

**BOSNIA AND HERZEGOVINA
PROSECUTOR'S OFFICE OF BiH
SARAJEVO
Number: KT-RZ-131/05
Sarajevo, 29 May 2009**

**COURT OF BOSNIA AND HERZEGOVINA
Reference number: X-KR-07/442**

Pursuant to Article 275 of the Criminal Procedure Code of Bosnia and Herzegovina, I hereby file the following **a m e n d e d**

INDICTMENT

Against:

PREDRAG KUJUNDŽIĆ a.k.a. Predo, son of Vasilije and Duja née Tomić, born on 30 January 1961 in the village of Suho Polje, Doboj municipality, PIN 3001961120044, Serb, citizen of BiH, welder by occupation, average financial situation, married, father of three children, with residence in the village of Suho Polje bb (no number), Doboj municipality, arrested on 10 October 2007, in custody pursuant to the Decision of the Court of BiH, represented by ex officio defense counsel, attorneys Miroslav Ristić and Goran Nešković from Doboj.

Because:

During the period from spring 1992 until autumn 1993, within a widespread and systematic attack of the army and the police of the so-called Serb Republic of BiH, later Republika Srpska, as well as the paramilitary formations, directed against the civilian non-Serb population of the Doboj municipality, knowing of such attack, as the commander of the unit called Predini vukovi /Predo's Wolves/, which until July 1992 was operating as part of the army and then as part of the police, committed, incited, aided and abetted and knew, but neither prevented nor punished: killings, severe deprivations of physical liberty in contravention of the fundamental rules of international law; tortures; coercing to sexual slavery; rapes; persecution of non-Serb civilian population on political, national, ethnic, religious and cultural grounds; and other inhuman crimes committed with the intention of inflicting great suffering, severe physical injuries and health damage, in the way that:

- 1) On 10 May 1992, after several hours of an artillery attack by the units of the Army of the Serb Republic of BiH on the village of Grapska, Doboj municipality, together with the other units, he participated in the infantry attack on this village leading the members of his unit, the so-called Predini vukovi, and by shooting from fire arms at a group of Bosniak civilians, who were trying to escape toward the woods, he wounded the underage Witness "2", inflicted on him a through-and-through wound to his right forearm, and killed minor D.D. (born in 1981), and after the attack those civilians who survived and failed to run away were enforced to resettle from this village, having organized their transportation by buses to the place of Kostajnica, and then the women

and children and elderly were transferred to the territory controlled by the Army of BiH while the able-bodied men were detained in the Bare military barracks.

2) On 12 June 1992, together with other units of the armed forces of the so-called Serb Republic of BiH, as the commander of the unit Predini Vukovi, he attacked the village of Čivčije Bukovačke, Doboj municipality, on which occasion the village mosque was blown up and destroyed, houses plundered, and several houses were set on fire, including the family house of the protected Witness "6", and an order issued that all Bosniak men of age 17 to 65 be gathered in front of the village center building, where they were deprived of physical liberty in a manner that some 160 of them were lined up in two ranks, under the control of the armed soldiers, without any possibility to move freely, and thereafter exposed to a several hours long torture and inhuman treatment by the Suspect, the members of his unit, and also by his brother Nenad Kujundžić - member of the Public Security Station Doboj, in the way that they punched and kicked them, hit them with rifle butts and other items over all parts of their bodies, forced them to lie down in water paddles with their faces down to the ground, beat them and jumped on their backs, threatening and forcing them to tell them of the whereabouts of the protected Witness "6", abused and intimidated the mother of the protected Witness "6" aimed at obtaining that information from her, and the Accused alone singled out two villagers - officers of the former Yugoslav National Army (the JNA), including the protected Witness "32", ordered him to lie down on the ground and cup his hands behind his head and was kicking him while he was laying down helplessly; thereafter these civilians were ordered to get on the buses in which, escorted by the armed soldiers, they were transported and unlawfully detained in the Perčin disco - the prewar catering facility which is located in the place of Vila, where they were accommodated in inhuman conditions - sleeping on the floor, with no possibility of meeting the basic hygienic needs, having no sufficient food, and on several occasions exposed to torture and inhuman treatment by different groups of soldiers whom the guards allowed free entrance.

3) On 12 July 1992, together with other units of the armed forces of the so-called Serb Republic of BiH, and paramilitary formations, as the commander of the Predini Vukovi unit, he participated in the inhuman treatment of 50 Bosniak and Croat civilians, whom the members of his unit, and the unit called Red Berets, took away from the Perčin disco facility, where they were unlawfully detained, and who were used as human shields in the settlement of Makljenovac during active combat operations between the units of the BiH Army and the Serb units, by failing to undertake necessary and reasonable measures to prevent it although he knew that these civilians were treated in a forbidden manner and that they would be exposed to a life threatening situation because he could see that they were moving in front of the units and the combat vehicles of the Serb units towards the BiH Army position, lined up in five ranks of ten detainees, stripped to the waist and with hands cupped behind their heads, on which occasion at least 17 civilians were killed, namely:

[REDACTED]

[REDACTED] were exhumed from the mass grave in the place of Makljenovac during 1998, while the bodies of [REDACTED] and [REDACTED] have not been found to this date and they are reported as missing,

- 4) On 19 July 1992, the members of his unit Predini vukovi came to the Perčin disco camp and exposed the detained non-Serb civilians to a several hours long torture and inhuman treatment by punching and kicking them, hitting them with chains, batons, electric cables and other items all over their bodies, thereby inflicting on them severe physical injuries; they forced several detainees, including ██████████, to eat soap, forced them to beat each other, particularly insisting that close family members beat each other, thus they forced the protected Witness "8" to beat his cousin; the Suspect knew about all these actions, but did nothing to prevent them, or to punish the perpetrators,
- 5) On a precisely unidentified day in June 1992, armed and escorted by 4-5 members of his unit Predini vukovi, he came to the house in which the protected Witness "4" lived with her children, namely at the time minor Witness "2" and a year and a half old child, and hit with his rifle the minor Witness "2" on her head due to which she fell on the floor, and thereupon he started tearing her clothes off her and addressed one of his subordinates saying: "Golub" thus encouraged him and incited him to take a similar action so Golub took the Witness "4" to the room where he raped her while at the same time the Suspect raped the minor Witness "2" during which he kept punching her and tearing her hair, cursing her "balija's mother",
- 6) On the same day, at the same place, as under Count 5), after he had raped the minor Witness "2", he told her that as of that day she would comply with all that he requested from her, or otherwise he would kill her mother and the younger sister, thus during the period from June to December 1992, he forced her into sexual slavery, because by the use of force and threats he established the exclusive right to dispose of her, the control over her movement, the mental control and the control of her sexuality, in the following manner: he requested her to do all that he ordered her, and he forced her once to read a statement at the Radio Dobož in which it was stated that Muslims were guilty of the war, that Muslims had killed her brother, and that she was inviting them to convert to Christianity; he ordered her to wear a small chain with a cross pendant around her neck and to wear the Serb army camouflage uniform and a red beret on her head; he changed her Muslim name into a Serb name without any consent of hers or her parents, he acquired for her the identification documents to the Serb name, he requested her to always introduce herself and to everyone with her Serb name; he was taking her away from the home, and returning her back at his whim, while she was not allowed to make any independent action without his approval; he raped her, or forced her into sexual acts equaled with a sexual intercourse, having done that alone, or together with other persons, on several occasions he brutally tortured and humiliated her by putting different items into her mouth and her sexual organ, by calling her abusive names and insulting her on an ethnic basis; on several occasions he forced her into sexual intercourses with soldiers, inciting them into that by saying that "they could have some fun" with her because they had deserved that, so the injured party was repeatedly raped and physically and mentally abused on these occasions.
- 7) On unidentified days during 1992 and 1993, alone or together with the other unidentified persons, he inhumanely treated Bosniak civilians, in the way that in 1992 he came to the Central Prison in Dobož, where the protected Witness "6" had been unlawfully detained, he pointed his pistol at his head asking him "should we play some Russian roulette", after which he pulled the trigger, but the pistol did not go off, so he slapped the injured party and left the room; and in 1993, together with 5

unidentified persons, all armed and uniformed, he came to the apartment of the protected Witness "14", thereupon they physically abused him by beating him in his head and stepping on his bare feet with their military boots and the Suspect hit him with the rifle in the head so that "blood covered him all over",

Whereby he committed the criminal offense of Crimes against Humanity in violation of Article 172(1) of the CC of BiH as follows:

- subparagraph h) in conjunction with subparagraphs a) and d) and Articles 29 and 31 as read with Article 180(1) of the BiH CC as regards Count 1) of the Indictment,
- subparagraph h) in conjunction with subparagraphs e) and f) and Article 29 and Article 180(1) of the BiH CC as regards Count 2) of the Indictment,
- subparagraph h) in conjunction with subparagraphs a) and k) and Article 29 and Article 180(2) of the BiH CC as regards Count 3) of the Indictment,
- subparagraph h) in conjunction with subparagraph f) and Article 180(2) of the BiH CC as regards Count 4) of the Indictment,
- subparagraph h) in conjunction with subparagraph g) and Article 30 and 180(1) of the BiH CC as regards Count 5) of the Indictment,
- subparagraph h) in conjunction with subparagraph c) and Articles 29, 30 and 180(1) of the BiH CC as regards Count 6) of the Indictment,
- subparagraph h) in conjunction with subparagraph k) and Articles 29 and 180(1) of the BiH CC as regards Count 7) of the Indictment,

PROSECUTOR'S OFFICE OF BIH

PROSECUTOR

/stamp and signature affixed/

Božidarka Dodik