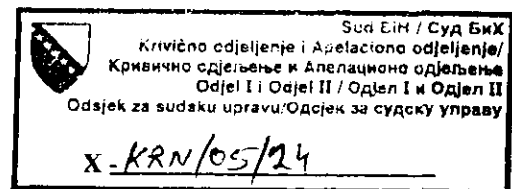


**BOSNIA AND HERZEGOVINA
PROSECUTOR'S OFFICE OF BiH
SARAJEVO**

Number: KT-RZ-10/05
Sarajevo, 12 December 2005



PREVOD DOKUMENTA 645

**COURT OF BOSNIA AND
HERZEGOVINA**

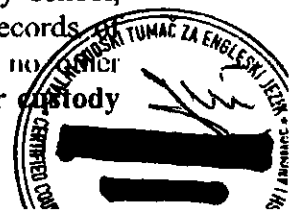
- Preliminary Hearing Judge -

Pursuant to Article 35 (2) (h) and Article 226 (1) of the Criminal Procedure Code of BiH, I hereby issue the

INDICTMENT

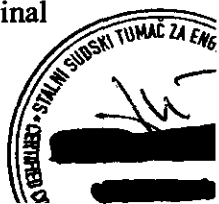
AGAINST:

1. **STUPAR MILOŠ, a.k.a. "MIŠO"**, son of Slavojka (maiden name Ninić), born 7 December 1963 in Tišći, Šekovići where he is holding permanent residence, of Serb ethnicity, citizen of BiH, police officer, married, father of four children, served the Army in 1982 in Niš, average financial situation, with no previous conviction, criminal proceedings are being conducted against him for a criminal offence of light bodily injury, **currently under custody by the Decision of the Court of BiH number: X-KRN-05/25 to last until 22 December 2005 at 11:00 hrs,**
2. **TRIFUNOVIĆ MILENKO, a.k.a "ČOP"**, son of Ivan and Milojka Obradović, born 7 January 1968 in the village of Kostolomci, Srebrenica Municipality, residing in Skelani bb in his private house, of Serb ethnicity, citizen of BiH, JMBG: 0701967183154, trader, unemployed, completed Vocational Trade School, married, father of two minor children, expecting a newborn child, served the Army in 1987 in Peć and Prizren, with no military rank or medal, registered in military records of Srebrenica, indigent financial situation, no other criminal proceedings are being conducted against him, with no previous conviction, **currently under custody by the Decision of the Court of BiH to last until 22 December 2005 at 11:00 hrs,**
3. **MITROVIĆ PETAR, a.k.a. "PERA"**, son of Radivoje and Stana, born 7 February 1967 in Brežani, Srebrenica Municipality, residing in Brežani, Srebrenica, of Serb ethnicity, citizen of BiH, JMBG: 0702967183126, mechanical electrowelder by profession, literate, completed secondary school, single, served the Army in Zagreb in 1986, registered in military records of Srebrenica, average financial situation, with no previous conviction, no criminal proceedings are being conducted against him, **currently under custody**



by the Decision of the Court of BiH to last until 21 December 2005 at 23:30 hrs,

4. **DŽINIĆ BRANO a.k.a "ČUPO"**, son of Ratomir and Dragica Erkić, born 28 June 1974 in the village of Jelačići, Kladanj Municipality, residing in Vlasenica, Srpskih ranjenika 14, of Serb ethnicity, citizen of BiH, JMBG: 2806974182418, police officer by profession, employed in the Public Security Center, Support Unit Zvornik, single, with no children, with no previous conviction, no other criminal proceedings are being conducted against him, **currently under custody by the Decision of the Court of BiH to last until 22 December 2005,**
5. **RADOVANOVIĆ ALEKSANDAR, a.k.a "ACA"**, son of Ljubiša and Jela, (maiden name Dragišević), born 20 June 1973 in Bujakovići-Skelani, Srebrenica Municipality where he is holding permanent residence, of Serb ethnicity, citizen of BiH, JMBG: 2006973183120, police officer by profession, literate, completed secondary education, married, father of one child, with no previous conviction, no other criminal proceedings are being conducted against him, **currently under custody by the Decision of the Court of BiH to last until 22 December 2005 at 11:10 hrs,**
6. **JAKOVLJEVIĆ SLOBODAN a.k.a "BOBAN"**, son of Dobrislav and Kosa, born 9 January 1964 in the village of Kušići, Srebrenica Municipality, residing in Žabokvica-Skelani, of Serb ethnicity, citizen of BiH, JMBG: 0901964183128, with no previous conviction, **currently under custody by the Decision of the Court of BiH to last until 21 December 2005 at 10:00 hrs,**
7. **STEVANOVIĆ MILADIN**, son of Milomir and Stanka, born 5 August 1966 in Brežani, Srebrenica Municipality, residing in Skelani bb, of Serb ethnicity, citizen of BiH, police officer by profession, employed in the Srebrenica Police Station, literate, completed secondary education and police officer course, married, father of two children, indigent financial situation, with no previous conviction, no criminal proceedings for another criminal offence are being conducted against him, **currently under custody by the Decision of the Court of BiH to last until 23 December 2005 at 15:00 hrs,**
8. **MAKSIMOVIĆ VELIBOR, a.k.a "VELJA"**, son of Živko and Radenka Jovanović, born 15 December 1966 in Skelani b.b., of Serb ethnicity, citizen of BiH, forester by profession, single, with no children, criminal proceedings are being conducted against him before the District Court in Bijeljina for a criminal offence of murder committed in 2002, **with previous conviction, currently under custody by the Decision of the Court of BiH to last until 23 December 2005 at 19:00 hrs,**
9. **ŽIVANOVIĆ DRAGIŠA, a.k.a "KELE"**, son of Desimir and Grozda Milić, born 4 October 1974 in Bajina Bašta, Serbia, residing in Toplice, Srebrenica Municipality, of Serb ethnicity, citizen of BiH, farmer, unemployed, literate, married, father of two children, with no previous conviction, no other criminal



proceedings are being conducted against him, currently under custody by the Decision of the Court of BiH to last until 23 December 2005 at 12:30 hrs,

10. MEDAN BRANISLAV, a.k.a "BANE", son of Risto and Marta (maiden name Milić), born 24 March 1965 in Dubrovnik, residing in Mostar, Maršala Tita 23, of Serb ethnicity, citizen of BiH, worker by profession, completed elementary education, currently under custody by the Decision of the Court of BiH to last from 21 November 2005 to 23 December 2005,

11. MATIĆ MILOVAN, son of Radoje and Simka (maiden name Simić), born 20 May 1960 in Bratunac, residing in Kajići, Bratunac Municipality, JMBG: 2005960181378, of Serb ethnicity, citizen of BiH, worker by profession, literate, completed elementary education, married, father of three children, two children born in the first marriage living in Ruma, Serbia, indigent financial situation, served the Army, with the rank of corporal, not registered in military records, with no previous conviction, no other criminal proceedings are being conducted against him, currently at large,

THE CHARGES

Stupar Miloš in his capacity of Commander of 2nd Special Police Šekovići Detachment, Milenko Trifunović in his capacity of Commander of the 3rd Skelani Platoon as a constituent element of the 2nd Šekovići Special Police Detachment, Petar Mitrović, Aleksandar Radovanović, Slobodan Jakovljević, Miladin Stevanović, Velibor Maksimović, Dragiša Živanović, Branislav Medan, as special police officers within the same Platoon, Džinić Brano as a special police officer in the 2nd Šekovići Special Police Detachment and Milovan Matić, as a member of the Army of Republika Srpska (VRS), as knowing participants of the joint criminal enterprise in the period from 10 July to 19 July 1995, in which the VRS and MUP carried out a widespread and systematic attack against the members of Bosniak people inside the UN protected area of Srebrenica, with the common purpose and plan to exterminate in part a group of Bosniak people by means of forced transfer of women and children from the Protected area and by organized and systematic capture and killing of Bosniak men by summary executions by firing squad; all the accused, acting individually and in concert with other members of the joint criminal enterprise, having had the knowledge of the plan:

on 12 and 13 July 1995, were deployed along the Bratunac –Milići road, from around the village of Kravice to Sandići, Municipality of Bratunac, including the section of the road in front of the Farming Cooperative Kravica Warehouse, and undertook the following actions:



- a. secured the road and kept it closed or open for traffic in line with the execution of the plan to forcibly transfer about 25,000 Bosniak women, children and elderly, who under fear, terror, active threat and inflicted injuries by the VRS and MUP members, were crammed into busses and trucks and forced out of the protected area;
- b. on 13 July 1995, conducted security operations, such as: reconnaissance and armed attacks using tanks, Pragas, anti-aircraft guns, and other infantry weapons against the column of Bosniaks in the area above Kamenica in the vicinity of the aforementioned section of the road, thereby forcing the Bosniak men to surrender;
- c. on the same day secured the road by conducting patrols on the road and setting up ambushes, or otherwise intercepted members of the column of Bosniaks trying to reach the territory under the control of the Army of R BiH, and participated in the capture and detention of several thousand Bosniaks from the column by encouraging and enticing them to surrender, and when they did, stripped all the detainees of their money and other valuables and ordered them to leave aside all their food, clothes and everything else they were carrying in their bags;
- d. on the same day, conducted security duties in or around Sandići Meadow, Municipality of Bratunac, where they were detaining several thousands of captured men, and then between 20 and 30 of them were separated and handed over to the unknown members of the VRS who took them in a truck and they have been missing ever since; at least one young man was executed in the meadow, from which they boarded Bosniak male prisoners on buses and transported them from the Sandići Meadow to specific detention and execution sites including the Farming Cooperative Kravica Warehouse;
- e. on the same day conducted in a column more than one thousand Bosniak male prisoners and detained them in the warehouse of the Farming Cooperative Kravica. In the early evening hours, in the presence of the accused Miloš Stupar, these men were put to death in the following manner: the accused Milenko Trifunović, Slobodan Jakovljević, Aleksandar Radovanović, Miladin Stevanović, Petar Mitrović, Branislav Medan, Velibor Maksimović, Dragiša Živanović, fired their machine guns at the prisoners; Brano Džinić threw hand grenades at them and the accused Milovan Matić was filling the ammunition clips used for the execution of prisoners;



Therefore,

With the purpose to exterminate in part a national, ethnic and religious group of Bosniaks, they killed members of the group of Bosniak people

Whereby,

1. **ALL ACCUSED** as co-perpetrators, by their acts, committed the crime of Genocide in violation of Article 171 of the CC BiH in conjunction with Articles 29 and 180 (1) of the CC BiH;

2. Miloš Stupar:

- a) In his capacity of Commander, is responsible pursuant to Article 180 (1) in conjunction with Article 21 of the Criminal Code of BiH, by being present at the site of the mass execution of prisoners and by failing to intervene with the purpose to protect the prisoners who were still alive at that execution site, for assisting and supporting the perpetrators of killings in the manner that his presence served as a tacit encouragement to the perpetrators;
- b) In his capacity of a superior officer he is also criminally responsible for the actions of his subordinates pursuant to Article 180 (2) of the Criminal Code of BiH since he knew or had reason to know that his subordinates were about to commit criminal acts or that they had committed them, and he failed to take the necessary and reasonable measures to prevent such acts or to punish the perpetrators thereof;

3. Trifunović Milenko:

- a) In his capacity of Commander, is responsible pursuant to Article 180 (1) in conjunction with Article 21 of the Criminal Code of BiH, by being present at the site of the mass execution of prisoners and by failing to intervene with the purpose to protect the prisoners who were still alive at that execution site, assisted and supported the perpetrators of killings in the manner that his presence served as a tacit encouragement to the perpetrators;
- b) In the capacity of a superior officer, is also criminally responsible for the actions of his subordinates pursuant to Article 180 (2) of the Criminal Code of BiH, since he knew or had reason to know that his subordinates were about to commit criminal acts or that they had committed them and he failed to take the necessary and reasonable measures to prevent such acts.

4. All the accused, together with other senior officers and units of the VRS and MUP referred to in the Indictment, were members and knowing participants of the joint criminal enterprise which had the following aim: to forcibly transfer women and children from the Srebrenica enclave to Kladanj on 12 and 13 July 1995; to capture, to detain, to summarily execute by shooting, bury and rebury thousands of men and young boys, Bosniaks from the Srebrenica Enclave, aged between 16 and 60, in the period between 12 July 1995 and around 19 July 1995. An initial plan was to forcibly transfer and to



summarily execute by shooting more than 1,000 men and young boys, Bosniaks, aged between 16 and 60, who were separated from a group of Bosniaks in Potočari on 12 and 13 July. On 12 July, the plan was even extended to summary executions of more than 6,000 men and young boys aged between 16 and 60, captured in a column of men, Bosniaks who fled Srebrenica enclave in the period between 12 July and around 19 July 1995. Most of the men and young boys from the column were captured on the Bratunac - Milići road on 13 July 1995. The implementation of the joint criminal enterprise resulted in the summary executions of more than 7,000 men and young boys, Bosnian Muslims from the Srebrenica enclave.

All the accused had criminal intention and state of mind necessary for the commission of the crime, and their actions significantly aided and facilitated the commission of the crimes. The participation of the accused in the joint criminal enterprise and particular actions and responsibilities described in this Indictment constitute the elements needed to establish that, pursuant to Article 180 of the Criminal Code of Bosnia and Herzegovina (BiH CC) *the accused committed Genocide in violation of 171 of the BiH CC*. The joint criminal enterprise, whose members and key participants were the **ACCUSED**, was initiated and conceived by General Ratko Mladić and others on 11 and 12 July 1995, and was run and carried out by members of the VRS and MUP forces, at the time and in the manner relevant to this Indictment.

Among members of this joint criminal enterprise were General Ratko Mladić, VRS Commander, General Milenko Živanović, Commander of the Drina Corps until around 20:00 hours on 13 July 1995; General Radislav Krstić, Chief of Staff /Deputy Commander until around 20:00 hours on 13 July 1995, and from that point of time Commander of the Drina Corps; Colonel Vidoje Blagojević, Commander of the Bratunac Brigade; Colonel Vinko Pandurević, Commander of the Zvornik Brigade; Lieutenant Colonel Dragan Obrenović, Deputy Commander and Chief of Staff of the Zvornik Brigade; Momir Nikolić, Assistant Commander for Security and Intelligence of the Bratunac Brigade; Dragan Jokić, Chief of Engineering Unit of the Zvornik Brigade; Ljubomir Borovčanin, Commander of the Special Brigade of the MUP Police established by the Order under number 64/95, and many other individuals and military and police units who took part in the operations of the forced transferring and killing of Bosniak men and **ALL THE ACCUSED**, *as being members of the MUP, joint forces committed and aided in preparing and committing crime of Genocide;*



Therefore, I

PROPOSE

I that the following persons be summoned to appear at the main trial before the Court of Bosnia and Herzegovina:

- Prosecutor of the BiH Prosecutor's Office
- the Accused:

1. Stupar Miloš, Court of BiH Detention Unit, and Defense Counsel, Attorney Ozrenka Jakšić;
2. Trifunović Milenko, Court of BiH Detention Unit, and Defense Counsel, Attorney Golić Rade;
3. Mitrović Petar, Court of BiH Detention Unit, and Defense Counsel, Attorney Slavica Čvoro;
4. Stevanović Miladin, Court of BiH Detention Unit, and Defense Counsel, Attorney Vasić Stojan;
5. Džinić Brane, Court of BiH Detention Unit, and Defense Counsel, Attorney Suzana Tomanović;
6. Radovanović Aleksandar, Court of BiH Detention Unit, and Defense Counsel, Attorney Gotovac Dragan;
7. Jakovljević Slobodan, Court of BiH Detention Unit, and Defense Counsel, Attorney Boško Čegar;
8. Maksimović Velibor, Court of BiH Detention Unit, and Defense Counsel, Attorney Gavriilo Gunjak;
9. Živanović Dragiša, Court of BiH Detention Unit, and Defense Counsel, Attorney Stanko Petrović;
10. Medan Branislav, Court of BiH Detention Unit, and Defense Counsel, Attorney Jamina Borislav;
11. Matić Milovan, Kajići bb, municipality Bratunac, Attorney Miloš Perić.

- Representative of the injured parties: Munira Subašić, President of the Association "Pokret majki enklava Srebrenica i Žepa" (Movement of Mothers of Srebrenica and Žepa Enclaves), 1 Antuna Hangija Street, Sarajevo

II Proposed evidence to be presented:

1) Hearing of witnesses:

1. Protected witness S-1
2. Protected witness S-2
3. [REDACTED]



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2) Proposed evidence pursuant to Article 5 of the Law on Transfer of Cases from the International Criminal Tribunal for the Former Yugoslavia to the BiH Prosecutor's Office and the Use of Evidence Obtained from the International



Criminal Tribunal for the Former Yugoslavia in the proceedings before courts in Bosnia and Herzegovina:

1. Statement by [REDACTED] given to the ICTY on 15 May, 16 May, 19 May, 21 May, 22 May 2003,
2. Statement by [REDACTED] given to the ICTY on 5/6 February 2004,
3. Statement by Miloš Stupar given to the ICTY on 26 June 2002, 28 and 29 April 2004¹,
4. Statement by Witness K given to the ICTY in case Krstić, admitted pursuant to 92 bis on 17 December 2003²,
5. Statement by [REDACTED] given to the ICTY on 29 October 2004,
6. Statement by [REDACTED] given to the ICTY on 20 February 2002, 11 March 2002,
7. Statement by [REDACTED] given to the ICTY on 8 March 1999,
8. Statement by [REDACTED] given to the ICTY on 9 July 2000, 26 August 2002, 10 June 2003,
9. Statement by [REDACTED] given to the ICTY on 28 September 1995, 3 February 1998,
10. Statement by [REDACTED] given to the ICTY on 24 October 1995, 9 July 1999, 30 April 2000,
11. Statement by [REDACTED] given to the ICTY on 26 September, 1995,
12. Statement by [REDACTED] given to the ICTY on 26 September 2005,
13. Statement by [REDACTED] given to the ICTY on 28 September, 9 October 1995,
14. Statement by [REDACTED] given to the ICTY on 23 September 1997,
15. Statement by [REDACTED] given to the ICTY on 6 October 1999,
16. Statement by [REDACTED] given to the ICTY on 25 October 1995,
17. Statement by [REDACTED] given to the ICTY on 29 November 1999,
18. Statement by [REDACTED] given to the ICTY on 16 March 2002,
19. Statement by [REDACTED] given to the ICTY on 22 January 2004,
20. Statement by [REDACTED] given to the ICTY on 28 November 2001,
21. Statement by [REDACTED] given to the ICTY on 16 December 1997, 4 February 1998, 21 October 1999, 12 March 2001, 25 November 2003,
22. Statement by [REDACTED] given to the ICTY on 23 June 1999, 15 December 1999, 28 May 2005,
23. Statement by [REDACTED] given to the ICTY on 2 April 2000, 4 June 2003, 5 February 2004³,
24. Audio recording of the testimony of [REDACTED],
25. Audio recording of the testimony of witness P-106,
26. Audio recording of the testimony of witness [REDACTED]
27. Audio recording of the testimony of [REDACTED]
28. Audio recording of the testimony of [REDACTED]⁴,

¹ Exhibits number 1-3 provided by Registry of the ICTY on a CD with a cover letter dated 4 October 2005

² Exhibit number 4 provided by the Registry of the ICTY on a CD along with a cover letter dated 21 November 2005

³ Exhibits 5 through 23 provided by the ICTY Office of the Prosecutor on a CD with a cover letter dated 2 September 2005



29. Statement on facts and entering guilty plea, Dragan Obrenović,
30. Statement on facts and entering guilty plea, Momir Nikolić

3) Hearing of expert witnesses:

- Dr. Marko Prelec, Military Analyst of the Prosecutor's Office of BiH,
- Dr. Abdulah Kučukalić, Specialist-Neuropsychiatrist

4) Presenting of Evidence

1. Order of Staff Commanding Officer Tomo Kovač, number 64/95 dated 10 July 2005,
2. List of members of the Second Detachment of Šekovići – Platoon Skelani 1-46,
3. List of members of the Second Detachment of Šekovići who earned their salary for July 1995, Special Brigade – Second Detachment of Special Police of Šekovići,
4. Photo documentation of the Ministry of Internal Affairs, MUP, Republika Srpska, Bijeljina Public Security Center, number 583/03 dated 25 August 2003,
5. Dispatch note by Dragomir Vasić, Zvornik Public Security Center, number 281/95 dated 12 July 1995,
6. Dispatch note by Dragomir Vasić, Zvornik Public Security Center, number 282/95 dated 13 July 1995,
7. Dispatch note by Dragomir Vasić, Zvornik Public Security Center, number 283/95 dated 13 July 1995,
8. Dispatch note of Dragomir Vasić, Zvornik Public Security Center, number 12-6/08-508/95 dated 14 July 1995⁵,
9. Report on partial clearing up/restoration of the terrain of the Srebrenica terrain, Kravica region, State Commission for Exchange of Prisoners of War and Missing Persons, number 193/97 dated 29 May 1997,
10. Excerpt from hospital protocol for 13 July 1995,
11. Official note of the Bratunac Police Station dated 24 April 2004,
12. Structure of Special Police Brigade,
13. Letter of the State Investigation and Protection Agency, strictly confidential, number 14-04/2-408-8/05 dated 15 November 2005,
14. List of members of Special Police Brigade provided by MUP of Republika Srpska, Crime Police Administration, number 02/3, strictly confidential, 994/05 dated 26 October 2005,
15. List of members of Special Police Brigade provided by MUP of Republika Srpska, Crime Police Administration (several columns),
16. Findings and opinion of the team which conducted neuropsychiatric expert evaluation of Mitrović Petar, comprising Prof. Dr. Abdulah Kučukalić, Prim.Dr.Sci. Alma Bravo-Mehmedbašić and Senahid Fadilpašić, dated 5 September 2005, with findings of CT, EEG of brain,
17. Court psychiatric examination of Mitrović Petar dated 29 August 2005,

⁴ Exhibits from 24-28 provided by the Registry of the ICTY with a cover letter dated 30 November 2005

⁵ Exhibits 5/8 provided by the ICTY Office of the Prosecutor with a cover letter received on 27 June 2005



18. Registration certificate of the United Nations dated 4 July 2000 for Stupar Miloš, with certificate enclosed,
19. Diploma on acquired two year post secondary education for Stupar Miloš dated 19 July 2000 with a letter attached,
20. Certificate of two-year Belgrade Post-Secondary College for Sports Trainers, number 457/1 dated 7 September 2000,
21. Decision issued by MUP of Republika Srpska dated 3 March 1997,
22. Personal questionnaire for determining the rank of the authorized official person for Stupar Miloš,
23. Decision of MUP of Republika Srpska number 08/1-120-3474 dated 23 August 1995,
24. Decision of MUP of Republika Srpska, number 09-6539 dated 24 February 1995,
25. Decision of MUP of Republika Srpska, number 09/42231 dated 10 March 1993,
26. Decision of MUP of Republika Srpska number 03/1-2-120 dated 27 May 1999,
27. Decision of MUP of Republika Srpska number 05/2-120-9000 dated 1 November 2001,
28. Receipt on submitted application for /registration- insurance cancellation for Stupar Miloš dated 17 July 2001 with attachments,
29. Copy of work employment record booklet for Stupar Miloš,
30. Letter of MUP of Republika Srpska, Zvornik Public Security Center, dated 16 July 2001,
31. Letter of MUP of Republika Srpska, Zvornik Public Security Center, dated 7 June 2001,
32. Letter of MUP of Republika Srpska, Bijeljina Public Security Center, dated 26 June 2001,
33. Dispatch note of Commander of the Second Detachment of Special Police of Šekovići, Miloš Stupar, number 01/1-1-4/2-62 dated 18 July 1995,
34. Act- Agreement of Commander of the Second Detachment of Special Police, Miloš Stupar, number 01/1-8-372/94 -62 dated 16 November 1994,
35. Act- Announcement of Commander of the Second Detachment of Special Police of Šekovići, Miloš Stupar, number 01/1-8-305/94 dated 8 September 1994,
36. Act of Commander of the Second Detachment of Special Brigade of Šekovići, Miloš Stupar, number 01/1-8-359/94 dated 2 November 1994,
37. Report on commission of criminal offences, MUP of Republika Srpska, Bijeljina Public Security Center, number 12-02/4-230-716/05 dated 21 June 2005,
38. Record on crime scene investigation and reconstruction with witness [REDACTED] Prosecutor's Office of BiH, number KT-RZ-10/05 dated 29 September 2005, with video footage,
39. Record on crime scene investigation and reconstruction with the suspect Matić Milovan, Prosecutor's Office of BiH, number KT-RZ-10/05 dated 29 September 2005 with video footage,
40. Record on crime scene investigation and reconstruction with the suspect Mitrović Petar, BiH Prosecutor's Office, number KT-RZ-10/05 dated 4 October 2005,
41. Record on crime scene investigation and reconstruction with the witness [REDACTED] Prosecutor's Office of BiH, number KT-RZ-10/05 dated 4 October 2005 with video footage,
42. Official report of the State Investigation and Protection Agency number 14-04/2-357-2/05 dated 13 September 2005,



43. Letter of MUP of Republika Srpska, Crime Police Administration, number 02/3, strictly confidential, 566/05 dated 24 June 2005,
44. Letter of MUP of Republika Srpska, Bijeljina Public Security Center, number 12-02/4-233-716/05 dated 28 June 2005,
45. Letter of the Prosecutor's Office of BiH, number KT-RZ-10/05 dated 22 August 2005,
46. Letter of MUP of Republika Srpska, Bijeljina Public Security Center, number 12-02/4-233-716/05 dated 30 August 2005,
47. Letter of MUP of Republika Srpska, Bijeljina Public Security Center, number 02, strictly confidential, 818/05 dated 7 September 2005,
48. Letter of the Prosecutor's Office of BiH dated 12 October 2005, to the MUP of Republika Srpska, Crime Police Administration, with summons for the suspects.
49. Official note of the State Investigation and Protection Agency, number 14/04/2-31/05 dated 14 November 2005,
50. Report on the Role of the Second Detachment of Special Police Brigade of Šekovići and Third Platoon of Skelani in Murdering Over 1,000 Bosniaks on dated 13 July 1995, Military Analyst Prof. Dr. Marko Prelec,
51. Request for Assistance of the Prosecutor's Office of BiH, number KT-RZ-10/05 dated 8 July 2005, sent to the ICTY,
52. Request for Assistance of the Prosecutor's Office of BiH, number KT-RZ-10/05 dated 6 September 2005, sent to the ICTY,
53. Request for Assistance of the Prosecutor's Office of BiH, number KT-RZ-10/05 dated 3 October 2005, sent to the ICTY,
54. Response of the ICTY upon the request of the Prosecutor's Office of BiH dated 8 September 2005,
55. Response of the ICTY dated 2 September 2005 upon the request of the Prosecutor's Office of BiH with a list of attachments (English version),
56. Letter of the ICTY along with a submitted CD which was received by the Prosecutor's Office of BiH on 27 June 2005,
57. Letter of the ICTY dated 4 October 2005,
58. Letter of Deputy Prosecutor at the ICTY dated 9 September 2005,
59. Internal Memorandum of the ICTY addressed to the Prosecutor's Office of BiH dated 21 November 2005,
60. Request by the Prosecutor's Office of BiH for Assistance-Cooperation sent to Prosecutor's Office for War Crimes of the Republic of Serbia dated 28 November 2005,
61. Letter of the Prosecutor's Office of BiH dated, strictly confidential, 29/05, 2 December 2005,
62. Certificate of Criminal Record for Stupar Miloš, Bijeljina Public Security Center, Police Station Šekovići dated 16 November 2005,
63. Certificate of Criminal Record for Džinić Brane, Živinice Police Department, Police Station of Kladanj, dated 16 November 2005,
64. Certificate of criminal record for Trifunović Milenko, Bijeljina Security Public Center, Police Station of Srebrenica, dated 22 November 2005,
65. Certificate of criminal record for Mitrović Petar, Bijeljina Public Security Center, Police Station of Srebrenica, dated 22 November 2005,
66. Certificate of criminal record for Radovanović Aleksandar, Bijeljina Public Security Center, Police Station of Srebrenica, dated 22 November 2005,



67. Certificate of criminal record for Stevanović Miladin, Bijeljina Public Security Center, Police Station of Srebrenica, dated 22 November 2005,
68. Certificate of criminal record for Jakovljević Slobodan, Bijeljina Public Security Center, Police Station of Srebrenica, dated 22 November 2005,
69. Certificate of criminal record for Maksimović Velibor, Bijeljina Public Security Center, Police Station of Srebrenica, dated 22 November 2005,
70. Letter of MUP of Republika Srpska dated 22 November 2005 on delivery of list of members of the Second Detachment,
71. Response of MUP of Republika Srpska concerning the investigation ordered by Karadžić on 1 April 1996 in conjunction with Srebrenica, BSC-P714b (Bosnian and English language),
72. Mid-year report of MUP of Republika Srpska, Special Police Brigade, Second Detachment of Special Police of Šekovići, number 01/1-1-1/2-230/95 dated 5 July 1995, ENG-P853a (Bosnian and English language),
73. Structure of the RS Police in the area of Drina Corps dated 12 July 1995,- P363,
74. Brochure-Photos selected from the video footage from the Srebrenica trial-P22,
75. Brochure-Book for Identification of Bosnian Muslims-P23,
76. Photo of a crossroad made from a hill in the direction of Konjević Polje-P8.1,
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89. Photo of Glogova made from the air, with a note – P11.1,
90. Glogova from the air on 17 July 1995-P11.3,
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97. Photo of Potočari, made from the air on 13 July 1995 –P50,
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118. Disturbed land, Glogova, 30 October 1995-P570,
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120. Film Petrović on DVD (set) with a transcript for compiled video footage – P21, (Bosnian and English version),
121. Film from the crime scene investigation made by Investigator [REDACTED] dated 1 July 2005, with an official note in attachment,
122. Drawing of the Kravice place, number 14-13/1-7-243/05 dated 4 October 2005,
123. Photos of Džinić Brano, 21 photos,
124. Photos of Maksimović Velibor, 3 photos,
125. Photos of Stupar Miloš, 3 photos
126. Decision on Extraordinary Promotion into Higher Rank of Trifunović Milenko, MUP of Republika Srpska, Sarajevo, number 08/1-134-5586 dated 24 April 1996,
127. Decision on Extraordinary Promotion into Higher Rank of Džinić Brane, MUP RS Sarajevo, number 08/1-134-5544 dated 24 April 1996,
128. Decision on Determination of Rank of Džinić Brane, MUP of the RS, Sarajevo, number 08/1-134-91 dated 20 October 1995,
129. Decision on Assignment of Stupar Milos to the Position of Commander of Police Platoon of Šekovići, MUP RS Sarajevo, 24 February 1994,
130. Decision of Republika Srpska, municipality Šekovići, on Determination of the Status of War Veteran of I Category for Stupar Miloš, number 701/01 dated 30 April 2001,
131. Certificate of the Ministry of Defense, Department for Srebrenica, to the name of Jakovljević Slobodan, number 02-835-4/529/96 dated 8 July 1996,
132. Certificates of MUP of the RS to the name of Jakovljević Slobodan, number 01/1-1.4/2-178/97 dated 29 May 1997,
133. Decision of Republika Srpska, Municipality of Skelani, on Acknowledgment of the Status of the War Veteran for Stevanović Miladin, number 04-56/1253/00 dated 10 October 2000,
134. Decision on Extraordinary Promotion of Stevanović Miladin into Immediate Higher Rank, MUP of the RS, number 08/1- 134-5579 dated 24 April 1996,



135. Certificate of MUP of the RS, Bijeljina Public Security Center, Police Station Srebrenica – SOP/Branch Police Station Skelani, dated 22 April 2005, on the handover of weapons (AP-M-70, factory number 698529 and three clips),
136. Decision of the RS MUP, Bijeljina Public Security Center, number 12-05/1-141-1138-783 dated 15 March 2005,
137. Decision on termination of employment for Maksimović Velibor, the RS MUP, number 09/3-126-2202 dated 21 April 1997,
138. Decision of Republika Srpska, municipality of Skelani, on acknowledgment of the status of war veteran for Maksimović Velibor, number 04-56-722/00 dated 5 July 2000,
139. Decision of the RS MUP on the Assignment of Maksimović Velibor to Compulsory Work Service in the Detachment of Special Police of Šekovići, number 09/3-120-2325 dated 23 February 1995,
140. Certificate issued by Republika Srpska, Ministry of Defense, Department of Skelani, number 02-800-343/97 dated 2 June 1997,
141. Certificate issued by Republika Srpska, Ministry of Defence, Department of Skelani, number 02-800-563/97 dated 14 August 1997,
142. Decision issued by the RS MUP on hiring Živanović Dragiša in II Operations Department of ATD Šekovići as of 1 June 1993, number 09/3-120-752 dated 24 February 1997,
143. Decision issued by the Public Fund for Pension-Invalid Insurance on acknowledgment of Doubled Length of Service for Živanović Dragiša, number 9306156874 dated 22 October 1997,
144. Decision on Determination of Rank of Živanović Dragiša, the RS MUP, number 08/1-134-144 dated 20 October 1995,
145. Decision on Extraordinary Promotion of Živanović Dragiša into Immediate Higher Rank, the RS MUP, number 08/1-134-5533 dated 24 April 1996,
146. Decision of the RS MUP on the Assignment of Živanović Dragiša to Compulsory Work Service in the Detachment of Special Police of Šekovići, number 09/3-120-4191 dated 1 November 1994,
147. Certificate of the RS MUP, number 01/1-1.4/2-650/96 dated 1 October 1996⁶,
148. Dispatch note by Dragomir Vasić, Zvornik Public Security Center, number 01-01-0211-206/95 dated 17 July 1995,
149. Dispatch note by Dragomir Vasić, Zvornik Public Security Center, number 01-16-02/1—231/95 dated 28 July 1995,
150. Dispatch note by Dragomir Vasić, Zvornik Public Security Center, number 12-6/08-534/95 dated 19 July 1995,
151. Dispatch note by Dragomir Vasić, Zvornik Public Security Center, number 01-16-02/1- 205/95 dated 15 July 1995,
152. Dispatch note by Dragomir Vasić, Zvornik Public Security Center, number 01-16-02/1- 221/95 dated 22 July 1995,
153. Dispatch note by Dragomir Vasić, Zvornik Public Security Center, number 01-16-02/1-206/95 dated 17 July 1995⁷,

⁶ Exhibits from 123-147, obtained by searches of houses and apartments of the accused persons, which were executed upon the order of BiH Court, number X-KRN-05/24 dated 7 September 2005,

⁷ Exhibits from 148-153 provided by the ICTY Office of the Prosecutor on a CD with a cover letter dated 24 June 2005



154. Record on Search of Apartment, Other Premises and Movable Objects, State Investigation and Protection Agency, number 4-14-/2-5/05 dated 12 September 2005,
155. Special Official Report on Crime-Technical Investigation of the Crime Scene, Bijeljina Public Security Center, number 12-1/02-230-KTI-250/05 dated 13 September 2005,
156. Certificate on Temporary Seizure of Objects, State Investigation and Protection Agency, number 14-04/2-5/05 dated 12 September 2005,
157. Record on Search of Apartment, Other Premises and Moveable Objects, State Investigation and Protection Agency, number, 14-04-/2-3/05 dated 12 September 2005.
158. Certificate on Temporary Seizure of Objects, State Investigation and Protection Agency, number 14-04/2-3/05,
159. Record on Search of Apartment, Other Premises and Moveable Objects, State Investigation and Protection Agency, number 14-04-/2-7/05 dated 12 September 2005,
160. Special Official Report on Crime-Technical Investigation of Crime Scene, Bijeljina Public Security Center, number 12-02/5-233-211/05 dated 14 September 2005,
161. Report made on 13 September 2005, State Investigation and Protection Agency, number 14-13/03-4/05 dated 13 September 2005,
162. Certificate on Temporary Seizure of Objects, State Investigation and Protection Agency, number 14-04/2-7/05 dated 12 September 2005,
163. Record on Search of Apartment and Other Premises and Moveable Objects, State Investigation and Protection Agency, 14-04/2-2/05 dated 12 September 2005,
164. Official Note State Investigation and Protection Agency, number 14-04/1-4/05 dated 13 September 2005,
165. Certificate on Temporary Seizure of Objects, State Investigation and Protection Agency, number 14-04/2/05 dated 12 September 2005,
170. Record on Seizure of Apartment and Other Premises and Moveable Objects, State Investigation and Protection Agency, number 14-04/2-1/05 dated 12 September 2005,
171. Certificate on Temporary Seizure of Objects, State Investigation and Protection Agency, number 14-04/2-1/05 dated 12 September 2005,
172. Certificate on Temporary Seizure of Objects, State Investigation and Protection Agency, number 14-04/2-4/05 dated 12 September 2005,
173. Record on Search of Apartment and Other Premises and Moveable Objects, State Investigation and Protection Agency, number 14-04/2-4/05 dated 12 September 2005,
174. Certificate on Temporary Seizure of Objects, State Investigation and Protection Agency, number 14-04/2-4/05 dated 12 September 2005,
175. Certificate on Temporary Seizure of Objects, State Investigation and Protection Agency, number 14-04/2-4/05 dated 12 September 2005,
176. Record on Search of Apartment and Other Premises and Moveable Objects, State Investigation and Protection Agency, number 14-04/2-8/05 dated 12 September 2005,
177. Certificate on Temporary Seizure of Objects, State Investigation and Protection Agency, number 14-04/2-8/05 dated 12 September 2005 (two pages),



178. Record on Search of Apartment and Other Premises and Moveable Objects, State Investigation and Protection Agency, number 14-04/2-9/05 dated 12 September 2005,
179. Certificate on Temporary Seizure of Objects, State Investigation and Protection Agency, number 14-04/2-9/05 dated 12 September 2005,
180. Record on Search of Apartment and Other Premises and Moveable Objects, State Investigation and Protection Agency, number 14-04/2-10/05 dated 12 September 2005,
181. Certificate on Temporary Seizure of Objects, State Investigation and Protection Agency, number 14-04/2-10/05 dated 12 September 2005,
182. Report on Undertaking Measures and Activities upon Order of the Court of BiH, State Investigation and Protection Agency, number 14-04/2-SI./05 dated 13 September 2005,
183. Record on Search of Apartment and Other Premises and Moveable Objects, State Investigation and Protection Agency, 14-04/2-12/05 dated 12 September 2005,
184. Record on Search of Apartment and Other Premises and Moveable Objects, State Investigation and Protection Agency, number 14-04/2-6/05 dated 12 September 2005,
185. Report on the Completion of Search Upon the Order of the Court of BiH, State Investigation and Protection Agency, number 14-13/3-5/05 dated 13 September 2005,
186. Certificate on Temporary Seizure of Objects, State Investigation and Protection Agency, number 14-04/2-12/05 dated 12 September 2005,
187. Certificate on Temporary Seizure of Objects, State Investigation and Protection Agency, number 14-04/2-6/05 dated 12 September 2005,
188. Photo documentation Bijeljina Public Security Center, Bratunac Police Station (search of the house of Džinić Brane) dated 12 September 2005,
189. Photo documentation, Bijeljina Public Security Center, number 12-02/5-233-44/05 dated 14 September 2005 (search of the house of Jakovljević Slobodan),
190. Photo documentation, Bijeljina Public Security Center, number SL/05 dated 14 September 2005 (search of the house of Matić Milovan),
191. Photo documentation, Bijeljina Public Security Center, number 17/05 dated 14 September 2005 (team 9),
192. Photo documentation, Bijeljina Public Security Center, number 12-02/5-206/05 dated 14 September 2005,
193. Photo documentation, Public Security Center, Ugljevik Police Station, number 12-4/02-KT-66/05 dated 14 September 2005 (search of the house of Stupar Miloš),
194. Photo documentation, Bijeljina Public Security Center, Zvornik Public Security Station (search of the house of Trifunović Milenko),
195. Photo documentation, Bijeljina Public Security Center, Police Station of Vlasenica, number 12-1-9/02-230-73/05, dated 14 September 2005 (search of the house of Mitrović Petar),
196. Photo documentation, Bijeljina Public Security Center, Bratunac Police Station, Agricultural Cooperative Compound Kravice (sketch of the place, Bijeljina Public Security Center, Bratunac Police Station, Kravice Agricultural Cooperative Compound),



197. Sketch of the crime scene, Bijeljina Public Security Center (CJB), No. 12-02/5-206/05 dated 13 September 2005;
198. Sketch of the crime scene, Bijeljina Public Security Center (CJB), Bratunac Police Station, Compound ZZ Kravice
199. ICTY Judgment, Radislav Krstić, (IT-98-33),
200. ICTY Judgment, Momir Nikolić, (IT-02-60/1-S),
201. ICTY Judgment, Dragan Obrenović, (IT-02-60/2-S),
202. ICTY Judgment, Miroslav Deronjić, (IT-02-61-S)
203. ICTY Judgment, Vidoje Blagojević (IT-02-60-T),
204. Certificate of criminal record for Matić Milovan, Bijeljina Public Security Center, Police Station Bratunac, number 12-1-7/02-235-121/05, dated 24 November 2005,
205. Response of the ICTY concerning the Request for Assistance dated 30 November 2005,
206. Letter of the ICTY with a list of materials concerning Dragomir Vasić,
207. Bestowing "the Order of Karađorđe Star" of Republika Srpska, 3rd order upon Miloš Stupar by the President of Republika Srpska, dated 17 November 1995 (a medallion and a medal)).

5) Proposal for the admission of evidence established by the ICTY Verdict Radislav Krstić number: IT-98-33-A dated 19 April 2004, pursuant to Article 4 of the Law on the Transfer of Cases from the ICTY to the Prosecutor's Office of BiH and the Use of Evidence Collected by ICTY in proceedings before the courts in BiH:

1. In July 1995, following the take-over of Srebrenica, Bosnian Serb forces devised and implemented a plan to transport all of the women, children and elderly Bosnian Muslims from the enclave (para. 52).
2. In July 1995, following the take-over of Srebrenica, Bosnian Serb forces executed several thousand Bosnian Muslim men. The total number of the executed persons ranges most likely from 7,000 to 8,000 men (para. 84).
3. Following the take-over of Srebrenica in July 1995, Bosnian Serb forces devised and implemented a plan to execute as many military aged Bosnian Muslim men present in the enclave as possible (para. 87).
4. During a period of several weeks, in September and in early October 1995, Bosnian Serb forces dug up a number of the primary mass graves containing the bodies of the executed Bosnian Muslim men and reburied them in secondary graves at still more remote locations (para. 78).
5. The Drina Corps plan for the "Krivaja 95" operation was aimed at reducing the "safe area" of Srebrenica to its urban core as being a step towards the larger VRS goal of plunging the Bosnian Muslim population into a humanitarian crisis and, ultimately, eliminating the enclave (para. 121).
6. The shelling of Srebrenica that was carried out by the Drina Corps on 10 and 11 July 1995, was calculated to terrify the Bosnian Muslim population and to drive them out of the town of Srebrenica and, thereby, out of the area (para. 125).



7. The Drina Corps played an important role in providing the buses and other vehicles that were used for the transport of Bosnian Muslim women, children and elderly out of the Potočari compound on 12 and 13 July 1995, as well as in providing the fuel needed for accomplishing the task (para. 142).
8. Officers of the Drina Corps Command and the Corps Unit were present in Potočari on 12 and 13 July 1995 and monitored the transportation of the Bosnian Muslim civilians out of the area (para. 144).
9. The Bosnian Muslim civilians of Srebrenica who were bused out of Potočari on 12 and 13 July 1995 were not exercising a free choice to leave the area of the former enclave. The Drina Corps personnel involved in the transportation operation knew that the Bosnian Muslim population was forced out of the area by the VRS (para. 149).
10. Members of the Drina Corps who were present in the Potočari compound on 12 and 13 July 1995 must have been aware of the catastrophic humanitarian situation in which the Bosnian Muslim refugees were, as well as of mistreatment by Bosnian Serb forces, but took no action in response (para. 155).
11. Members of the Drina Corps who were present in the Potočari compound on 12 and 13 July 1995 knew that the Bosnian Muslim men who were separated from the women, children and elderly, were not treated in accordance with the accepted practice for locating war crimes perpetrators and that there was a terrible uncertainty about the fate of those men. The Drina Corps Command also knew that the separated men from Potočari were taken to detention sites in Bratunac by buses which were normally used for the transportation of the women, children and elderly, all of which was overseen by the Drina Corps (para. 161).
12. Immediately following the take-over of Srebrenica, the whereabouts of the 28th Division of the ABiH were unknown. This was of a great concern to the VRS, because there was a possibility that forces of the 2nd Corps of the ABiH, that attacked from direction of Tuzla and Kladanj, would link up with elements of the 28th Division. Radio messages which were caught indicated that the VRS learnt for the first time about the establishment of a column at around 03:00 hours on 12 July 1995. At the Hotel "Fontana" meetings held on 11 and 12 July 1995, General Mladic had attempted to urge the surrender of the ABiH forces in the area of the former enclave. However, he failed in doing it and, in the following days, VRS units, including units of the Drina Corps that were not engaged in the Žepa campaign, were assigned to block the column. In addition to those Drina Corps units, non-Drina Corps units, including Special Brigade units of the police of the RS Ministry of the Interior (MUP), elements of the Military Police Battalion of the 65th Protection Regiment and, subsequently, even the elements of the municipal police, took part in the operation of blocking the column. A series of intercepted conversations registered on 12 and 13 July 1995 revealed that the Drina Corps and the VRS generally gained ever-increasing information about the column.



13. About one third of the Bosnian Muslim column was composed of soldiers from the 28th Division, and about two thirds of men civilians, Bosnian Muslims from Srebrenica.
14. In the period between 12 and 18 July 1995, the Drina Corps Brigades, particularly the Bratunac and Zvornik Brigades, were engaged in combat against the Bosnian Muslim column which attempted to break through and get to the territory under control of Bosnian Muslims. These Brigades were continuously reporting to the Drina Corps Command about developments relating to the column (para. 166).
15. The Drina Corps Command knew as of 12 July 1995 that, within their zone of responsibility, Bosnian Muslim prisoners were taken from the column by Bosnian Serb forces. Furthermore, the Drina Corps Command was informed of the Main Staff policy aimed at blocking and capturing the Bosnian Muslim men from the column; the Main Staff issued a directive that the Drina Corps units lay ambushes on the column (para. 170).
16. An officer of the Drina Corps Command continued to manage the movement of buses in the area of the former enclave where the prisoners were held, despite the fact that the transportation of the Bosnian Muslim women, children and elderly out of the enclave had already been completed an hour earlier.
17. The Drina Corps Command knew that thousands of Bosnian Muslims had been captured on the Bratunac-Konjevic Polje Road on 13 July 1995 (para. 178).
18. The Drina Corps Bratunac Brigade must have known that, between 12 and 15 July 1995, thousands of Bosnian Muslim prisoners were detained in Bratunac. On 14 and 15 July 1995, the Bratunac Brigade military police were engaged in escorting those prisoners to northern detention sites (para. 181).
19. The Drina Corps Bratunac Brigade must have known that, between 12 and 15 July 1995, thousands of Bosnian Muslim prisoners were detained in Bratunac. On 14 and 15 July 1995, the Bratunac Brigade military police were engaged in escorting those prisoners to northern detention sites (para. 181).
20. The Drina Corps Command must have known that Bosnian Muslim men were detained in Bratunac between 12 and 15 July 1995, and that they were transported to detention sites in the north following the completion of taking away the Bosnian Muslim women, children and elderly (para. 186).
21. Buses provided by the Drina Corps were used for the transportation of Bosnian Muslim prisoners to detention and execution sites. On 12 and 13 July 1995, the Drina Corps Command must have been informed about the diversion of the buses from their original task of transporting the Bosnian Muslim women, children and elderly into transporting men from Potočari to Bratunac. As of the evening, 13 July 1995, the Drina Corps Command must have known that the buses had been put for further use in transporting the captured Bosnian Muslims northbound to Zvornik (para. 184).



22. From 13 July 1995, the Zvornik Brigade was aware of the plans for bringing the captured Bosnian Muslims to their zone of responsibility, and it began preparing the sites for their detention. From 14 July 1995, the Zvornik Brigade was aware that thousands of the captured Bosnian Muslims were detained at sites throughout Zvornik area (para. 191).
23. Pursuant to the Order issued by General Krstić on 13 July 1995, the Drina Corps units were also involved in conducting sweep operations in the area of the former enclave. Three subordinate units of the Drina Corps – the Bratunac Brigade, Skelani Independent Battalion and Milići Brigade – were directed to conduct the search operations in and around the former enclave of Srebrenica and surrounding area for Bosnian Muslim stragglers and to report back to General Krstić by 17 July 1995 on results. In response of 15 July 1995, Colonel Ignjat Milanović, the Drina Corps Chief of Anti-Aircraft Defence, reported back to General Krstić on the situation within the zones of the Bratunac Brigade, Milići Brigade and Skelani Independent Battalion. The manner in which the Order was implemented, however, indicates that Drina Corps forces closely co-operated with other forces, whether military (the 65th Protection Regiment) or police (MUP).
24. The Drina Corps Command must have known that prisoners were transported to the Kravica Warehouse given that buses were diverted from the transportation of the Bosnian Muslim women, children and elderly from Potočari for this purpose. Furthermore, given the proximity of the Drina Corps Bratunac Brigade to the execution and burial sites and due to massive scale of the executions, the Trial Panel is satisfied that, by the evening of 13 July 1995, the Drina Corps must have been well-aware of the fact that the executions had taken place at the Kravica Warehouse. The Warehouse which was situated on the main road between Bratunac and Konjević Polje was frequently used by military vehicles on that very day. Some of the Bosnian Muslim refugees reported that, on 13 July 1995, while the buses they were travelling by passed through Kravica, they saw the corpses of men lying down in the field and the men lined up with the hands tied behind their heads. The noise and intensive activity in respect of this massive scale crime could not have escaped the attention of the Drina Corps.
25. However, the Corps Command must have known that prisoners were transported to the Kravice Warehouse and, in the evening of 13 July 1995, the Drina Corps must have been well aware of the fact that the executions had taken place at the Kravica Warehouse (para. 215).
26. The Prosecution has not proved that Drina Corps units either knew of, or were involved in, the executions of the Bosnian Muslim men who were separated in Tišća. Irrespective of this, the Milići Brigade did, however, know that Bosnian Muslim men were brought out of the buses in Tišća and taken to particular sites (para. 219).
27. In the evening of 13 July 1995, the Drina Corps must have been aware of the VRS plan for the execution of all those thousands of military aged Bosnian Muslims



men and boys captured in the area of the former enclave following the take-over of Srebrenica (para. 295).

28. On 12 July and 13 July 1995, the Drina Corps knew that Bosnian Muslim men were separated from the women, children and elderly in Potočari, that they were taken from the buses near Tišća and detained, and that the fate of those men was seriously called into question. From the evening of 12 July 1995, the Drina Corps knew about the capturing of Bosnian Muslim men from the column that attempted to break out of the enclave, and about taking away the thousands of those prisoners along the Bratunac-Konjević Polje road on 13 July 1995.
29. The act of capturing the prisoners was not unlawful in itself. It might have been a constituent part of the plan to check if there were war criminals among them and/or to ultimately exchange them for Bosnian Serb prisoners of war. However, it soon became apparent that this was not the case. Bosnian Serb plans for the Bosnian Muslim men were radically revised in light of the knowledge that, on 12 and 13 July 1995, some 6,000 men were captured from the column fleeing through the woods.
30. On 13 July 1995, the Drina Corps Command must have known without fail that thousands of those captured Bosnian Muslim men had been taken to the Kravica Warehouse by buses originally provided by the Drina Corps for the transportation of the Bosnian Muslim refugees from Potočari and that these men were subsequently executed on that very day. The Drina Corps Command must also have known that remaining Bosnian Muslim men were not transferred to regular prisoner of war facilities but instead were detained in Bratunac and that no one cared about them in terms of providing food, water or other basic necessities to them. To arrange such provisions for thousands of prisoners would have been only too great a task. Yet there was no evidence of any steps being taken in this regard, nor of inquiries made by the Drina Corps Command about the plans with the Bosnian Muslim prisoners.
31. It is also apparent that, on 13 July 1995 when a vehicle began scouting for detention sites, the Zvornik Brigade was aware of plans to transport the Bosnian Muslim prisoner's northward, to sites within its zone of responsibility. This decision to transport them to remote locations up north (again with no provision made for food or water), rather than to recognize prisoner of war facilities, amounted to an unequivocal signal that a mass executions plan was in operation.
32. The Trial Panel finds that, by the evening of 13 July 1995, the Drina Corps Command must have been aware of the VRS plan to execute all of the thousands of military aged Bosnian Muslim men who were captured in the area of the former enclave.
33. Following the take-over of Srebrenica, the Drina Corps Command continued to exercise command competencies in relation to its subordinate Brigades and its command role was not suspended as a result of the involvement of the VRS Main Staff, or the security organs, in the Srebrenica follow-up activity. (para. 276)



34. The Drina Corps Command was, however, well aware of the presence of MUP units within their zone of responsibility, as well as the action being taken by MUP units to block and capture Bosnian Muslim men in the column (para. 289).
35. The Drina Corps Command knew of the involvement of its subordinate units in the executions of Bosnian Muslim men as of 14 July 1995 (para. 296).
36. General Krstić ordered the procurement of buses for the transportation of the Bosnian Muslim population out of Potočari on 12 and 13 July 1995, issued orders to his subordinates about securing the road along which the busses would travel to Kladanj and he generally supervised the transportation operation (para. 347).
37. General Krstić was in Potočari for between an hour and two hours in the early afternoon of 12 July 1995, and he was present with other VRS officers, including General Mladic, overseeing the bussing of the Bosnian Muslim women, children and elderly. As a result of his presence in Potočari, General Krstić must have known of the appalling conditions facing the Bosnian Muslim refugees and the general mistreatment inflicted by VRS soldiers on that day (para. 354).
38. General Krstić was heard ordering his subordinates that no harm must befall the Bosnian Muslim civilians who were being transported out of Potočari (para. 358).
39. As a result of his presence at the "White House" during the afternoon of 12 July 1995, General Krstić must have known the segregated men were being detained in terrible conditions and not being treated in accordance with accepted practice for war crimes screening. General Krstić must have realized, as did all the witnesses present in and around the compound that day, that there was a terrible uncertainty as to what was going to happen to the men who had been separated. However, General Krstić took no steps to clarify with General Mladić, or anyone else, what the fate of the men would be (para. 367).
40. On 12 July 1995, General Krstić must have known the men were being pulled off the passing buses at Tišća and taken to detention sites, but the Prosecution has not proved that he also had known that their ultimate fate would be execution (para. 369).
41. General Krstić was fully informed of developments relating to the movement of the Bosnian Muslim column and he knew, by the evening of 13 July 1995, that thousands of Bosnian Muslim men from the column had been captured by Bosnian Serb forces within his zone of responsibility (para. 377).
42. As of 13 July 1995, the Drina Corps Command must have known about the plan to execute all of the military aged Bosnian Muslim men in Srebrenica and, as of 14 July 1995, the Drina Corps Command must have known of the involvement of Drina Corps subordinate units in the mass executions. Given his position in the Drina Corps Command, first as Chief of Staff and then, from the evening of 13



July 1995, as Commander, General Krstić must also have known about these matters (para. 379).

43. It is clear that, upon the withdrawal of the 28th Division from the enclave following the take-over of Srebrenica, MUP forces were incorporated into the "final" operation. MUP units were present in Potočari and they were also placed along the Bratunac-Konjević Polje road; where they engaged in blocking and capturing large numbers of men from the Bosnian Muslim column on 13 July 1995.
44. The operation to capture and detain the Bosnian Muslim men was well organized and comprehensive.
45. Following the take-over of Srebrenica in July 1995, the Bosnian Serbs devised and implemented a plan to execute as many as possible of the military aged Bosnian Muslim men present in the enclave.
46. The Trial Panel finds that the Drina Corps Bratunac Brigade could not but have known that thousands of Bosnian Muslim prisoners were being detained in Bratunac between 12-15 July 1995.
47. It is not disputed that a state of armed conflict existed between BiH and its armed forces, on the one hand, and Republika Srpska and its armed forces, on the other. There is no doubt that the criminal acts set out in the indictment occurred not only within the frame of, but in close relation to, that conflict.
48. ...all of the military aged Bosnian Muslim males that were captured or fell otherwise in the hands of the Serb forces were systematically executed. The result was that the military aged Bosnian Muslim males who fled Srebrenica in July 1995 were killed.
49. ...as of 13 July, the plan to ethnically cleanse the area of Srebrenica escalated to a far more insidious level that included killing all of the military aged Bosnian Muslim men of Srebrenica. A transfer of the men after screening for war criminals - the purported reason for their separation from the women, children and elderly at Potočari - to Bosnian Muslim held territory or to prisons to await a prisoner exchange was at some point considered an inadequate mode for assuring the ethnic cleansing of Srebrenica. Killing the men, in addition to forcibly transferring the women, children and elderly, became the object of the newly elevated joint criminal enterprise of General Mladić and VRS Main Staff personnel. The Trial Panel concluded that this campaign to kill all the military aged men was conducted to guarantee that the Bosnian Muslim population would be permanently eradicated from Srebrenica and therefore constituted Genocide.
50. Trial Panel finds that the forensic evidence presented by the Prosecution provides corroboration of survivor testimony that, following the take-over of Srebrenica in July 1995, thousands of Bosnian Muslim men from Srebrenica were killed in careful and methodical mass executions.



51. The Trial Panel is satisfied that, in July 1995, following the take-over of Srebrenica, Bosnian Serb forces executed several thousand Bosnian Muslim men. The total number is likely to be within the range of 7,000 -8,000 men.
52. A concerted effort was made to capture all Muslim men of military age. In fact, those captured included many boys well below that age and elderly men several years above that age that remained in the enclave following the take-over of Srebrenica. These men and boys were targeted regardless of whether they chose to flee to Potočari or to join the Bosnian Muslim column. The operation to capture and detain the Bosnian Muslim men was well organized and comprehensive.
53. The Trial Panel finds that, following the take over of Srebrenica in July 1995, the Bosnian Serbs devised and implemented a plan to execute as many as possible of the military aged Bosnian Muslim men present in the enclave.
54. The facts described in the preceding paragraphs compel the inference that the political and/or military leadership of the VRS formulated a plan to permanently remove the Bosnian Muslim population from Srebrenica, following the take-over of the enclave. From 11 through 13 July, this plan of what is colloquially referred to as "ethnic cleansing" was realised mainly through the forcible transfer of the bulk of the civilian population out of Potočari, once the military aged men had been separated from the rest of the population. General Krstić was a key participant in the forcible transfer, working in close co-operation with other military officials of the VRS Main Staff and the Drina Corps.
55. The humanitarian crisis that prevailed at Potočari was so closely connected to, and so instrumental in, the forcible evacuation of the civilians that it cannot but also have fallen within the object of the criminal enterprise.
56. There was a joint criminal enterprise whose objective was to forcibly transfer the Bosnian Muslim women, children and elderly from Potočari on 12 and 13 July and to create a humanitarian crisis in support of this endeavour by causing the Srebrenica residents to flee Potočari where a total lack of food, shelter and necessary services would accelerate their fear and panic and ultimately their willingness to leave the territory.
57. The Appeal Panel upheld the Trial Panel's finding that the Bosnian Muslims of Srebrenica were a substantial part of the protected group – Bosnian Muslims.
58. The Bosnian Muslims of Srebrenica were a substantial part of the protected group: the national group of Bosnian Muslims. The Bosnian Muslims in Srebrenica represented the Bosnian Muslims of Eastern Bosnia because by 1995, most of the Muslim inhabitants of the region has sought refuge within the Srebrenica enclave, the elimination of that enclave would have accomplished the goal of cleansing the entire region of its Muslim population.



59. Having identified the protected group as the national group of Bosnian Muslims, the Trial Panel concluded that the part the VRS Main Staff and Radislav Krstić targeted was the Bosnian Muslims of Srebrenica, or the Bosnian Muslims of Eastern Bosnia. The size of the Bosnian Muslim population in Srebrenica prior to its capture by the VRS forces in 1995 amounted to approximately forty thousand people. This represented not only the Muslim inhabitants of the Srebrenica Municipality but also many Muslim refugees from the surrounding region.
60. Although this population constituted only a small percentage of the overall Muslim population of Bosnia and Herzegovina at the time, the importance of the Muslim community of Srebrenica is not captured solely by its size. As the Trial Panel explained, Srebrenica (and the surrounding Central Podrinje region) were of immense strategic importance to the Bosnian Serb leadership. Without Srebrenica, the ethnically Serb state of Republika Srpska they sought to create would remain divided into two disconnected parts, and would be separated from Serbia itself.
61. The capture and ethnic cleansing of Srebrenica would therefore severely undermine the military efforts of the Bosnian Muslim state to ensure its viability, a consequence the Muslim leadership fully realized and strove to prevent. Control over the Srebrenica region was consequently essential to the goal of some Bosnian Serb leaders of forming a viable political entity in Bosnia, as well as to the continued survival of the Bosnian Muslim people. Because most of the Muslim inhabitants of the region had, by 1995, sought refuge within the Srebrenica enclave, the elimination of that enclave would have accomplished the goal of cleansing the entire region of its Muslim population.
62. The killing of military aged men was, assuredly, a physical destruction.
63. The Trial Panel found that, in executing the captured Bosnian Muslim men, the VRS did not differentiate between men of military status and civilians.
64. As already explained, the scale of the killing, combined with the VRS Main Staff's awareness of the detrimental consequences it would have for the Bosnian Muslim community of Srebrenica and with the other actions the Main Staff took to ensure that the community's physical demise, is a sufficient factual basis for the finding of specific intent. The Trial Panel found, and the Appeals Panel endorses this finding, that the killing was engineered and supervised by some members of the Main Staff of the VRS.

6) Proposal for the admission of written documentary evidence from the proceedings before ICTY pursuant to Article 4 of the Law on the Transfer of Cases from the ICTY to the Prosecutor's Office of BiH and the Use of Evidence Collected by ICTY in Proceedings before the Courts in BiH:

1. Report on military events in Srebrenica (revised) - operation "Krivaja 95" dated 1 November 2002, [REDACTED] (CD)
2. Report on command responsibility of VRS Brigade, [REDACTED] (CD),



3. Expert finding of the Netherlands Institute for Forensic medicine - Subject: Inspection of textile dated 11 February 2000, -P564b (Bosnian and English versions)
4. US Navy Investigative Service's report on review and finding of evidence from the Kravica warehouse, BSC-P565b (Bosnian and English language)
5. Report-Appendix to the number of the missing and the dead in Srebrenica by H. Brunborg, BSC-P726b (Bosnian and English versions)
6. Report on the number of the missing and the dead in Srebrenica by H. Brunborg and H. Urdal, BSC-P725b (Bosnian and English versions)
7. Report on the review and finding of evidence from the Kravice Warehouse, BSC-P561 (Bosnian and English versions)
8. Report on blood and tissue samples found in Grbavica School, Kravica Warehouse, ENG-P563a, (Bosnian and English versions)
9. OTP's report titled "Missing from Srebrenica – persons who were registered missing after the fall of Srebrenica-P729
10. ICRC's list of missing persons – P658
11. Summary of the expert-medical evidence – mass burial sites exhumed in the course of 2000 (Bosnian and English versions)
12. Report on digging out and exhumation of mass grave Glogova 1 in 2000 (Bosnian and English versions)
13. Report on digging out and exhumation of mass grave Glogova 2 in 1999-2001 by forensic anthropologist Jose Pablo Baraybar (Bosnian and English versions)
14. Summary of the expert-medical evidence – execution and mass burial sites – ICTY investigator [REDACTED] 16 May 2000 (Bosnian and English versions)
15. Report by the Chief Pathologist- mass burial sites of Srebrenica, ICTY, 1999 (Bosnian and English versions)
16. Report on review and finding of the evidence from the Kravice Warehouse (September/October 2000), (Bosnian and English versions)
17. ICTY publications, missing persons in the territory of Bosnia and Herzegovina dated 30 June 1998-P728.

INVESTIGATION FINDINGS:

After completion of investigation against the suspects Stupar Miloš, Trifunović Milenko, Mitrović Petar, Radovanović Aleksandar, Jakovljević Slobodan, Stevanović Miladin, Maksimović Velibor, Živanović Dragiša, Medan Branislav, Džinić Brane and Matić Milovan, the Prosecutor's Office of Bosnia and Herzegovina found there was sufficient evidence for the grounded suspicion that the said persons as co-perpetrators committed the criminal offense of Genocide referred to in Article 171 of the Criminal Code of Bosnia and Herzegovina in the manner, place and time defined more precisely in the enacting clause of the indictment.

The investigation has revealed the following:



During all the time relevant to this indictment there was the state of armed conflict in force in the Republic of Bosnia and Herzegovina (BiH).

Throughout the relevant period, the participants in the armed conflict were, on the one side, Republika Srpska (RS) whose Armed forces included the units of Republika Srpska Army (VRS) and elements of the Ministry of the Interior of Republika Srpska and police forces that acted in concert, or otherwise, with the VRS; and on the other side, Bosnia and Herzegovina whose Armed forces consisted of formations and units of the Army of Bosnia and Herzegovina (ABiH).

Throughout the relevant period, the members of the 2nd Šekovići Special Police Detachment of the Police of MUP Republika Srpska (RS) and the Army of RS (VRS) were obliged to comply with the laws and customs of war.

All acts and omissions were part of a widespread and systematic attack against the Bosniak civilians inside the UN protected area of Srebrenica and its surroundings.

After war erupted in Bosnia and Herzegovina in spring 1992, Bosnian Serb military and paramilitary forces attacked and occupied towns, places and villages in the eastern part of the country, involving Zvornik, and participated in the ethnic cleansing campaign that resulted in a mass exodus of Bosniak civilians to enclaves in Srebrenica, Goražde and Žepa.

On 19 November 1992, General Ratko Mladic, the Commander of the VRS Main Staff, issued Operational Directive 04. This Directive, in part, ordered the Drina Corps to "...inflict the heaviest possible losses on the enemy, and force them to leave the Birač, Žepa and Goražde areas together with the Bosnian Muslim population. First, offer the able-bodied and armed men to surrender, and if they refuse, destroy them."

On 16 April 1993, the Security Council of the United Nations, acting pursuant to Chapter VII of its Charter, adopted Resolution 819, in which it demanded that all parties to the conflict in the Republic of Bosnia and Herzegovina treat Srebrenica and its surroundings as a "safe area" which was to be free from any armed attack or any other hostile act.

On 8 March 1995, the Supreme Command of the Armed Forces of Republika Srpska issued Operational Directive 07. In this Directive, Republika Srpska President Radovan Karadžić directed the VRS (specifically the VRS Drina Corps) to "...complete the physical separation of Srebrenica from Žepa, to prevent even individual communication between the two enclaves. By planned and well-thought-out combat operations, create an unbearable situation of total insecurity, with no hope of further survival and life for the inhabitants of Srebrenica and Žepa."

On 2 July 1995, in the Drina Corps operational order for the attack on the Srebrenica enclave, General Milenko Živanović ordered that the attack on the enclave should result in "reducing the enclave to its urban area". The size of the enclave on 2 July 1995 was approximately 58 square kilometres and the urban area of the enclave was about two (2) square kilometres. Large numbers of the Bosnian Muslim population of the enclave lived outside the urban area of Srebrenica prior to 2 July 1995.



The Drina Corps plan for execution of the order was a step towards the larger VRS goal of plunging the Bosnian Muslim population into humanitarian crisis and, ultimately, eliminating the enclave.

On or about 6 July 1995, units of the Drina Corps shelled Srebrenica and attacked Dutch-manned United Nations observation posts which were located in the enclave. The Drina Corps attack on the Srebrenica enclave, including the shelling, continued through 11 July 1995, when forces from the Zvornik Brigade's Drina Wolves, the Bratunac Brigade, and other units of the VRS entered Srebrenica.

On 10 July 1995 upon the Order 64/95 issued by Acting Minister of Interior of RS, Tomo Kovač, the joint forces of MUP units were formed (involving a Company from Jahorina Training Centre, the 2nd Šekovići Detachment and 1st Company from Zvornik Center) in order to assist the VRS forces in the attack. According to that Order the Joint Forces of the Ministry of the Interior (MUP) units were placed under the command of the Drina Corps that was further subordinated to the Main Staff of VRS under the command of Ratko Mladić.

On 10 and 11 July 1995, the shelling of Srebrenica carried out by the Drina Corps was calculated to terrify the Bosnian Muslim population and to drive them out of Srebrenica town and, thereby, the area.

Bosniaks, men, women and children who were in Srebrenica after beginning of the VRS attack could choose one of two possibilities:

a) Thousands of women, children, and some, mostly elderly men, fled to the UN Compound in Potočari, where they sought the protection of the Dutch battalion. The civilian population stayed in Potočari and its surroundings from 11 to 13 July 1995 and were being molested by the members of VRS and MUP. After that, they were transported out of the enclave by buses and trucks overseen by the VRS and MUP.

b) Meanwhile, approximately 15,000 Bosnian Muslim men from the enclave, with some women and children, gathered at the villages of Šušnjari and Jagličići during the evening of 11 July 1995 and fled, in a huge column, through the woods towards Tuzla. Approximately one-third of this group consisted of the soldiers of 28th Army RBiH Division. The rest were civilians and unarmed military personnel.

On or about 12 July 1995, Ratko Mladić, Radislav Krstić and other representatives of VRS and of the Bosnian Serb civilian authorities met at the Hotel Fontana in Bratunac with the Dutch military senior officers and the representatives of the Bosnian Muslims who took refuge in Potočari. At this meeting Ratko Mladić explained that he would supervise the "evacuation" of the refugees from Potočari and that he wanted to see all military-aged Bosnian Muslim men from 16 through 60 so that they could be screened as possible war criminals.

On or about 12 July 1995 approximately 50 to 60 buses and trucks arrived near the UN military compound in Potočari accompanied by Ratko Mladić and Radislav Krstić.

Shortly after the arrival of these vehicles, the forcible transfer process of Bosnian Muslim women and children began. As the Bosnian Muslim women, children, and men started to board the buses and trucks, the VRS and/or MUP soldiers separated the men from the women and children and detained them in Potočari and its surroundings.

On 12 and 13 July 1995 the Command and the units of the Drina Corps as well as the MUP units attended the supervision of the forced transfer of the Bosnian Muslim civilians from Potočari.

The staff of the Drina Corps who were in the Potočari base on 12 and 13 July 1995 were aware of the catastrophic humanitarian situation faced by the Bosniak refugees and of their maltreatments by the Bosnian Serb forces, but they failed to do anything in that connection.

The Bosniak civilians from Srebrenica who were taken by buses from Potočari on 12 and 13 July 1995 were deprived of their right to freely decide if they want to leave the region of the former enclave. The Drina Corps and MUP personnel having participated in the transport operation knew that the VRS had forced the Bosniak population to leave that region.

The members of the Drina Corps and MUP who were in Potočari Base on 12 and 13 July 1995 knew that the Bosniak men, having been separated from their women, children and old persons, had not been treated in accordance with the accepted practice of screening for possible war criminals and that there had been a great uncertainty about the fate of these people. The Drina Corps Command and the MUP Commanders also knew that the separated men from Potočari had been taken by buses to the detention locations in Bratunac. For that purpose they used the buses originally intended for the transport of women, children and old persons which was supervised by the Drina Corps.

Following the taking of Srebrenica, the location of the 28th Division of the Army of Bosnia and Herzegovina (ABiH) was unknown. This caused great concern to the VRS, as did the possibility that the ABiH 2nd Corps could launch an attack from the direction of Tuzla and Kladanj and get connected with the parts of the ABiH 28th Division. At the meetings held at the Hotel Fontana on 11 and 12 July, General Mladić attempted to negotiate the surrender of the ABiH forces from the territory of the former enclave. However, since he failed, in the coming days the VRS units, including the Drina Corps units that did not take part in the attack on Žepa, were tasked with the blocking of the column.

Other than the Drina Corps units, units outside the Drina Corps such as the MUP Special Brigade, elements of the Military Police Battalion of the 65th Protection Regiment and later the elements of the municipal police, undertook the blocking of the column.

After the ABiH 28th Division had withdrawn from the enclave following the fall of Srebrenica, the MUP forces were involved in the "final" operations. The MUP units were present in Potočari and, together with the 2nd Detachment of the Šekovići Special Police Brigade, were deployed along the road of Bratunac-Konjević Polje, where they took part



in the blocking of the column and capturing of a large number of Bosniaks on 13 July 1995.

Members of the Bosnian Serb forces that were designated in the Bratunac, Zvornik and Milići Brigades, together with elements of the 5th Engineering Battalion, the 65th Protection Regiment and the MUP Special Police, supported by armored transporters, tanks, anti-aircraft guns and artillery, were distributed along the road of Bratunac-Milići in the attempt to intercept the column. While retreating, some armed individuals in the Bosniak column engaged in fight against the Bosnian Serb forces. Thousands of Bosnian Muslims from the column were captured while retreating or they surrendered to the Bosnian Serb forces and the MUP.

The Drina Corps assisted the MUP forces with the task of blocking and capturing the Bosniaks who tried to escape and they coordinated their military operations with the MUP forces.

Following the taking of Srebrenica in July 1995, Bosnian Serbs devised and implemented the plan to execute as many military fit Bosniak men in the enclave as possible. Within several days from the attack on Srebrenica, the VRS and the MUP forces captured, kept in captivity, forcefully relocated, summarily executed and buried over 7,000 Bosniak men and young men from Srebrenica enclave and forcefully relocated Bosniak women and children from Srebrenica out of the enclave.

Bosnian Serb forces executed several thousand Bosniak men. The total number of victims ranges most likely between 7,000 and 8,000 men.

Political and military leadership of the VRS formed the plan to permanently remove Bosniak population from Srebrenica after the taking of the enclave. In the period between 11 and 13 July, this plan, colloquially referred to as "ethnic cleansing", was implemented for the most part through violent relocation of the major part of the civilians from Potočari, having separated military-aged men from the rest of the population.

In their efforts to eliminate a part of Bosnian Muslims, Bosnian Serb forces committed Genocide. They selected forty thousand Bosniaks, inhabitants of Srebrenica, for liquidation, which as a group represented the Bosniaks in general. They seized personal items and documents from the captured Bosniak men, soldiers and civilians alike, old and young, and they killed them deliberately and methodically, solely for their ethnicity. The Bosnian Serb forces were aware, when they embarked on the Genocide venture, that the harm they had caused to the Bosniaks would bring permanent trouble upon them.

It is indisputable from the evidence collected during the investigation, as well as the evidence collected by the ICTY, that the accused took active part in the capturing, exile and mass executions of Bosniak civilians detained at the hangars of the Farming Cooperative in Kravice, the Municipality of Bratunac, and thus took part in a joint criminal enterprise on the part of the Army and the MUP of Republika Srpska aiming at partial extermination of a group of Bosniak people from the UN Protected Zone of Srebrenica.



In the final ICTY Verdict in the case against General Radislav Krstić it was established that during the military/police operation "Krivaja 95", i.e. the taking of the UN Protected Zone of Srebrenica on the part of the Army and the MUP of Republika Srpska, **Genocide was committed against the Bosniaks.**

Among others, the fact that within a short period of time, between 10 and 19 July 1995, all Bosniak women, children and elderly were exiled from the enclave and mass liquidations of Bosniak men and young men were carried out indicate that the crimes against the Bosniaks were planned and organized. Thus, both the final Verdict against Krstić and the first instance Verdict against Vidoje Blagojević determined the time of the executions of Bosniak men and young men carried out at the locations of *Potočari, Tišća, Cerska valley, Jadar, warehouse in Kravice, Orahovac, Dom kulture Pilica, Army-operated farm Vranjevo, Stadium in Nova Kasaba*. The said locations were used by the Army and the Police of Republika Srpska as execution sites. On 13 July 1995, organized killings took place in the morning hours in Jadar, in the afternoon hours in the Cerska valley, in the late afternoon in the Kravice Warehouse, and in the evening in Tišća. In the coming days liquidations took place in Pilica, Orahovac and the Army-operated farm of Vranjevo (ICTY Verdict against Dražen Erdemović).

Beside the above ICTY Verdicts, an important contribution towards casting some light onto tragic Srebrenica events were the confessions by Momir Nikolić, a security officer in the Bratunac Brigade, and Dragan Obrenović, Chief of Staff in the Zvornik Brigade. Important information was obtained in the confession of Momir Nikolić, first of all the fact that the crime was centered around the Military Security Service and that everything was very well organized. In his confession, Momir Nikolić said that in the morning of 12 July General Mladić was still negotiating the evacuation of civilians from Potočari with the UN, while Nikolić was given orders to find appropriate locations for the captives and then find adequate execution sites.

Of great importance to getting an objective picture of the events in and around Srebrenica in July 1995 is forensic evidence collected by the ICTY investigators and experts in the past ten years. It is common knowledge that the process of finding mass graves (primary, secondary and tertiary) is still ongoing and that a major part of the bodies of killed Bosniaks have not been located and identified. Extensive forensic evidence firmly corroborates important aspects of testimonies by the survivors at various execution sites. Since 1996, the ICTY Office of the Prosecutor has conducted exhumations of 21 graves related to the taking of Srebrenica, as follows: four exhumations during 1996 (graves in Cerska, Nova Kasaba, Orahovac (also known as Lažete 2) and at the Army-operated farm in Branjevo (Pilica)); eight during 1998 (a dam near Petkovci, Čančarski put 12, Čančarski put 3, the Road towards Hodžići – locality no. 3, the Road towards Hodžići – locality no. 4, the Road towards Hodžići – locality no. 5, Liplje 2, Zeleni Jadar 5); five graves in 1999 (Kozluk, Nova Kasaba, Konjević Polje 1, Konjević Polje 2 and Glogova); and four graves in 2000 (Lažete 1, Lažete 2C, Ravnice and Glogova 1). Of 21 graves exhumed, 14 were primary graves, where bodies were placed immediately upon the killing of persons. Of those graves, eight were subsequently dug up without authorization and corpses were transferred to and buried at another location, often in secondary graves, located in more remote areas. Seven of exhumed graves were secondary graves. The Office of the Prosecutor hired experts in ballistic analysis, analysis of soil and fabrics, in order to make comparative testing of the fabrics and remains found in primary and

secondary graves. The results of these analyses indicate certain connections between certain primary and certain secondary graves.

Forensic evidence corroborates the allegations by the prosecution that following the taking of Srebrenica, thousands of Bosnian Muslims were executed summarily and buried in mass graves. Although forensic experts could not indisputably establish the exact number of bodies in the mass graves due to the degree of decomposition of the bodies and the fact that many bodies were disfigured in the process of relocation from primary into secondary graves, which was done using heavy machinery, the experts did manage to make a conservative estimate, according to which at least 2028 individual bodies were exhumed from the mass graves. Based on the results of forensic testing, it can be concluded that most of the persons whose bodies were exhumed were not killed in the course of fighting activities. **These people were killed in the course of mass executions.**

Grounded suspicion that the accused Stupar Miloš and other members of the Second Detachment of the Special Šekovići Police committed the criminal offense of Genocide referred to in the BiH CC Article 171 derives from the evidence collected during the investigation, in particular from the statement of the accused Mitrović Petar and Stevanović Miladin, the testimony of the accused Stupar Miloš before the ICTY in the capacity of a witness for the defense in the case against the accused Vidoje Blagojević (IT-02-60-T), the statement of the accused Ljubiša Borovčanin and the statement of Trifunović Milenko given before the ICTY.

The testimonies of witnesses Čedo Milomir, Radić Siniša, Bože Bagarić and Sabina Sarajlija confirm that Mitrović Petar gave the statements on record on his own free will and without any pressure, deception, threats, in a state of overall physical and mental health, both to the Police on 20 June and to the Prosecutor on 21 June 2005, whereby he confirmed all determining facts regarding the names of the perpetrators, method, place and time of committing the criminal offense.

Beside the suspect statements, casting some light onto the circumstances under which the criminal offense was committed are the witnesses heard during the investigation, who will testify before the Court.

Among the most important testimonies are the testimonies of two surviving witnesses at the site of mass execution in Kravica Farming Warehouse, who will testify under the pseudonyms of [REDACTED] and [REDACTED]. In his statement, the witness [REDACTED] gave details on the circumstances whereby a rather large group of Bosniaks, some 400-500 persons, surrendered to the Serb Army after they got surrounded on the territory above Kamenica. Some of the Bosniaks even got wounded as there was some shooting. The witness also described the events on the meadow where they were held prior to being taken in a column escorted by armed military to the Kravica Farming Warehouse. Particularly important is the part of the testimony that speaks of the moment when the shooting started at the Warehouse, where the witness insists that the shooting at the prisoners started immediately after the last prisoner had entered the hangar and that the shooting of prisoners was not preceded by any immediate resistance on the part of the prisoners, shooting on the part of the prisoners, which persuasively eliminates the claims by numerous witnesses and accused that the shooting started after the killing of the police

officer Dragičević Krsto. In more or less identical way, this claim was eliminated by the statement of the protected witness S-2, who claimed that the killing of prisoners started without any provocation on the part of the prisoners.

Also important are testimonies of direct witnesses to the massacre, first of all the employees at the Kravica Farming, among others [REDACTED], [REDACTED], [REDACTED], [REDACTED], the testimonies of the members of the Second Detachment of the Special Šekovići Police, as follows: [REDACTED], [REDACTED], [REDACTED], and others; testimonies of the members of the Civilian Protection of the Bratunac Brigade who were [REDACTED] and [REDACTED] who testified before the ICTY. The cleanup implied the loading of corpses by excavators onto trucks, transporting them to previously set locations in Glogova, from where several months later in 1995 the remains were dug up and hidden in secondary graves on Zeleni Jadar.

There is also substantial material evidence that confirm that at the time the criminal offense was committed the accused were deployed in Bratunac, more specifically in Sandići and Kravica: Miloš Stupar in the capacity of commander and other accused as members of the Second Detachment of the Special Šekovići Police and that they took active part in the relevant events. This was also proven by a video tape made by a journalist, [REDACTED] on 13 July 1995, presented during the trial against Vidoje Blagojević before the ICTY, wherein immediately before the killings at the warehouse of Kravica Farming were committed, the accused [REDACTED] a.k.a. [REDACTED] was identified on the tape, armed, guarding a group of civilians gathered on the meadow in Sandići, while a civilian next to him was calling the Bosniaks hiding in the nearby wood to surrender to the "Serbs". Identified on the tape was also [REDACTED] standing with the Deputy Commander of the Special Police Brigade, Ljubiša Borovčanin. [REDACTED] is a person for whom there is grounded suspicion that on the relevant occasion, as a member of the 3rd Skelani Platoon, he fired the sub-machine gun at the detained Bosniaks, which was indicated in the statement of the suspects [REDACTED] and numerous other statements of witnesses who had direct or indirect information on the killings at the warehouse. After the war, [REDACTED] died in an accident. On the said tape, one can see the corpses in front of the Kravica Farming Warehouse, shot from a vehicle passing by the Warehouse on 13 July 1995. There are numerous photographs and satellite shots that objectively testify on the events at the warehouses of the Kravica Farming Cooperative, showing buses parked in front of the Warehouse, the soil disturbed, testifying on the relocation of the remains from mass graves and the very locations of mass graves.

At the relevant time, the accused Miloš Stupar was the commander of the Second Detachment of the Special Šekovići Police. This is indisputable from the material evidence enclosed to the indictment, which testifies to his status in the Detachment, and from the statements of witnesses as well as those accused and convicted before the ICTY in The Hague. The accused is liable both under individual and command responsibility referred to in the BiH CC Article 180 (1) (2). Beside taking part in the committing of the criminal offense by commanding the unit that had captured and executed the prisoners and instigating by his mere presence his subordinates to commit the crime, the accused also failed to undertake necessary and reasonable measure to prevent the committing of the criminal offense or to punish the perpetrators. Although the evidence collected during

the investigation indicates that [REDACTED] also had certain command responsibility, it was indisputably established that at the time the criminal offense was committed both *de jure* and *de facto*, Miloš Stupar commanded the squad and [REDACTED] was his deputy. This is clear from material documents (for example, payroll for July) and from the fact that in those days since the action against Srebrenica started Stupar Miloš appeared at important meetings with Ljubiša Borovčanin in the capacity of commander of the 2nd Detachment, and he was at the scene in Sandići at the time when Ratko Mladić arrived and addressed the prisoners, he was at the scene in front of the Kravice Warehouse at the time of executions (statements by Ljubiša Borovčanin, [REDACTED] et al., as well as his confession), which went on the entire night and the next day and he did not do anything to prevent the killings or punish the perpetrators. Detailed analysis of his role and the role of the 2nd Detachment of the Special Šekovići Police, its background, origin, and war history was explained in the finding of a military analyst of the Prosecutor's Office of BiH, Marko Prelec.

Accused Matić Milovan in his previous statements given on the record to the CJB in Bijeljina and to the Prosecutor's Office BiH as the suspect, he admitted that on the relevant occasion he was filling clips for "special forces" who were shooting at prisoners detained in the Kravica Farming Warehouse. The statement of witness [REDACTED] shows that on 13 July 1995 accused Matić Milovan took other incriminating actions against detainees, such as entering hangar for alleged identification of certain Bosniaks who had ambushed and killed some Serb soldiers, and his involvement in obtaining property gain by taking valuables from detainees prior to their execution. It stems from the statement of the protected witness S-2 that the captured Bosniaks had been robbed first by taking their watches, gold items, money, and then killed. From this we reasonably conclude that the allegations of the accused are not true that he happened to be on the crime scene and that he was allegedly forced to participate in commission of the crime. By filling clips and giving ammunition to the direct executors he contributed significantly to the commission of criminal offence of killing of over one thousand Bosniaks detained in hangars of the Kravica Farming Warehouse. His awareness of what was going on inside the hangars of Kravica arose from his statement that he had heard cries and wails that clearly indicated to him that people had been killed there. His actions constitute elements of the criminal offence he is charged with by the indictment.

Evaluating the above mentioned we deem that there is sufficient evidence proving that the accused committed the criminal offence they are charged with in the Indictment, and the intention to commit Genocide arises from the fact that the captured Bosniak men did not pose any serious threat from the military point of view, and the decision on the part of the accused to execute the planned and organized killing did not stem exclusively from the intention to eliminate them as a military threat. The killing of the military aged men undoubtedly constituted a physical liquidation, considering the proportion of killing, their extermination was motivated by genocidal intention. The accused were aware that having in mind the patriarchal nature of the Bosniak community in Srebrenica, the killing of so many men would unavoidably result in physical disappearance of Bosniak population in Srebrenica. Having in mind that most of the killed men are officially recorded as the missing, their wives cannot re-marry and have more children. Therefore, physical liquidation of men caused severe consequences for the coming generations in the Srebrenica Bosniak community, with possibility of its extinction. The accused, as an



integral part of the VRS and MUP RS forces, were aware of those consequences when they decided to systematically eliminate the captured men.

Forcible transfer of women, children and elderly people was another method used to ensure physical destruction of the Bosniak community from the Srebrenica Safe Zone. By this transfer all Bosniaks were definitely removed from Srebrenica whereby the slightest possibility for the revival of the Bosniak community in that area was eliminated. The decision not to kill women and children can be explained by the existence of awareness of the public opinion on the part of the participants in the joint criminal enterprise. As opposed to the operation of killing of captured men, such operation was difficult to hide or to be presented as a military operation, therefore it posed a higher risk of the international condemnation. The major issue while finding if the Genocide was committed in Srebrenica is whether the intention to commit Genocide existed. Though such intention has to be confirmed by facts, the evidence that the perpetrator chose the most effective method to achieve his aim to destroy the targeted part of the group is not necessary evidence for the criminal offence of Genocide. Even when the chosen method fails to lead to full implementation of the perpetrator's intention, and the destruction remains incomplete, the mere ineffectiveness does not rule out the conclusion that the genocidal intention existed. The International Community's attention focused on Srebrenica, as well as the presence of the UN forces in that area, prevented the VRS HQ members, who had devised the genocidal plan, from implementing it in the most direct and effective manner. Limited by the circumstances, they applied the method that enabled them to implement their genocidal plan with the least possible risk of retribution. The factual circumstances allow for the conclusion that killings of Bosniaks were committed with the genocidal intention. As explained above, the proportion of killing, as well as awareness of the VRS HQ of its fatal consequences to the Bosnian Muslim community in Srebrenica, including other actions taken by HQ to ensure physical disappearance of that community, presents sufficient factual basis to conclude that a special intent existed.

ALL THE ACCUSED together with other VRS and MUP officers and units stated herein were members and knowing participants in the joint criminal enterprise, the common purpose of which was: to forcibly transfer women and children from the Srebrenica enclave to Kladanj on 12 and 13 July 1995; and to capture, detain and summarily execute by firing squad, to bury and then rebury thousands of Bosniak men and boys aged 16 to 60 from the Srebrenica enclave from 12 July 1995 until about 19 July 1995. The initial plan was to forcibly relocate and summarily execute more than 1,000 men and boys, Bosnian Muslims, aged 16 to 60 who had been singled out of the group of Bosniaks in Potočari on 12 and 13 July. On 12 July, that plan was broadened to include the summary execution of more than 6,000 men and boys aged 16 to 60, who had been captured from the column of Bosniak men fleeing the Srebrenica enclave in the period between 12 July and 19 July 1995. The majority of those men and young boys were captured on the Bratunac-Milići road on 13 July 1995. The implementation of this joint criminal enterprise resulted in the summary execution of over 7,000 men and boys, Bosniaks from the Srebrenica enclave.

ALL THE ACCUSED possessed the criminal intent and state of mind required to commit criminal offence they are charged with by this indictment, and their acts significantly assisted and facilitated the commission of all the crimes against ethnic Bosniaks. The participation of the accused in the joint criminal enterprise and the specific

acts and responsibilities described in this indictment satisfy the elements required for a finding that, pursuant to Article 180 of the Criminal Code of Bosnia and Herzegovina (BiH CC) the **ACCUSED** committed and aided the commission of Genocide under Article 171 of the BiH CC.

The joint criminal enterprise of which the **ACCUSED** were members and key participants, was conceived and devised by General Ratko Mladić and others on 11 and 12 July 1995, and administered and carried out by members of the VRS and MUP forces at the time and in the manner described in this indictment.

Members of this joint criminal enterprise included: General Ratko Mladić, the Commander of the VRS; General Milenko Živanović, Commander of the Drina Corps through about 20:00 hours on 13 July 1995; General Radislav Krstić, Chief of Staff/Deputy Commander through about 20:00 hours on 13 July 1995 and, thereafter, Commander of the Drina Corps; Colonel Vidoje Blagojević, Commander of the Bratunac Brigade; Colonel Vinko Pandurević, Commander of the Zvornik Brigade; Lieutenant Colonel Dragan Obrenović, Deputy Commander and Chief of Staff of the Zvornik Brigade; Momir Nikolić, Assistant Commander for Security and Intelligence of the Bratunac Brigade; Dragan Jokić, Chief of Engineering of the Zvornik Brigade; Ljubomir Borovčanin, Commander of the MUP Special Police Brigade founded by 64/95 Order, and **ALL THE ACCUSED**, members of the joint MUP forces; and various other individuals and military and police units participating in the operation of forcible transfer and /or killing of Muslim men and boys, including but not limited to the following:

At all relevant times to this Indictment, **MILOŠ STUPAR** was the Commander of the 2nd Šekovići Detachment within joint force of MUP units (including a Company from the Jahorina Training Center and the 1st Company from the Zvornik Center) under the command of Lubiša BOROVIČANIN which was under the command of the VRS Drina Corps, and further subordinated to the VRS Main Staff under the command of General Ratko Mladić.

At all relevant times to this Indictment, **MILENKO TRIFUNOVIĆ** was the Commander of the 3rd Platoon "Skelani" of the 2nd Šekovići Detachment, of the MUP Special Police Brigade and at all relevant time was subordinated to **MILOŠ STUPAR** and, accordingly, in the chain of command for all purposes at issue, of the Drina Corps of VRS under command of Radislav Krstić and the VRS Main Staff under command of General Ratko Mladić.



Materials supporting the allegations made in the indictment:

STATEMENTS OF THE SUSPECTS:

1. Record on examination of the suspect Miloš Stupar, BiH Prosecutor's Office, No. KT-RZ-10/05 dated 22 June 2005,
2. Record on examination of the suspect Miloš Stupar, BiH Prosecutor's Office, No. KT-RZ-10/05 dated 23 June 2005,
3. Record on examination of the suspect Milenko Trifunović, BiH Prosecutor's Office, No. KT-RZ-10/05 dated 22 June 2005,
4. Record on examination of the suspect Petar Mitrović, BiH Prosecutor's Office, No. KT-RZ-10/05 dated 21 June 2005,
5. Record on examination of the suspect Brano Džinić, BiH Prosecutor's Office, No. KT-RZ-10/05 dated 22 June 2005,
6. Record on examination of the suspect Aleksandar Radovanović, BiH Prosecutor's Office, No. KT-RZ-10/05 dated 22 June 2005,
7. Record on examination of the suspect Slobodan Jakovljević, BiH Prosecutor's Office, No. KT-RZ-10/05 dated 23 June 2005,
8. Record on examination of the suspect Slobodan Jakovljević, BiH Prosecutor's Office, No. KT-RZ-10/05 dated 22 June 2005,
9. Record on examination of the suspect Miladin Stevanović, BiH Prosecutor's Office, No. KT-RZ-10/05 dated 1 July 2005,
10. Record on examination of the suspect Miladin Stevanović, BiH Prosecutor's Office, No. KT-RZ-10/05 dated 24 June 2005,
11. Record on examination of the suspect Velibor Maksimović, BiH Prosecutor's Office, No. KT-RZ-10/05 dated 24 June 2005,
12. Record on examination of the suspect Dragiša Živanović, BiH Prosecutor's Office, No. KT-RZ-10/05 dated 15 August 2005,
13. Record on examination of the suspect Dragiša Živanović, BiH Prosecutor's Office, No. KT-RZ-10/05 dated 24 June 2005,
14. Record on examination of the suspect Milovan Matić, BiH Prosecutor's Office, No. KT-RZ-10/05 dated 23 June 2005,
15. Record on examination of the suspect Branislav Medan, BiH Prosecutor's Office, No. KT-RZ-10/05 dated 23 August 2005,
16. Record on hearing the witness Miloš Stupar, MUP Republika Srpska, Bijeljina Security Service Center, No. 12-02/4 dated 15 August 2003,
17. Record on hearing the witness Petar Mitrović, MUP Republika Srpska, Bijeljina Public Security Center (CJB), No. 12-02/4 dated 20 June 2005,
18. Record on hearing the witness Milovan Matić, MUP Republika Srpska, Bijeljina Public Security Center (CJB), Bratunac Police Station, No. 12-1-7/02-230-468/03 dated 21 August 2003,
19. Record on hearing the witness Milovan Matić, MUP Republika Srpska, Bijeljina Public Security Center (CJB), No. 12-02/4 dated 19 June 2005,



STATEMENTS OF THE WITNESSES:

20. Record on hearing the protected witness S-1, BiH Prosecutor's Office, No. KT-RZ-10/05 dated 30 November 2005,
21. Record on hearing the witness [REDACTED] BiH Prosecutor's Office, No. KT-RZ-10/05 dated 10 October 2005,
22. Record on hearing the witness [REDACTED], BiH Prosecutor's Office, No. KT-RZ-10/05 dated 12 July 2005,
23. Record on hearing the witness [REDACTED], BiH Prosecutor's Office, No. KT-RZ-10/05 dated 11 July 2005,
24. Record on hearing the witness [REDACTED], BiH Prosecutor's Office, No. KT-RZ-10/05 dated 29 June 2005,
25. Record on hearing the witness [REDACTED] BiH Prosecutor's Office, No. KT-RZ-10/05 dated 13 July 2005,
26. Record on hearing the witness [REDACTED] BiH Prosecutor's Office, No. KT-RZ-10/05 dated 13 July 2005,
27. Record on hearing the witness [REDACTED] BiH Prosecutor's Office, No. KT-RZ-10/05 dated 9 October 2005,
28. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-316/05 dated 5 October 2005,
29. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-326/05 dated 13 October 2005,
30. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-342/05 dated 19 October 2005,
31. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-343/05 dated 20 October 2005,
32. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-346/05 dated 18 October 2005,
33. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-349/05 dated 19 October 2005,
34. Record on hearing the witness [REDACTED], SIPA, No. 14-04/2-330/05 dated 12 October 2005,
35. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-340/05 dated 18 October 2005,
36. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-332/05 dated 13 October 2005,
37. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-329/05 dated 12 October 2005,
38. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-327/05 dated 12 October 2005,
39. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-398/05 dated 1 November 2005,
40. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-396/05 dated 31 October 2005,
41. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-394/05 dated 27 October 2005,
42. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-393/05 dated 27 October 2005,



43. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-391/05 dated 27 October 2005,
44. Record on hearing the witness [REDACTED], SIPA, No. 14-04/2-388/05 dated 26 October 2005,
45. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-387/05 dated 25 October 2005,
46. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-386/05 dated 25 October 2005, with SIPA's official note, No. 14-04/2-43/05 dated 9 December 2005,
47. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-385/05 dated 25 October 2005,
48. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-401/05 dated 1 November 2005,
49. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-308/05 dated 27 September 2005,
50. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-293/05 dated 21 September 2005,
51. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-292/05 dated 21 September 2005,
52. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-290/05 dated 20 September 2005,
53. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-281/05 dated 16 September 2005,
54. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-280/05 dated 15 September 2005,
55. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-279/05 dated 15 September 2005,
56. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-/05 dated 16 November 2005,
57. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-/05 dated 16 November 2005,
58. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-/05 dated 16 November 2005,
59. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-/345 dated 20 October 2005,
60. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-446/05 dated 6 December 2005,
61. Record on hearing the witness [REDACTED] SIPA, No. 14-04/2-445/05 dated 6 December 2005,
62. Record on hearing the witness [REDACTED] MUP Republika Srpska, Bijeljina Public Security Center (CJB), No. -/05-str.pov (strictly confidential) dated 15 August 2005,
63. Record on taking [REDACTED] statement, MUP Republika Srpska, Bijeljina Public Security Center (CJB), No. 12-02/4 dated 20 June 2005,
64. Record on taking [REDACTED] statement, MUP Republika Srpska, Bijeljina Public Security Center (CJB), No. 12-02/4 dated 19 June 2005,
65. Record on taking [REDACTED] statement, MUP Republika Srpska, Bijeljina Public Security Center (CJB), No. 12-02/4 dated 19 June 2005,



66. Record on taking [REDACTED] statement, MUP Republika Srpska, Bijeljina Public Security Center (CJB), No. 12-02/4 dated 19 June 2005,
67. Record on taking [REDACTED] statement, MUP Republika Srpska, Bijeljina Public Security Center (CJB), No. 12-02/4 dated 19 June 2005,
68. Record on taking [REDACTED] statement, MUP Republika Srpska, Bijeljina Public Security Center (CJB), No. 12-02/2 dated 18 June 2005,
69. Record on taking [REDACTED] statement, MUP Republika Srpska, Bijeljina Public Security Center (CJB), No. 12-02/4 dated 18 June 2005,
70. Record on taking [REDACTED] statement, MUP Republika Srpska, Bijeljina Public Security Center (CJB), No. 12-02/6 dated 18 June 2005,
71. Record on taking [REDACTED] statement, MUP Republika Srpska, Bijeljina Public Security Center (CJB), No. 12-02/2 dated 18 June 2005,
72. Record on taking [REDACTED] statement, MUP Republika Srpska, Bijeljina Public Security Center (CJB), No. 12-02/6 dated 18 June 2005,
73. Record on taking [REDACTED] statement, MUP Republika Srpska, Bijeljina Public Security Center (CJB), Bratunac Police Station, No. 12-1-7/230-483/03 dated 26 August 2003,
74. Record on taking [REDACTED] statement, MUP Republika Srpska, Bijeljina Public Security Center (CJB), No. 12-02/2 dated 15 June 2005,
75. Record on hearing the witness [REDACTED] MUP RS, No. 05-str.pov. (strictly confidential) dated 15 August 2005,
76. Statement made by [REDACTED] before the ICTY, on 15 May, 16 May, 19 May, 21 May, 22 May 2003,
77. Statement made by [REDACTED] before the ICTY, on 5/6 February 2004,
78. Statement made by the witness K in the *Krstić* case before the ICTY, accepted under Rule 92 *bis*, 17 December 2003,
79. Statement made by [REDACTED] before the ICTY, 26 June 2002, 28 and 29 April 2004,
80. Statement made by [REDACTED] before the ICTY, 29 October 2004,
81. Statement made by Ljubiša Borovčanin before the ICTY, 20 February 2002, 11 March 2002,
82. Statement made by [REDACTED] before the ICTY, 8 March 1999,
83. Statement made by [REDACTED] before the ICTY, 9 July 2000, 26 August 2002, 10 June 2003,
84. Statement made by [REDACTED] before the ICTY, 28 September 1995, 3 February 1998,
85. Statement made by [REDACTED] before the ICTY, 24 October 1995, 9 July 1999, 30 April 2000,
86. Statement made by [REDACTED] before the ICTY, 26 September 1995,
87. Statement made by [REDACTED] before the ICTY, 26 September 2005,
88. Statement made by [REDACTED] before the ICTY, 28 September, 9 October 1995,



89. Statement made by [REDACTED] before the ICTY, 23 September 1997,
90. Statement made by [REDACTED] before the ICTY, 6 October 1999,
91. Statement made by [REDACTED] before the ICTY, 25 October 1995,
92. Statement made by [REDACTED] before the ICTY, 29 November 1999,
93. Statement made by [REDACTED] before the ICTY, 16 March 2002, 4 December and 5 December 2003,
94. Statement made by [REDACTED] before the ICTY, 22 January 2004,
95. Statement made by [REDACTED] before the ICTY, 28 November 2001,
96. Statement made by [REDACTED] before the ICTY, 16 December 1997, 4 February 1998, 21 October 1999, 12 March 2001, 25 November 2003,
97. Statement made by [REDACTED] before the ICTY, 23 June 1999, 15 December 1999, 28 May 2005,
98. Statement made by [REDACTED] before the ICTY, 2 April 2000, 4 June 2003, 5 February 2004,
99. Statement on facts and on plea of guilty, Dragan Obrenović,
100. Statement on facts and on plea of guilty, Momir Nikolić.

MATERIAL EVIDENCE:

1. Order of Tomo Kovač, Staff Commander, No. 64/95 dated 10 July 1995,
2. List of members of the 2nd Detachment Šekovići – Skelani platoon 1-46,
3. List of members of the 2nd Detachment Šekovići who earned their personal income for the month of July 1995, - Special brigade – 2nd Detachment of the Special Police Šekovići,
4. Photo documents of the MUP Republika Srpska, Bijeljina Public Security Center (CJB), No. 583/03 dated 25 August 2003,
5. Dragomir Vasić's official dispatch, Zvornik Public Security Center (CJB), No. 281/95 dated 12 July 1995,
6. Dragomir Vasić's official dispatch, Zvornik Public Security Center (CJB), No. 282/95 dated 13 July 1995,
7. Dragomir Vasić's official dispatch, Zvornik Public Security Center (CJB), No. 283/95 dated 13 July 1995,
8. Dragomir Vasić's Official dispatch, Zvornik Public Security Center (CJB), No. 12-6/08-508/95 dated 14 July 1995,
9. Report on partially completed restoration of the terrain of the Srebrenica territory, Kravica region, State Commission for Exchange of Prisoners of War and Missing Persons, No. 193/97 dated 29 May 1997,
10. Statement from the hospital protocol for 13 July 1995,
11. Official note of the Bratunac Police Station dated 24 April 2004,
12. Structure of the Special Police Brigade,
13. Letter of the State Investigation and Protection Agency, strogo pov. (strictly confidential) No. 14-04/2-408-8/05 dated 15 November 2005,



14. List of members of the Special Police Brigade, submitted by the MUP Republika Srpska, Crime Police Administration, No. 02/3-str.pov. 994/05 dated 26 October 2005,
15. List of members of the Special Police Brigade, submitted by the MUP Republika Srpska, Crime Police Administration, (several columns),
16. Findings and opinion of a team that performed a neuropsychiatric expert evaluation of Petar Mitrović, Prof. Dr Abdulah Kučukalić, prim.dr.sci. Alma Bravo-Mehmedbašić and Senahid Fadilpašić, dated 5 September 2005, with CT scans, EEG of the brain,
17. Forensic Psychiatric examination of Petar Mitrović made on 29 August 2005,
18. UN's registration certificate dated 4 July 2000 made out to the name of Miloš Stupar with certificates attached,
19. Diploma on higher education earned by Miloš Stupar dated 19 July 2000, with a letter,
20. Certificate of the High School for Coaches in Belgrade, No. 457/1 dated 7 September 2000,
21. Decision of the MUP Republika Srpska dated 3 March 1997,
22. Personnel questionnaire for determining the rank of the authorized official Miloš Stupar,
23. Decision of the MUP Republika Srpska, No. 08/1-120-3474 dated 23 August 1995,
24. Decision of the MUP Republika Srpska, No. 09-6539 dated 24 February 1995,
25. Decision of the MUP Republika Srpska, No. 09-4231 dated 10 March 1993,
26. Decision of the MUP Republika Srpska, No. 03/1-2-120-8659 dated 27 May 1999,
27. Decision of the MUP Republika Srpska, No. 05/2-120-9000 dated 1 November 2001,
28. Certificate on submitted insurance registration and its cancellations for Miloš Stupar dated 17 July 2001, with attachments,
29. Copy of Miloš Stupar's employment booklet,
30. Letter of the MUP Republika Srpska, Zvornik Public Security Center (CJB), dated 16 July 2001,
31. Letter of the MUP Republika Srpska, Zvornik Public Security Center (CJB), dated 7 June 2001,
32. Letter of the MUP Republika Srpska, Bijeljina Public Security Center (CJB), dated 26 June 2001,
33. Official dispatch of Miloš Stupar, Commander of the 2nd Detachment of the Šekovići Special Police, No. 01/1-1-4/2-62 dated 18 July 1995,
34. Official act – Approval of Miloš Stupar, Commander of the 2nd Detachment of the Šekovići Special Police, No. 01/1-8-372/94-62 dated 16 November 1994,
35. Official act – Notice of Miloš Stupar, Commander of the 2nd Detachment of the Šekovići Special Police, No. 01/1-8-305/94 dated 8 September 1994,
36. Official act of Miloš Stupar, Commander of the 2nd Detachment of the Šekovići Special Police, No. 01/1-8-359/94 dated 2 November 1994,
37. Report on committed criminal offences, MUP Republika Srpska, Bijeljina Public Security Center (CJB), No. 12-02/4-230-716/05 dated 21 June 2005,



38. Record on crime scene investigation and reconstruction with the witness [REDACTED], BiH Prosecutor's Office, No. KT-RZ-10/05 dated 29 September 2005, with video recording,
39. Record on crime scene investigation and reconstruction with the suspect Milovan Matić, BiH Prosecutor's Office, No. KT-RZ-10/05 dated 29 September 2005, with video recording,
40. Record on crime scene investigation and reconstruction with the suspect Petar Mitrović, BiH Prosecutor's Office, No. KT-RZ-10/05 dated 4 October 2005,
41. Record on crime scene investigation and reconstruction with the witness [REDACTED], BiH Prosecutor's Office, No. KT-RZ-10/05 dated 4 October 2005, with a video recording,
42. Official report of the State Investigation and Protection Agency, No. 14-04/2-357-2/05 dated 13 September 2005,
43. Letter of the MUP Republika Srpska, Crime Police Administration, No. 02/3-str.pov. (strictly confidential) 566/05 dated 24 June 2005,
44. Letter of the MUP Republika Srpska, Bijeljina Public Security Center (CJB), No. 12-02/4-233-716/05 dated 28 June 2005,
45. Letter of the BiH Prosecutor's Office, No. KT-RZ-10/05 dated 22 August 2005,
46. Letter of the MUP Republika Srpska, Bijeljina Public Security Center (CJB), No. 12-02/4-233-716/05 and 394 dated 30 August 2005,
47. Letter of the MUP Republika Srpska, Bijeljina Public Security Center (CJB), No. 02-str.pov. (strictly confidential) 818/05 dated 7 September 2005,
48. Letter of the BiH Prosecutor's Office dated 12 October 2005 to the MUP Republika Srpska, Crime Police Administration, with summonses issued to the suspects,
49. Official note of the State Investigation and Protection Agency, No. 14/04/2-31/05 dated 14 November 2005,
50. Report on the role of the 2nd Detachment of the Šekovići Special Police Brigade and the 3rd Skelani platoon in killing more than one thousand Bosniaks, 13 July 1995, military analyst: Prof. Dr Marko Prelec,
51. Request for assistance of the BiH Prosecutor's Office, No. KT-RZ-10/05 dated 8 July 2005, sent to the ICTY,
52. Request for assistance of the BiH Prosecutor's Office, No. KT-RZ-10/05 dated 6 September 2005, sent to the ICTY,
53. Request for assistance of the BiH Prosecutor's Office, No. KT-RZ-10/05 dated 3 October 2005, sent to the ICTY,
54. ICTY reply to the request of the BiH Prosecutor's Office dated 8 September 2005,
55. ICTY reply, dated 2 September 2005, to the request of the BiH Prosecutor's Office accompanied by a list of attachments (English version),
56. ICTY letter with a CD attached thereto, received in the BiH Prosecutor's Office on 27 June 2005,
57. ICTY letter dated 4 October 2005,
58. Letter of ICTY Deputy Prosecutor dated 9 August 2005,
59. Internal memorandum of the ICTY to the BiH Prosecutor's Office dated 21 November 2005,



60. Request of the BiH Prosecutor's Office for assistance – cooperation sent to the Prosecutor's Office for War Crimes of the Republic of Serbia dated 28 November 2005,
61. Letter of the BiH Prosecutor's Office, No. Str.pov.29/05 dated 2 December 2005,
62. Certificate of Criminal Record for Miloš Stupar, Bijeljina Public Security Center (CJB), Šekovići Police Station dated 16 November 2005,
63. Certificate of Criminal Record for Brano Džinić, Živinice Police Administration, Kladanj Police Station dated 16 November 2005,
64. Certificate of Criminal Record for Milenko Trifunović, Bijeljina Public Security Center (CJB), Srebrenica Police Station dated 22 November 2005,
65. Certificate of Criminal Record for Petar Mitrović, Bijeljina Public Security Center (CJB), Srebrenica Police Station dated 22 November 2005,
66. Certificate of Criminal Record for Aleksandar Radovanović, Bijeljina Public Security Center (CJB), Srebrenica Police Station dated 22 November 2005,
67. Certificate of Criminal Record for Miladin Stevanović, Bijeljina Public Security Center (CJB), Srebrenica Police Station dated 22 November 2005,
68. Certificate of Criminal Record for Slobodan Jakovljević, Bijeljina Public Security Center (CJB), Srebrenica Police Station dated 22 November 2005,
69. Certificate of Criminal Record for Velibor Maksimović, Bijeljina Public Security Center (CJB), Srebrenica Police Station dated 22 November 2005,
70. Letter of the MUP RS dated 22 November 2005 on submission of lists of members of the 2nd Detachment,
71. Reply of the MUP RS to the investigation ordered by Karadžić on 1 April 1996 in connection with Srebrenica, BSC-P714b, (Bosnian and English version),
72. Semi-annual report of the MUP RS, Special police brigade, Second detachment of the special police Šekovići, No. 01/1-1-1/2-230/95 dated 5 July 1995, ENG-P853a (Bosnian and English version),
73. Structure of the RS police in the area covered by the Drina Corps dated 12 July 1995-P363,
74. Brochure-photos abstracted from a video recording of the trial of Srebrenica-P22,
75. Brochure-Book for identification of Bosnian Moslems-P23,
76. Photo of a cross-roads taken from a hill in the direction of Konjević Polje-P8.1,
77. Air photo of Bratunac -P12.1,
78. Air photo of Bratunac, marked by a witness in the course of presentation of evidence-P677,
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80. Photo of arrival of a bulldozer dated 5 July 1995 with traces of truck tyres-P8.9,
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90. Air photo of Glogova dated 17 July 1995-P11.3,
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97. Air photo of Potočari dated 13 July 1995-P50,
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99. Photo of a warehouse in Kravice, taken from P-10.1, marked by a witness- P60,
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109. Map of Kravice -P4.3,
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115. Srebrenica and Žepa, July 1995,
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118. Disturbed soil, Glogova, 30 October 1995-P570,
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120. Film Petrović with a DVD (set) supported by a transcript for a compiled video recording, - P21, (Bosnian and English version),
121. Film from the crime scene investigation conducted by [REDACTED] investigator with the BiH Prosecutor's Office, dated 1 July 2005, with an official note attached,
122. Audio recording of testimony by [REDACTED] with an ICTY supporting letter responding to the request for assistance sent by the BiH Prosecutor's Office, 5 CD's.
123. Audio recording of testimony by the witness P-106, 1 CD.



124. Audio recording of testimony by the witness [REDACTED] 2-CD-a
125. Audio recording of testimony by [REDACTED] 2-CD.
126. Drawing of the place of Kravice, No. 14-13/1-7-243/05 dated 4 October 2005,
127. Photos of Brano Džinić, 21 pcs
128. Photos of Velibor Maksimović, 3 pcs
129. Photos of Miloš Stupar, 3 pcs
130. Decision on extraordinary promotion of Milenko Trifunović to a higher rank, MUP RS Sarajevo, No. 08/1-134-5586 dated 24 April 1996,
131. Decision on extraordinary promotion of Brano Džinić to a higher rank, MUP RS Sarajevo, No. 08/1-134-5544 dated 24 April 1996,
132. Decision on determining the rank of Brano Džinić, MUP RS Sarajevo, No. 08/1-134-91, dated 20 October 1995,
133. Decision on assignment of Miloš Stupar to the position of Commander of the Detachment of the Šekovići Police, MUP RS, Sarajevo, No. 09-6539 dated 24 February 1994,
134. Decision of Republika Srpska, Šekovići Municipality, on determining the status of Miloš Stupar as the I category war veteran, No. 701/01 dated 30 April 2001,
135. Certificate of the Ministry of Defense, Srebrenica Division, made out to the name of Slobodan Jakovljević, No. 02-835-4/529/96 dated 8 July 1996,
136. Certificate of the MUP-a RS made out to the name of Slobodan Jakovljević, No. 01/1-1.4/2-178/97 dated 29 May 1997,
137. Decision of Republika Srpska, Skelani Municipality, on recognition of the status of Miladin Stevanović as a war veteran, No. 04-56/1253/00 dated 10 October 2000,
138. Decision on extraordinary promotion of Miladin Stevanović directly to a higher rank, MUP RS, No. 08/1-134-5579 dated 24 April 1996,
139. Certificate of the MUP RS, Bijeljina Public Security Center (CJB), Srebrenica Police Station – SOP Skelani, dated 22 April 2005, on surrender of weapons (AP-M-70, serial number 698529 and three clips),
140. Decision of the MUP RS, CJB Bijeljina No. 12-05/1-141-1138-783 dated 15 March 2005,
141. Decision on termination of employment of Velibor Maksimović, MUP RS No. 09/3-126-2202, dated 21 April 1997,
142. Decision of Republika Srpska, Skelani Municipality, on recognition of the status of Velibor Maksimović as a war veteran, No. 04-56-722/00 dated 5 July 2000,
143. Decision of the MUP RS on assigning Velibor Maksimović to the compulsory work service at the Detachment of the Šekovići Special Police, No. 09/3-120-2325 dated 23 February 1995,
144. Certificate of Republika Srpska, Ministry of Defense, Skelani division, No. 02-800-343/97 dated 2 June 1997,
145. Certificate of Republika Srpska, Ministry of Defense, Skelani division, No. 02-800-563/97 dated 14 August 1997,
146. Decision of the MUP RS on employment of Dragiša Živanović at the 2nd Observation Post for ATD Šekovići starting as of 1 June 1993, No. 09/3-120-752 dated 24 February 1997,



147. Decision of the Public Pension and Disability Insurance Fund on acknowledgment of doubling the length of service of Dragiša Živanović, No. 9306156874 dated 22 October 1997,
148. Decision on determining the rank to Dragiša Živanović, MUP RS, No. 08/1-134-144 dated 20 October 1995,
149. Decision on extraordinary promotion of Dragiša Živanović directly to a higher rank, MUP RS, No. 08/1-134-5533 dated 24 April 1996,
150. Decision of the MUP RS on assigning Dragiša Živanović to compulsory work service at the Detachment of the Šekovići Special Police, No. 09/3-120-4191 dated 1 November 1994,
151. Certificate of the MUP Republika Srpska, No. 01/1-1.4/2-650/96 dated 1 October 1996,
152. Dragomir Vasić's official dispatch, Zvornik Public Security Center (CJB), No. 01-01-0211-206/95 dated 17 July 1995,
153. Dragomir Vasić's official dispatch, Zvornik Public Security Center (CJB), No. 01-16-02/1-231/95 dated 28 July 1995,
154. Dragomir Vasić's official dispatch, Zvornik Public Security Center (CJB), No. 12-6/08-534/95 dated 19 July 1995,
155. Dragomir Vasić's official dispatch, Zvornik Public Security Center (CJB), No. 01-16-02/1-205/95 dated 15 July 1995,
156. Dragomir Vasić's official dispatch, Zvornik Public Security Center (CJB), No. 01-16-02/1-221/95 dated 22 July 1995,
157. Dragomir Vasić's official dispatch, Zvornik Public Security Center (CJB), No. 01-16-02/1-206/95 dated 17 July 1995,
158. Record on search of dwellings, other premises and personal property, State Investigation and Protection Agency, No. 4-14-/2-5/05 dated 12 September 2005,
159. Special official report on the criminal inspection of the scene of crime, CJB Bijeljina, No. 12-1/02-230-KTI-250/05 dated 13 September 2005;
160. Receipt on temporary seizure of objects, State Investigation and Protection Agency, No. 14-04/2-5/05 dated 12 September 2005;
161. Record on search of dwellings, other premises and personal property, State Investigation and Protection Agency, No. 14-04-/2-3/05 dated 12 September 2005,
162. Receipt on temporary seizure of objects, State Investigation and Protection Agency, No. 14-04/2-3/05;
163. Record on search of dwellings, other premises and personal property, State Investigation and Protection Agency, No. 14-04-/2-7/05 dated 12 September 2005,
164. Special official report on the criminal inspection of a crime scene, CJB Bijeljina, No. 12-02/5-233-211/05 dated 14 September 2005;
165. Report made on 13 September 2005, State Investigation and Protection Agency, No. 14-13/03-4/05 dated 13 September 2005;
166. Receipt on temporary seizure of objects, State Investigation and Protection Agency, No. 14-04/2-7/05 dated 12 September 2005;
167. Record on search of dwellings, other premises and personal property, State Investigation and Protection Agency, No. 14-04/2-2/05 dated 12 September 2005;



168. Official note, State Investigation and Protection Agency, No. 14-04/1-4/05 dated 13 September 2005;
169. Receipt on temporary seizure of objects, State Investigation and Protection Agency, No. 14-04/2-2/05 dated 12 September 2005;
170. Record on search of dwellings, other premises and personal property, State Investigation and Protection Agency, No. 14-04/2-1/05 dated 12 September 2005;
171. Receipt on temporary seizure of objects, State Investigation and Protection Agency, No. 14-04/2-1/05 dated 12 September 2005;
172. Receipt on temporary seizure of objects, State Investigation and Protection Agency, No. 14-04/2-13/05 dated 12 September 2005;
173. Record on search of dwellings, other premises and personal property, State Investigation and Protection Agency, No. 14-04/2-4/05 dated 12 September 2005;
174. Receipt on temporary seizure of objects, State Investigation and Protection Agency, No. 14-04/2-4/05 dated 12 September 2005;
175. Receipt on temporary seizure of objects, State Investigation and Protection Agency, No. 14-04/2-4/05 dated 12 September 2005;
176. Record on search of dwellings, other premises and personal property, State Investigation and Protection Agency, No. 14-04/2-8/05 dated 12 September 2005;
177. Receipt on temporary seizure of objects, State Investigation and Protection Agency, No. 14-04/2-8/05 dated 12 September 2005 (two sheets of paper);
178. Record on search of dwellings, other premises and personal property, State Investigation and Protection Agency, No. 14-04/2-9/05 dated 12 September 2005;
179. Receipt on temporary seizure of objects, State Investigation and Protection Agency, No. 14-04/2-9/05 dated 12 September 2005;
180. Record on search of dwellings, other premises and personal property, State Investigation and Protection Agency, No. 14-04/2-10/05 dated 12 September 2005;
181. Receipt on temporary seizure of objects, State Investigation and Protection Agency, No. 14-04/2-10/05 dated 12 September 2005;
182. Report on taken measures and actions under an order of the Court of BiH, State Investigation and Protection Agency, No. 14-04/2-SI./05 dated 13 September 2005;
183. Record on search of dwellings, other premises and personal property, State Investigation and Protection Agency, No. 14-04/2-12/05 dated 12 September 2005;
184. Record on search of dwellings, other premises and personal property, State Investigation and Protection Agency, No. 14-04/2-6/05 dated 12 September 2005;
185. Report after carrying out search ordered by the Court of BiH, State Investigation and Protection Agency, No. 14-13/3-5/05 dated 13 September 2005;
186. Receipt on temporary seizure of objects, State Investigation and Protection Agency, No. 14-04/2-12/05 dated 12 September 2005;
187. Receipt on temporary seizure of objects, State Investigation and Protection Agency, No. 14-04/2-6/05 dated 12 September 2005;



188. Photo documentation, Bijeljina Public Security Center (CJB), Bratunac Police Station (search of Brano Džinić's house) dated 12 September 2005;
189. Photo documentation, Bijeljina Public Security Center (CJB), No. 12-02/5-233-44/05 dated 14 September 2005 (search of Slobodan Jakovljević's house);
190. Photo documentation, Bijeljina Public Security Center (CJB), No. SL/05 dated 14 September 2005 (search of Milovan Matić's house);
191. Photo documentation, Bijeljina Public Security Center (CJB), No. 17/05 dated 14 September 2005 (team 9);
192. Photo documentation, Bijeljina Public Security Center (CJB), No. 12-02/5-206/05 dated 14 September 2005;
193. Photo documentation, CJB Ugljevik Police Station No. 12-4/02-KT-66/05 dated 14 September 2005 (search of Miloš Stupar's house);
194. Photo documentation, Bijeljina Public Security Center (CJB), Zvornik Public Security Station (search of Milenko Trifunović's house)
195. Photo documentation, Bijeljina Public Security Center (CJB), Vlasenica Police Station, No. 12-1-9/02-230-73/05 dated 14 September 2005 (search of Petar Mitrović's house);
196. Photo documentation, Bijeljina Public Security Center (CJB), Bratunac Police Station, Compound ZZ Kravica (sketch of a crime scene, Bijeljina Public Security Center (CSB), Bratunac Police Station, Compound ZZ Kravica)
197. Sketch of the crime scene, Bijeljina Public Security Center (CJB), No. 12-02/5-206/05 dated 13 September 2005;
198. Sketch of the crime scene, Bijeljina Public Security Center (CJB), Bratunac Police Station, Compound ZZ Kravice
199. ICTY Judgment, Radislav Krstić, (IT-98-33),
200. ICTY Judgment, Momir Nikolić, (IT-02-60/1-S),
201. ICTY Judgment, Dragan Obrenović, (IT-02-60/2-S),
202. ICTY Judgment, Miroslav Deronjić, (IT-02-61-S)
203. ICTY Judgment, Vidoje Blagojević (IT-02-60-T),
204. Statement of [REDACTED] (CD) on military events in Srebrenica (revision) – Operation "Krivaja 95" of 1 November 2002,
205. Report on command responsibility at the VRS brigades, [REDACTED] (CD),
206. Findings of expert evaluation of the Dutch Institute of Forensic Medicine – subject: investigation of textile fabrics dated 11 February 2000, -P564b (Bosnian and English version),
207. Report of the American Naval Investigation Service on examination and finding of evidence at a warehouse in Kravice, BSC-P565b (Bosnian and English version),
208. Additional Report on the number of missing persons and dead persons in Srebrenica, by H. Brunborg, BSC-P726b, (Bosnian and English version),
209. Report on the number of missing persons and dead persons in Srebrenica by [REDACTED], BSC-P725b, (Bosnian and English version),
210. Report on examination and finding of evidence in a warehouse in Kravice, BSC-P561, (Bosnian and English version),
211. Report on samples of blood and tissue found in a school in Grbavica and in a warehouse in Kravice, ENG-P563a, (Bosnian and English version),
212. OTP Report entitled: Missing persons from Srebrenica – persons registered as missing after the conquering Srebrenica-P729,



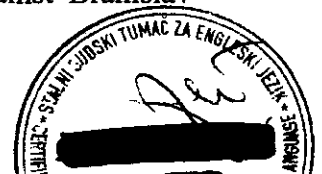
213. ICRC list of missing persons-P658,
214. Summary of forensic evidence from a mass grave exhumed in the course of 2000 (Bosnian and English version),
215. Report on exhumations of the Glogova 1 mass grave in 2000 (Bosnian and English version),
216. Report on exhumations of the Glogova 2 mass grave in 1999-2001, forensic anthropologist Jose Pablo Baraybar (Bosnian and English version),
217. Summary of forensic evidence from places of execution and a mass grave, ICTY investigator [REDACTED] 16 May 2000 (Bosnian and English version),
218. Report of the chief pathologist of the Srebrenica grave, ICTY, 1999 (Bosnian and English version),
219. Report on examination and taking of evidence from a warehouse in Kravice, September - October 2000 (Bosnian and English version),
220. ICRC publication, Missing persons on the BiH territory, 30 June 1998-P728.
221. Certificate of Criminal Record for Milovan Matić, Bijeljina Public Security Center (CJB), Bratunac Police Station, No. 12-1-7/02-235-121/05 dated 24 November 2005.
222. ICTY reply to the request for assistance dated 30 November 2005.
223. ICTY letter with a list of materials related to [REDACTED]
224. Audio recording of testimony by Miloš Stupar before the ICTY.
225. Bestowing "the Order of Karađorđe Star" of Republika Srpska, 3rd order upon Miloš Stupar by the President of Republika Srpska, dated 17 November 1995 (a medallion and a medal).

PROCEDURAL ACTS:

1. Decision on refusing the motion of the suspect Brano Džinić for termination of custody, Court of BiH, No. X-KRN-05/24 dated 15 November 2005,
2. Decision on refusing the appeal of the suspects Miloš Stupar, Milenko Trifunović, Petar Mitrović, Brano Džinić, Aleksandar Radovanović, Slobodan Jakovljević, Miladin Stevanović and Dragiša Živanović, Court of BiH, No. X-KRN-05/24 dated 5 October 2005,
3. Decision on refusing the appeal of the suspect Petar Mitrović, Court of BiH, No. X-KRN-05/24 dated 24 June 2005,
4. Decision on ordering custody against Petar Mitrović, Court of BiH, No. X-KRN-05/24 dated 21 June 2005,
5. Decision on refusing the appeal of Milenko Trifunović, Court of BiH, No. X-KRN-05/26 dated 30 June 2005,
6. Decision on ordering custody against Milenko Trifunović, Court of BiH, No. X-KRN-05/26 dated 23 June 2005.
7. Decision on refusing the appeal of the suspects Miloš Stupar and Aleksandar Radovanović, Court of BiH, No. X-KRN-05/28 dated 29 June 2005,
8. Decision on refusing the appeal of the suspects Brano Džinić, Velibor Maksimović, Miladin Stevanović and Dragiša Živanović, Court of BiH, No. X-KRN-05/24 dated 6 September 2005,



9. Decision on refusing the appeal of the suspect Brano Džinić, Court of BiH, No. X-KRN-05/25 dated 29 June 2005,
10. Decision on ordering custody against Brano Džinić, Court of BiH, No. X-KRN-05/25 dated 23 June 2005,
11. Decision on ordering custody against the suspects Miloš Stupar and Aleksandar Radovanović, Court of BiH, No. X-KRN-05/28 dated 23 June 2005,
12. Decision on refusing the appeal of the suspect Slobodan Jakovljević, Court of BiH, No. X-KRN-05/27 dated 29 June 2005,
13. Decision on ordering custody against the suspect Slobodan Jakovljević, Court of BiH, No. X-KRN-05/27 dated 23 June 2005,
14. Decision on ordering custody against the suspects Miladin Stevanović, Velibor Maksimović and Dragiša Živanović, Court of BiH, No. X-KRN-05/34 dated 24 June 2005,
15. Decision on granting of an appeal and termination of custody against the suspect Milovan Matić, Court of BiH, No. X-KRN-05/30 dated 27 June 2005,
Decision on ordering custody against the suspect Milovan Matić, Court of BiH, No. X-KRN-05/30 dated 24 June 2005,
16. Decision on granting of an appeal and termination of custody [REDACTED], Court of BiH, No. X-KRN-05/29 dated 25 June 2005,
17. Decision on ordering custody against the suspect [REDACTED], Court of BiH, No. X-KRN-05/29 dated 23 June 2005,
18. Decision on ordering custody against the suspect Branislav Medan, Court of BiH, No. X-KRN-05/24 dated 24 August 2005,
19. Decision on extension of custody against the suspect Branislav Medan, Court of BiH, No. X-KRN-05/24 dated 22 September 2005,
20. Decision on extension of custody against the suspects Miloš Stupar, Milenko Trifunović, Petar Mitrović, Brano Dinić, Aleksandar Radovanović, Slobodan Jakovljević, Miladin Stevanović, Velibor Maksimović and Dragiša Živanović, Court of BiH, No. X-KRN-05/24 dated 20 September 2005,
21. Motion of the BiH Prosecutor's Office for ordering custody against Milovan Matić, No. KT-RZ-10/05 dated 24 June 2005,
22. Motion of the BiH Prosecutor's Office for ordering custody against Miladin Stevanović, Velibor Maksimović and Dragiša Živanović, No. KT-RZ-10/05 dated 24 June 2005,
23. Motion of the BiH Prosecutor's Office for ordering custody against Slobodan Jakovljević, No. KT-RZ-10/05 dated 23 June 2005,
24. Motion of the BiH Prosecutor's Office for ordering custody against Miloš Stupar and Aleksandar Radovanović, No. KT-RZ-10/05 dated 23 June 2005,
25. Request of the BiH Prosecutor's Office for ordering custody against Brano Džinić, No. KT-RZ-10/05 dated 22 June 2005,
26. Motion of the BiH Prosecutor's Office for ordering custody against Milenko Trifunović, No. KT-RZ-10/05 dated 23 June 2005,
27. Motion of the BiH Prosecutor's Office for ordering custody against Petar Mitrović, No. KT-RZ-10/05 dated 21 June 2005,
28. Motion of the BiH Prosecutor's Office for extension of custody against Miloš Stupar et al., No. KT-RZ-10/05 dated 16 September 2005,
29. Motion of the BiH Prosecutor's Office for ordering custody against Branislav Medan, No. KT-RZ-10/05 dated 15 November 2005,



30. Motion of the BiH Prosecutor's Office for ordering custody against Branislav Medan, No. KT-RZ-10/05 dated 19 September 2005,
31. Motion of the BiH Prosecutor's Office for extending custody against Branislav Medan, No. KT-RZ-10/05 dated 24 August 2005,
32. Motion for termination of custody against the suspect Brano Džinić dated 7 November 2005,
33. Reply to the motion for termination of custody of the BiH Prosecutor's Office, No. KT-RZ-10/05 dated 14 November 2005,
34. Order of the Court of BiH, No. X-KRN-05/24 dated 30 August 2005,
35. Request of the BiH Prosecutor's Office for issuance of an order for taking the suspect Petar Mitrović for a psychiatric examination, dated 29 August 2005,
36. Order of the BiH Prosecutor's Office dated 24 October 2005 to expert witness, Dr Marko Prelec,
37. Order on conducting an investigation against [REDACTED] et al. dated 23 August 2005,
38. Decision of the Court of BiH dated 21 June 2005 on appointing a defense attorney for the suspect Petar Mitrović,
39. Decision of the Court of BiH dated 23 June 2005 on appointing a defense attorney for the suspect Miloš Stupar,
40. Decision of the Court of BiH dated 22 June 2005 on appointing a defense attorney for the suspect Milenko Trifunović,
41. Decision on the Court of BiH dated 22 June 2005 on appointing a defense attorney for the suspect Brano Džinić,
42. Decision of the Court of BiH dated 22 June 2005 on appointing a defense attorney for the suspect Aleksandar Radovanović,
43. Decision of the Court of BiH dated 22 June 2005 on appointing a defense attorney for the suspect Slobodan Jakovljević,
44. Decision of the Court of BiH dated 24 June 2005 on appointing a defense attorney for the suspect Miladin Stevanović,
45. Decision of the Court of BiH dated 8 August 2005 on appointing a defense attorney for the suspect Velibor Maksimović,
46. Decision of the Court of BiH dated 24 June 2005 on appointing a defense attorney for the suspect Velibor Maksimović,
47. Decision of the Court of BiH dated 8 August 2005 on appointing a defense attorney for the suspect Dragiša Živanović,
48. Decision of the Court of BiH dated 24 June 2005 on appointing a defense attorney for the suspect Dragiša Živanović,
49. Decision of the Court of BiH dated 23 June 2005 on appointing a defense attorney for the suspect Milovan Matić,
50. Decision of the Court of BiH dated 23 August 2005 on appointing a defense attorney for the suspect Branislav Medan,
51. Report of the FBiH Ministry of Interior, Crime Police Administration, No. 02-02/3-1-82-245/05 dated 23 August 2005,
52. Official act of the MUP Republika Srpska „Branislav Medan – deprivation of freedom“, No. 02-str.pov.779/05 dated 22 August 2005,
53. Certificate on handing over Branislav Medan, deprived of freedom, to the competent prosecutor, FBiH MUP, No. 08/05 dated 23 August 2005,



54. Certificate on deprivation of freedom of Branislav Medan, FBiH MUP, No. 08/05 dated 23 August 2005,
55. Certificate on handing over Milenko Trifunović who was deprived of freedom, MUP Republika Srpska, issued by the Organ of Internal Affairs (hereinafter (OUP) and numbered as 12-1-6/01-1-22/05 dated 22 June 2005,
56. Certificate on deprivation of freedom of Petar Mitrović, MUP Republika Srpska, No. 12-01/3-124/05 dated 20 June 2005,
57. Certificate on handing over Petar Mitrović, deprived of freedom, to the BiH Prosecutor's Office, MUP Republika Srpska, No. 12-02/4-230-716/05 dated 21 June 2005,
58. OUP certificate on handing over Aleksandar Radovanović who was deprived of freedom, MUP Republika Srpska, No. 12-1-6/01-1-23/05 dated 22 June 2005,
59. Certificate on reception of Aleksandar Radovanović who was deprived of freedom, No. 653/05 dated 22 June 2005,
60. Certificate on deprivation of freedom of Slobodan Jakovljević, MUP Republika Srpska, No. 12-1-6/01-1-21/05 dated 22 June 2005,
61. OUP certificate on handing over Slobodan Jakovljević who was deprived of freedom, MUP Republika Srpska, No. 12-1-6/01-1-21/05 dated 22 June 2005,
62. Certificate on reception of Slobodan Jakovljević who was deprived of freedom, No. 652/05 dated 22 June 2005,
63. Certificate on deprivation of freedom of Miladin Stevanović, MUP Republika Srpska, No. 12-1-6/01-1-25/05 dated 23 June 2005,
64. OUP certificate on handing over Miladin Stevanović who was deprived of freedom, MUP Republika Srpska, No. 12-1-6/01-1-25/05 dated 23 June 2005,
65. OUP certificate on handing over Velibor Maksimović who was deprived of freedom, MUP Republika Srpska, No. 12-1-6/01-1-26/05 dated 23 June 2005,
66. Certificate on deprivation of freedom of Velibor Maksimović, MUP Republika Srpska, No. 12-1-6/01-1-26/05 dated 23 June 2005,
67. OUP certificate on handing over Dragiša Živanović who was deprived of freedom, MUP Republika Srpska, No. 12-1-6/01-1-24/05 dated 23 June 2005,
68. Certificate on deprivation of freedom of Dragiša Živanović, MUP Republika Srpska, No. 12-1-6/01-1-24/05 dated 23 June 2005,
69. Certificate on handing over Milovan Matić, deprived of freedom, to the competent BiH Prosecutor's Office, MUP Republika Srpska, No. 12-1-6/01-1-23/05 dated 23 June 2005,
70. Notice to the MUP Republika Srpska, BiH Prosecutor's Office, No. KT-RZ-10/05 dated 27 June 2005,
71. Search warrant issued by the Court of BiH, No. X-KRN-05/24 dated 7 September 2005,
72. Request of the BiH Prosecutor's Office for issuance of a search warrant dated 6 September 2005,
73. Official note of an officer of the Court of BiH dated 27 September 2005,
74. Request of the BiH Prosecutor's Office to the Court of BiH, No. KT-RZ-10/05 dated 22 September 2005,
75. Request of the BiH Prosecutor's Office to Republika Srpska Government dated 17 October 2005,
76. Order of the Court of BiH, No. X-KRN 05/24 dated 12 October 2005,



77. Request of the BiH Prosecutor's Office to the Court of BiH, No. KT-RZ-10/05 dated 12 October 2005,
78. Request of the BiH Prosecutor's Office for submission of documentation, No. KT-RZ-10/05 dated 10 November 2005,
79. Motion of defense, attorney Gavrilko Gunjak, dated 26 October 2005,
80. Decision on reimbursement of costs for neuropsychiatric expert evaluation, BiH Prosecutor's Office, dated 6 September 2005,
81. Motion for termination of custody against Dragiša Živanović dated 18 November 2005,
82. Reply of the BiH Prosecutor's Office to the request for termination of custody dated 22 November 2005,
84. Letter of the BiH Prosecutor's Office to the Association „Majke enklava Srebrenica i Žepa“, dated 23 November 2005,
85. Decision on extension of custody against the suspect Branislav Medan, Court of BiH, No.X-KRN-05/24 dated 21 November 2005,
86. Decision of the Court of BiH, No. X-KRN 05/24 dated 22 November 2005, on refusing the motion of the suspect Dragiša Živanović for termination of custody,
87. Decision of the Court of BiH determining protective measures, No. X-KRN-05/24 dated 6 December 2005.

Motion for Extension of Custody:

The Prosecutor's Office of Bosnia and Herzegovina deems that regarding the accused Stupar Miloš, Trifunović Milenko, Radovanović Aleksandar, Mitrović Petar, Džinić Brane, Jakovljević Slobodan, Stevanović Miladin, Maksimović Velibor, Živanović Dragiša, as well as Matić Milovan, there exist all legal grounds for the extension of their custody, which existed when the Court of Bosnia and Herzegovina issued the Order on Custody and the Order on the Extension of Custody, and that particularly important reasons exist to extend their custody after confirmation of the Indictment.

Analyzing the collected evidence, it can be concluded that there is a grounded suspicion that the accused committed the criminal offence of Genocide under Article 171 of the BiH CC in the manner, at the time, in the place and under the circumstances defined in the Indictment.

I hereby propose that the Court, having confirmed the Indictment, extend the custody against the accused: Stupar Miloš, Trifunović Milenko, Radovanović Aleksandar, Mitrović Petar, Džinić Brane, Jakovljević Slobodan, Stevanović Miladin, Maksimović Velibor, Živanović Dragiša, and order that Matić Milovan be placed in custody in terms of Article 137 (1), for the reasons set forth in Article 132 (1) a. b. and d. of the Criminal Procedure Code of Bosnia and Herzegovina.

a) The circumstances exist indicating the risk of flight, and they stem primarily from the fact that eight suspects subject to the investigation pending in this Prosecutor's Office for the same criminal offence, having found out that persons suspected of having committed crimes in the Cooperative Warehouse in Kravica had absconded and found refuge in the territory of the State Union of Serbia and Montenegro. The BiH

Prosecutor's Office, in spite of all invested efforts and cooperation with the police forces of Republika Srpska and Republic of Serbia, as well as by actions of the State Investigation and Protection Agency, had not secured the presence of these persons by the time when this Indictment was filed. There is a justified fear that by allowing the accused to defend themselves out of custody they would escape, because at the time they will definitely find out that the indictment against them has been filed for one of the gravest criminal offences. The fact that increases the risk of flight is related to the place of residence of the accused that predominantly live in Skelani and other places in the Eastern Bosnia near the border toward the Republic of Serbia where possibilities of illegal border crossings are high. This practically means that seizure of the travel documents would not present any guarantee that these persons would not escape from Bosnia and Herzegovina. The investigation of grave criminal offences opens up the possibility to escape, therefore the fact that they have not fled the country is not relevant and may not be compared to the situation in which they are now. For these reasons we deem that there is a real risk that by their escape the suspects may become unreachable to the state bodies of Bosnia and Herzegovina.

b) there is a justified fear that if released, the accused, in contact with co-perpetrators, **might destroy leads relevant to the criminal proceedings, and influence witnesses, accessories or accomplices.** It is in the best interest of the Prosecutor's Office and the Court, as well as justice in general, to make sure that the trial proceeds smoothly, that the perpetrators of this horrible crime are duly prosecuted. On the given occasion, a minimum of 1,000 Bosniak detainees-civilians were killed in the hangar of the Kravice Cooperative. The suspects actively participated in this crime as members of the 2nd detachment of the Šekovići Special Police. We deem that there is a real danger that the suspects, if released, could make arrangement mutually as well as with other co-perpetrators, which poses a risk of negative suspects' influence on the quality of the criminal proceedings. It is well-known that during the investigation only four following suspects have given their statements, whereas others remained silent, as follows: Mitrović Petar, Stevanović Miladin, Živanović Dragiša i Džinić Brane. Therefore, there is a risk that being at liberty they might contact each other, make arrangements and jointly conceal the leads of the criminal offence, including the means by which the criminal offence was committed. Bearing in mind that most of the bodies of the killed Bosniaks in the warehouses of the Kravice Cooperative have not been found, there is a risk that the suspects might attempt to hide traces of mass graves and thwart the finding of the mortal remains of the victims of this crime. Taking into consideration that the Prosecutor's Office has the need to hear many witnesses during the trial, those who in their statements have avoided to speak about the names of the perpetrators for fear of retribution, although they have described the event and the scene in detail, as well as the time, place and manner of execution of the criminal offence, it is thus necessary to ensure that those witnesses be heard without any outside influence in order for them to testify relaxed and without fear.

c) The existence of the basis for custody pursuant to Article 132 (1) (d) of the BiH CPC is even more justified in this case having in mind that this criminal offence carries a **long-term imprisonment**, thus the ordering of custody is indispensable for the public safety. Taking into account the facts related to the nature and gravity of the committed criminal offence, the circumstances surrounding the commission of the crime, the prescribed punishment, the degree of danger to the legally protected good and the severe

consequences of the committed criminal offence, on this basis we deem the custody to be incontestable.

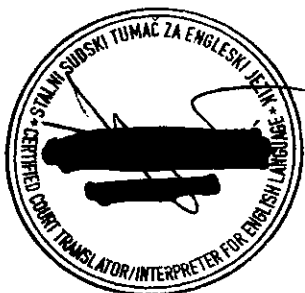
**PROSECUTOR OF BiH
PROSECUTOR'S OFFICE**

Ibro Bulić

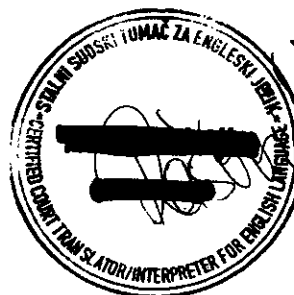
I hereby confirm that this document is a true translation of the original written in Bosnian/Serbian/Croatian.

Sarajevo, 19 December 2005

*[Redacted]
Certified Court Interpreter for English*



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Certified Court Interpreter for English*

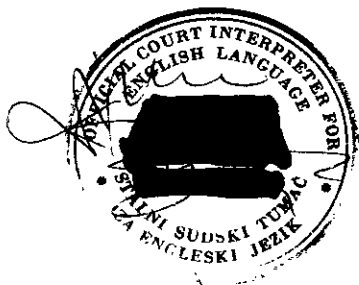


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