

11-02/2008

BOSNIA AND HERZEGOVINA
PROSECUTOR'S OFFICE OF BiH
SARAJEVO
Special Section for War Crimes
Regional Team III
Number: KT-RZ-131/05
Sarajevo, 26 December 2007

Bud BiH / Суд БиХ
Кривично одјелjenje / Апелационо одјелjenje /
Кривично одјелjenje и Апелационо одјелjenje /
Одјелjenje I / Одјелjenje II / Одјелjenje I и Одјелjenje II
Одјелjenje за судску управу / Одјелjenje за судску управу
X-KR0107/1442
PREDRAG NOK. 177

COURT OF BOSNIA AND HERZEGOVINA
Section I for War Crimes of the Criminal Division of the Court of BiH
Preliminary Hearing Judge
Sarajevo

Pursuant to Article 35 (2) item h) and Article 226 (1) of the Criminal Procedure Code of Bosnia and Herzegovina, I hereby file the following

INDICTMENT

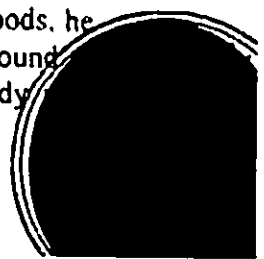
Against:

PREDRAG KUJUNDŽIĆ a.k.a. Predo, son of Vasilije and Dušanka née Tomić, born on 30 January 1961 in the village of Suho Polje, Doboј municipality, PIN 3001961120044, Serb, citizen of BiH, welder by occupation, average financial situation, with residence in the village of Suho Polje bb (no number), Doboј municipality, in custody pursuant to the Decision of the Court of BiH, number X-KRN-07/442 of 11 October 2007, which was extended by the Decision, number X-KRN-07/442 of 9 November 2007, represented by *ex officio* defense counsel, attorney Miroslav Ristić from Doboј,

Because:

During the period from spring 1992 until autumn 1993, within a widespread and systematic attack of the army, the police and the paramilitary formations of the so called Serb Republic of BiH directed against the civilian non-Serb population of the Doboј municipality, knowing of such attack, as the commander of the unit called *Predini vukovi* /Predo's Wolves/, 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; sexual slavery; rapes; persecution of non-Serb civilian population on national, ethnical, religious and sexual 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, Doboј municipality, he participated in the infantry attack on this village and its destruction as the commander of 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 his right forearm, and killed minor [REDACTED] (born in 1981), whose body



exhumed from the mass grave located in the Grapska place on 30 October 2000, and on the same day, he participated in the enforced resettlement of the inhabitants of this village, having organized their transportation by buses to the place of Kostajnica,

- 2) On 12 June 1992, together with other units of the RS Army, as the commander of the unit *Predini vukovi*, he occupied the village of Čivčije Bukovačke, Doboj municipality, on which occasion the village mosque was blown up and destroyed, houses plundered, and thereafter 5 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 some 160 of them were lined up in two ranks, and thereafter exposed to a several hours long physical and mental abuse by the Suspect, the members of his unit, and also by his brother Nenad Kujundžić (who got killed in July 1992), in the way that they punched and kicked them, hit them with rifle buts 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 forcing them to sing "Chetniks's songs", while the Suspect singled out from the line two villagers – officers of the former Yugoslav National Army (the JNA), including the protected witness "32", beat them both and thereafter ordered that the mother of the protected witness "6" be brought in, whom he abused by pointing the rifle barrel to her head and asking her to tell him where her son was, or otherwise he would kill her, and then he shot above her head,
- 3) On the same day, at the same place, during the afternoon hours, together with the members of his unit *Predini vukovi*, he unlawfully arrested around 160 Bosniak civilians who were previously abused in the manner as described under Count 2), then transported those civilians by busses, escorted by the members of his unit, and detained them in the so called *Perčin disko* camp – the prewar catering facility which is located in the place of Vila, Doboj municipality, where they were exposed to inhuman treatment, in the way that they were detained in an inadequate space, with no possibility of meeting the basic hygienic needs, having no food during the first several days, and thereafter with very inadequate daily meals, exposed to daily physical and mental mistreatments and humiliations by various groups of soldiers whom the guards allowed a free entrance, which are the acts the Suspect could have known about because such treatment of the detained civilians was a predictable consequence of camp detention,
- 4) On 12 July 1992, together with other units of the RS Army, as the commander of the *Predini vukovi* unit, he participated in taking 50 detainees away from the *Perčin disko* camp, who were used as human shields in the settlement of Makljenovac during active combat operations between the units of the BiH Army and the units of the RS Army, who were ordered to take off their upper clothes and line themselves in five lines comprised of ten detainees each, and as an example for the others not to escape, an unidentified soldier killed detainee [REDACTED] having shot him in his head, and thereafter they were ordered to walk in front of the units and the combat vehicles of the RS Army in the direction of the BiH Army position, on which occasion at least 16 persons were killed, namely: [REDACTED]

Ščić and Muhamed Zečević were exhumed from the mass grave in the place of Makljenovac during 1998, while the bodies of Senad Ahmić, Safet Hamidović and Mehmedalija Kadić have not been found to this date and they are reported as the persons unaccounted for,

- 5) On 19 July 1992, the members of his unit *Predini vukovi* came to the *Perčin disko* camp and exposed the detainees to a several hours long torture and inhuman treatment by punching and kicking them, hitting them with chains, batons, electric cables, metal bars and other items all over their bodies, thereby inflicting on them severe physical injuries; they forced several detainees, including [REDACTED], 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,
- 6) 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 ordered one soldier to take the child away from the witness "4" whom she had held in her arms, after which the soldier named Golub took the witness "4" to the room where he ordered her to strip off, and when she refused to do so, he slapped her face and then raped her, while during that time the Suspect 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, then he raped her, during which he kept punching her and tearing her hair, cursing her "balija's mother",
- 7) On the same day, at the same place, as under Count 6), after he had raped the minor witness "2", he told her that as of that day she would become his slave, that 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, having cruelly treated and abused the minor witness "2" in the way that:
 - a) he restricted her freedom of movement by 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,
 - b) he changed her Muslim name into a Serb name without any consent of hers or her parents, he acquired for her the identification documents, he requested her to always introduce herself and to everyone with her Serb name, and if she failed to do so, he would beat her,
 - c) he requested her to do all that he ordered her, and *inter alia*, he forced her once to read a statement at the Radio Doboj in which it was stated that Muslims were guilty of the war, that Muslims had killed her brother, that she had changed her name into the Serb name and that she invited other Muslims to do that too,
 - d) he ordered her to wear a small chain with a cross pendant around her neck which she was not allowed to ever take off, to wear the Serb army camouflage uniform and a red beret on her head,
 - e) during the stated period, he raped her, or forced her into sexual acts equaled with a sexual intercourse at his whim, having done that alone, or together with other persons, on which 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,

f) on two occasions, he took her to the positions held by the RS Army on the Ozren mountain, and 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.

8) During 1992 and 1993, together with the members of his unit *Predini vukovi*, he participated in the plunder, destruction of property and mistreatment of Bosniak civilians, or he knew about such actions, but neither prevented nor punished them, in the way that:

a) In May 1992, together with a member of his unit *Predini vukovi*, he came to the apartment of the protected witness "24" and ordered him to surrender all valuable items, which he did out of fear for his life,

b) On a precisely unidentified day during 1992, he physically and mentally abused the protected witness "6" in the way that he came to the Central Prison in Doboj, where this witness had been unlawfully detained prior to that, 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,

c) In late April 1993, he hired 7 Bosniak civilians, including [REDACTED] to collect construction material, furniture and "house appliances" from the Bosniak houses for his account, threatening them that if they failed to do so, he would execute their family members in Doboj, and he unlawfully seized the plundered property and set on fire the houses from which the property had been taken out,

d) In September 1993, together with 5 unidentified soldiers, he came to the apartment of the protected witness "14", thereupon they beat him up having accused him that he had owned a radio station, then the Suspect hit him on his head with the rifle so that "blood covered him all over",

e) In May 1992, the members of his unit *Predini vukovi*, physically abused and beat [REDACTED] who was detained in the Central Prison in Doboj; in July 1992, they plundered, abused and beat the inhabitants of the building at Ćuprijska Str. in Doboj, including one [REDACTED] and committed other inhuman actions against the non-Serb civilians in Doboj, of which the Suspect was aware, but he neither prevented nor punished the perpetrators,

Therefore, during a widespread and systematic attack against the civilian non-Serb population in Doboj municipality, knowing of such attack, as the commander of the unit called *Predini vukovi*, he committed, incited, aided and abetted, knew and did not prevent nor punish: killings, severe deprivations of physical liberty in contravention of the fundamental rules of international law; sexual slavery; rapes; persecution of civilian non-Serb population on national, ethnical, religious and sexual grounds, and other inhuman crimes committed with the intention of inflicting great sufferings, serious physical injuries and damage to health,

Whereby, by the actions referred to under Counts 1 through 8 of the operative part of the Indictment, he committed the criminal offense of *Crimes against Humanity* in violation of Article 172 (1) item h), in conjunction with items a), c), d), e), f), g) and k) of the Criminal Code of Bosnia and Herzegovina, in conjunction with Article 180 (1) and (2) of the same Code.

Therefore, I

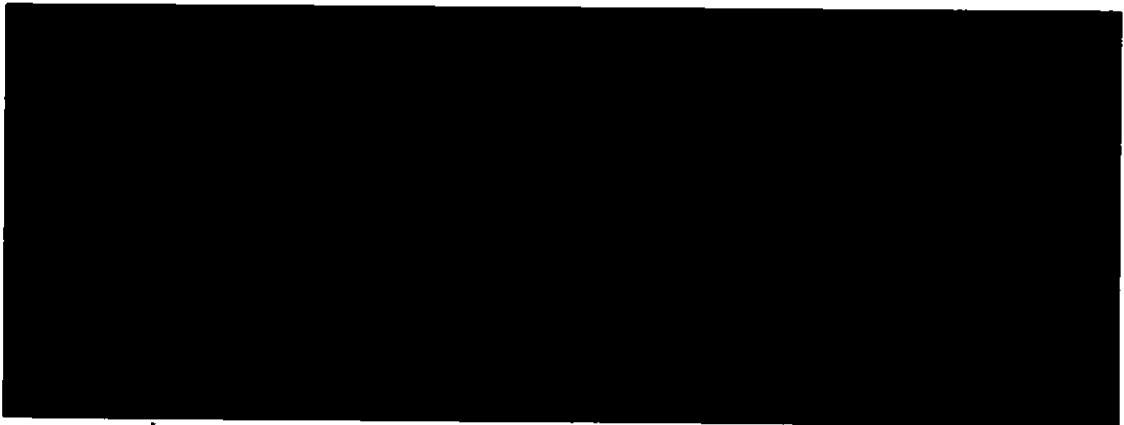
P R O P O S E

I That the Court schedule a main trial and summon the following parties:

Prosecutor for the BiH Prosecutor's Office,
Accused Predrag Kujundžić, Detention Unit of the Court of BiH,
Defense Counsel for the accused, attorney Miroslav Ristić from Doboj.

II That the following persons be examined as witnesses:

a) Legal representatives of the injured parties – the dead persons:



b) Protected witnesses:

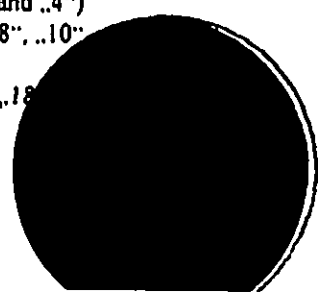
1. Protected witness "2"¹
2. Protected witness "4"²
3. Protected witness "6"²
4. Protected witness "8"
5. Protected witness "10"
6. Protected witness "12"
7. Protected witness "14"
8. Protected witness "16"³
9. Protected witness "18"
10. Protected witness "20"
11. Protected witness "24"
12. Protected witness "26"
13. Protected witness "28"
14. Protected witness "32"⁴

¹ Decision of the Court of BiH, number X-KRN-07/442 of 29 November 2007 (the witnesses „2“ and „4“)

² Decision of the Court of BiH, number X-KRN-07/442 of 5 December 2007 (the witnesses „6“, „8“, „10“ and „14“)

³ Decision of the Court of BiH, number X-KRN-07/442 of 6 December 2007 (the witnesses „16“, „18“, „22“, „24“, „26“ and „30“)

⁴ Decision of the Court of BiH, number X-KRN-07/442 of 19 December 2007 (the witness „32“)



c) Expert Witness:

15. [REDACTED]

16. [REDACTED]

17. [REDACTED]

18. [REDACTED]

19. [REDACTED]

20. [REDACTED]

21. [REDACTED]

22. [REDACTED]

23. [REDACTED]

24. [REDACTED]

25. [REDACTED]

26. [REDACTED]

27. [REDACTED]

28. [REDACTED]

29. [REDACTED]

30. [REDACTED]

31. [REDACTED]

32. [REDACTED]

33. [REDACTED]

34. [REDACTED]

35. [REDACTED]

36. [REDACTED]

37. [REDACTED]

III That the expert witnesses be examined:

1. [REDACTED]

2. [REDACTED]

3. [REDACTED]

IV That the following documents be reviewed:

1. ICTY Judgment, number: IT-00-39-T of 27 September 2006 in the *Momčilo Krajišnik* case (the sections concerning the Doboj area),
2. ICTY Judgment, number: IT-00-39&40/1 of 27 February 2003 in the *Biljana Plavšić* case (the sections concerning the Doboj area),
3. ICTY Judgment, number: IT-95-9-T, in the *Simo Zarić, Blagoje Simić and Miroslav Tadić* case,

4. ICTY Judgments, number: IT-95-10-T, and number IT-95-10-A, in the *Goran Jelisić* case,
5. ICTY Judgments, number: IT-94-1-T, and number IT-94-1-A, in the *Duško Tadić* case,
6. ICTY Judgments, number: IT-97-24-T, and number IT-97-24-A, in the *Milomir Stakić* case,
7. Judgment of the Higher Regional Court in Düsseldorf, number: IV-26/96, 2 StE 8/96 of 26 September 1997, in the *Nikola Jorgić* case,
8. Judgment of the Federal Supreme Court of the FR Germany, number: 3 StR 215/98 of 30 April 1999 in the *Nikola Jorgić* case,
9. Decision on Verification of the Proclaimed Serb Autonomous Regions in BiH (Excerpt from the Official Gazette of the Serb People in BiH, No. 1/92 of 15 January 1992),
10. Official Letter of the UN Secretary General of 24 May 1994 sent to the Security Council Chairman, Annex IX and Annex X,
11. Report by the HUMAN RIGHTS HELSINKI organization under the title „Bosnia and Herzegovina, the influence of the masters of war in Bosnia continues“ from December 1996,
12. Excerpt from the document of the State Bureau of Statistics R BiH – national composition of the population for 1991, for the territory of Doboj municipality,
13. Tabular survey of the non-Serb victims in the Doboj territory during the 1992 – 1995 period, Investigation-Documentation Center Sarajevo,
14. Letter of the Department for War Veterans and Disabled Persons Protection of Doboj Municipality, number strict. Conf. 08-835-3/2007 of 20 November 2007,
15. Letter of the PSC Doboj, number: conf. 11-02-272/07 of 7 November 2007, with the attachments (Excerpt from the Register of members of the Reserve Police Station Doboj – ordinal numbers 53 and 69; Records of the participation of members of the RS Ministry of Interior (hereinafter: the MoI) in the combat activities,
16. ICTY Document, number: 0360826 – List of Companies, Formation Deployment and Members of the Companies within the Public Security Station Doboj (Company X – suspect Predrag Kujundžić),
17. Official Note of the Security Services Center, Sector of the National Security Service Banja Luka of 28 September 1992 – ICTY Document, number: B 0082889,
18. Information of the MoI CSS Sector National Security Service Banja Luka of 16 November 1993 – ICTY Document, number B 0011313,
19. Photos of the Suspect seized during the search of his apartment on 10 October 2007,
20. Search Warrant of the Court of BiH, number: X –KRN-07/442 of 8 October 2007,
21. Apartment Search Record by the State Investigation and Protection Agency, number: 17-04/2-04-2-17/07 of 10 October 2007,
22. Receipt of Temporarily Seized Objects of the State Investigation and Protection Agency, number: 17-04/2-04-2-29/07 of 10 October 2007,
23. Medical documentation of the General Hospital „Sveti Apostol Luka“ in Doboj for the suspect Predrag Kujundžić, for the periods 20-25 May 1992; 20-27 August; 20-23 October 1992, and 23-24 December 1992,
24. Exhumation and Forensic Medical Examination Record - Makljenovac, made by the Cantonal Court in Zenica for the period 3 – 14 November 1998,
25. Exhumation Continuation Record, Cantonal Court in Zenica of 4 December 1998,
26. Official Note concerning the graves marking, exhumations and identifications, MAK-1, MAK-2, MAK-3 of the MoI Zenica of 9 November 1998,
27. Official Note concerning the autopsy of 11 bodies, Makljenovac, MoI Zenica 16 November 1998,

28. Official Note concerning the exhumation of bodies at the locations of Makljenovac and Putnikovo Brdo, Mol Zenica of 13 November 1998,
29. Identification Record for [REDACTED], MAK-8 Forensic Medicine Institute of the Clinical Center in Tuzla of 7 December 1998,
30. Forensic Medical Examination Report for [REDACTED] MAK-8, Expert Team Tuzla of 7 December 1998, with the photo-documentation,
31. Identification Record for [REDACTED] MAK-4/4, Forensic Medicine Institute of the Clinical Center in Tuzla of 7 November 1998,
32. Forensic Medical Examination Report for [REDACTED] MAK-4/4, Expert Team Tuzla of 7 November 1998,
33. Identification Record for [REDACTED] MAK-4/6, Forensic Medicine Institute of the Clinical Center in Tuzla of 7 November 1998,
34. Forensic Medical Examination Report for [REDACTED] MAK-4/6, Expert Team Tuzla of 6 November 1998,
35. Identification Record for [REDACTED] MAK-4/3, Forensic Medicine Institute of the Clinical Center in Tuzla of 7 November 1998,
36. Forensic Medical Examination Report for [REDACTED] MAK-4/3, Expert Team Tuzla of 7 November 1998,
37. Identification Record for [REDACTED] MAK-4/2, Forensic Medicine Institute of the Clinical Center in Tuzla of 7 November 1998,
38. Forensic Medical Examination Report for [REDACTED] MAK-4/2, Expert Team Tuzla of 7 November 1998,
39. Identification Record for [REDACTED] MAK-3/6, Forensic Medicine Institute of the Clinical Center in Tuzla of 12 November 1998,
40. Forensic Medical Examination Report for [REDACTED] MAK-3/6, Expert Team Tuzla of 6 November 1998,
41. Identification Record for [REDACTED] MAK-7, Forensic Medicine Institute of the Clinical Center in Tuzla of 14 November 1998,
42. Forensic Medical Examination Report for [REDACTED] MAK-7, Expert Team Tuzla of 14 November 1998,
43. Identification Record for [REDACTED] MAK-3/1, Forensic Medicine Institute of the Clinical Center in Tuzla of 7 November 1998,
44. Forensic Medical Examination Report for [REDACTED] MAK-3/1 Expert Team Tuzla of 7 November 1998,
45. Identification Record for [REDACTED] MAK-3/7, Forensic Medicine Institute of the Clinical Center in Tuzla of 7 November 1998,
46. Forensic Medical Examination Report for [REDACTED] MAK-3/7, Expert Team Tuzla of 7 November 1998,
47. Identification Record for [REDACTED] MAK-1, Forensic Medicine Institute of the Clinical Center in Tuzla of 14 November 1998, with the letter of the Mol ZDC, number 10-01/2-4-1-222-184-2/98 of 2 December 1998,
48. Forensic Medical Examination Report for [REDACTED] MAK-1, Expert Team Tuzla of 7 November 1998,
49. Identification Record for [REDACTED] MAK-3/2, Forensic Medicine Institute of the Clinical Center in Tuzla of 7 November 1998,
50. Forensic Medical Examination Report for [REDACTED] MAK-3/2 Expert Team Tuzla of 7 November 1998,
51. Identification Record for [REDACTED] MAK-3/3, Forensic Medicine Institute of the Clinical Center in Tuzla of 7 November 1998,
52. Forensic Medical Examination Report for [REDACTED] MAK-3/3 Expert Team Tuzla of 7 November 1998,

53. Identification Record for [REDACTED], MAK-4/5, Forensic Medicine Institute of the Clinical Center in Tuzla of 7 November 1998,
54. Forensic Medical Examination Report for [REDACTED] MAK-4/5 Expert Team Tuzla of 7 November 1998,
55. Identification Record for [REDACTED] MAK-4/1, Forensic Medicine Institute of the Clinical Center in Tuzla of 7 November 1998.
56. Forensic Medical Examination Report for [REDACTED] MAK-4/1 Expert Team Tuzla of 7 November 1998,
57. Exhumation Record of the Cantonal Court in Tuzla, number: Kri: 110/00 of 30 October 2000,
58. Forensic Medical Examination Report for [REDACTED] D.GRA-8/1, Expert Team Tuzla of 7 November 2000,
59. Photo-documentation of the Zenica-Doboj Canton Mol (hereinafter: the ZDC Mol), number 10-01/2-4-233-117/98 of 12 November 1998, concerning the grave „7“ exhumation in the place of Makljenovac,
60. Crime scene sketch of the ZDC Mol, number 10-01/2-4-233-116/98 of 12 November 1998 – the grave „7“ exhumation,
61. Photo-documentation of the ZDC Mol, number 10-01/2-4-233-118/98 of 14 November 1998 concerning the corpse examination from the grave „7“,
62. Photo-documentation of the ZDC Mol, number 10-01/2-4-233-97/98 of 3 November 1998 concerning the grave „1“ exhumation in the place of Makljenovac,
63. Crime scene sketch of the ZDC Mol, number 10-01/2-4-233-96/98 of 3 November 1998 – the grave „7“ exhumation,
64. Photo-documentation of the ZDC Mol, number 10-01/2-4-233-104/98 of 7 November 1998 concerning the corpse examination from the grave „1“,
65. Photo-documentation of the ZDC Mol, number 10-01/2-4-233-103/98 of 4-6 November 1998 concerning the corpse examination from the grave „4“ in the place of Makljenovac,
66. Crime scene sketch of the ZDC Mol, number 10-01/2-4-233-102/98 of 4-6 November 1998 – the grave „4“ exhumation,
67. Photo-documentation of the ZDC Mol, number 10-01/2-4-233-107/98 of 7 November 1998 concerning the corpses examination from the grave „4“, MAK 4/1-6,
68. Photo-documentation of the ZDC Mol, number 10-01/2-4-233-101/98 of 4-6 November 1998 concerning the grave „3“ exhumation in the place of Makljenovac,
69. Crime scene sketch of the ZDC Mol, number 10-01/2-4-233-100/98 of 4-6 November 1998 – the grave „3“ exhumation,
70. Photo-documentation of the ZDC Mol, number 10-01/2-4-233-106/98 of 7 November 1998 concerning the corpses examination from the grave „3“, MAK 3/1-7,
71. Excerpt from the Deaths Register for [REDACTED]
72. Excerpt from the ICTY Missing Persons Register for [REDACTED]
73. Excerpt from the Deaths Register for [REDACTED]
74. Excerpt from the ICTY Missing Persons Register for [REDACTED]
75. DVD exhumation recording in the place of Makljenovac, Doboj, 3-7 November 1998,
76. Finding and Opinion of the team of expert witnesses-neuropsychiatrists of the Clinical Center of the University in Sarajevo of 26 September 2007 for the protected witness „2“,
77. Finding and Opinion of the expert witness – psychologist of the Clinical Center of the University in Sarajevo of 25 September 2007 for the protected witness „2“.

78. Medical documentation for the protected witness „2“, namely the findings of 26 April 2005, 27 April 2005, 28 April 2005, 29 April 2005, 30 May 2005, 10 June 2005 and 18 June 2007,
79. Finding and Opinion of the expert witness-surgeon of 18 December 2007 concerning the bodily injuries of the protected witness „2“,
80. Certificate of the General Hospital „Sveti Apostol i Luka“ Doboj, number: 3368-1/07 of 14 September 2007, for the protected witness „2“, and the excerpt from the Patients Admission Register of the General Hospital „Sveti Apostol i Luka“ Doboj for the protected witness „2“ – ordinal number 7802,
81. Letters of the PSC Doboj, number: 11-05/2-206-272-2/07 of 2 August 2007 and number: 11- 05/2-206-272-1/07 of 2 August 2007, with the attachments concerning the change of the protected witness „2“ name, as follows:
 - a. ID card certified copy, number 455/92,
 - b. Certified copy of the excerpt from the Births Register of 15 December 1992,
 - c. Certified copy of the excerpt from the Register of Personal Name Changes,
 - d. Certified copy of the residence report card,
82. Letter of the PSC Doboj – PS Derventa, number: 11-5/05-207-101/07 of 1 August 2007, with the attachments as follows:
 - a. Certified copy of the residence report-cancellation of 20 March 2001,
 - b. Certified copy of the excerpt from the ID Cards Register from 2001 – ordinal number 376,
 - c. Certified copy of the residence card of 20 March 2001,
 - d. ID card certified copy of 20 March 2001,
 - e. Certified copy of the excerpt from the Register of Births of 25 January 2001,
 - f. Certified copy of the ID card payment slip,
 - g. Certified copy of the application for the ID card issuance-change of 16 March 2001,
 - h. Certified copy of the excerpt from the ID Cards Register from 1994 – ordinal number 1523,
 - i. ID card certified copy of 10 October 1994,
83. Excerpt from the criminal record for the suspect Predrag Kujundžić, PSC Doboj, number Conf. 11- 02-341/07 of 18 December 2007,
84. Crime Scene Investigation Record by the Basic Court in Gračanica, number: Kri.24/95 of 15 June 1995 concerning the damaged religious facilities in the places of Mala Brijesnica, Velika Brijesnica, Klokotnica, Stanić Rijeka and Lukavica Rijeka,
85. Photo-documentation of the damaged religious facility – the mosque in Velika Brijesnica, Doboj municipality and the PSC Doboj criminal report, number: KU:3/96 of 6 February 1996,
86. Photo-documentation of the damaged religious facility – the mosque in Mala Brijesnica, Doboj municipality and the PSC Doboj criminal report, number: KU 2/96 of 5 February 1996,
87. PSS Doboj criminal report of 13 February 1996 against NN perpetrator for the destruction of religious facility – the mosque in Stanić Rijeka, Doboj municipality,
88. Photo-documentation of the damaged religious facility – the mosque in the place of Lukavica Rijeka, Doboj municipality,
89. PSS Doboj criminal report, number: KU 5/96 of 13 February 1996,
90. Photo-documentation of the damaged religious facility – the mosque in Klokotnica, Doboj municipality,
91. PSS Doboj criminal report, number: KU 4/96 of 12 February 1996,

92. Official Note of 22 October 1992 concerning the damage of religious facility – the mosque in Matuzići, Doboj municipality,
93. PSS Doboj criminal report of 18 December 1995 against NN perpetrator for the damage of religious facility – the mosque in Matuzići, Doboj municipality,
94. Official Note of 21 August 1992 concerning the damage of religious facility – the mosque in Mravići, Doboj municipality,
95. Criminal Report against NN perpetrator for the damage of religious facility – the mosque in Mravići, Doboj municipality,
96. Photo-documentation of the damaged religious facility – Donja džamija (*mosque*) in Kotorsko, Doboj municipality,
97. Photo-documentation of the damaged religious facility – Gornja džamija in Kotorsko, Doboj municipality,
98. PSS Doboj criminal report of 14 March 1996 against Milovan Stanković for the damage of religious facilities – Gornja and Donja džamija in Kotorsko, Doboj municipality.

INVESTIGATION RESULTS

Results of the conducted investigation undoubtedly confirm the existence of grounds for this Indictment, namely that the suspect Predrag Kujundžić committed the criminal offense of *Crimes against Humanity* in violation of Article 172 (1) item h), in conjunction with items a), d), e), g) and k) of the Criminal Code of Bosnia and Herzegovina, as read with Article 180 (1) and (2) of the same Code.

It ensues from the state of facts established in the investigation based on both the objective evidence and the statements of the examined witnesses that as a member of the armed forces of the Army of Serb Republic BiH, within a widespread and systematic attack directed against the non-Serb population of the Doboj municipality, as a part of that attack, namely as the commander of the unit called *Predini vukovi*, the Suspect committed, incited, aided and abetted, and knew about but neither prevented nor punished: killings, severe deprivations of physical liberty in contravention of the fundamental rules of international law; forcing into sexual slavery; rapes; persecution of non-Serb civilian population on national, ethnical, religious and sexual grounds; and other inhuman crimes committed with the intention of inflicting great suffering, severe physical injuries and damage to health, at the time, in the places and in the manner as described in the operative part of the Indictment.

It undoubtedly ensues from the statements of the examined witnesses and the attached documentary evidence that the widespread and systematic attack of the Serb military, police and paramilitary forces was launched during the critical period both in the larger part of the R BiH territory and the territory of Doboj municipality, directed against the non-Serb civilian population.

It can be seen from the final ICTY Judgments in the case, number: IT-95-9-T against *Simo Zarić, Blagoje Simić and Miroslav Tadić*, number: IT-95-10-T in the *Goran Jelisić* case, number IT-94-1-T in the *Duško Tadić* case, and number IT-97-24-T in the *Milomir Stakić* case that during the period referred to in the Indictment, the widespread and systematic attack was launched in the territories of East, Northeast and North Bosnia which was directed against the non-Serb civilian population.

The Doboj town is located in the Northeast Bosnia, and according to the 1991 Census data, the pre-war population of the Doboj municipality amounted to 102,546 persons, of whom 40.2% were Bosniaks, 39% Serbs, 13% Croats, 5.5% Yugoslavs, and 2.3% Others. Those facts were also established in the ICTY Judgment, number IT-00-39-T of 27 September 2006 in the *Momčilo Krajišnik* case (page 126, item 338).

The following facts also ensue from the Judgment referred to above:

- *In March and April 1992, the JNA set checkpoints in Doboj town (page 126, item 339),*
- *On 3 May 1992, Serb paramilitaries, the JNA, and the police took over Doboj town. The Serbs crisis staff took control over the municipality, and all remaining Muslim police officers were arrested. Muslims and Croats were ordered to surrender their weapons. The Serb authorities issued a curfew allowing Muslims and Croats to be outside their homes for only two hours per day (page 126, item 340),*
- *During May and June 1992, 21 Muslim and Catholic monuments in Doboj municipality were either heavily damaged or completely destroyed through shelling or explosives (page 126 and 127, item 341),*
- *In May and June 1992, Serb authorities in Doboj detained Muslim and Croat civilians in 33 detention centers under cramped and inhuman conditions. The detainees were severely mistreated (page 128, item 345),*
- *In Doboj, as well as in many other cities in BiH, Muslims and Croats were displaced against their will, and they were not taking active part in the hostilities at the time the forcible displacement was committed, and the displacement was part of the widespread and systematic attack against non-Serb civilians (page 272, item 732).*

In addition to this, the ICTY Judgment, number IT-00-39&40/1 of 27 February 2003 in the *Biljana Plavšić* case, the following facts were established concerning the Doboj area in relation to the subject of charges:

- *On 12 July 1992, several non-Serb detainees from the *Perčin disk* were taken out and killed while serving as a human shield in the combat activities (Attachment B, item 6 – Deprivation of life concerning the detention facilities),*
- *There were 30 detention facilities in the territory of Doboj municipality (Attachment C, item 11 – Detention Facilities),*
- *Five cultural monuments were destroyed in the territory of Doboj municipality (Attachment D, item 9 – Destruction of cultural monuments and sanctuaries).*

By the final Judgment of the Federal Supreme Court of the FR Germany, number 3 StR 215/98 of 30 April 1999 in the *Nikola Jorgić* case, he was convicted of the commission of the criminal offense of Genocide, committed against the non-Serb civilians in the Doboj territory.

All the foregoing facts also ensue from the statements of the witnesses who were examined during the investigation, as well as from the other documentary evidence, such as: the documentation concerning the damaged religious facilities in the territory of Doboj municipality, the letter of the UN Secretary General of 24 May 1994 sent to the Security Council Chairman, Annex IX and Annex X, Reports of the HUMAN RIGHTS HELSINKI organization under the title „Bosnia and Herzegovina, the influence of the masters of war in Bosnia continues“ from December 1996, the Tabular review of the non-Serb victims for the Doboj territory during the 1992-1995 period, Investigation-Documentation Center Sarajevo, etc.

This attack on the non-Serb civilian population of the Doboj municipality implied the disarmament of the population concerned, their being taken away and confined to detention

camps, questionings, torturing and killings, mass and forcible deportations, rapes, plunders and setting houses on fire, and other various forms of inhuman treatment.

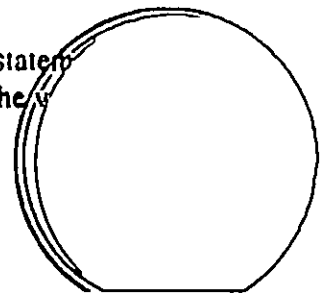
That the Suspect was a member of the Army of Serb Republic of Bosnia and Herzegovina, and the commander of the unit called *Predini vukovi*, primarily ensues from his defense, which was as to that part confirmed by both the statements of the examined witnesses and the documentary evidence. Thus, it can be seen from the letter of the Department for War Veterans and Disabled Persons Protection of the Doboj municipality, number strictly conf. 08-835-3/2007 of 20 November 2007 that the Suspect was a member of military and police units of the RS Army during the period from 6 October 1991 to 11 August 1993, except for the period from 1 July 1992 to 2 February 1993 when he was engaged as a police member, while during the remaining period he was an army member. This also ensues from the other documentary evidence, namely from: the ICTY document, number 0360826 – List of Companies, Formation Deployment and Members of the Companies within the PSS Doboj (Company X - the suspect Predrag Kujundžić), the Official Note of the SSC Sector of the National Defense Service Banja Luka of 28 September 1992 – the ICTY document, number B 0082889, the Information of the MoI SSC Sector of the National Defense Service Banja Luka of 16 November 1993 – the ICTY document, number 0011313.

When considered in their correlation with the statements of the witnesses, all these facts confirm the discriminatory intention of the Suspect, and they undoubtedly suggest that the Suspect followed the policy and the actions of the Army of the Serb Republic of Bosnia and Herzegovina as a military organization, which led to the widespread and systematic attack against the non-Serb civilian population of the Doboj municipality about which the Suspect knew, and was aware that he was a part of that attack, which he himself confirms in part in his defense. We also point out that during the critical period, the SDS discriminatory policy was constantly proclaimed through the media covering the Doboj territory, with the programs directed at inciting the hatred against the non-Serb population, which the witnesses confirmed in their statements, so almost everyone in Doboj had to be aware of the existence and the nature of this widespread and systematic attack. Therefore, the stated circumstances could have not remained unknown to the Suspect, because all the collected evidence shows in a convincing manner that his actions were a part of this attack.

In his defense, the Suspect denies that he committed the criminal offense and the actions as charged.

However, it is obvious that his defense is designed with a view to avoiding or decreasing criminal responsibility, thus at several places in his statement the Suspect is contradictory to himself, and he shifts the responsibility for the commission of certain criminal actions to his killed brother Nenad Kujundžić. For example, the Suspect admits that he organized the buses for deportation of the inhabitants of Grapska who wanted to „leave“ for Kostajnica, while at the same time he admits that Grapska was exposed to artillery fire, therefore, he had to be very much aware that it was not the issue of voluntary leaving the village. Also, the part of his defense, in which he states that due to the injuries he suffered and the hospital treatment he could not even be present during the criminal acts commission at the time they were carried out, was refuted because it undoubtedly ensues from the obtained medical documentation that the Suspect was not subject to any medical treatment whatsoever at the time the events concerned took place.

That the Suspect indeed committed the acts as charged ensues from the statements of the witnesses who were examined during the investigation, and who are mostly the



the eye-witnesses to the crimes of the Suspect, and whose statements were also confirmed by the collected documentary evidence.

Therefore, it follows from the foregoing that the Suspect:

- on 10 May 1992 participated in the attack on the village of Grapska, on which occasion he wounded at least one person, and killed a 10-year old child, which was confirmed by the witnesses „2“ and „4“, whose statements are also corroborated with the documentary evidence – the medical documentation and the Finding of the expert examination of the bodily injuries of the witness „2“, the exhumation record and the forensic medical examination for the killed minor D.D., while the Suspect himself admits in his statement that on the same day he participated in the deportation of the Grapska population;

- on 12 June 1992, he participated in the occupation of the village of Bukovačke Čivčije, in the physical abuse of Bosniak civilians in front of the village center, he knew about the village mosque demolition, the houses plundering and their being set on fire, the unlawful detention of around 160 civilians from this village and their deportation to the *Perčin disko* camp, where they were exposed to inhuman treatment; on 12 July 1992, he participated in the take-away of the detainees from the *Perčin disko* camp to “human shields” at the place of Makljenovac, on which occasion at least 17 persons were killed, he knew about the abuse and severe beating of the detainees in the *Perčin disko* camp on 19 July 1992, yet he did nothing to prevent it, or to punish the perpetrators, which was confirmed by the witnesses “32”, “28”, “22”, “20”, “16”, “12”, “10”, “8”, “6”, [REDACTED], Ahmić, Edin Hadžović, Muhamed Be [REDACTED]

[REDACTED] whose statements are also corroborated by the documentary evidence – the Exhumation Records and Photo-documentation and the reports on forensic medical examination of the mortal remains;

- in June 1992, he raped the minor witness “2”, and he knew that a member of his unit raped the witness “4” but did not take any action to prevent it, or to punish the perpetrator, which was confirmed by the witnesses “2” and “4”;

- during the period from June through December 1992, he kept a minor person in sexual slavery, whom he cruelly treated and abused, which was confirmed by the witnesses “2” and “4”, whose statements are also corroborated with the documentary evidence – the documentation concerning the change of name of the witness “2”, the Finding and Opinion by the team of expert witnesses-neuropsychiatrists/psychologists, and the medical documentation to the name of the witness “2”;

- during 1992 and 1993, he participated in the plunders and mistreatments of non-Serb civilians, or he could have known about such actions committed by the members of his unit, which was confirmed by the witnesses “24”, “18”, “14”, “6”, [REDACTED]

A certain number of the examined witnesses, although without any direct information concerning the actions of the Suspect, confirmed in their statements the existence of the widespread and systematic attack in Doboj town itself, as well as in the surrounding villages [REDACTED] some witnesses confirmed the status of the Suspect, that is, his commanding role [REDACTED] the witness “26”, et al.), while some witnesses gave their statements as the legal representatives of the killed persons [REDACTED]

[REDACTED] or they have indirect information confirming the victims’ statements [REDACTED]

Bearing in mind all the foregoing, I am of the opinion that it can be concluded beyond any doubt that in spring 1992, the widespread and systematic attack directed against the non-Serb civilian population in the Doboj municipality was launched by the army and the police, as well as the paramilitary formations of the so called Serb Republic of BiH/Republika Srpska, in which the Suspect, knowing of such attack, committed the actions as charged in the operative part of the Indictment, which fit into that attack and constitute a part thereof, and considering that the essential elements of the criminal offense with which the Suspect is charged were met by the committed actions, I consider this Indictment founded in its entirety, based on which I propose to the Preliminary Hearing Judge to confirm it in its entirety.

MOTION TO ORDER CUSTODY AFTER THE INDICTMENT CONFIRMATION

Pursuant to the evidence presented, the Prosecutor's Office is of the opinion that grounded suspicion that the suspect Predrag Kujundžić committed the criminal offense as charged ensues from the evidence concerned, whereby the general custody ground set out under Article 132 (1) of the CPC BiH has been met.

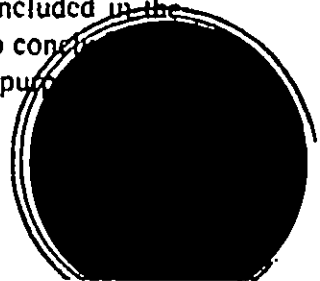
When the special custody grounds are in question, the BiH Prosecutor's Office is of the opinion that the requirements set out under Article 132 (1) items a), b) and d) of the CPC BiH have been met, namely that:

- the circumstances exist suggesting a risk of flight by the suspect,
- there is a justified fear to believe that if at liberty, the suspect will hinder the inquiry by influencing witnesses, accessories or accomplices;
- due to the manner of commission or the consequences of the criminal offense it is necessary to order custody to ensure the security of citizens, while the suspect is charged with the commission of the criminal offense in violation of Article 172 (1) of the CC BiH, in conjunction with Article 180 (1) and (2) of the CC BiH, which is punishable by a sentence of imprisonment of ten (10) years or a more severe punishment.

When it comes to the first custody ground prescribed under Article 132 (1) item a) of the CPC BiH, the BiH Prosecutor's Office is of the opinion that there is a realistic risk that the Suspect could flee if the custody measure were not imposed on him.

We primarily point out that under the Decision of the BiH Council of Ministers concerning the measures for the efficient implementation of the mandate of the International Criminal Tribunal for the Former Yugoslavia of 30 August 2007 (published in Official Gazette of BiH, No. 72/07), the suspect Predrag Kujundžić, under the ordinal number 17, was marked due to his participation in the activities supporting the persons who are on the run in the attempt to avoid prosecution for the crimes with which the International Criminal Tribunal for the Former Yugoslavia has charged them, or due to the actions which can obstruct the ICTY in running its mandate efficiently. Due to these reasons, the ID card was seized from the Suspect.

It undoubtedly ensues from the foregoing that the Suspect has been included in the network of the "Hague fugitives" supporters, and therefore there are grounds to conclude that if released, the Suspect himself would receive all the support required for the purpose of flight or hiding.



The fact that his ID card was seized from him will not prevent him from fleeing, because through the accomplices from the "network", or without them, he can easily cross the border using the illegal crossings.

The Suspect can also hide in the BiH territory without crossing the state border, because under the Decision concerned he is not prohibited from moving throughout BiH, because it concerns only the persons who are not citizens of BiH.

Therefore, faced with a possibility to be convicted of the criminal offense punishable with the most severe prescribed sentence – a long term imprisonment, the Suspect has a strong motive to avoid criminal prosecution by fleeing or hiding, and to achieve that, he will have available both the financial and any other support he needs.

We note that the Suspect himself is a well-to-do person which can be seen from the collected documentation concerning his financial situation, thus in case of his flight or hiding, the subsistence of his family members will not be brought into question.

We emphasize the fact that to this date, a fairly large number of persons suspected of the criminal offenses referred to under Chapter XVII of the CC BiH managed to hide or to flee to the neighboring states and thereby avoid criminal prosecution, therefore that Court has also recognized such risk in its Decisions ordering custody (X-KR-05/161 of 20 February 2006 in the *Gajko Janković* case; X-KR-05/16 of 3 February 2006 in the *Dragoje Pamović* et al. case).

It ensues from the foregoing that if the suspect Predrag Kujundžić was released, a realistic risk of his flight would exist with a view to avoiding criminal prosecution. Therefore we are of the opinion that the grounds to order the Suspect into custody exist as set out under Article 132 (1) item a) of the CPC BiH.

When it comes to the custody ground referred to under Article 132 (1) item b) of the CPC BiH, the Prosecutor's Office is of the opinion that there is a grounded fear that if released, the Suspect could hinder the proceedings by influencing the witnesses and the accomplices.

With regard to this, the Prosecutor's Office notes that the grounded suspicion is mainly based on the statements of the witnesses who are mostly the direct victims of the crimes, or family members of the killed and missing persons - the victims of the criminal offense concerned, whose identity is generally known to the Suspect, and that if possibly released, the Suspect could easily influence those witnesses. It is particularly important to emphasize the fact that some witnesses have returned to their pre-war places of residence, that is, to the territory of Doboj municipality, where the Suspect is still an influential, rich and powerful person.

After the Indictment confirmation, the Suspect would have a special motive to influence the witnesses, because the Court's decision is based only on the evidence directly adduced before the trial panel during the main hearing, thus it is justified to believe that if released, the Suspect would take measures with a view to intimidating or bribing the witnesses so as to change their statements given during the investigation.

We particularly point out that during the investigation the Prosecutor's Office received an anonymous letter from the citizens of Doboj, from which it can be seen that, even from custody, the Suspect was trying to influence the witnesses through his friends and cousins who were either intimidating or bribing them, and therefore it is easy to conclude what would

happen if the Suspect was released. Also, the witness "18" informed the Prosecutor during the investigation that due to the threats sent over the phone, when he was told by an unknown voice: "You will remember who the *Predini vikovi* are", he was so frightened that he did not want to participate in the proceedings any further.

The fear of the Suspect and of the other persons who were his accomplices at the time of the commission of the criminal offense, who have not been completely identified in the course of the investigation to this date, is obvious from the statements by the witnesses examined to this date.

Particularly stirring is the fact that not only the witnesses who live in the Doboj territory have fear from the Suspect, but also those who live in other places, even those who live abroad, thus even 16 witnesses sought the protective measures pursuant to the Law on the Protection of Witnesses under Threat and Vulnerable Witnesses.

In addition to the foregoing, it is also important to emphasize the fact that according to the evidence collected, the Suspect is a violent and aggressive person, of whom even the people of his ethnicity, the Serbs, were afraid as can be seen from the Official Note of the CSB (Security Service Centre), SNB (National Security Service) Sector Banja Luka dated 28 September 1992, in which it is stated, among other things: "We note that this is a very short-tempered and dangerous person...". Similar is stated in the Information of the MUP (Ministry of Interior) CSB (Security Service Centre), SNB (National Security Service) Sector Banja Luka, dated 16 November 1993, which reads: "still present in the Doboj territory are certain military formations or groups that are not under the control of the VRS and which are relatively strong and unruly, so that no legal authority is making a stand against them. The formations of Predrag Kujundžić, which call themselves "Predo's guards"... who are mainly linked to Ozren, are a threat for the security of the Serbs more than for the security of the population of other ethnicities."

Accordingly, it can be undoubtedly concluded that the suspect, Predrag Kujundžić, if released, would not hesitate to use measures to intimidate or bribe the witnesses in these proceedings for the purpose of making them change their statements during the main trial, or to testify in his favor. This concerns both the witnesses for the Prosecution and the Defense.

In addition to this, there is also a justified fear that if released, the suspect could make contact with the accomplices and thus obstruct the criminal proceedings, and considering that the full identity of his accomplices has yet to be determined, there is no other way to prohibit the Suspect from contacting them. Thus, if released, the suspect would be in a position to communicate with co-perpetrators, accessories and accomplices and to be in permanent collusion with them with the aim to frustrate the investigation and ultimately escape from criminal responsibility. Such co-ordination would also be of use to his co-perpetrators as they are either already the subject of the investigation of this Prosecutor's Office or could become one.

In that context, we emphasize the connections between the suspect Predrag Kujundžić and other persons from the Doboj area, against whom this Prosecutor's Office is already conducting the investigation in relation to the command responsibility (no. KT RZ 133/05; [REDACTED] KT RZ 132/05 [REDACTED]) while the suspect, Predrag Kujundžić, himself confirmed in his statement that he knew them. Considering that the above named suspects are still very powerful and politically influential persons in the Doboj area, if released, Predrag Kujundžić could, with the

without problems obstruct the course of the investigation by influencing witnesses and accomplices, without even being brought in direct connection with such influence.

When all these facts are taken into consideration, particularly the fear and the anxiety that the witnesses are faced with, and the fact that many witnesses sought protection due to the fear for them and their families, it can be concluded beyond any doubt that ordering custody of the Suspect on the grounds set out in Article 132 (1) item b) is more than justified.

Based on the above, the Prosecution submits that there are special circumstances indicating that if released the Suspect would hinder the criminal proceedings by influencing witnesses and accomplices, and we submit that the abovementioned reasons are sufficient so as to order custody of the Suspect on this ground too, namely the ground set out in Article 132 (1) item b).

The BiH Prosecutor's Office further submits that the custody measure for the Suspect is also necessary on the custody ground set out under Article 132 (1) item d), since the Suspect is charged with the criminal offense punishable with the sentence of imprisonment for a term of 10 years or a long term imprisonment. Bearing in mind the gravity of the committed criminal offense, as well as its consequences, and particularly considering the fact that systematic persecutions, killings and mistreatments of civilians in the territory of Dobojska municipality are in question, and taking into account the severe consequences which the crime concerned inflicted on the victims and their families, which are also felt to this date, it can be concluded that the ordering of custody is necessary for the safety of citizens.

It ensues from the statements of the majority of the heard witnesses, as well as from the other gathered facts, that most of the victims, as well as their families' members still feel the consequences of the crimes concerned. This can be particularly seen from the statements of the witnesses "2" and "4", but also from the statements of the other witnesses. The consequences of the acts of the Suspect were death, persecution, severe and permanent damages to physical and mental health of the victims, which to this date cause the feeling of fear, frustration and insecurity in the survivors, and therefore it is indisputable that the consequences of the criminal offense concerned are of such a character that they entirely justify the ordering of custody.

Also, in the case at hand, the criminal acts committed by the Suspect were committed in an extremely heartless and impertinent manner, and were committed during a longer period of time, whereby he showed special persistence in the commission of the criminal offense, thus it clearly ensues that the ordering of custody is necessary for the safety of citizens also due to the manner of commission of the criminal offense concerned.

We particularly emphasize that it can be seen from the anonymous letter of the citizens of Dobojska that during the investigation the Suspect threatened through his cousins and friends that he would kill the witnesses when he came out from the prison, whereby the fear for their safety has been concretized. This also ensues from the Official Note concerning the interview made with the witness "18" who had received a threatening phone call.

The fact that 16 witnesses sought the protective measures speaks about their subjective feeling of being endangered, but when this is viewed together with the above mentioned circumstances, it can be positively concluded that their subjective feeling of fear is based on the concrete reasons and that the ordering of custody is necessary for the safety of citizens.

It is also important to emphasize that some of the criminal acts with which he is charged the Suspect committed as a police member and that therefore he can still have significant contacts within the police forces, which can have negative consequences, if considered from the aspect of citizens' safety.

Therefore, we are of the opinion that the grounds to order the Suspect into custody, as set out under Article 132 (1) item d) of the CPC BiH, have been met.

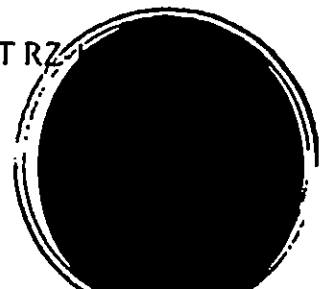
Pursuant to the foregoing, the BiH Prosecutor's Office proposes to the relevant Panel of that the Court, after the Indictment confirmation, to issue a decision to extend the custody measure for the suspect Predrag Kujundžić on the ground of Article 132 (1) item b), and to order the custody measure on the ground of Article 132 (1) items a) and d).

Documents attached to the Motion to order custody:

1. Decision of the BiH Council of Ministers regarding the measures for the efficient implementation of the mandate of the International Criminal Tribunal for the Former Yugoslavia, dated 30 August 2007,
2. Documentation concerning the property status of the Suspect,
3. Official Note of the SSB Banja Luka of 28 September 1992,
4. Official Note of the SSB Banja Luka of 16 November 1993,
5. Anonymous letter of the Dobojski citizens,
6. Official Note of the BiH Prosecutor's Office, KT RZ-131/05 of 29 November 2007.

MATERIAL CORROBORATING THE ALLEGATIONS REFERRED TO IN THE INDICTMENT

1. Suspect Questioning Record for Predrag Kujundžić, BiH Prosecutor's Office, number KT RZ-131/05 of 10 October 2007,
2. Witness Examination Record for [REDACTED] BiH Prosecutor's Office, number KT RZ-131/05 of 19 December 2007,
3. Witness Examination Record for [REDACTED] BiH Prosecutor's Office, number KT RZ-131/05 of 19 December 2007,
4. Witness Examination Record for [REDACTED] BiH Prosecutor's Office, number KT RZ-131/05 of 19 December 2007,
5. Witness Examination Record for [REDACTED] BiH Prosecutor's Office, number KT RZ-131/05 of 19 December 2007,
6. Witness Examination Record for [REDACTED] BiH Prosecutor's Office, number KT RZ-131/05 of 19 December 2007,
7. Witness "2" Examination Record, BiH Prosecutor's Office, number KT RZ-131/05 of 16 July 2007,
8. Witness "4" Examination Record, State Investigation and Protection Agency, number 342/06 of 15 June 2006,
9. Witness "6" Examination Record, BiH Prosecutor's Office, number KT RZ-131/05 of 22 November 2007,
10. Witness "8" Examination Record, BiH Prosecutor's Office, number KT RZ-131/05 of 17 April 2007,
11. Witness "10" Examination Record, BiH Prosecutor's Office, number KT RZ-131/05 of 18 April 2007, and the Mol ZDC of 23 April 2004,



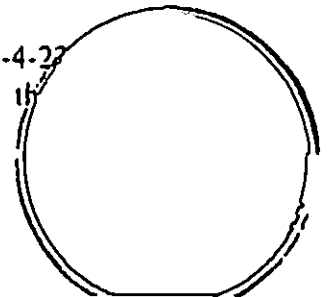
12. Witness "12" Examination Record, BiH Prosecutor's Office, number KT RZ-131/05 of 7 June 2007,
13. Witness "14" Examination Record, BiH Prosecutor's Office, number KT RZ-131/05 of 12 June 2007,
14. Witness "16" Examination Record, State Investigation and Protection Agency, number 386/06 of 30 June 2007,
15. Witness "18" Examination Record, BiH Prosecutor's Office, number KT RZ-131/05 of 22 May 2007,
16. Witness "20" Examination Record, BiH Prosecutor's Office, number KT RZ-131/05 of 22 May 2007,
17. Witness "22" Examination Record, BiH Prosecutor's Office, number KT RZ-131/05 of 18 October 2007,
18. Witness "24" Examination Record, BiH Prosecutor's Office, number KT RZ-131/05 of 29 May 2007,
19. Witness "26" Examination Record, BiH Prosecutor's Office, number KT RZ-131/05 of 23 May 2007,
20. Witness "28" Examination Record, Cantonal Court in Zenica, number Kri.11/98 of 25 June 2007,
21. Witness "32" Examination Record, Cantonal Court in Zenica, number Kri. 339/97 of 10 March 2007,
22. Witness Examination Records for ██████████, BiH Prosecutor's Office, number KT RZ-131/05 and KT RZ -133/05 of 4 April 2007,
23. Witness Examination Record for ██████████, BiH Prosecutor's Office, number KT RZ-133/05 of 6 April 2007,
24. Witness Examination Record for ██████████, BiH Prosecutor's Office, number KT RZ-131/05 of 16 April 2007,
25. Witness Examination Records for ██████████, BiH Prosecutor's Office, number KT RZ-131/05 of 17 May 2007, and the ZDC Mol of 26 February 2004,
26. Witness Examination Record for ██████████, BiH Prosecutor's Office, number KT RZ-131/05 of 31 October 2007,
27. Witness Examination Record for ██████████, BiH Prosecutor's Office, number KT RZ-131/05 of 26 October 2007,
28. Witness Examination Record for ██████████, State Investigation and Protection Agency, number 1155/07 of 30 November 2007,
29. Witness Examination Record for ██████████, BiH Prosecutor's Office, number KT RZ-131/05 of 13 April 2007,
30. Witness Examination Record for ██████████, BiH Prosecutor's Office, number KT RZ-131/05 of 30 October 2007,
31. Witness Examination Record for ██████████, BiH Prosecutor's Office, number KT RZ-131/05 of 29 October 2007,
32. Witness Examination Record for ██████████, State Investigation and Protection Agency, number 391/06 of 5 July 2006,
33. Witness Examination Record for ██████████, State Investigation and Protection Agency, number 385/06 of 30 June 2006,
34. Witness Examination Record for ██████████, State Investigation and Protection Agency, number 383/06 of 29 June 2006,
35. Witness Examination Record for ██████████, State Investigation and Protection Agency, number 269/06 of 4 May 2006,
36. Witness Examination Record for ██████████, State Investigation and Protection Agency, number 270/06 of 3 May 2006,
37. Witness Examination Record for ██████████, State Investigation and Protection Agency, number 268/06 of 4 May 2006,

38. Witness Examination Record for [REDACTED], Cantonal Court in Zenica, of 13 November 1998,
39. Witness Examination Record for [REDACTED], State Investigation and Protection Agency, number 1041/07 of 23 October 2007,
40. Witness Examination Record for [REDACTED] BiH Prosecutor's Office, number KT RZ-131/05 of 23 November 2007,
41. Witness Examination Record for [REDACTED] State Investigation and Protection Agency, number 419/06 of 27 July 2006,
42. Witness Examination Record for [REDACTED] BiH Prosecutor's Office, number KT RZ-131/05 of 11 April 2007,
43. Excerpt from the ICTY Judgment, number: IT-00-39-T of 27 September 2006, in the *Momčilo Krajišnik* case (the parts concerning the Doboj territory),
44. Excerpt from the ICTY Judgment, number: IT-00-39&40/1 of 27 February 2003, in the *Biljana Plavšić* case (the parts concerning the Doboj territory),
45. ICTY Judgment, number IT-95-9-T, in the *Simo Zarić, Blagoje Simić and Miroslav Tadić* case,
46. ICTY Judgment, number IT-95-10-T, in the *Goran Jelisić* case,
47. ICTY Judgment, number IT-94-1-T, in the *Duško Tadić* case,
48. ICTY Judgment, number IT-97-24-T, in the *Milomir Stakić* case, (all ICTY Judgments are delivered in the CD format),
49. Judgment of the Federal Supreme Court of the FR Germany, number 3 StR 215/98 of 30 April 1999 in the *Nikola Jorgić* case,
50. Decision on Verification of the Proclaimed Serb Autonomous Regions in BiH (Excerpt from Official Gazette of Serb People in BiH, No. 1/92 of 15 January 1992),
51. Letter of the UN Secretary General of 24 May 1994 sent to the Security Council Chairman, Annex IX and Annex X,
52. Report of the HUMAN RIGHTS HELSINKI organization under the title "Bosnia and Herzegovina, the influence of masters of the war in Bosnia continues", from December 1996,
53. Excerpt from the Document of the State Bureau for Statistics of R BiH – population national composition for 1991, for the Doboj territory,
54. Tabular review of the non-Serb victims for the Doboj territory during the 1992-1995 period, Investigation-Documentation Center Sarajevo,
55. Letter of the Department for War Veterans and Disabled Persons Protection of Doboj municipality, number strictly conf. 08-835-3/2007 of 20 November 2007,
56. Letter of the SSB Doboj, number: conf. 11-02-272/07 of 7 November 2007, with the attachments (Excerpt from the Register of members of the SRM Doboj, ordinal numbers 53 and 69; Record of participation of the MoI RS members in the combat activities),
57. ICTY Document, number: 0360826 - List of Companies, Formations Deployment and Members of the Companies within the PSC Doboj (Company X – suspect Predrag Kujundžić),
58. Official note of the Security Services Centre, National Security Service Sector Banja Luka, dated 28 September 1992 – ICTY document, number: B 0082889,
59. Information from the Ministry of Interior, Security Services Centre, National Security Service Sector Banja Luka, dated 16 November 1993 - ICTY document, number: B 0011313,
60. Photos of the Suspect seized during the search of his apartment on 10 October 2007,
61. Search Warrant of the Court of BiH, number X-KRN-07/442 of 8 October 2007,
62. Apartment Search Record of the State Investigation and Protection Agency, number 17-04/2-04-2-17/07 of 10 October 2007,



63. Receipt of Temporarily Seized Objects of the State Investigation and Protection Agency, number: 17-04/2-04-2-29/07 of 10 October 2007,
64. Medical documentation of the General Hospital „Sveti Apostol Luka“ in Doboј to the name of the suspect Predrag Kujundžić, for the periods 20-25 May 1992; 20-27 August 1992; 20-23 October 1992 and 23-24 December 1992.
65. Exhumation and Forensic Medical Examination Record, Makljenovac, made by the Cantonal Court in Zenica, in the period from 3-14 November 1998,
66. Continued Exhumation Record, made by the Cantonal Court in Zenica of 4 December 1998,
67. Official Note concerning the graves marking, exhumations and identifications, MAK-1, MAK-2, MAK-3, by the Zenica Ministry of Interior on 9 November 1998,
68. Official Note concerning the autopsy of 11 bodies, Makljenovac, Zenica Ministry of Interior of 16 November 1998,
69. Official Note concerning the bodies exhumation at the location of Makljenovac and Putnikovo Brdo by the Zenica Ministry of Interior of 13 November 1998,
70. Identification Record for ██████████, MAK-8, Forensic Medicine Institute of the Clinical Center in Tuzla of 7 December 1998,
71. Forensic Medical Examination Report for ██████████, MAK-8, Expert Team Tuzla of 7 December 1998,
72. Identification Record for ██████████, MAK-4/4, Forensic Medicine Institute of the Clinical Center in Tuzla of 7 November 1998,
73. Forensic Medical Examination Report for ██████████, MAK-4/4, Expert Team Tuzla of 7 November 1998,
74. Identification Record for ██████████, MAK-4/6, Forensic Medicine Institute of the Clinical Center in Tuzla of 7 November 1998,
75. Forensic Medical Examination Report for ██████████, MAK-4/6, Expert Team Tuzla of 6 November 1998,
76. Identification Record for ██████████, MAK-4/3, Forensic Medicine Institute of the Clinical Center in Tuzla of 7 November 1998,
77. Forensic Medical Examination Report for ██████████, MAK-4/3, Expert Team Tuzla of 7 November 1998,
78. Identification Record for ██████████, MAK-4/2, Forensic Medicine Institute of the Clinical Center in Tuzla of 7 November 1998,
79. Forensic Medical Examination Report for ██████████, MAK-4/2, Expert Team Tuzla of 7 November 1998,
80. Identification Record for ██████████, MAK-3/6, Forensic Medicine Institute of the Clinical Center in Tuzla of 12 November 1998,
81. Forensic Medical Examination Report for ██████████, MAK-3/6, Expert Team Tuzla of 6 November 1998,
82. Identification Record for of ██████████, MAK-7, Forensic Medicine Institute of the Clinical Center in Tuzla of 14 November 1998,
83. Forensic Medical Examination Report for ██████████, MAK-7, Expert Team Tuzla of 14 November 1998,
84. Identification Record for ██████████, MAK-3/1, Forensic Medicine Institute of the Clinical Center in Tuzla of 7 November 1998,
85. Forensic Medical Examination Report for ██████████, MAK-3/1, Expert Team Tuzla of 7 November 1998,
86. Identification Record for ██████████, MAK-3/7, Forensic Medicine Institute of the Clinical Center in Tuzla of 7 November 1998,
87. Forensic Medical Examination Report for ██████████, MAK-3/7, Expert Team Tuzla of 7 November 1998,

88. Identification Record for [redacted] MAK-1, Forensic Medicine Institute of the Clinical Center in Tuzla of 14 November 1998, with the letter of the Mol ZDC, number 10-01/2-4-1-222-184-2/98 of 2 December 1998.
89. Forensic Medical Examination Report for [redacted] MAK-1, Expert Team Tuzla of 7 November 1998.
90. Identification Record for [redacted] MAK-3/2, Forensic Medicine Institute of the Clinical Center in Tuzla of 7 November 1998.
91. Forensic Medical Examination Report for [redacted] MAK-3/2, Expert Team Tuzla of 7 November 1998.
92. Identification Record for [redacted], MAK-3/3, Forensic Medicine Institute of the Clinical Center in Tuzla of 7 November 1998.
93. Forensic Medical Examination Report for [redacted], MAK-3/3, Expert Team Tuzla of 7 November 1998.
94. Identification Record for [redacted] MAK-4/5, Forensic Medicine Institute of the Clinical Center in Tuzla of 7 November 1998.
95. Forensic Medical Examination Report for [redacted] MAK-4/5, Expert Team Tuzla of 7 November 1998.
96. Identification Record for [redacted] Mak-4/1, Forensic Medicine Institute of the Clinical Center in Tuzla of 7 November 1998.
97. Forensic Medical Examination Report for [redacted] MAK-4/1, Expert Team Tuzla of 7 November 1998.
98. Exhumation Record by the Cantonal Court in Tuzla, number: Kri: 110/00 of 30 October 2000.
99. Forensic Medical Examination Report for [redacted] D.GRA-8/1, Expert Team Tuzla of 7 November 1998.
100. Excerpt from the Register of Deaths for [redacted]
101. Excerpt from the ICTY Missing Persons Register for [redacted]
102. Excerpt from the Register of Deaths for [redacted]
103. Excerpt from the ICTY Missing Persons Register for [redacted]
104. Photo-documentation of the ZDC Mol, number 10-01/2-4-233-117/98 of 12 November 1998 concerning the grave „7“ examination, in Makljenovac place,
105. Crime scene sketch of the ZDC Mol, number 10-01/2-4-233-116/98 of 12 November 1998 – the grave „7“ exhumation,
106. Photo-documentation of the ZDC Mol, number 10-01/2-4-233-118/98 of 14 November 1998 concerning the grave „7“ corpse examination,
107. Photo-documentation of the ZDC Mol, number 10-01/2-4-233-97/98 of 3 November 1998 concerning the grave „1“ exhumation in the place of Makljenovac,
108. Crime scene sketch of the ZDC Mol, number 10-01/2-4-233-96/98 of 3 November 1998 – the grave „7“ exhumation,
109. Photo-documentation of the ZDC Mol, number 10-01/2-4-233-104/98 of 7 November 1998 concerning the grave „1“ corpse examination,
110. Photo-documentation of the ZDC Mol, number 10-01/2-4-233-103/98 of 4-6 November 1998 concerning the corpse examination from the grave „4“ in the place of Makljenovac,
111. Crime scene sketch of the ZDC Mol, number 10-01/2-4-233-102/98 of 4-6 November 1998 – the grave „4“ exhumation,
112. Photo-documentation of the ZDC Mol, number 10-01/2-4-233-107/98 of 7 November 1998 concerning the corpses examination from the grave „4“, MAK 4/1-6,
113. Photo-documentation of the ZDC Mol, number 10-01/2-4-233-106/98 of 4-6 November 1998 concerning the grave „3“ exhumation in the place of Makljenovac,



114. Crime scene sketch of the ZDC Mol, number 10-01/2-4-233-100/98 of 4-6 November 1998 – the grave „3“ exhumation,
115. Photo-documentation of the ZDC Mol, number 10-01/2-4-233-106/98 of 7 November 1998 concerning the corpses examination from the grave „3“; MAK 3/1-7,
116. DVD exhumation recording in the place of Makljenovac, Doboj, 3-7 November 1998,
117. Finding and Opinion of the team of expert witnesses-neuropsychiatrists of the Clinical Center of the University in Sarajevo of 26 September 2007 concerning the protected witness „2“;
118. Finding and Opinion of the expert witness – psychologist of the Clinical Center of the University in Sarajevo of 25 September 2007 concerning the protected witness „2“;
119. Medical documentation concerning the protected witness „2“, namely the findings of 26 April 2005, 27 April 2005, 28 April 2005, 29 April 2005, 30 May 2005, 10 June 2005 and 18 June 2007,
120. Finding and Opinion of the expert witness-surgeon of 18 December 2007 concerning the bodily injuries of the protected witness „2“;
121. Certificate of the General Hospital „Sveti Apostol i Luka“ Doboj, number: 3368-1/07 of 14 September 2007, for the protected witness „2“, and the excerpt from the Patients Admission Register of the General Hospital „Sveti Apostol i Luka“ Doboj for the protected witness „2“ – ordinal number 7802,
122. Letters of the PSC Doboj, number: 11-05/2-206-272-2/07 of 2 August 2007 and number: 11-05/2-206-272-1/07 of 2 August 2007, with the attachments concerning the change of name of the protected witness „2“, namely:
 - a. Certified copy of the ID card, number 455/92.
 - b. Certified copy of the excerpt from the Register of Births of 15 December 1992,
 - c. Certified copy of the excerpt from the Register of Personal Name Changes,
 - d. Certified copy of the residence report card,
123. Letter of the PSC Doboj – PS Derventa, number: 11-5/05-207-101/07 of 1 August 2007, with the attachments as follows:
 - a. Certified copy of the residence report-cancellation of 20 March 2001,
 - a. Certified copy of the excerpt from the ID Cards Register from 2001 – number 376,
 - b. Residence card certified copy of 20 March 2001,
 - c. ID card certified copy of 20 March 2001,
 - d. Certified copy of the excerpt from the Register of Births of 25 January 2001,
 - e. Certified copy of the ID card payment slip,
 - f. Certified copy of the application for the ID card issuance-change of 16 March 2001,
 - g. Certified copy of the excerpt from the ID Cards Register from 1994 – number 1523,
 - h. ID card certified copy of 10 October 1994,
124. Excerpt from the criminal record for the suspect Predrag Kujundžić, PSC Doboj, number Conf. 11- 02-341/07 of 18 December 2007,

Documentation delivered in the CD format:

125. Crime Scene Investigation Record by the Basic Court in Gračanica, number:

- Kri.24/95 of 15 June 1995 concerning the damaged religious facilities in the places of Mala Brijesnica, Velika Brijesnica, Klokotnica, Stanić Rijeka and Lukavica Rijeka,
126. Photo-documentation of the damaged religious facility – the mosque in Velika Brijesnica, Doboj municipality and the PSC Doboj criminal report, number: KU:3/96 of 6 February 1996,
 127. Photo-documentation of the damaged religious facility – the mosque in Mala Brijesnica, Doboj municipality and the PSC Doboj criminal report, number: KU 2/96 of 5 February 1996,
 128. PBS Doboj criminal report of 13 February 1996 against NN perpetrator concerning the destruction of religious facility – the mosque in Stanić Rijeka, Doboj municipality,
 129. Photo-documentation of the damaged religious facility – the mosque in the place of Lukavica Rijeka, Doboj municipality,
 130. PSS Doboj criminal report, number: KU 5/96 of 13 February 1996,
 131. Photo-documentation of the damaged religious facility – the mosque in Klokotnica, Doboj municipality,
 132. PSS Doboj criminal report, number: KU 4/96 of 12 February 1996,
 133. Official Note of 22 October 1992 concerning the damage of religious facility – the mosque in Matuzići, Doboj municipality,
 134. PSS Doboj criminal report, of 18 December 1995 against NN perpetrator concerning the destruction of religious facility – the mosque in Matuzići, Doboj municipality,
 135. Official Note of 21 August 1992 concerning the damage of religious facility – the mosque in Mravići, Doboj municipality,
 136. Criminal Report against NN perpetrator for the damage of the religious facility – the mosque in Mravići, Doboj municipality,
 137. Photo-documentation of the damaged religious facility – Donja džamija in Kotorško, Doboj municipality,
 138. Photo-documentation of the damaged religious facility – Gornja džamija in Kotorško, Doboj municipality,
 139. PSS Doboj criminal report of 14 March 1996 against Milovan Stanković concerning the damage of religious facilities – Gornja and Donja džamija in Kotorško, Doboj municipality.

PROSECUTOR'S OFFICE OF BIH

PROSECUTOR

/stamp and signature affixed/

Božidarka Dodik

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

Sarajevo

Cerina

