the Executive Committee of the Kalinovik Municipality;
78. Utilities payment collection; *JKP /Public Utility Company/ Gradina Kalinovik*, no. 43-1/92 of 15 May 1992;
79. List of employees of the Kalinovik Health Centre, War Hospital in Kalinovik, no. 295/92 of 10 July 1992;
80. Document with the Report on Activities of *SJB Kalinovik, SJB Kalinovik*, no. 17-16/01-211-579/92 of 18 August 1992;
81. Authorization for the Grammar School in Kalinovik, the Executive Committee of the Kalinovik Municipality, no. 02-012-33/92 of 9 October 1992;
82. Notice, *JKP Gradina – Kalinovik*, no. 52-1/92 of 4 June 1992;
83. Bulletin of Daily Events for 27/28 May 1992; *SJB Kalinovik*, no. 17-16/01-211-503/92 of 28 May 1992;
84. Document on detection of frequent forest thefts, *SJB Kalinovik*, no. 17-16/01-211-521/92 of 10 September 1992;
85. Order, the Executive Committee of the Kalinovik Municipality, no. 02-012-31/92 of 1 September 1992;

86. Order, the Executive Committee of the Kalinovik Municipality, no. 02-012-31/92 of 31 August 1992;
87. Order, the Executive Committee of the Kalinovik Municipality, no. 02-012-31/92 of 31 August 1992;
88. Order, the Executive Committee of the Kalinovik Municipality, no. 02-012-31/92 of 19 August 1992;
89. Order, the Executive Committee of the Kalinovik Municipality, SAO-Herzegovina, no. 02-012-25/92, 11 May 1992;
90. Submission of Death Certificates and Decisions on Registration; the Municipality of Trnovo, no. 02/1-13-6-42 of 29 October 2007;
91. Death Certificate for [REDACTED] the Municipality of Trnovo of 29 October 2007;
92. Submission of final decision, [REDACTED] the MUP in Sarajevo, no. 02/3.1-202-1 of 16 February 1998;
93. Decision on registration of death for [REDACTED] the MUP in Sarajevo, no. 02/3.1-202-1 of 16 February 1997;
94. Death certificate for [REDACTED] the Municipality of Trnovo of 29 October 2007;
95. Document, SJB Trnovo, no. 19/20-6-202-72/97 of 22 January 1997;
96. Submission of final decision – [REDACTED], CSB Sarajevo, no. 19/05-1-202-2152/96 of 14 January 1997;
97. Decision on registration of death for [REDACTED], CSB Sarajevo, no. 19/05-1-202-2152/96 of 14 January 1997;
98. Death Certificate for [REDACTED] the Trnovo Municipality, of 29 October 2007;
99. Document by the RS Government, accompanied by copies of discharge certificates /excerpts from *Vob*– military records/ for Ratko Bundalo, Neđo Zeljaja and Đorđislav Aškraba, Ministry of Labor and Veterans Protection, no. 16-10431/07 of 19 September 2007;
100. Document by the RS MUP- CJB /Public Security Center/ Istočno Sarajevo, informing the Prosecutor's Office of BiH that Neđo Zeljaja has a clear police record, the Trnovo Police Station, no. 13-6/02-655/07 of 26 October 2007;
101. Document by the RS MUP- CJB Banja Luka- the Laktaši Police Station, informing the Prosecutor's Office of BiH that Ratko Bundalo has no prior convictions according to the police record, no. 10-4/02-235.2-62/07 of 30 October 2007;
102. Document by the RS MUP- CJB Istočno Sarajevo- the Kalinovik Police Station, informing the Prosecutor's Office of BiH that Đorđislav Aškraba has a clear police record – no prior convictions, no. 13-1-10/02-235-1020/07 of 26 October 2007;
103. Document – the RS MUP, no. 02-str.pov.492/07 of 23 October 2007, with the enclosure of the following documents:

104. Decision for Nedo Zeljaja, the RS MUP, no. 09-4449 of 6 March 1993;
105. Personal questionnaire, the RS MUP of 10 November 1992;
106. Decision determining the rank for Nedo Zeljaja, the RS MUP, no. 08/1-134-3683, of 20 October 1995;
107. Personal questionnaire for determining the rank of authorized official for Nedo Zeljaja, no. 16-3/01-120-408/95 of 21 September 1995;
108. Certificate for Nedo Zeljaja, *SJB* Kalinovik, no. 16-3/09-29-618/96 of 8 August 1996;
109. Decision for Nedo Zeljaja, the Bijeljina MUP, no. 09/3-126-4542 of 20 August 1996;
110. Decision for Đorđislav Aškraba, the RS MUP, no. 10-09/2-120-27/221 of 1 April 1992;
111. Decision for Đorđislav Aškraba, the RS MUP, no. 096460 of 23 November 1993;
112. Decision determining the rank for Đorđislav Aškraba, the RS MUP, no. 08/1-134-1004 of 20 October 1995;
113. Personal Questionnaire for determination of the rank of the authorized official, for Đorđislav Aškraba, the RS MUP, the Srbinje Border Control Police Station;
114. Decision for Đorđislav Aškraba, the RS MUP, no. 08/1-120-3986 of 5 December 1995;
115. Decision for Đorđislav Aškraba, the RS MUP in Bijeljina, no. 09-170-1081 of 30 March 1994;
116. Decision for Đorđislav Aškraba, the RS MUP in Sarajevo, no. 09/3-120-3594 of 17 September 1994;
117. Certificate for Đorđislav Aškraba, *SJB* Kalinovik, no. 16-3/09-29-154/96 of 6 March 1996;
118. Certificate for Đorđislav Aškraba, Ministry of Defense- Kalinovik Department, No. 28-1/96, dated 8 March 1996;
119. Certificate for Đorđislav Aškraba, RS MUP - Police Station on the control of the Srbinje Border Crossing, no. 01/2-32-12/96 of 10 October 1996;
120. Certificate of Membership in the RS Armed Forces for Đorđislav Aškraba, MUP-*CJB* Sarajevo, Rogatica, no. 15-01-26/97 of 20 January 1997;
121. Decision terminating the employment of Đorđislav Aškraba, the RS MUP in Bijeljina, no. 09/3-126-3581 of 30 August 1996;
122. Decision by the Cantonal Court in Sarajevo no. Kri-145/99 of 15 July 1999, ordering the exhumation and autopsy of the bodies of unknown civilians, whose bodily remains are at the site of Ratine- *Papratna Njiva*;
123. Record on exhumation and autopsy by the Cantonal Court in Sarajevo no. Kri.145/99 of 21 July 1999, drafted at the scene, at the site of Rapine, the municipality of Foča, on the exhumation of civilians killed in 1992;
124. Record on examination by the expert witness, [REDACTED] no. KRI-145/99 of 26 July 1999;

125. Sketch of the site of exhumation of bodily remains of human bones found at the stables of Mustafa Tuzlak, the village of Ratine, the municipality of Foča;
126. Photo-documentation on the exhumation, autopsy and identification, the site of Ratine village, the municipality of Foča, no. 1613/99 of 23 August 1999, drafted by the MUP of Sarajevo Canton- Crime Police Sector in Sarajevo;
127. Record on exhumation and autopsy, the Sarajevo Cantonal Court, no. Kri. 82/98 of 24 June 1999, drafted in Kalinovik, the place of Jelašca, the *Mehka Brda* site, 10 civilians killed;
128. Record on hearing of expert witness, [REDACTED] no. Kri-82/98 of 30 December 1999;
129. Report on crimes scene search no. 1452/99 of 24 June 1999;
130. Sketch of the site of exhumation of 10 corpses, exhumed from a common grave in the place of *Mala Mehka Brda*, the municipality of Kalinovik;
131. Photo-documentation of the exhumation, autopsy and identification of 10 corpses at the site of *Mala Mehka Brda*, the municipality of Kalinovik, no. 1452/99 of 8 July 1999, drafted by the MUP of Sarajevo Canton, the Crime Police Sector in Sarajevo;
132. Photo-documentation of re-exhumation of the bodies 21, 21A, 64, 66 and 70; the site of the local cemetery of Milakovac, Ustikolina no. 169/04 of 23 October 2007 (photographed on 22 September 2004), drafted by the MUP of the Bosna-Podrinje Canton- the Goražde Crime Police Sector;
133. Sketch of the site of re-exhumation of the unidentified bodies no. 21, 21A, 64, 66 and 70;
134. Record by the Tuzla Expert Team on identification of 7 June 2005, drafted in Goražde, pertaining to [REDACTED]
135. Report on forensic expertise on re-exhumations at the Muslim cemetery in Ustikolina, no. KTA-70/04 of 22 September 2004 with a DNA report on potential identification of [REDACTED]
136. Order by the Cantonal Prosecutor's Office in Goražde no. KTA-70/04 of 7 June 2005 to takeover the body of [REDACTED]
137. Record of exhumation and re-exhumation carried out by the FBiH Commission for Missing Persons in Sarajevo- Goražde Branch- of 23 September 2004;
138. Request and notification by the FBiH Commission for Missing Persons in Sarajevo- Goražde Branch- of exhumation and re-exhumation of unidentified bodies, of 14 September and 15 September 2004;
139. Request by the Cantonal Prosecutor's Office to issue an order to carry out exhumation and re-exhumation of several bodies no. KTA-70/04 of 14 September 2004;
140. Order to carry out exhumation and re-exhumation by the Cantonal Court in Goražde no. Kpp:7/04 of 17 September 2004;

141. Order by the Cantonal Prosecutor's Office in Goražde no. KTA-70/04 of 17 September 2004 to conduct an autopsy and identification of bodily remains;
142. Order by the Cantonal Prosecutor's Office in Goražde no. KTA-70/04 of 20 September 2004, to conduct an autopsy and identification of the skeleton remains;
143. Record on on-site investigation by the Cantonal Prosecutor's Office in Goražde no. KTA-70/04 of 22 September 2004;
144. Report by the Goražde MUP on exhumations and re-exhumations carried out, no. 07-02/3-1-105 of 14 October 2004, with the cover letter;
145. Photo-documentation pertaining to the photographing of graves in the village of Dujmovići, the Tmovo municipality, no. 17-14/1-7-20/07, dated 31 October 2007, with the cover letter;
146. Request by the Cantonal Prosecutor's Office in Sarajevo to issue an order to carry out re-exhumation, no. KTA-71/06-RZ of 11 August 2006;
147. Order by the Cantonal Court in Sarajevo on re-exhumation of an unidentified person no. 009-0-KPP-06-000 145 of 11 August 2006;
148. Order by the Cantonal Prosecutor's Office in Sarajevo no. KTA-71/06-RZ of 15 August 2006, ordering re-exhumation of 15 August 2006;
149. Record by the Cantonal Prosecutor's Office in Sarajevo, no. KTA-71/06-RZ of 22 August 2006 on re-exhumation and identification carried out;
150. Record by the Sarajevo Canton MUP on identification of the corpse no. [REDACTED] drafted on 13 October 2006, pertaining to [REDACTED] with the DNA report;
151. Official Note by the Sarajevo Canton MUP no. 02/2-2-371/06, drafted on 22 August 2006;
152. Official Note by the Sarajevo Canton MUP no. 02/2-2-456/06, drafted on 13 October 2006;
153. Photo-documentation of re-exhumation of an unidentified corpse, the Visoko site, no. O R 2520/06, dated 28 August 2006;
154. Re-exhumation – Autopsy Record by the Forensic Institute in Sarajevo S.br.27-274/2006, with the DNA Report;
155. Request by the Prosecutor's Office in Sarajevo to issue an order to conduct re-exhumation no. KTA-116/07-RZ of 26 September 2007;
156. Order by the Cantonal Court in Sarajevo to conduct re-exhumation no. 009-0-KPP-07-000 155 of 27 September 2007;
157. Order by the Cantonal Prosecutor's Office in Sarajevo to conduct re-exhumation and to take a bone sample for DNA analysis no. KTA-116/07-RZ of 1 October 2007, ordering re-exhumation of 15 August 2006;
158. Record by the Cantonal Prosecutor's Office in Sarajevo no. KTA-116/07-RZ of 2 October 2007 on re-exhumation;
159. Record by the Cantonal Prosecutor's Office in Sarajevo no. KTA-116/07-RZ of 5 October 2007 on identification;

160. Official Note by the Sarajevo Canton MUP no. 02/2-2-548/07 drafted on 5 October 2007;
161. Official Note by the Sarajevo Canton MUP no. [REDACTED] drafted on 5 October 2007, pertaining to the interview of [REDACTED];
162. Record by the Sarajevo Canton MUP on identification of the corpse no. [REDACTED] drafted on 5 October 2007, pertaining to [REDACTED] with the DNA report;
163. Photo-documentation of the re-exhumation of an unidentified corpse - the Visoko site, no. O R 1930/07 dated 17 October 2007;
164. Motion by the Cantonal Prosecutor's Office in Sarajevo to issue an order to carry out exhumation no. KTA-33/04-RZ of 1 July 2004, at the site of *Vjetren Brdo*, the municipality of Kalinovik;
165. Order by the Cantonal Court in Sarajevo to conduct the exhumation of bodily remains from a mass grave, as well as an autopsy etc, no. KPP-119/04 of 12 July 2007;
166. Record by the Cantonal Prosecutor's Office Sarajevo no. KTA-33/04-RZ of 15 July 2004 on exhumation;
167. Record on Autopsy by the Forensic Institute of 15 July 2004 drafted by [REDACTED] pertaining to the Kalinovik mass grave, for the body no. [REDACTED];
168. Official Note by the Sarajevo Canton MUP no. [REDACTED] made on 2 August 2004, pertaining to the identification of bodily remains of [REDACTED] found at the site of the mass grave of *Vjetren Brdo*, Kalinovik;
169. Official Note by the Sarajevo Canton MUP no. 02/2-2-671/04 made on 2 August 2004, pertaining to the autopsy of bodily remains found at the site of the mass grave of *Vjetren Brdo*, Kalinovik;
170. Record by the Sarajevo Canton MUP on identification of corpse, no. [REDACTED] made on 2 August 2004, pertaining to [REDACTED];
171. Expert Analysis Finding on traces of firearms made by the Sarajevo Canton MUP, no. 02/2-6-04-09-2388 of 3 March 2005;
172. Report by the Sarajevo Canton MUP on crime scene investigation, no. 3100/04 of 15 July 2004 (although the report reads 2005);
173. Photo-documentation of the exhumation and autopsy of two corpses at the site of *Vjetren Brdo*, the municipality of Kalinovik, no. 3100/04 of 8 April 2005;
174. Letter by the FBiH Commission for Missing Persons pertaining to the exhumation at the site of *Vjetren Brdo*, the municipality of Kalinovik, no. 01-41-2522/2007 of 31 May 2007;
175. Record by *JKP Gradska Groblja d.o.o.* Visoko INT no. 190-262/07 of 21 September 2007 on the handover of DNA samples;
176. Record by the Cantonal Prosecutor's Office Sarajevo, no. KTA-22/04-RZ of 6 August 2004 on the exhumation of bodily remains from the mass grave

at the site of *Ponor* canyon, near a caved-in tunnel on the M-18 road - Sarajevo-Foča;

177. Record by the Cantonal Prosecutor's Office in Sarajevo no. KTA-22/04-RZ of 16 July 2007 on the re-association of the skeletal remains of the bodies from the mass grave at the site of *Ponor* canyon;

178. DNA report for possible identification of [REDACTED]

179. Autopsy Records by the Forensic Institute no. [REDACTED] of 7 August 2004, made by [REDACTED] a specialist in forensics, regarding the mass grave of *Tuneli* Foča, for 36 bodies, as well as autopsy record for *Tuneli*-Foča no. [REDACTED] of 7 August 2004 – list of various bones (which did not fit in when assembling the bodies);

180. Record by *JKP Gradska Groblja d.o.o.* Visoko INT no. 190-276/07 of 3 October 2007 on the handover of DNA samples (enclosed is the request to take a spare bone sample);

181. Order by the Cantonal Court in Sarajevo no. Kpp-107/04 of 13 July 2004, ordering the exhumation of bodily remains from a mass grave at the site of a caved-in tunnel on the Miljevina – Foča road;

182. Record on exhumation by the Sarajevo Canton MUP no. 02/2.2-287/04 of 19 August 2004;

183. Record by *JKP Gradska Groblja d.o.o.* Visoko of 1 September 2006 on the handover of DNA samples (enclosed is the ICPM request of 3 July 2006 to take a spare bone sample);

184. Record by *JKP Gradska Groblja d.o.o.* Visoko of 20 July 2007 on the handover of DNA samples;

185. Letter by [REDACTED] of 25 August 2006, sent to the ICPM;

186. Request by the ICPM to take a spare bone sample, protocol no. 173/06, 162/06, 98/05, 80/50, 69/05, 258/06, 323/07;

187. Request by the FBIH Commission for Missing Persons Sarajevo of 26 May 2004;

188. Motion by the Cantonal Prosecutor's Office in Sarajevo to issue an order to carry out the exhumation at the site of a caved-in tunnel on the Miljevina-Foča road, no. KTA-22/04 of 1 July 2004;
189. Order to carry out the exhumation of bodily remains from a mass grave at the site of a caved-in tunnel on the Miljevina-Foča road, by the Cantonal Court in Sarajevo no. Kpp:107/04 of 13 July 2004;
190. Record on exhumation no. KTA-22/04 dated 6 August 2004;
191. Record on exhumation no. KTA-22/04 dated 19 August 2004 2x;
192. Order by the Cantonal Prosecutor's Office in Sarajevo no. KTA-22/04-RZ of 29 November 2006 to carry out forensic identification of bodily remains of the victims of the war in BiH exhumed on 6 August 2004 at the site of the canyon Ponor-Foča;
193. Official Note by the Sarajevo Canton MUP no. 02/2-2-38/05 of 4 February 2005, pertaining to the autopsy of bodily remains of 36 bodies exhumed from the *Ponor* mass grave;
194. Anthropological examination conducted by an ICMP anthropologist;
195. Record on the takeover of items from the exhumed bodies, no. 09/05 of 8 February 2005;
196. Expert Analysis Finding on the traces of firearms by the Sarajevo Canton MUP no. 02/2-6-04-09-2037 of 9 February 2006;
197. Expert Analysis Finding on the traces of firearms by the Sarajevo Canton MUP no. 02/2-6-04-09-7717 of 8 July 2005;
198. Photo-documentation no. 3364/04 dated 18 and 19 August 2004, the *Ponor* site, near a caved-in tunnel on the M-18 road - Sarajevo-Foča (nothing was found on that occasion as well);
199. Photo-documentation no. 3337/04 dated 9 August 2004, the *Ponor* site, near a caved-in tunnel on the M-18 road - Sarajevo-Foča (Parts I and II);
200. Report on a crime scene investigation no. 3337/04 of 4 August 2004;
201. Sketch of the site, 3337/04 of 4 August 2004;
202. Two video tapes: a) KPP-107/04 *Tuneli* exhumation b) *Tuneli*, Foča KPP-107/04
203. Record on the exhumation and autopsy, drafted in Kalinovik, in the place of Jelašca RS, the Cantonal Court in Sarajevo, no. Kri-82/98 of 24 June 1999;
204. Decision by the Cantonal Court in Sarajevo no. Kri-82/98 of 25 March 1999, ordering the exhumation and autopsy of the bodies of the killed civilians buried in two mass graves in the area of the Kalinovik municipality, in the place called Borovac, in the vicinity of a brook and on the meadow called *Kosa*, above the village of Jelašac;
205. Record on identification of the corpse of [REDACTED] the Sarajevo Canton MUP, no. [REDACTED] of 23 July 1999;
206. Record on identification of [REDACTED] the Sarajevo Canton MUP [REDACTED] of 23 July 1999;

207. Record on identification of [redacted] the Sarajevo Canton MUP, [redacted] of 23 July 1999;
208. Record on identification of [redacted] the Sarajevo Canton MUP, [redacted] of 23 July 1999;
209. Record on the exhumation of bodies in the area of the village of Jeleč, the Kalinovik municipality, the Cantonal Court in Sarajevo, no. Kri-348/99 of 21 June 2000;
210. Forensic expert finding and opinion on the exhumation, examination with the autopsy and identification of the corpses of [redacted], Forensic Medicine Institute – expert analysis carried out by expert witness [redacted]
211. Decision ordering the exhumation, autopsy and identification of bodily remains of [redacted] whose bodily remains are at the site of the village of Jelašci, the Kalinovik municipality, the Cantonal Court in Sarajevo, no. Kri-348/99 of 13 June 2000;
212. Decision ordering the exhumation, autopsy, and identification of the bodies of [redacted] whose bodily remains are at the site of the Jelašci village, the municipality of Kalinovik, the Cantonal Court in Sarajevo, Kri-348/99 of 3 December 1999;
213. Decision ordering the exhumation, autopsy and identification of the body of [redacted], whose bodily remains are at the site of the Jelašci village, the municipality of Kalinovik, the Cantonal Court in Sarajevo, no. [redacted] of 8 December 2000;
214. Record of the exhumation and autopsy conducted in the place of Jezero, at the Prezren site, the municipality of Kalinovik, with the identification and autopsy carried out at *Gradska Groblja* Visoko on 16 July 1999, the Cantonal Court in Sarajevo, no. kri-143/99 of 15 July 1999;
215. Record on hearing of expert witness, [redacted] of 16 July 1999, the Cantonal Court in Sarajevo;
216. Photo-documentation on the exhumation, autopsy and identification in the area of the RS municipality of Kalinovik, the place of Jezero, made by the Sarajevo Canton MUP, no. KU BR.1573/99, dated 26 July 1999;
217. Decision ordering the exhumation and autopsy of the bodies of the killed civilians buried in a mass grave at the site of Jezero, the Kalinovik municipality, the Cantonal Court in Sarajevo, no. Kri143/99 of 13 July 1999;
218. Decision ordering the exhumation and autopsy of the bodies of unidentified civilians, whose bodily remains are at the site of Mjehovina, the Kalinovik municipality, the Cantonal Court in Sarajevo, no. Kri-143/99 of 15 July 1999;
219. Record of examination of expert witness, [redacted] no. [redacted] of 26 July 1999, the Cantonal Court in Sarajevo;

220. Record of exhumation and autopsy, the Cantonal Court in Sarajevo, no. 142/99, of 19 July 1999;
221. Photo-documentation on the exhumation, autopsy and identification at the site of the municipality of Kalinovik, RS, the place of Mjehovina, made by the MUP of the Sarajevo Canton, no. KUBR.1612/99, dated 27 July 1999;
222. Sketch of the scene of the exhumation of the local cemetery in the Mjehovina village, the Kalinovik municipality, drafted by the Sarajevo Canton MUP, no. 1612/99 of 19 July 1999;
223. Document by the RS Central Commission for Exchange of Prisoners of War and Civilians of 24 April 1993;
224. Payroll for September 1992, issued by *SJB* Kalinovik;
225. Document by *CSNB /National Security Service Center/* Trebinje, *SJB* Kalinovik n/n sent to *CSB* Trebinje, pertaining to internal organization – systematization;
226. List of conscripts deployed to *SJB* Kalinovik during the period between 4 August 1991 and 30 June 1996, *SJB* Kalinovik, no. 15-2/01-100/99 of 11 June 1999;
227. List of reserve forces employees for the payment of salary for October 1992, issued by *SJB* Kalinovik;
228. Order by the Prime Minister of the Serb Republic of BiH, no. 03-36/92 of 21 May 1992;
229. Document by the President of the War Command, the Kalinovik Municipal Assembly, of 17 May 1992;
230. Order by the Kalinovik TG Command, VP 4120, of 12 July 1992;
231. Document by the Kalinovik TG Command of 13 July 1992;
232. List of members of the Military Police Unit who were told about the Order given by the Kalinovik TG Commander;
233. Request by RS MUP, *CSB* Romanija-Birča, no. 01-1280/92 of 15 December 1992, for the payment of salary to Rade Ivanović for October 1992;
234. List of captured persons released from the Kalinovik prison for exchange, *SJB* Trnovo, of 15 September 1992;
235. Minutes of the joint meeting of the Kalinovik TG Command and the Kalinovik Military Police of 26 May 1992;
236. Call-up papers by the Municipal Secretariat of National Defense of the Kalinovik Municipality of 25 June 1992 for Rašid Redžović;
237. Document by the Kalinovik TG Command of 17 June 1992;
238. Document by the Herzegovina Corps Command, *strogo pov.* no. 147/469 of 8 September 1992;
239. Order by the Trnovo Crisis Staff, no. *01-SL* of 13 July 1992;
240. Order by the Kalinovik TG Commander of 11 June 1992;
241. Order by the Kalinovik TG Command no. *SL/92* of 6 June 1992;
242. Order by the Kalinovik TG Command of 13 June 1992;

243. Order for further combat activities, the Kalinovik TG Command of 4 June 1992;
244. Units' tasks for further combat activities, the Kalinovik TG Command of 21 June 1992;
245. Food Requisition, the Trnovo Territorial Defense Command, no. 6/92 of 10 June 1992;
246. The Kalinovik TG Command, Requisition no. 14/92 of 5 July 1992;
247. Document of the RS MUP Bijeljina, no. 01-70/92 of 12 October 1992;
248. Photo-documentation and crime scene investigation: Ratine, municipality of Foča, SIPA BiH, no. 17-14/1-7-19/07, dated 15 November 2007;
249. Photo-documentation and crime scene investigation: military facility – Jelašaćko Polje – Kalinovik, SIPA BiH, No. 17-14/1-7-23/07, dated 15 November 2007;
250. Photo-documentation of the site: Sočani - Kalinovik, SIPA BiH, no. 17-14/1-7-24/07, dated 19 November 2007;
251. Photo-documentation of the site: Boljičići and Daganj - Kalinovik, SIPA BiH, no. 17-14/1-7-25/07, dated 19 November 2007;
252. Photo-documentation of the site: Kutine and Hotovlje- Kalinovik, SIPA BiH, no. 17-14/1-7-26/07, dated 19 November 2007;
253. Photo-documentation of the site: Luko-Kalinovik, SIPA BiH, no. 17-14/1-7-27/07, dated 19 November 2007;
254. Photo-documentation of the site: the Farm Pavlovac - Kalinovik, SIPA BiH, no. 17-14/1-7-28/07, dated 19 November 2007;
255. Photo-documentation of the site: Vihovići - Kalinovik, SIPA BiH, no. 17-14/1-7-29/07, dated 19 November 2007;
256. Photo-documentation of the site: Jelašća - Kalinovik, SIPA BiH, no. 17-14/1-7-30/07, dated 19 November 2007;
257. Photo-documentation of the site: Weekend cottage, owned by M. Sabljica Mjehovina - Kalinovik, SIPA BiH, no. 17-14/1-7-31/07, dated 19 November 2007;
258. Photo-documentation of the site: the Kalinovik Police Station, SIPA BiH, no. 17-14/1-7-32/07, dated 19 November 2007;
259. Photo-documentation of the site: *Ljujica Bogdan* Primary School in Kalinovik, SIPA BiH, no. 17-14/1-7-33/07, dated 19 November 2007;
260. Two DVDs containing video recording of burnt villages and detention centers,
261. Certificate issued by the FBiH Commission for Missing Persons on the disappearance of [REDACTED] 15 November 2007;
262. Certificate issued by the FBiH Commission for Missing Persons on the disappearance of [REDACTED] of 15 November 2007;

263. Certificate issued by the FBiH Commission for Missing Persons on the disappearance of [REDACTED] November 2007;
264. Certificate issued by the FBiH Commission for Missing Persons on the disappearance of [REDACTED] of 15 November 2007;
265. Certificate issued by the FBiH Commission for Missing Persons on the disappearance of [REDACTED] of 15 November 2007;
266. Certificate issued by the FBiH Commission for Missing Persons on the disappearance of [REDACTED] of 15 November 2007;
267. Certificate issued by the FBiH Commission for Missing Persons on the disappearance of [REDACTED] of 15 November 2007;
268. Certificate issued by the FBiH Commission for Missing Persons on the disappearance of [REDACTED] of 15 November 2007;
269. Registers of Missing Persons in the territory of BiH, by place of disappearance and in alphabetical order, ICRC, Eight Edition, dated 28 February 2007;
270. ICTY Judgment in the Dragoljub Kunarac et al. Case, no. IT-96-23-T and IT-96-23/1-T of 22 February 2001,
271. ICTY Judgment in the Dragoljub Kunarac et al. Case, no. IT-96-23 and IT-96-23/1-A of 12 June 2002;

Results of the Investigation:

Having conducted an investigation against the suspects Neđo Zeljaja, Đorđislav Aškraba and Ratko Bundalo, this Prosecutor's Office has gathered evidence which justify the belief that the suspects, at the time and in the manner described in the operative part of the Indictment, committed the criminal actions listed in the Indictment, which actions imply that the suspects committed the criminal offense of Crimes Against Humanity referred to in the BiH CC Article 172 (1) in conjunction with Article 180 (1). First of all, the Prosecutor's Office of BiH would like to point out that the gathered evidence quite reliably indicate that the suspects, as part of the widespread and systematic attack by the VRS police and paramilitary units, in the time period described in the operative part of the Indictment, acted as part of a joint criminal enterprise aimed at the persecution of Bosniak population in the municipality of Kalinovik, in the killings, enslavement, forcible transfer of population, extermination, imprisonment and

other severe deprivation of liberty, torture, rapes, enforced disappearances and other inhumane acts, whereby they took part in the forming of camps and prisons in the territory of the Kalinovik municipality – the camp *Baruni Magacin* at *Jelašačko Polje*, the prison at the Elementary School of *Miladin Radojević* and the prison in the cellar premises of *SJB Kalinovik*, in which detained was almost the entire Bosniak civilian population of the Kalinovik municipality. From the evidence gathered a clear conclusion can be made that the suspects Nedo Zeljaja, as the Commander of *SJB Kalinovik*, Đorđislav Aškraha as the Warden of the camp of *Baruni Magacin*, and Ratko Bundalo, as the Commander of the Kalinovik TG, undertook actions they are charged with and were aware of the consequences of those actions and that beyond any reasonable doubt they knew of the existence of the widespread and systematic attack against the civilian Bosniak population of the Kalinovik municipality aimed at the persecution and other actions as described in the operative part of the Indictment.

From the statements of all witnesses examined, by assessing each statement individually and bringing them in mutual connection, one may justifiably conclude that there is grounded suspicion that the suspects committed the criminal offenses they are charged with. Furthermore, the witness statements are corroborated by the material evidence collected by the Prosecutor's Office in the investigation, creating the conclusion that there exists the grounded suspicion as the basic element for the confirmation of this Indictment. By reading the statements of the witnesses examined, one comes to a clear conclusion that these witnesses were direct or indirect victims of the criminal actions committed by the suspects. Most of the witnesses confirm the participation of the suspects in the actions described in the operative part of the Indictment in a clear and undisputable manner. On the other hand, their statements are corroborated also by the material evidence which confirm the participation of the suspects in the criminal actions and also confirm the status and the capacity of the suspects at the time of the commission of the criminal offense, which undisputedly confirms the existence of the criminal offense and criminal responsibility of the suspects.

As for the general element of this criminal offense, it can clearly be concluded from the evidence proposed that during the period from April 1992 until March 1993 there was a wide and systematic attack by the *VRS*, police and paramilitary units at the civilian Bosniak population of the municipality of Kalinovik. In this regard, the Prosecutor's Office of BiH refers in particular to the Judgment of the ICTY in the case no. *IT-96-23-T* and *IT-96-23/1-T* against Dragoljub Kunarac and others. These are the Judgments of the Trial and Appeals Chambers of the ICTY, the Trial Chamber Judgment of 22 February 2001, where in paragraph 578 it reads: "In view of these facts, the Trial Chamber is satisfied that there was a systematic attack by the Bosnian Serb Army and paramilitary groups on the

Muslim civilian population of the municipalities of Foca, Gacko and Kalinovik." Furthermore, the ICTY Appeals Chamber in the same case, in its Judgment of 12 June 2002, confirmed the findings of the Trial Chamber on the existence of a wide and systematic attack by the forces of Bosnian Serbs and paramilitary formations on the Bosniak civilian population of the municipalities of Foča, Gacko and Kalinovik. The Prosecutor's Office is hereby referring to paragraphs 1 and 3 of the Appeals Chamber Judgment, where the following is established:

"1. The Appeals Chamber endorses the following findings of the Trial Chamber.

3. The armed conflict involved a systematic attack by the Bosnian Serb Army and paramilitary groups on the non-Serb civilian population in the wider area of the municipality of Foca. The campaign was successful in its aim of "cleansing" the Foca area of non-Serbs. One specific target of the attack was Muslim women, who were detained in intolerably unhygienic conditions in places like the Kalinovik School, Foca High School and the Partizan Sports Hall, where they were mistreated in many ways, including being raped repeatedly. The Appellants were aware of the military conflict in the Foca region. They also knew that a systematic attack against the non-Serb civilian population was taking place and that their criminal conduct was part of this attack."

In addition to the mentioned conclusions of the ICTY, clearly pointing to the existence of a wide and systematic attack by the forces of Bosnian Serbs on Bosniak civilian population of the municipality of Kalinovik are also the evidence proposed, first of all, the statements of the witnesses examined. From the collected evidence it arises that the area of the Kalinovik municipality, during the period listed in the operative part of the Indictment, was the scene of the attack by the forces of VRS, paramilitary formations on the Bosniak civilian population within which men were detained at the camps at the Elementary School of *Miladin Radojević* and subsequently transferred to *Baruni Magacin*, after which they were all tortured and liquidated. Furthermore, it can be clearly concluded from the collected evidence that other civilians were detained in very hard and inhumane conditions at the facilities of the Elementary School of *Miladin Radojević* and the cellar premises of *SJB Kalinovik*. Furthermore it can be concluded that this attack was also aimed at the persecution of the Bosniak civilian population through the actions described in the operative part of the Indictment. The result of this attack is that in the relevant period the entire territory of the Kalinovik municipality was ethnically cleansed from the Bosniak population with particularly grave and disturbing consequences to the Bosniak population of the Kalinovik municipality.

From the collected evidence as well as from the material documentation one can clearly come to the conclusion as to the awareness on the part of the suspects Nedo Zeljaja, Đorđislav Aškraba and Ratko Bundalo of the existence of the attack and of the consequences thereof, as well as of the actions listed in the operative part of the Indictment. First of all, the statements of the witnesses examined clearly point to the criminal actions committed and the responsibility of the suspects for those actions. Even more so, the evidence presented clearly confirm that the relevant actions can be characterized as the actions towards the implementation of a joint criminal plan aimed at the persecution of the Bosniak population, and that the suspects, together with other persons, had a joint intention and aim in that criminal plan, which undoubtedly confirms the existence of a joint criminal enterprise and the fact that the suspects acted as a part of the joint criminal enterprise aimed at exactly the persecution of the Bosniak civilian population from the territory of the Kalinovik municipality.

All witnesses examined have confirmed in a clear and undoubted way, as direct victims or eyewitnesses to the relevant actions, the existence of the criminal actions described in the operative part of the Indictment and those statements are fully corroborated by the material evidence, creating a clear conclusion on the existence of those actions and the responsibility of the suspects for those actions. The statements of witnesses are clear, concise and mutually tied, so that they fully corroborated the averments made in the operative part and in the Indictment.

In view of everything above, it can be clearly concluded that the suspects Nedo Zeljaja, Đorđislav Aškraba and Ratko Bundalo committed the criminal actions at the time and in the manner described in the operative part of this Indictment.

Materials corroborating the averments of the Indictment:

- Suspect Questioning Record- Nedo Zeljaja of the BiH Prosecutor's Office no. KT-RZ-80/05 of 28 August 2007, with the audio recording of the questioning sealed;
- Suspect Questioning Record- Đorđislav Aškraba of the BiH Prosecutor's Office no. KT-RZ-80/05 of 29 August 2007, with the audio recording of the questioning sealed;
- Suspect Questioning Record- Ratko Bundalo of the BiH Prosecutor's Office no. KT-RZ-80/05 of 31 August 2007, with the audio recording of the questioning sealed;
- Record- [REDACTED] BiH Prosecutor's Office no. [REDACTED], BiH Prosecutor's Office of 4 April 2007; Record, SIPA, no. [REDACTED] of 24 January 2007;

- Record- [REDACTED] BiH Prosecutor's Office no. KT-RZ-80/05, KT-RZ-90/07, of 10 April 2007; Record, SIPA, no. 17-14/3-1-8/07 of 30 January 2007;
- Record- [REDACTED] SIPA, no. 17-14/3-1-9/07 of 30 January 2007;
- Record- [REDACTED] [REDACTED] er van, SIPA, no. 17-14/3-1-11/07 of 1 February 2007;
- Record- [REDACTED] SIPA, no. 17-14/3-1-10/07 of 1 February 2007;
- Record- [REDACTED] SIPA, no. 17-14/3-1-12/07 of 2 February 2007;
- Record- [REDACTED] SIPA, no. 17-14/3-1-17/07 of 7 February 2007;
- Record- [REDACTED] SIPA, no. 17-14/3-1-24/07 of 27 February 2007;
- Record- [REDACTED] SIPA, no. 17-14/3-1-33/07 of 28 February 2007;
- Record- [REDACTED] SIPA, no. 17-14/3-1-34/07 of 2 March 2007;
- Record- [REDACTED] A, no. 17-14/3-1-35/07 of 2 March 2007;
- Record- [REDACTED] SIPA, no. 17-14/3-1-36/07 of 5 March 2007;
- Record- [REDACTED] SIPA, no. 17-14/3-1-38/07 of 12 March 2007;
- Record- [REDACTED] SIPA, no. 17-14/3-1-39/07 of 13 March 2007;
- Record- [REDACTED] SIPA, no. 17-14/3-1-45/07 of 21 March 2007;
- Record- [REDACTED] SIPA, no. 17-14/3-1-41/07 of 15 March 2007;
- Record- [REDACTED] A, no. 17-14/3-1-47/07 of 22 March 2007;
- Record- [REDACTED] SIPA, no. 17-14/3-1-50/07 of 30 March 2007;
- Record- [REDACTED] SIPA, no. 17-14/3-1-51/07 of 30 March 2007;
- Record- [REDACTED] SIPA, no. 17-14/3-1-52/07 of 2 April 2007; Record, BiH Prosecutor's Office, no. KT-RZ-80/05, KT-RZ-90/07 of 10 April 2007;
- Record- [REDACTED] SIPA, no. 17-14/3-1-16/07 of 7 February 2007; Record, BiH Prosecutor's Office, no. KT-RZ-80/05, KT-RZ-90/07 of 12 April 2007;
- Record- [REDACTED] no. 17-14/3-1-53/07 of 2 April 2007;
- Record- [REDACTED] SIPA, no. 17-14/3-1-54/07 of 3 April 2007;
- Record- [REDACTED] , no. 17-14/3-1-56/07 of 4 April 2007;
- Record- [REDACTED] SIPA, no. 17-14/3-1-55/07 of 4 April 2007;
- Record- [REDACTED] SIPA, no. 17-14/3-1-62/07 of 12 April 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05, KT-RZ-90/07 of 16 April 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05, KT-RZ-90/07 of 17 April 2007; Record, SIPA, no. 17-14/3-1-7/07 of 29 January 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05, KT-RZ-90/07 of 17 April 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05, KT-RZ-90/07 of 15 May 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05, KT-RZ-90/07 of 15 May 2007;
- Record- [REDACTED] , BiH Prosecutor's Office, no. KT-RZ-80/05, KT-RZ-90/07 of 18 May 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05, KT-RZ-90/07 of 5 June 2007;

- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05 of 12 September 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05 of 12 September 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05 of 14 September 2007;
- Record- [REDACTED] SIPA, no. 17-14/3-1-131/07 of 20 August 2006;
- Record- [REDACTED] SIPA, no. 17-14/3-1-132/07 of 23 August 2006;
- Record- [REDACTED] SIPA, no. 17-14/3-1-133/07 of 23 August 2006;
- Record- [REDACTED], no. 17-14/3-1-139/07 of 27 August 2007;
- Record- [REDACTED] A, no. 17-14/3-1-135/07 of 28 August 2007;
- Record- [REDACTED] A, no. 17-14/3-1-136/07 of 29 August 2007;
- Record- [REDACTED] no. 17-14/3-1-138/07 of 3 September 2007;
- Record- [REDACTED] SIPA, no. 17-14/3-1-139/07 of 3 September 2007;
- Record- [REDACTED], BiH Prosecutor's Office, no. KT-RZ-80/05 of 1 October 2007;
- Record- [REDACTED], BiH Prosecutor's Office, no. KT-RZ-80/05 of 2 October 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05 of 3 October 2007;
- Record- [REDACTED] drov, BiH Prosecutor's Office, no. KT-RZ-80/05 of 3 October 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05 of 4 October 2007;
- Record- [REDACTED], BiH Prosecutor's Office, no. KT-RZ-80/05 of 4 October 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05 of 15 October 2007;
- Record- [REDACTED], BiH Prosecutor's Office, no. KT-RZ-80/05 of 15 October 2007;
- Record- [REDACTED], BiH Prosecutor's Office, no. KT-RZ-80/05 of 16 October 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05 of 16 October 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05 of 17 October 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05 of 17 October 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05 of 17 October 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05 of 18 October 2007;

- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05 of 18 October 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05 of 18 October 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05 of 23 October 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05 of 23 October 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05 of 23 October 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05 of 23 October 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05 of 23 October 2007;
- Record- [REDACTED] Prosecutor's Office, no. KT-RZ-80/05 of 23 October 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05 of 25 October 2007;
- Record- [REDACTED], BiH Prosecutor's Office, no. KT-RZ-80/05 of 25 October 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05 of 25 October 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05 of 29 October 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05 of 5 November 2007;
- Witness Examination Record with the transcript and audio recording of the examination- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05 of 5 November 2007;
- Record- [REDACTED] BiH Prosecutor's Office, no. KT-RZ-80/05 of 8 November 2007;
- Witness Examination Record- FWS 130 given before the ICTY on 19 April 1996, 24 June 1997 and 21 October 1998;
- Witness Examination Records- Witness A, BiH Prosecutor's Office, no. KT-RZ-80/05 of 28 September 2007, 5 October 2007, 11 October 2007, 12 November 2007;
- Witness Examination Record- Witness B, BiH Prosecutor's Office, no. KT-RZ-80/05 of 8 November 2007;
- Witness Examination Record- Witness C, BiH Prosecutor's Office, no. KT-RZ-80/05 of 12 November 2007;
- Witness Examination Record- Witness D, BiH Prosecutor's Office, no. KT-RZ-80/05 of 29 October 2007;
- Witness Examination Record- Witness E, BiH Prosecutor's Office, no. KT-RZ-80/05 of 26 October 2007;

- Witness Examination Record- Witness F, BiH Prosecutor's Office, no. KT-RZ-97/06 and KT-RZ-80/05 of 23 May 2007;
- Witness Examination Record- Witness G, BiH Prosecutor's Office, no. KT-RZ-80/05 of 29 March 2007;
- Witness Examination Record with transcript and audio recording of the examination of Witness H, BiH Prosecutor's Office, no. KT-RZ-80/05 of 11 September 2007;

1. Order of the Court of BiH no. X-HRN/07/419 of 3 September 2007;
2. Receipt on Seizure of Objects by SIPA BiH no. 17-04/2-04-2-17/07 of 5 Sep 2007;
3. Receipt on Seizure of Objects by SIPA BiH no. 17-04/2-04-2-18/07 of 5 Sep 2007;
4. Receipt on Seizure of Objects by SIPA BiH no. 17-04/2-04-2-19/07 of 5 Sep 2007;
5. Receipt on Seizure of Objects by SIPA BiH no. 17-04/2-04-2-20/07 of 5 Sep 2007;
6. Record of Search of Dwelling, Other Premises and Personal Property by SIPA BiH no. 17-04/2-04-2-11/07 of 5 Sep 2007;
7. Record of Search of Dwelling, Other Premises and Personal Property by SIPA BiH no. 17-04/2-04-2-12/07 of 5 Sep 2007;
8. Record of Opening and Inspection of the Seized Objects and Documents by the BiH Prosecutor's Office no. KT-RZ-80/05 of 24 Sep 2007;
9. Certificate of Employment for Đorđislav Aškraba covering the period from 3 May until 28 May 1992 at *SJB* Kalinovik, no. 14-2/01-211-465/93 of 13 Sep 1993;
10. Official Note by *SJB* Kalinovik sent to the Kalinovik TG Command, no. 17-16/01-211-640/82 of 17 Sep 1992;
11. Official Note by a police employee Miroslav Mišur, *SJB* Kalinovik, no. 17-16/01-211-640/92 of 14 Sep 1992;
12. Decision by the Executive Committee of the Kalinovik Municipality to establish a commission to conduct an inspection with the households in order to establish the quantity of firewood, no. 02-012-35/93 of 5 March 1993 (it also contains the Note on the visit conducted, signed by a reserve police officer Ilija Đorem);
13. Report on Notice being given to a conscript, *SJB* Kalinovik, no. 17-16/01-211-180/3 of 27 March 1993;
14. Document of the RS Ministry of Defense, Kalinovik Department – sent to *SJB* Kalinovik, with the enclosure of the list of conscripts due to appear before the MUP building on 26 March 1993, *Pov.br.* 13-2/93 of 26 March 1993;
15. Bulletin of Daily Events for 27/28 May 1992, *SJB* Kalinovik, no. 17-16/01-211-503/92 of 28 May 1992 (handwritten and typed on a typewriter);

16. Conclusion, the Executive Committee of the Kalinovik Municipality, no. 02-012-39/93 of 22 June 1993;
17. Order of the Kalinovik TG Command, *Pov.br.985-1* of 9 December 1992;
18. Eviction Order, the Kalinovik Municipality, no. 17-16/01-211-606/92 of 31 August 1992;
19. Request to assign Hasan Hadžić to work during the working day, *DP Šumarstvo Zelengora* Kalinovik, no. 17-16/01-211-549/92 of 8 July 1992;
20. Official Note on the interview conducted of P.V., *SJB* Kalinovik, no. 17-16/01-211-696/92 of 1 October 1992;
21. List of women and children of Serb soldiers exchanged in the place called Jakomišlje and Rogoj, *SJB* Kalinovik, no. 17-16/01-211-894/92 of 28 December 1992;
22. Document by the Ministry of Defense in Kalinovik, no. 08/2-82-112-2/92 of 24 December 1992;
23. Official Note, *SJB* Kalinovik, no. 17-16/01-211-897/92 of 31 December 1992;
24. Official Note on the information gathered from the inhabitants of the Jelašca village, *SJB* Kalinovik, no. 17-16/01-211-897/92 of 31 December 1992;
25. Activity Report, Milan Perić and Ratko Govedarica – police officers of the Kalinovik Police Station, no. 17-16/01-211-889/92 of 16 December 1992;
26. Certificate, *SJB* Kalinovik, no. sl/92 of 16 December 1992;
27. Official Note on the interviews conducted, Spasoje Doder and Milivoje Faladžić – police officers of the Kalinovik Police Station, no. 17-16/01-211-849/92 of 25 November 1992;
28. Report, Ratko Govedarica, *Punkt-92*, no. 17-16/01-211-784/92 of 9 October 1992;
29. Official Note, no. 17-16/01-211-668 of 30 September 1992;
30. Official Note, Spasoje Doder, Ranko Pavlović and Milivoje Faladžić, police officers of the Kalinovik Police Station, no. 17-16/01-211-668/92 of 26 September 1992;
31. Order- military secret confidential, the Kalinovik TG Command, *Pov.br. 742-1* of 11 October 1992;
32. Order to Radomir Mandić, the Kalinovik TG Command, *Pov.br.825-1* of 22 October 1992;
33. Document, *SJB* Kalinovik, no. 17-16/01-211-1/93 of 6 February 1993;
34. Document, the Command of the 1st Koševo Light Infantry Brigade, military secret confidential, *pov.br.30-1* of 4 February 1993;
35. Document (soldier issues) – military secret confidential, the Command of the 1st Koševo Light Infantry Brigade, *pov.br.104-1* of 29 December 1992;
36. Certificate confirming that Mr. Đorđislav Aškraba was an employee of the former BiH MUP, that he reported for work with the Serb Police Station in Kalinovik on 4 May 1992, *SJB* Kalinovik, no. 17-16/01-211-222/93 of 8 April 1993;

37. Bulletin of Daily Events for 20 September 1993; *SJB* Kalinovik of 20 September 1993;
38. Order, the Executive Committee of the Kalinovik Municipality, no. 02-012-34/92 of 19 November 1992;
39. Order, the Kalinovik TG Command, *str.pov.br.921-1* of 20 November 1992;
40. Order, the Kalinovik TG Command, *pov.br.985-1* of 9 December 1992;
41. Order, the Kalinovik TG Command, VP 7223, *str.pov.br.981-1* of 7 December 1992;
42. Order aiming at defending our territory and indentifying, preventing and infiltrating potential enemy terrorist/sabotage groups and their destroying, the Kalinovik TG Command, *sn.pov.br.907-1* of 15 November 1992;
43. Order to *SJB* Kalinovik, the Executive Committee of the Kalinovik Municipality, no. 02-012-33/92 of 19 November 1992;
44. Order, the Executive Committee of the Kalinovik Municipality, no. 02-012-31/92 of 21 September 1992;
45. Order to *SJB* Kalinovik, the Executive Committee of the Kalinovik Municipality, no. 02-012-32/92 of 30 September 1992;
46. Order to *SJB* Kalinovik, the Executive Committee - *SAO HERZEGOVINA*, the Kalinovik Municipality, no. 02-012-27/92 of 19 May 1992;
47. Order to *SJB* Kalinovik, the Executive Committee - *SAO HERZEGOVINA*, the Kalinovik Municipal Assembly, no. 02-012-29/92 of 2 June 1992;
48. "Transcript", the Kalinovik Municipality, no. 02-012-29/92 of 29 May 1992;
49. Order to Take Deserters from the Unit into Custody, the Kalinovik TG Command, of 2 June 1992, with the Note of 3 May 1992;
50. Receipt for *DP Zagorje* Kalinovik, *SJB* Kalinovik, no. 17-16/01-222-618/92 of 8 September 1992;
51. Travel Permission for a Muslim detainee, [REDACTED] *SJB* Kalinovik, no. *sl/92* of 25 July 1992;
52. Travel Permission for a Muslim detainee, [REDACTED] *SJB* Kalinovik, no. *sl/92* of 10 July 1992;
53. Travel Permission for 8 Muslim detainees with police escort, *SJB* Kalinovik, no. *Službeno/92* of 30 June 1992;
54. Travel Permission for 6 Muslim detainees with police escort, *SJB* Kalinovik, no. *Službeno/92* of 6 July 1992;
55. Travel Permission for 7 Muslim detainees with police escort, *SJB* Kalinovik, no. *Sl/92* of 18 July 1992;
56. List of conscripts deployed to *SJB* Kalinovik;
57. Order, the Kalinovik TG Command, VP 7223 Kalinovik, *pov.br.878-1* of 2 November 1992;
58. Đorđislav Aškraba, personal questionnaire, *SJB* Kalinovik, no. 14-2/01-120-631/93 of 16 December 1993;
59. Personal questionnaire, the Sarajevo MUP, 9 December 1993;

60. Document on the transfer of Đorđislav Aškraba to *SJB* Kalinovik, *CSB* Trebinje, Dispatch Note no. 1232/93 of 7 December 1993;
61. Recommendation on the treatment of military deserters and their relatives, the *SDS* Kalinovik Municipal Board, no. 35/94 of 30 May 1994;
62. Supplement to the list of soldiers at the front line, the Kalinovik TG Command, VP 4120, no. *sl-1* of 27 June 1992;
63. Supplement to the list of soldiers at the front line, the Kalinovik TG Command, VP 4120, no. 51-3 of 1 July 1992;
64. Transcript – Submission of the list of soldiers at the front line, the Kalinovik TG Command, VP 4120, no. 51-2 of 30 June 1992;
65. Lists by place/village;
66. List of Command Posts;
67. List of *TPAAB /anti-aircraft gun artillery battery/*;
68. List of the Kalinovik Unit;
69. Submission of the list of soldiers at the front line, the Kalinovik TG Command, VP 4120, no. 51-2 of 30 June 1992;
70. Request for an opinion on redeployment of conscripts, the Kalinovik TG Command, VP 4120, Int.br.362-1 of 27 June 1992;
71. Order, the Executive Committee of the Kalinovik Municipality, no. *službeno* of 16 June 1992;
72. Order, the Executive Committee of the Kalinovik Municipality - *SAO* Herzegovina, no. 02-012-27/92 of 19 May 1992;
73. Order, the Executive Committee of the Kalinovik Municipality, no. 02-012-27/92 of 20 May 1992;
74. Minutes of the 26th Session of the Executive Committee of the Kalinovik Municipality;
75. Utilities payment collection; *JKP Gradina* Kalinovik, no. 43-1/92 of 15 May 1992;
76. List of employees of the Kalinovik Health Centre, the War Hospital in Kalinovik, no. 295/92 of 10 July 1992;
77. Document accompanying the Report on Activities of *SJB* Kalinovik, *SJB* Kalinovik, no. 17-16/01-211-579/92 of 18 August 1992;
78. Authorization for the Grammar School in Kalinovik, the Executive Committee of the Kalinovik Municipality, no. 02-012-33/92 of 9 October 1992;
79. Notice, *JKP Gradina* – Kalinovik, no. 52-1/92 of 4 June 1992;
80. Bulletin of Daily Events for 27/28 May 1992; *SJB* Kalinovik, no. 17-16/01-211-503/92 of 28 May 1992;
81. Document on detecting a frequent forest theft, *SJB* Kalinovik, no. 17-16/01-211-521/92 of 10 September 1992;
82. Order, the Executive Committee of the Kalinovik Municipality, no. 02-012-31/92 of 1 September 1992;
83. Order, the Executive Committee of the Kalinovik Municipality, no. 02-012-31/92 of 31 August 1992;

84. Order, the Executive Committee of the Kalinovik Municipality, no. 02-012-31/92 of 31 August 1992;
85. Order, the Executive Committee of the Kalinovik Municipality, no. 02-012-31/92 of 19 August 1992;
86. Order, the Executive Committee of the Kalinovik Municipal Assembly, SAO-Herzegovina, no. 02-012-25/92, 11 May 1992;
87. Submission of copies of death certificates and decisions on registration; the Municipality of Tmovo, no. 02/1-13-6-42 of 29 October 2007;
88. Copy of Death Certificate for [REDACTED] the Municipality of Tmovo, dated 29 October 2007;
89. Submission of final decision, [REDACTED] the Sarajevo MUP, no. 02/3.1-202-1 of 16 February 1998;
90. Decision on registration of death for [REDACTED] the MUP in Sarajevo, no. 02/3.1-202-1 of 16 February 1997;
91. Death certificate for [REDACTED], the Municipality of Tmovo of 29 October 2007;
92. Document, *SJB* Tmovo, no. 19/20-6-202-72/97 of 22 January 1997;
93. Submission of final decision – [REDACTED] CSB Sarajevo, no. 19/05-1-202-2152/96 of 14 January 1997;
94. Decision on registration of death for [REDACTED] CSB Sarajevo, no. 19/05-1-202-2152/96 of 14 January 1997;
95. Death Certificate for [REDACTED] the Tmovo Municipality, of 29 October 2007;
96. Document by the RS Government, accompanied by copies of discharge certificates /excerpts from *Vob*– military records/ for Ratko Bundalo, Neđo Zeljaja and Đorđislav Aškraba, Ministry of Labor and Veterans Protection, no. 16-10431/07 of 19 September 2007;
97. Document by the RS MUP- *CJB* Istočno Sarajevo, informing the Prosecutor's Office of BiH that Neđo Zeljaja has a clear police record, the Tmovo Police Station, no. 13-6/02-655/07 of 26 October 2007;
98. Document by the RS MUP- *CJB* Banja Luka- the Laktaši Police Station, informing the Prosecutor's Office of BiH that Ratko Bundalo has no prior convictions according to the police record, no. 10-4/02-235.2-62/07 of 30 October 2007;
99. Document by the RS MUP- *CJB* Istočno Sarajevo- the Kalinovik Police Station, informing the Prosecutor's Office of BiH that Đorđislav Aškraba has a clear police record – no prior convictions, no. 13-1-10/02-235-1020/07 of 26 October 2007;
100. Document – the RS MUP, no. 02-str.pov.492/07 of 23 October 2007, with the enclosure of the following documents:
101. Decision for Neđo Zeljaja, the RS MUP, no. 09-4449 of 6 March 1993;
102. Personal questionnaire, the RS MUP of 10 November 1992;

103. Decision determining the rank for Nedo Zeljaja, the RS MUP, no. 08/1-134-3683, of 20 October 1995;
104. Personal questionnaire for determining the rank of authorized official for Nedo Zeljaja, no. 16-3/01-120-408/95 of 21 September 1995;
105. Certificate for Nedo Zeljaja, *SJB* Kalinovik, no. 16-3/09-29-618/96 of 8 August 1996;
106. Decision for Nedo Zeljaja, the Bijeljina MUP, no. 09/3-126-4542 of 20 August 1996;
107. Decision for Đorđislav Aškraba, the RS MUP, no. 10-09/2-120-27/221 of 1 April 1992;
108. Decision for Đorđislav Aškraba, the RS MUP, no. 096460 of 23 November 1993;
109. Decision determining the rank for Đorđislav Aškraba, the RS MUP, no. 08/1-134-1004 of 20 October 1995;
110. Personal Questionnaire for determination of the rank of the authorized official, for Đorđislav Aškraba, the RS MUP, the Srbinje Border Control Police Station;
111. Decision for Đorđislav Aškraba, the RS MUP, no. 08/1-120-3986 of 5 December 1995;
112. Decision for Đorđislav Aškraba, the RS MUP in Bijeljina, no. 09-170-1081 of 30 March 1994;
113. Decision for Đorđislav Aškraba, the RS MUP in Sarajevo, no. 09/3-120-3594 of 17 September 1994;
114. Certificate for Đorđislav Aškraba, *SJB* Kalinovik, no. 16-3/09-29-154/96 of 6 March 1996;
115. Certificate for Đorđislav Aškraba, Ministry of Defense- Kalinovik Department, No. 28-1/96, dated 8 March 1996;
116. Certificate for Đorđislav Aškraba, RS MUP - Police Station on the control of the Srbinje Border Crossing, no. 01/2-32-12/96 of 10 October 1996;
117. Certificate of Membership in the RS Armed Forces for Đorđislav Aškraba, MUP - *CJB* Sarajevo, Rogatica, no. 15-01-26/97 of 20 January 1997;
118. Decision terminating the employment of Đorđislav Aškraba, the RS MUP in Bijeljina, no. 09/3-126-3581 of 30 August 1996;
119. Decision by the Cantonal Court in Sarajevo no. Kri-145/99 of 15 July 1999, ordering the exhumation and autopsy of the bodies of unknown civilians, whose bodily remains are at the site of Ratine – *Papratna Njiva*;
120. Record on exhumation and autopsy by the Cantonal Court in Sarajevo no. Kri.145/99 of 21 July 1999, drafted at the scene, at the site of Rapine, the municipality of Foča, on the exhumation of civilians killed in 1992;
121. Record on examination by the expert witness, [REDACTED] no. K.R1-145/99 of 26 July 1999;

122. Sketch of the site of exhumation of bodily remains of human bones found at the stables of Mustafa Tuzlak, the village of Ratine, the municipality of Foča;
123. Photo-documentation on the exhumation, autopsy and identification, the site of Ratine village, the municipality of Foča, no. 1613/99 of 23 August 1999, drafted by the MUP of Sarajevo Canton- Crime Police Sector in Sarajevo;
124. Record on Exhumation and Autopsy, the Sarajevo Cantonal Court, no. Kri. 82/98 of 24 June 1999, drafted in Kalinovik, the place of Jelašca, the *Mehka Brda* site, 10 civilians killed;
125. Record on hearing of expert witness, [REDACTED] no. Kri-82/98 of 30 December 1999;
126. Report on crimes scene search no. 1452/99 of 24 June 1999;
127. Sketch of the site of exhumation of 10 corpses, exhumed from a common grave in the place of *Mala Mehka Brda*, the municipality of Kalinovik;
128. Photo-documentation of the exhumation, autopsy and identification of 10 corpses at the site of *Mala Mehka Brda*, the municipality of Kalinovik, no. 1452/99 of 8 July 1999, drafted by the MUP of Sarajevo Canton, the Crime Police Sector in Sarajevo;
129. Photo-documentation of re-exhumation of the bodies 21, 21A, 64, 66 and 70; the site of the local cemetery of Milakovac, Ustikolina no. 169/04 of 23 October 2007 (photographed on 22 September 2004), drafted by the MUP of the Bosna-Podrinje Canton- the Goražde Crime Police Sector;
130. Sketch of the site of re-exhumation of the unidentified bodies no. 21, 21A, 64, 66 and 70;
131. Record by the Tuzla Expert Team on identification of 7 June 2005, drafted in Goražde, pertaining to [REDACTED]
132. Report on forensic expertise on re-exhumations at the Muslim cemetery in Ustikolina, no. KTA-70/04 of 22 September 2004 with a DNA report on potential identification of [REDACTED]
133. Order by the Cantonal Prosecutor's Office in Goražde no. KTA-70/04 of 7 June 2005 to takeover the body of [REDACTED]
134. Record of exhumation and re-exhumation carried out by the FBiH Commission for Missing Persons in Sarajevo- Goražde Branch- of 23 September 2004;
135. Request and notification by the FBiH Commission for Missing Persons in Sarajevo- Goražde Branch- of exhumation and re-exhumation of unidentified bodies, of 14 September and 15 September 2004;
136. Request by the Cantonal Prosecutor's Office to issue an order to carry out exhumation and re-exhumation of several bodies no. KTA-70/04 of 14 September 2004;
137. Order to carry out exhumation and re-exhumation by the Cantonal Court in Goražde no. Kpp:7/04 of 17 September 2004;
138. Order by the Cantonal Prosecutor's Office in Goražde no. KTA-70/04 of 17 September 2004 to conduct an autopsy and identification of bodily remains;

139. Order by the Cantonal Prosecutor's Office in Goražde no. KTA-70/04 of 20 September 2004, to conduct an autopsy and identification of the skeleton remains;
140. Record on on-site investigation by the Cantonal Prosecutor's Office in Goražde no. KTA-70/04 of 22 September 2004;
141. Report by the Goražde MUP on exhumations and re-exhumations carried out, no. 07-02/3-1-105 of 14 October 2004, with the cover letter;
142. Photo-documentation pertaining to the photographing of graves in the village of Dujmovići, the Tmovo municipality, no. 17-14/1-7-20/07, dated 31 October 2007, with the cover letter;
143. Request by the Cantonal Prosecutor's Office in Sarajevo to issue an order to carry out re-exhumation, no. KTA-71/06-RZ of 11 August 2006;
144. Order by the Cantonal Court in Sarajevo on re-exhumation of an unidentified person no. 009-0-KPP-06-000 145 of 11 August 2006;
145. Order by the Cantonal Prosecutor's Office in Sarajevo no. KTA-71/06-RZ of 15 August 2006, ordering re-exhumation of 15 August 2006;
146. Record by the Cantonal Prosecutor's Office in Sarajevo, no. KTA-71/06-RZ of 22 August 2006 on re-exhumation and identification carried out;
147. Record by the Sarajevo Canton MUP on identification of the corpse no. 02/2—2-371-1/06 drafted on 13 October 2006, pertaining to [REDACTED] with the DNA report;
148. Official Note by the Sarajevo Canton MUP no. 02/2-2-371/06, drafted on 22 August 2006;
149. Official Note by the Sarajevo Canton MUP no. 02/2-2-456/06, drafted on 13 October 2006;
150. Photo-documentation of re-exhumation of an unidentified corpse, the Visoko site, no. O R 2520/06, dated 28 August 2006;
151. Re-exhumation – Autopsy Record by the Forensic Institute in Sarajevo S.br.27-274/2006, with the DNA Report;
152. Request by the Prosecutor's Office in Sarajevo to issue an order to conduct re-exhumation no. KTA-116/07-RZ of 26 September 2007;
153. Order by the Cantonal Court in Sarajevo to conduct re-exhumation no. 009-0-KPP-07-000 155 of 27 September 2007;
154. Order by the Cantonal Prosecutor's Office in Sarajevo to conduct re-exhumation and to take a bone sample for DNA analysis no. KTA-116/07-RZ of 1 October 2007, ordering re-exhumation of 15 August 2006;
155. Record by the Cantonal Prosecutor's Office in Sarajevo no. KTA-116/07-RZ of 2 October 2007 on re-exhumation;
156. Record by the Cantonal Prosecutor's Office in Sarajevo no. KTA-116/07-RZ of 5 October 2007 on identification;
157. Official Note by the Sarajevo Canton MUP no. 02/2-2-548/07 drafted on 5 October 2007;

158. Official Note by the Sarajevo Canton MUP no. 02/2-2-548/07 drafted on 5 October 2007, pertaining to the interview of [REDACTED]
159. Record by the Sarajevo Canton MUP on identification of the corpse no. 02/2—2-548-1/07, drafted on 5 October 2007, pertaining to [REDACTED] with the DNA report;
160. Photo-documentation of the re-exhumation of an unidentified corpse - the Visoko site, no. O R 1930/07 dated 17 October 2007;
161. Motion by the Cantonal Prosecutor's Office in Sarajevo to issue an order to carry out exhumation no. KTA-33/04-RZ of 1 July 2004, at the site of *Vjetren Brdo*, the municipality of Kalinovik;
162. Order by the Cantonal Court in Sarajevo to conduct the exhumation of bodily remains from a mass grave, as well as an autopsy etc., no. KPP-119/04 of 12 July 2007;
163. Record by the Cantonal Prosecutor's Office Sarajevo no. KTA-33/04-RZ of 15 July 2004 on exhumation;
164. Record on Autopsy by the Forensic Institute of 15 July 2004 drafted by dr. [REDACTED] a specialist in forensics, pertaining to the Kalinovik mass grave, for the body no. 1 (Murat Redžović, born in 1907);
165. Official Note by the Sarajevo Canton MUP no. 02/2-2-251/04 made on 2 August 2004, pertaining to the identification of bodily remains of [REDACTED], found at the site of the mass grave of *Vjetren Brdo*, Kalinovik;
166. Official Note by the Sarajevo Canton MUP no. [REDACTED] made on 2 August 2004, pertaining to the autopsy of bodily remains found at the site of the mass grave of *Vjetren Brdo*, Kalinovik;
167. Record by the Sarajevo Canton MUP on identification of corpse, no. 02/2—2-234-1/04 made on 2 August 2004, pertaining to [REDACTED]
168. Expert Analysis Finding on traces of firearms made by the Sarajevo Canton MUP, no. 02/2-6-04-09-2388 of 3 March 2005;
169. Report by the Sarajevo Canton MUP on crime scene investigation, no. 3100/04 of 15 July 2004 (although the report reads 2005);
170. Photo-documentation of the exhumation and autopsy of two corpses at the site of *Vjetren Brdo*, the municipality of Kalinovik, no. 3100/04 of 8 April 2005;
171. Letter by the FBiH Commission for Missing Persons pertaining to the exhumation at the site of *Vjetren Brdo*, the municipality of Kalinovik, no. 01-41-2522/2007 of 31 May 2007;
172. Record by *JKP Gradska Groblja d.o.o.* Visoko INT no. 190-262/07 of 21 September 2007 on the handover of DNA samples;
173. Record by the Cantonal Prosecutor's Office Sarajevo, no. KTA-22/04-RZ of 6 August 2004 on the exhumation of bodily remains from the mass grave at the site of *Ponor* canyon, near a caved-in tunnel on the M-18 road - Sarajevo-Foča;

174. Record by the Cantonal Prosecutor's Office in Sarajevo no. KTA-22/04-RZ of 16 July 2007 on the re-association of the skeletal remains of the bodies from the mass grave at the site of *Ponor* canyon;

175. DNA report for possible identification of [REDACTED]

176. Autopsy Records by the Forensic Institute no. KTA 22/04 of 7 August 2004, made by [REDACTED] a specialist in forensics, regarding the mass grave of *Tuneli* Foča, for 36 bodies, as well as autopsy record for *Tuneli*-Foča no. KTA 22/04 of 7 August 2004 – list of various bones (which did not fit in when assembling the bodies);

177. Record by *JKP Gradska Groblja d.o.o.* Visoko INT no. 190-276/07 of 3 October 2007 on the handover of DNA samples (enclosed is the request to take a spare bone sample);

178. Order by the Cantonal Court in Sarajevo no. Kpp-107/04 of 13 July 2004, ordering the exhumation of bodily remains from a mass grave at the site of a caved-in tunnel on the *Miljevina – Foča* road;

179. Record on exhumation by the Sarajevo Canton MUP no. 02/2.2-287/04 of 19 August 2004;

180. Record by *JKP Gradska Groblja d.o.o.* Visoko of 1 September 2006 on the handover of DNA samples (enclosed is the ICPM request of 3 July 2006 to take a spare bone sample);

181. Record by *JKP Gradska Groblja d.o.o.* Visoko of 20 July 2007 on the handover of DNA samples;

182. Letter by [REDACTED] an expert witness in forensics, of 25 August 2006, sent to the ICMP;

183. Request by the ICPM to take a spare bone sample, protocol no. 173/06, 162/06, 98/05, 80/50, 69/05, 258/06, 323/07;

184. Request by the FBIH Commission for Missing Persons Sarajevo of 26 May 2004;

185. Motion by the Cantonal Prosecutor's Office in Sarajevo to issue an order to carry out the exhumation at the site of a caved-in tunnel on the *Miljevina- Foča* road, no. KTA-22/04 of 1 July 2004;

186. Order to carry out the exhumation of bodily remains from a mass grave at the site of a caved- in tunnel on the Miljevinina- Foča road, by the Cantonal Court in Sarajevo no. Kpp:107/04 of 13 July 2004;
187. Record on exhumation no. KTA-22/04 dated 6 August 2004;
188. Record on exhumation no. KTA-22/04 dated 19 August 2004 2x;
189. Order by the Cantonal Prosecutor's Office in Sarajevo no. KTA-22/04-RZ of 29 November 2006 to carry out forensic identification of bodily remains of the victims of the war in BiH exhumed on 6 August 2004 at the site of the canyon Ponor-Foča;
190. Official Note by the Sarajevo Canton MUP no. 02/2-2-38/05 of 4 February 2005, pertaining to the autopsy of bodily remains of 36 bodies exhumed from the *Ponor* mass grave;
191. Anthropological examination conducted by an ICMP anthropologist;
192. Record on the takeover of items from the exhumed bodies, no. 09/05 of 8 February 2005;
193. Expert Analysis Finding on the traces of firearms by the Sarajevo Canton MUP no. 02/2-6-04-09-2037 of 9 February 2006;
194. Expert Analysis Finding on the traces of firearms by the Sarajevo Canton MUP no. 02/2-6-04-09-7717 of 8 July 2005;
195. Photo-documentation no. 3364/04 dated 18 and 19 August 2004, the *Ponor* site, near a caved- in tunnel on the M-18 road - Sarajevo-Foča (nothing was found on that occasion as well);
196. Photo-documentation no. 3337/04 dated 9 August 2004, the *Ponor* site, near a caved-in tunnel on the M-18 road - Sarajevo-Foča (Parts I and II);
197. Report on a crime scene investigation no. 3337/04 of 4 August 2004;
198. Sketch of the site, 3337/04 of 4 August 2004;
199. Two video tapes: a) KPP-107/04 *Tuneli* exhumation b) *Tuneli*, Foča KPP-107/04;
200. Record on the exhumation and autopsy, drafted in Kalinovik, in the place of Jelašca RS, the Cantonal Court in Sarajevo, no. Kri-82/98 of 24 June 1999;
201. Decision by the Cantonal Court in Sarajevo no. Kri-82/98 of 25 March 1999, ordering the exhumation and autopsy of the bodies of the killed civilians buried in two mass graves in the area of the Kalinovik municipality, in the place called Borovac, in the vicinity of a brook and on the meadow called *Kosa*, above the village of Jelašac;
202. Record on identification of the corpse of [REDACTED] the Sarajevo Canton MUP, no. [REDACTED] of 23 July 1999;
203. Record on identification of [REDACTED] the Sarajevo Canton MUP, no. [REDACTED] of 23 July 1999;
204. Record on identification of [REDACTED] the Sarajevo Canton MUP, no. [REDACTED] of 23 July 1999;
205. Record on identification of [REDACTED] the Sarajevo Canton MUP, no. [REDACTED] of 23 July 1999;

206. Record on the exhumation of bodies in the area of the village of Jeleč, the Kalinovik municipality, the Cantonal Court in Sarajevo, no. Kri-348/99 of 21 June 2000;
207. Forensic expert finding and opinion on the exhumation, examination with the autopsy and identification of the corpses of [redacted] Forensics Institute – expert analysis carried out by expert witness dr. [redacted] a specialist in forensics;
208. Decision ordering the exhumation, autopsy and identification of bodily remains of [redacted] whose bodily remains are at the site of the village of Jelašci, the Kalinovik municipality, the Cantonal Court in Sarajevo, no. Kri-348/99 of 13 June 2000;
209. Decision ordering the exhumation, autopsy, and identification of the bodies of [redacted] whose bodily remains are at the site of the Jelašci village, the municipality of Kalinovik, the Cantonal Court in Sarajevo, Kri-348/99 of 3 December 1999;
210. Decision ordering the exhumation, autopsy and identification of the body of [redacted] whose bodily remains are at the site of the Jelašci village, the municipality of Kalinovik, the Cantonal Court in Sarajevo, no. Kri-348/99 of 8 December 2000;
211. Record of the exhumation and autopsy conducted in the place of Jezero, at the Prezren site, the municipality of Kalinovik, with the identification and autopsy carried out at *Gradska Groblja* Visoko on 16 July 1999, the Cantonal Court in Sarajevo, no. kri-143/99 of 15 July 1999;
212. Record on hearing of expert witness, [redacted] no. Kri:143/99 of 16 July 1999, the Cantonal Court in Sarajevo;
213. Photo-documentation on the exhumation, autopsy and identification in the area of the RS municipality of Kalinovik, the place of Jezero, made by the Sarajevo Canton MUP, no. KUBR.1573/99, dated 26 July 1999;
214. Decision ordering the exhumation and autopsy of the bodies of the killed civilians buried in a mass grave at the site of Jezero, the Kalinovik municipality, the Cantonal Court in Sarajevo, no. Kri143/99 of 13 July 1999;
215. Decision ordering the exhumation and autopsy of the bodies of unidentified civilians, whose bodily remains are at the site of Mjehovina, the Kalinovik municipality, the Cantonal Court in Sarajevo, no. Kri-143/99 of 15 July 1999;
216. Record of examination of expert witness, [redacted] no. Kri:142/99, of 26 July 1999, the Cantonal Court in Sarajevo;
217. Record of exhumation and autopsy, the Cantonal Court in Sarajevo, no. 142/99, of 19 July 1999;
218. Photo-documentation on the exhumation, autopsy and identification at the site of the municipality of Kalinovik, RS, the place of Mjehovina, made by the MUP of the Sarajevo Canton, no. KUBR.1612/99, dated 27 July 1999;

219. Sketch of the scene of the exhumation of the local cemetery in the Mjehovina village, the Kalinovik municipality, drafted by the Sarajevo Canton MUP, no. 1612/99 of 19 July 1999;
220. Document by the RS Central Commission for Exchange of Prisoners of War and Civilians of 24 April 1993;
221. Payroll for September 1992, issued by *SJB* Kalinovik;
222. Document by *CSNB* Trebinje, *SJB* Kalinovik n/n sent to *CSB* Trebinje, pertaining to internal organization – systematization;
223. List of conscripts deployed to *SJB* Kalinovik during the period between 4 August 1991 and 30 June 1996, *SJB* Kalinovik, no. 15-2/01-100/99 of 11 June 1999;
224. List of reserve forces employees for the payment of salary for October 1992, issued by *SJB* Kalinovik;
225. Order by the Prime Minister of the Serb Republic of BiH, no. 03-36/92 of 21 May 1992;
226. Document by the President of the War Command, the Kalinovik Municipal Assembly, of 17 May 1992;
227. Order by the Kalinovik TG Command, VP 4120, of 12 July 1992;
228. Document by the Kalinovik TG Command of 13 July 1992;
229. List of members of the Military Police Unit who were told about the Order given by the Kalinovik TG Commander;
230. Request by RS MUP, *CSB* Romanija-Birča, no. 01-1280/92 of 15 December 1992, for the payment of salary to Rade Ivanović for October 1992;
231. List of captured persons released from the Kalinovik prison for exchange, *SJB* Trnovo, dated 15 September 1992;
232. Minutes of the joint meeting of the Kalinovik TG Command and the Kalinovik Military Police of 26 May 1992;
233. Call-up papers by the Municipal Secretariat of National Defense of the Kalinovik Municipality of 25 June 1992 for Rašid Redžović;
234. Document by the Kalinovik TG Command of 17 June 1992;
235. Document by the Herzegovina Corps Command, *strogo pov.* no. 147/469 of 8 September 1992;
236. Order by the Trnovo Crisis Staff, no. 01-SL of 13 July 1992;
237. Order by the Kalinovik TG Commander of 11 June 1992;
238. Order by the Kalinovik TG Command no. *SL/92* of 6 June 1992;
239. Order by the Kalinovik TG Command of 13 June 1992;
240. Order for further combat activities, the Kalinovik TG Command of 4 June 1992;
241. Units' tasks for further combat activities, the Kalinovik TG Command of 21 June 1992;
242. Food Requisition, the Trnovo Territorial Defense Command, no. 6/92 of 10 June 1992;
243. The Kalinovik TG Command, Requisition no. 14/92 of 5 July 1992;

244. Document of the RS MUP Bijeljina, no. 01-70/92 of 12 October 1992;
245. Photo-documentation and crime scene investigation: Ratine, municipality of Foča, SIPA BiH, no. 17-14/1-7-19/07, dated 15 November 2007;
246. Photo-documentation and crime scene investigation: military facility – Jelašaćko Polje – Kalinovik, SIPA BiH, no. 17-14/1-7-23/07, dated 15 November 2007;
247. Photo-documentation of the site: Sočani - Kalinovik, SIPA BiH, no. 17-14/1-7-24/07 dated 19 November 2007;
248. Photo-documentation of the site: Boljičići and Daganj - Kalinovik, SIPA BiH, no. 17-14/1-7-25/07, dated 19 November 2007;
249. Photo-documentation of the site: Kutine and Hotovlje- Kalinovik, SIPA BiH, no. 17-14/1-7-26/07, dated 19 November 2007;
250. Photo-documentation of the site: Luko-Kalinovik, SIPA BiH, no. 17-14/1-7-27/07, dated 19 November 2007;
251. Photo-documentation of the site: the Pavlovac Farm - Kalinovik, SIPA BiH, no. 17-14/1-7-28/07, dated 19 November 2007;
252. Photo-documentation of the site: Vihovići - Kalinovik, SIPA BiH, no. 17-14/1-7-29/07, dated 19 November 2007;
253. Photo-documentation of the site: Jelašca - Kalinovik, SIPA BiH, no. 17-14/1-7-30/07, dated 19 November 2007;
254. Photo-documentation of the site: Weekend cottage, owned by M. Sabljica Mjehovina - Kalinovik, SIPA BiH, no. 17-14/1-7-31/07, dated 19 November 2007;
255. Photo-documentation of the site: the Kalinovik Police Station, SIPA BiH, no. 17-14/1-7-32/07, dated 19 November 2007;
256. Photo-documentation of the site: the *Ljutica Bogdan* Primary School in Kalinovik, SIPA BiH, no. 17-14/1-7-33/07, dated 19 November 2007;
257. Two DVDs containing video recording of burnt villages and detention centers,
258. Certificate issued by the FBiH Commission for Missing Persons on the disappearance of [REDACTED] of 15 November 2007;
259. Certificate issued by the FBiH Commission for Missing Persons on the disappearance of [REDACTED] of 15 November 2007;
260. Certificate issued by the FBiH Commission for Missing Persons on the disappearance of [REDACTED] of 15 November 2007;
261. Certificate issued by the FBiH Commission for Missing Persons on the disappearance of [REDACTED] of 15 November 2007;

262. Certificate issued by the FBiH Commission for Missing Persons on the disappearance of [REDACTED] of 15 November 2007;
263. Certificate issued by the FBiH Commission for Missing Persons on the disappearance of [REDACTED] of 15 November 2007;
264. Certificate issued by the FBiH Commission for Missing Persons on the disappearance of [REDACTED] of 15 November 2007;
265. Certificate issued by the FBiH Commission for Missing Persons on the disappearance of [REDACTED] of 15 November 2007;
266. Registers of Missing Persons in the territory of BiH, by place of disappearance and in alphabetical order, ICRC, Eight Edition, dated 28 February 2007;
267. ICTY Judgment in the Dragoljub Kunarac et al. Case, no. IT-96-23-T and IT-96-23/1-T of 22 February 2001,
268. ICTY Judgment in the Dragoljub Kunarac et al. Case, no. IT-96-23 and IT-96-23/1-A of 12 June 2002;

Motion to Extend Pre-trial Custody of Ratko Bundalo and Đorđislav Aškraba and Motion to Order Custody of Neđo Zeljaja

Pursuant to the BiH CPC Article 227(3), in conjunction with the BiH CPC Article 137, the Prosecutor's Office moves the Preliminary Hearing Judge of the Court of BiH to render, after finding that there is a grounded suspicion that the suspects committed the criminal offense they are charged with and after the confirmation of the Indictment, a decision extending custody of the suspects Ratko Bundalo and Đorđislav Aškraba and a decision ordering custody of the suspect Neđo Zeljaja, all on the grounds set forth under the BiH CPC Article 132 (1) (a) and (b).

In respect of the extension of custody of the suspects Ratko Bundalo and Đorđislav Aškraba, the Prosecutor's Office first of all believes that, besides the grounded suspicion established under the previous decisions of the Court ordering custody of Ratko Bundalo and Đorđislav Aškraba, there also exist the custody grounds set forth under the BiH CPC Article 132 (1) (a) and (b).

As for the custody ground set forth in the BiH CPC Article 132 (1) (a), we hereby note that there are quite realistic circumstances suggesting the risk of flight of the suspects if released. After the confirmation of the Indictment and its submission, along with the evidence, to the suspects, the suspects will become even more aware of the gravity of the criminal offenses they are charged with

and the evidence against them than they had been in the course of the investigation. Consequently, the foregoing will lead to the development of an extremely strong motive on the part of the suspects to escape and avoid in that way criminal prosecution and criminal liability for the said criminal offenses. These facts, together with the fact that the borders with the neighboring countries can be crossed simply by presenting an identity card, unquestionably indicate a risk of flight of the suspects in case their custody is not extended following the confirmation of the Indictment. Moreover, the accused Ratko Bundalo has, along with the citizenship of Bosnia and Herzegovina, the citizenship of the Republic of Serbia which additionally contributes to the risk of flight of the suspect in case his custody is extended. Additionally, a number of co-perpetrators in this criminal offense have already crossed the border of BiH, which is supported by the Official Note of the State Investigation and Protection Agency (SIPA), number 17-04/1-04-2-371/07 of 29 August 2007, and in that way become unavailable to the law enforcement agencies. It clearly indicates the possibility that the suspects, who are even more motivated to do so, might do the same, given that they face serious charges and evidence in support of those. Taking into account all above facts, as well as a well-known fact that the neighboring countries do not extradite their citizens, gives rise to a clear conclusion that there exist the facts and circumstances suggesting the risk of flight of the suspects Ratko Bundalo and Đorđislav Aškraba, if custody measure is not ordered, by which the custody ground under the BiH CPC Article 132 (1) (a) have been met.

Apart from the stated, the Prosecutor's Office of BiH submits that there still exist the custody ground set forth in the BiH CPC Article 132 (1) (b), more precisely, that the suspects, in case their custody is not extended, might influence the witnesses and accomplices in the criminal case at hand. In the course of the investigation, the Prosecutor's Office of BiH examined a great number of witnesses, including a number of victims or families of victims, while other witnesses were members of the *VRS* and the police from the territory of the Kalinovik municipality. Having in mind that the suspects committed the criminal offense at issue within a joint criminal enterprise and that great many co-perpetrators are still free, it can be justifiably concluded that the suspects, if released, might influence these persons as well. Regardless of the fact that the investigation in this case has been completed, the Prosecutor's Office of BiH believes that there still exist a justified fear that the suspects, if released, might hinder the criminal proceedings by influencing witnesses and accomplices. The majority of accomplices were subordinated to the suspect Ratko Bundalo, who was the Commander of the Kalinovik TG, and Nedo Zeljaja, who was the Commander of *SJB* Kalinovik, who are still subject to the investigation

conducted by this Prosecutor's Office. A number of *SJB* Kalinovik police officers and *VRS* members have been examined in the course of the investigation and proposed by this Prosecutor's Office to testify at the main trial. Therefore, the releasing of the suspects, of which Đorđislav Aškraba lives in the territory of the Kalinovik municipality, given the charges against them, would lead to the development of a strong motive with them to exert influence on the witnesses and accomplices in this criminal case with a view to making them alter their testimonies at the main trial, which also justify the need for ordering custody based on the ground provided for in the BiH CPC Article 132 (1) (b). In addition to the aforementioned, the suspects know great many witnesses and the names of many witnesses will be disclosed to them upon the submission of the Indictment, which will considerably facilitate the influence on them and hindering the criminal case. Already during the investigation, certain witnesses expressed their fear and anxiety about the testifying, while some of them also asked for protective measures, which point to the fact that the witnesses in this case are under pressure, which pressure would be especially intensified in case of releasing of these suspects facing serious charges, and thus would cause further hindering of the proceedings. On the other hand, given the nature of the criminal offenses the suspects are charged with and vulnerability of the witnesses, the suspects' being out of custody at this stage of the proceedings would certainly cause anxiety and unease with these witnesses who should present their testimonies in the atmosphere free of fear and pressures at the main trial before the Court of BiH. Additionally, the Court of BiH considers only the evidence presented at the main trial before the Court of BiH. Bearing in mind the foregoing, the custody measure proves to be a necessary measure, exactly to secure free testimonies of the witnesses at the main trial. Therefore, in order to secure witness testimonies at the main trial, bearing in mind all above presented reasons, the Prosecutor's Office of BiH believes that there exist the ground provided for under the BiH CPC Article 132 (1) (b) for extension of custody of the suspects Đorđislav Aškraba and Ratko Bundalo. In particular, we hereby point out that most of these grounds have been confirmed under the Decisions of the Preliminary Proceedings Judge of the BiH Court, number X-KRN-07/419 of 31 August 2007 and XKRN-07/419 of 1 September 2007, as well as under the Decision of the Panel of the Court number X-KRN-07/419 of 28 September 2007, and the Decision of the Appellate Panel of the BiH Court. Based on the foregoing, the Prosecutor's Office of BiH moves the Preliminary Hearing Judge to render, after the confirmation of the Indictment, a decision extending the custody of the suspects Ratko Bundalo and Đorđislav Aškraba for the grounds set forth in the BiH CPC Article 132 (1) (a) and (b).

As for ordering custody of the suspect Nedo Zeljaja, the Prosecutor's Office of BiH believes that ordering custody in this stage of the proceedings is necessary for the reasons provided for in the BiH CPC Article 132 (1) (a) and (b).

Therefore, the Prosecutor's Office of BiH moves the Preliminary Hearing Judge of the BiH Court to render, after the confirmation of the Indictment, a decision ordering the custody of the suspect Neđo Zeljaja for the above reasons.

Concerning the existence of grounded suspicion as a general element for ordering custody, the Prosecutor's Office of BiH believes that the evidence enclosed to the Indictment confirm the existence of grounded suspicion and give rise to the conclusion that Neđo Zeljaja, in the capacity as the Commander of *SJB* Kalinovik, at the time and in the manner described in the operative part of the Indictment, committed the criminal offense of Crimes against Humanity in violation to the BiH CC Article 172 (1) in conjunction with Article 180 (1) within a joint criminal enterprise with other suspects, including first of all Đorđislav Aškraba and Ratko Bundalo.

As for the custody ground set forth in the BiH CPC Article 132 (1) (a), the Prosecutor's Office of BiH would like to note that there are almost the same reasons in regard to the suspect Neđo Zeljaja as for the suspects Đorđislav Aškraba and Ratko Bundalo. After confirmation of the Indictment, the suspect Neđo Zeljaja will be submitted with all evidence along with the charges against him. In that regard, bearing in mind the gravity of the criminal offense the suspect Neđo Zeljaja is charged with and evidence against him, the Prosecutor's Office of BiH submits that it constitutes a strong motive on the part of the suspect to escape outside Bosnia and Herzegovina and thus avoid the criminal proceedings against him. Also, the Prosecutor's Office of BiH reiterates the possibility to cross the border with the neighboring countries with only an identity card. Additionally, the Prosecutor's Office of BiH would like to point out that a number of co-perpetrators with whom the suspect Neđo Zeljaja as the Commander of *SJB* Kalinovik cooperated to a great extent and was their superior, have already crossed the border of BiH and thus become unavailable to the law enforcement agencies, which is confirmed by the Official Note by the State Investigations and Protection Agency (SIPA) number: 17-04/1-04-2-371/07 of 29 August 2007. Taking into account the commission of this criminal offense within a joint criminal enterprise, the suspect Neđo Zeljaja has a very strong motive to flee and make contacts with other co-perpetrators, who also have interest in enabling his flight and obstructing further criminal proceedings. For the above presented reasons, the Prosecutor's Office of BiH submits that the ground set forth under the BiH CPC Article 132 (1) (a) to order the custody of Neđo Zeljaja and that these reasons have become even more justifiable and obvious after the confirmation of the Indictment and presentation of the evidence to the suspect. The foregoing taken together, with the knowledge of very porous borders of Bosnia and Herzegovina and favorable terms for granting citizenship in the neighboring countries suggest that the flight is an attractive

option for the accused, and that the prohibiting measures cannot guarantee his presence in the proceedings.

Taking into account the ground for custody provided for in the BiH CPC Article 132 (1) (b), the Prosecutor's Office first of all would like to point out here that there exists justified fear that the suspect Nedo Zeljaja might hinder the criminal proceedings by influencing the witnesses and accomplices in this criminal offense. This conclusion is based on the fact that the criminal offense the suspect Nedo Zeljaja is charged with was committed within a joint criminal enterprise with other co-perpetrators, within which command structure the suspect Nedo Zeljaja was very highly ranked, given his position of the Commander of *SJB Kalinovik*, which he performed at the time of the criminal offense commission. These facts taken together with the fact that the suspect, after confirmation of the Indictment will be presented all evidence against him, clearly give rise to the conclusion that the suspect will then be even more strongly motivated than before to influence the witnesses and co-perpetrators, not only those who directly accuse him, but also other witnesses who accuse other suspects, having in mind his commanding position and the fact that he is charged with the joint criminal enterprise. Also, the data on the witnesses that have given their statements in this criminal case will become available to the suspect; thus he might exert influence on them in order to make them alter their testimonies at the main trial. He has a very strong motive to do so, bearing in mind the gravity of the criminal offense he is charged with. Also, the Prosecutor's Office of BiH hereby notes that the suspect Nedo Zeljaja lives in Kalinovik, which is often visited by witnesses in this case, both by direct victims and members of their families, which cause fear and anxiety among great many witnesses, given the high position Nedo Zeljaja held at the time of the criminal offense commission. This fact is corroborated by the statement of the witness F as well as by a great number of witnesses who have requested the protective measures. Additionally, a great number of *VRS* members and *SJB Kalinovik* police officers, to whom the suspect Nedo Zeljaja was a direct superior, have been examined. On the other hand, given the nature of the criminal offense the suspect is charged with and the vulnerability of the witnesses, it is quite certain that the suspect's stay at liberty, at this stage of the proceedings, would cause anxiety and unease with the witnesses who should be able to present their testimonies at the main trial before the *BiH Court* in the atmosphere free of fear and pressures. Moreover, the *BiH Court* considers only the pieces of evidence which are presented at the main trial. Considering the foregoing, the custody measure proves to be a necessary measure, just for the purpose of securing free testimony by the witnesses at the main trial. Therefore, in order to secure witness testimonies at the main trial, and bearing in mind all above presented facts, the Prosecutor's Office of BiH submits that there exist the ground provided for in the *BiH CPC Article 132 (1) (b)* for ordering custody of the suspect Nedo

Zeljaja. When viewed together with the gravity of the criminal offense the suspect is charged with, the above facts clearly justify ordering the custody of the suspect Neđo Zeljaja on the ground provided for in the BiH CPC Article 132 (1) (b), because the suspect has a very strong motive and possibility to influence witnesses in order to make them alter their testimonies at the main trial, which ultimately leads to the obstruction of the criminal proceedings.

Considering all the above, the Prosecutor's Office moves the Preliminary Hearings Judge of the Court of BiH to render, after confirmation of the Indictment, a decision ordering custody of the suspect Neđo Zeljaja pursuant to the BiH CPC Article 132 (1) (a) and (b), in conjunction with the BiH CPC Article 227 (3).

For all the foregoing, the Prosecutor's Office of BiH moves the Preliminary Hearing Judge of the Court of BiH to confirm the Indictment.

**PROSECUTOR OF THE
BIH PROSECUTOR'S OFFICE
Munib Halilović**

(Signature and Stamp Affixed)

I hereby confirm that this document is a true translation of the original written in Bosnian/Serbian/Croatian.

Sarajevo, 24 December 2007

*[REDACTED]
Certified Court Interpreter for English*

