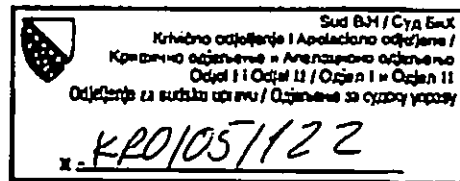


BOSNIA AND HERZEGOVINA  
PROSECUTOR'S OFFICE OF BOSNIA AND HERZEGOVINA  
SARAJEVO  
Number: KT-RZ-137/05  
Sarajevo, 17 April 2008



PREVOD DOK. 267

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 file the following

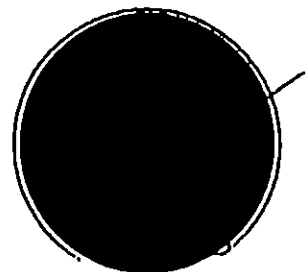
### INDICTMENT

AGAINST:

**VELIKO BAŠIĆ**, son of Marko and Sofija (maiden name Vukotić), born in Bašići, Šekovići Municipality, on 3 November 1926, residing in Vlasenica at 4 Naselje Drinskog korpusa, retired police officer of the Vlasenica SJB /Public Security Service, Police Station/, Citizen Identification Number 0311926183732, Serb, citizen of the RS/Republika Srpska/ and BiH, literate, secondary school qualification, married, father of one child of age, indigent, served the army in Ljubljana 1947/1951, holds the rank of sergeant, no previous criminal record; under the Decision of the Court of BiH number X-KRN-05/122 dated 29 January 2008, the following measures were imposed on the Accused: prohibition to leave Vlasenica Municipality, obligation to report to the Vlasenica PS /Police Station/ and prohibition to contact persons - possible active participants in this criminal case, he is not in custody.

**PREDRAG BASTAH**, a.k.a. "Dragan", son of Radovan and Danica (maiden name Samardžić), born in Podkozlovača, Han Pijesak Municipality, on 18 October 1953, residing in Vlasenica at 21 Vojvode Mišića St., Citizen Identification Number 1810953171428, Serb, citizen of the Republic of Serbia and of BiH, literate, secondary school qualification, married, father of one child of age, indigent, served the army in Belgrade 1972/1973, no previous criminal record, currently held in custody under the Decision of the Court of BiH number X-KRN-05/122 dated 28 February 2008 whereby the custody was extended to last until 28 April 2008 or a new decision of the Court.

**GORAN VIŠKOVIĆ**, a.k.a. "Vjetar", son of Stojan and Milica (maiden name Drakulić), born in Buljevići, Vlasenica Municipality, on 25 November 1954, residing in Šekovići at Jakovice bb/no number/, Citizen Identification Number 2511954183744, Serb, citizen of the RS and BiH, literate, secondary school qualifications, married, father of one underage and three children of age, indigent, served the army in Kraljevo and Niš 1973/1974, convicted by a Judgment of the Basic Court of Vlasenica number 092-0-K-07-000 001 dated 2 July 2007 for the criminal offense referred to in Article 155(1) of the RS CC and sentenced to imprisonment for a term of three (3) months (suspended sentence of 1 one year), currently held in custody under the Decision of the Court of BiH number X-KRN-05/122 dated 28 February 2008 whereby custody was extended to last until 28 April 2008 or a new decision of the Court.



Inasmuch as they:

Between April and late September 1992, as part of a widespread and systematic attack of the military, paramilitary and police forces of the so-called Serb Republic of BiH directed against the Bosniak and other non-Serb population of Vlasenica Municipality, as members of those forces, being aware of that attack and that their actions constituted part of the attack, persecuted the civilian population of Bosniak and other non-Serb ethnicities on political, ethnic and religious grounds by participating in a joint plan and its contribution to the fulfilment of a common goal of depriving the lives of other persons (killings), unlawful imprisonment, psychological and sexual mistreatment, enforced disappearance, torture; all the Accused persons participated in mistreatments and persecutions in the manner that they:

1. VELJKO BAŠIĆ – alone

Between 31 May and late September 1992, as Warden of the "Sušica" Camp, a member of the RS MUP/Ministry of the Interior/-Vlasenica SJB, superior to and responsible for the work of the guards and other persons coming to the "Sušica" Camp and for the functioning of the "Sušica" Camp, he supervised and had full control over the conditions at the "Sušica" Camp and over the life and limb of over 1,000 Bosnian Muslims and other non-Serb civilians who were unlawfully deprived of liberty and imprisoned in the "Sušica" Camp by holding them under inhumane and unhygienic conditions without the possibility of meeting their basic necessities in an overcrowded room - a hangar, and subjecting them to beatings and torture on a daily basis and keeping them in a state of constant fear for their lives in furtherance of the functioning of the system of mistreatment and persecution at the detention camp which resulted in the killings or deaths of at least dozens of detainees by doing the following:

1) He was aware but nonetheless failed to prevent the killings and enforced disappearances or to punish the perpetrators thereof; that is, he failed to take the necessary and reasonable measures to prevent the killings and enforced disappearances or to punish the perpetrators thereof, including:

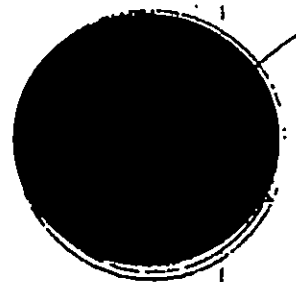
1a) The killings of [REDACTED], born in 1933, and [REDACTED], born in 1935. These two persons were physically mistreated, kicked and hit by various objects inside and outside of the "Sušica" Camp by Dragan Nikolić (convicted by a final Judgment of the ICTY no. IT-94-2-S) and other guards at the "Sušica" Camp, between 13 and 24 June 1992, which resulted in their death. These two persons were buried the following morning by [REDACTED], born in 1955, the detainees at the "Sušica" Camp;

<sup>1</sup> The person is registered in Table A under no. 131.

<sup>2</sup> The person is registered in Table A under no. 307.

<sup>3</sup> Death Certificate, ref. number 10/13-1-038/08 dated 14 January 2008.

<sup>4</sup> The person is registered in Table B under no. 244.



1b) The killings of [redacted] born in 1946; [redacted] born in 1952, and one young man from Kula who was taken out of the hangar by the Accused Goran Višković a.k.a. "Vjetar" and two guards on or about 2 June 1992 whereupon those persons disappeared without a trace. The body of [redacted] was recovered and exhumed on 29 September 2000;

1c) The killings of [redacted] born in 1949; [redacted] born [redacted], born in 1940. These persons were taken out of the hangar by the guards of the "Sušica" Camp in the night of 23 and 24 June 1992 where they were continually beaten by Dragan Nikolić and other guards while other detainees heard excruciating shrieks of pain. After that, shots were heard from the sport where those persons were taken out. Those persons were buried on the following morning by [redacted] a.k.a. [redacted] the detainees at the "Sušica" Camp;

1d) The killing of [redacted] born in 1955, who was taken out of the hangar by Dragan Nikolić on or about 6 July and beaten by Dragan Nikolić and other guards. Excruciating shrieks of pain were heard coming from the hangar where this person was returned after the beating. This person died soon as a result of the beating and his body was placed in a plastic bag and removed by other detainees;

1e) The killings of [redacted] born in 1958. The latter person was kicked and punched by Predrag Bastah a.k.a. "Dragan", Goran Višković a.k.a. "Vjetar" and three other guards in the second half of June 1992 (most likely on 21 June 1992). The beating lasted for about 10 minutes inside the hangar. After that, those two persons were grabbed by their shoulders and thrown out of the "Sušica" Camp whereupon they disappeared without a trace. Their bodies were recovered and exhumed on 29 September 2000;

1f) The enforced disappearance of [redacted] born in 1952. Goran Višković a.k.a. "Vjetar" and several guards took this person out of the "Sušica" Camp together with 12 Bosniak civilians in the first half of June 1992 (most likely on 6 June 1992) whereupon he disappeared without a trace;

1g) The enforced disappearance of [redacted] born in 1939; [redacted] born in 1952; [redacted] in 1951; [redacted] son

<sup>5</sup> The person is registered in Table A under no. 219.

<sup>6</sup> The person is registered in Table B under no. 615.

<sup>7</sup> The person is registered in Table A under no. 185.

<sup>8</sup> The person is registered in Table A under no. 269.

<sup>9</sup> The person is registered in Table A under no. 304.

<sup>10</sup> The person is registered in Table A under no. 93.

<sup>11</sup> The person is registered in Table B under no. 150.

<sup>12</sup> The person is registered in Table A under no. 97.

<sup>13</sup> The person is registered in Table A under no. 96.

<sup>14</sup> The person is registered in Table A under no. 127.

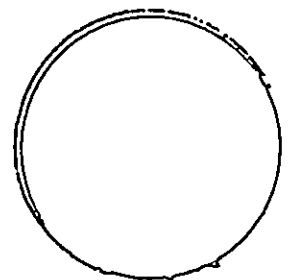
<sup>15</sup> The person is registered in Table B under no. 694.

<sup>16</sup> The person is registered in Table B under no. 331.

<sup>17</sup> The person is registered in Table B under no. 751.

<sup>18</sup> The person is registered in Table B under no. 752.

<sup>19</sup> The person is registered in Table B under no. 228.



[REDACTED] born in 1954. These persons were taken out of the "Sušica" Camp by Predrag Bastah a.k.a. "Dragan" and a group of Serb soldiers and guards between 10 and 19 July 1992 whereupon they disappeared without a trace;

1h) The enforced disappearance of [REDACTED] born in 1950, who was taken out of the "Sušica" Camp by Predrag Bastah a.k.a. "Dragan" and a number of guards of the "Sušica" Camp in the first half of June 1992 whereupon he disappeared without a trace;

1i) The beatings and other forms of physical violence by the guards of the "Sušica" Camp toward the detainees, including [REDACTED] a.k.a. [REDACTED] born on 1961; [REDACTED] born in 1949; these two persons were regularly kicked in the ribs and kidneys and then taken out of the camp never to be found. The bodies of the following persons were never found either: [REDACTED] born in [REDACTED]

<sup>20</sup> The person is registered in Table B under no. 675.

<sup>21</sup> The person is registered in Table B under no. 291.

<sup>22</sup> The person is registered in Table B under no. 286.

<sup>23</sup> The person is registered in Table B under no. 240.

<sup>24</sup> The person is registered in Table B under no. 48.

<sup>25</sup> The person is registered in Table B under no. 346.

<sup>26</sup> The person is registered in Table B under no. 134.

<sup>27</sup> The person is registered in Table B under no. 223.

<sup>28</sup> The person is registered in Table B under no. 669.

<sup>29</sup> The person is registered in Table B under no. 3.

<sup>30</sup> The person is registered in Table B under no. 287.

<sup>31</sup> The person is registered in Table B under no. 283.

<sup>32</sup> The person is registered in Table B under no. 93.

<sup>33</sup> The person is registered in Table B under no. 90.

<sup>34</sup> The person is registered in Table B under no. 88.

<sup>35</sup> The person is registered in Table B under no. 490.

<sup>36</sup> The person is registered in Table A under no. 173.

<sup>37</sup> The person is registered in Table A under no. 174.

<sup>38</sup> The person is registered in Table B under no. 244.

<sup>39</sup> The person is registered in Table B under no. 597.

<sup>40</sup> The person is registered in Table A under no. 212.

<sup>41</sup> The person is registered in Table B under no. 611.

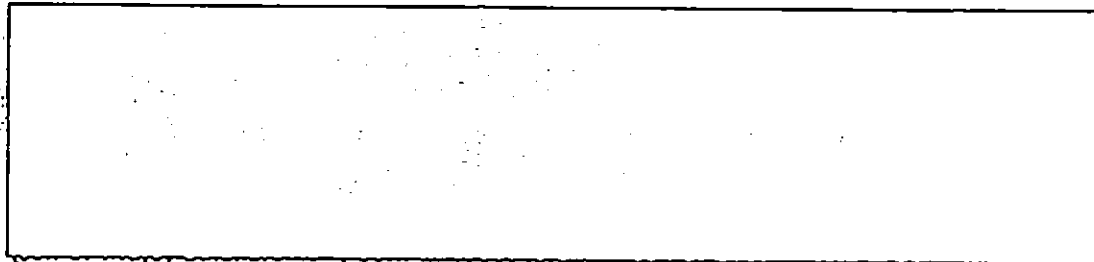
<sup>42</sup> The person is registered in Table B under no. 728.

<sup>43</sup> The person is registered in Table B under no. 90.

<sup>44</sup> The person is registered in Table B under no. 275.

<sup>45</sup> The person is registered in Table B under no. 235.

<sup>46</sup> The person is registered in Table B under no. 231.



abovementioned persons were detained at the "Sušica" Camp between early June and late September 1992 whereupon they disappeared without a trace;

2) He directly participated in the forcible transfer and relocation as well as unlawful deprivation of liberty, inasmuch as he:

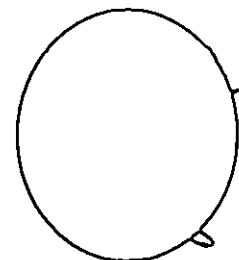
2a) Between early June and late September 1992, made lists of several hundred detainees who were unlawfully deprived of liberty when entering and leaving the "Sušica" Camp; according to those lists, the detainees were transported by buses, trucks and other means of transportation to the "Bačković" Camp near Bijeljina in the north-east BiH under the escort of Serb soldiers. That camp, too, was under the control of the Serb armed forces. The majority of women and children were transported to either Kladanj or Cerska to the territories controlled by Bosnian Muslims.

2b) On 8 June 1992, armed with an automatic rifle and wearing a blue police uniform, he came to the village of Piskavice, Vlasenica Municipality, and ordered [redacted] and [redacted] who were in fear for their safety and were hiding in the house of [redacted] together with their children, to leave that house and head for the "Sušica" Camp, which they did.

## II. PREDRAG BASTAH a.k.a. "Drugan" – alone

As a member of the reserve forces of the RS MUP-Vlasenica SJB, by participating in a joint plan, he contributed to the fulfillment of a common goal of depriving the lives of other persons (killings), torture, unlawful imprisonment, enforced disappearance, forcible transfer of population, instigating rape; in this manner, by his actions and incitements he contributed to and bolstered the functioning of the system of mistreatment and persecution of detained Bosnian Muslims and other non-Serbs at the "Sušica" Camp and other prisons in the area of Vlasenica Municipality, inasmuch as he:

- <sup>37</sup> The person is registered in Table B under no. 233.
- <sup>38</sup> The person is registered in Table B under no. 676.
- <sup>39</sup> The person is registered in Table B under no. 350.
- <sup>40</sup> The person is registered in Table B under no. 485.
- <sup>41</sup> The person is registered in Table B under no. 480.
- <sup>42</sup> The person is registered in Table B under no. 291.
- <sup>43</sup> The person is registered in Table B under no. 294.
- <sup>44</sup> The person is registered in Table A under no. 45.
- <sup>45</sup> The person is registered in Table B under no. 124.
- <sup>46</sup> The person is registered in Table B under no. 631.
- <sup>47</sup> The person is registered in Table B under no. 700.
- <sup>48</sup> The person is registered in Table B under no. 702.
- <sup>49</sup> The person is registered in Table B under no. 566.
- <sup>50</sup> The person is registered in Table B under no. 226.



1) On 23 April 1992, in the close vicinity of *Lipa* catering establishment in Vlasenica, armed with a 7.62 mm caliber automatic rifle with a folding butt, together with another Serb soldier, he ordered [REDACTED] to go by the vehicle that he drove to the Vlasenica PS, which the latter did. Predrag Bastah a.k.a. "Dragan" previously hit him with the rifle butt and unlawfully detained him in a 2x4 m cell where there were another 25 Bosniak civilians detained and, after putting handcuffs on his hands, took him out into the corridor where he was punched and kicked by Predrag Bastah a.k.a. "Dragan" and three Serb soldiers all over his body until his body was covered in blood. [REDACTED] sustained bodily injuries in the form of bruises on his loins and in the area of the right kidney;

2) In early May 1992, together with an unidentified police officer, wearing the blue uniform of the reserve police forces, armed with an automatic rifle, he came to Jezero, Vlasenica Municipality, in a Golf I vehicle to the property owned by the person who was assigned code name "17" and he drove this person to the Vlasenica Police Station and detained him there unlawfully and also threatened to kill him and his entire family if a rifle was found in his house;

2a) On 31 May 1992 at around 8 a.m., he participated in an unlawful imprisonment of [REDACTED], born in 1935 whom he took out of his house at Omladinska Street bb to the Vlasenica PS, where he also brought [REDACTED] born in 1943. They were subjected to inhumane treatment and torture at the Vlasenica PS whereupon [REDACTED] disappeared without a trace whereas the body of [REDACTED] was exhumed and identified on 9 March 2007;

3) On 22 May 1992 at around 3 p.m., together with two unidentified persons, wearing uniforms of the reserve police forces, he took [REDACTED] out of the house at [REDACTED] and imprisoned him unlawfully at the Vlasenica PS where he was placed in a cell with five other Bosniak civilians and subjected to continuous mistreatment and torture by unknown persons of Serb ethnicity. When [REDACTED] was transferred to a prison behind the Court building, Predrag Bastah a.k.a. "Dragan" and other unknown persons of Serb ethnicity took him to perform forced labor up until 18 June 1992 when he and 10 other Bosniak civilians were transported in a truck to the "Sušica" Camp;

4) On an undetermined date in May 1992, together with another Serb soldier, he drove in a Lada or Niva vehicle to the house of [REDACTED] in Vlasenica and took [REDACTED], her son born in 1962, out of that house. Notwithstanding the implorations of [REDACTED] mother to leave her son alone, he drove [REDACTED] to the prison behind the building of the Court in Vlasenica where he imprisoned him and from there he took him to perform forced labor on several occasions until 9 or 10 July 1992 whereupon he disappeared without trace. His body has never been recovered. The body of [REDACTED] who was taken out of his house by Predrag Bastah a.k.a. "Dragan" and taken in an unknown direction, handcuffed, has never been recovered either.

5) On 2 June 1992, he came to the house of [REDACTED] in Vlasenica in a blue-and-white police Golf and took the underage [REDACTED] out of the house by pulling his hair; he drove [REDACTED] and another Bosniak civilian to the Vlasenica Police Station.

<sup>41</sup> The person is registered in Table B under no. 217.

<sup>42</sup> The person is registered in Table A under no. 13.

<sup>43</sup> The person is registered in Table B under no. 693.

After he kicked that unknown civilian in the back and after the latter rolled down the stairs at the PS, he started hitting the underage [REDACTED] vigorously in the chest with a rifle butt in the corridor next to the information desk in the police station and demanded that [REDACTED] lift his arms above his head while receiving the blows so that the blows would be more painful. [REDACTED] obeyed and Predrag Bastah a.k.a. "Dragan" continued hitting the underage [REDACTED] until the latter started reeling because of the pains. Further physical mistreatment was stopped by one Serb police officer;

6) On an undetermined date in June 1992, together with several unidentified persons wearing uniforms, armed with an automatic rifle, he came to the house of [REDACTED] [REDACTED] Street in Vlasenica and ordered [REDACTED] to board a truck with a canvas cover rolled down. [REDACTED] obeyed and he and a number of other Bosniak civilians that had been previously collected, were transported by that vehicle to the "Sušica" Camp;

7) On an undetermined date in June 1992 in Vlasenica, together with a group of 5 - 7 Serb soldiers, he came to the house of [REDACTED] son of [REDACTED] in Vlasenica, unlawfully deprived them of liberty and took to the PS Vlasenica where they were exposed to torture by unknown members of the Serb army and police; together with a number of members of the Serb army, he kicked [REDACTED] [REDACTED] hit him with the rifle butt, slapped him in the face, kicked him in his back and punched in his head;

8) Together with another Serb soldier, on 11 May 1992, at around 20:30 hrs, he came to the house of [REDACTED] in Vlasenica, brought him out of the house in his pajamas and slippers and took him away in an unknown direction, since then he disappeared without a trace; his body has never been recovered, as well as the body of [REDACTED] born on 1962, whom he took away from his house situated in the Jezero settlement in the Vlasenica municipality;

9) In early June, most probably on 2 June 1992, together with another Serb soldier, he went by the blue *Golf* police vehicle to the house of [REDACTED] situated in the centre of the town, ordered him to get into the vehicle and took him by car in the direction of the Vlasenica PS, since then he disappeared without a trace; when [REDACTED] looking for her husband, asked a police officer for help on the premises of the PS, he punched and kicked her, hitting her with the rifle butt all over her body and imprisoned her in the cell of the Vlasenica PS;

10) On an undetermined date in June 1992, he unlawfully deprived of liberty [REDACTED] [REDACTED] by ordering her to get into the *Lada* vehicle by which he took her away to the Vlasenica PS, together with [REDACTED] where he imprisoned her;

11) At night between 12 and 13 September 1992, together with a group of five or more unidentified persons dressed in uniforms, wearing stockings over their heads, all armed with

<sup>64</sup> The person is registered in Table B under no 40.

<sup>65</sup> The person is registered in Table A under no 156.

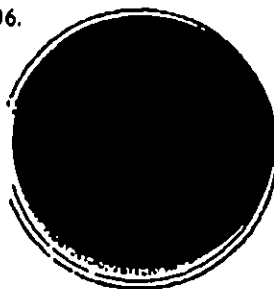
<sup>66</sup> The person is registered in Table B under no 526.

<sup>67</sup> The person is registered in Table B under no 741.

<sup>68</sup> The person is registered in Table B under no 513.

<sup>69</sup> The person is registered in Table B under no 836.

<sup>70</sup> The person is registered in Table B under no 346.



automatic rifles, he came at [redacted] St. in the centre of Vlasenica, taking with them two Bosniak camp prisoners driving a tractor with a trailer, to the house of [redacted] [redacted], born in 1922, in which there were [redacted]<sup>71</sup>, daughter of [redacted] [redacted], daughter of [redacted] born in 1925; the masked persons entered the houses wherefrom fire in rapid succession was heard; when the above persons got out of the houses, he ordered the camp prisoners to bring the dead bodies out and load them onto the trailer of the tractor, which they did.

11. a) after the tractor with the dead bodies had been driven away, he took out of their houses [redacted] born in 1962 and [redacted] [redacted] whose bodies, including the bodies of [redacted] have never been recovered;

12) On an undetermined date, in early June 1992, together with a number of unidentified persons dressed in uniforms, he took away [redacted] born in 1950, from the "Sutica" Camp, who disappeared without a trace ever since;

13) In the period between 10 and 19 July 1992, together with a group of unidentified persons dressed in uniforms, among whom there were also guards from the "Sutica" camp, he brought out 12 Bosniak civilians, who have never come back and, who ever since disappeared without a trace, among whom there were [redacted]

whose bodies have never been recovered [redacted] [redacted] born in 1962, whom he brought out of the camp on Thursday, 16 July 1992, [redacted]<sup>75</sup>, son of [redacted] born in 1954;

14) On an undetermined date in May 1992, he came to the door of the house owned by [redacted] [redacted] where a person under the code name "2" with her children was hiding in fear for her safety; he ordered her to leave for the territory controlled by the Bosnian Moslems, otherwise, he would kill her, which she was forced to do;

<sup>71</sup> The person is registered in Table B under no 42.

<sup>72</sup> The person is registered in Table B under no 337.

<sup>73</sup> The person is registered in Table B under no 813.

<sup>74</sup> The person is registered in Table B under no 299.

<sup>75</sup> The person is registered in Table B under no 302.

<sup>76</sup> The person is registered in Table B under no 62.

<sup>77</sup> The person is registered in Table B under no 64.

<sup>78</sup> The person is registered in Table B under no 240.

<sup>79</sup> The person is registered in Table B under no 694.

<sup>80</sup> The person is registered in Table B under no 331.

<sup>81</sup> The person is registered in Table B under no 752.

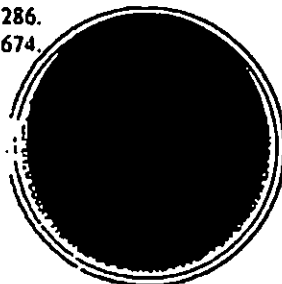
<sup>82</sup> The person is registered in Table B under no 751.

<sup>83</sup> The person is registered in Table B under no 228.

<sup>84</sup> The person is registered in Table B under no 291.

<sup>85</sup> The person is registered in Table B under no 286.

<sup>86</sup> The person is registered in Table B under no 674.



15) At the end of September 1992, he ordered [redacted] and her husband [redacted] to leave the house in five minutes, otherwise, he would kill them and demolish the house with a personnel carrier; after that, they were forced to go to the territory controlled by the Bosnian Moslems;

16) In the period between 13 and 19 July 1992, in the place of Luke, Vlasenica municipality, where a bus full of civilians, women and children leaving the "Sušica" camp was stopped, together with a number of members of the Serb army, he participated in the separation of women and young girls, inciting other Serb soldiers to rape them saying "separate as many young women and young girls as possible and impregnate with our semen as many of them as you can"; among the women that were separated there were [redacted]

[redacted]  
persons who have never appeared again and whose bodies have never been recovered:

### III. THE ACCUSED GORAN VIŠKOVIĆ a.k.a. Vjetar, alone

As the member of the RS army, he participated in the joint plan and contributed to the achievement of the joint objective of the deprivation of other persons of their lives (killings), torture, unlawful detention, enforced disappearance, forcible transfer of population and rape, and by his actions he contributed to the strengthening of the physical mistreatment system applied in the camp and other prisons in the territory of the Vlasenica municipality and to the persecution of imprisoned Bosnian Moslems and other non-Serbs whereby he committed the following:

1. On 23 April 1992, he participated in the unlawful detention of [redacted] who, together with several dozen of Bosniak civilians waited in front of the building of the Vlasenica municipality to obtain a pass to move around the so-called Serb Vlasenica municipality, by grasping firmly his arm, pinning it behind his back, kicking him several times into his buttocks, hitting him with a rifle butt in the area of his back and finally bringing him to the Vlasenica PS where he imprisoned him;
2. In May 1992, together with a number of unidentified persons dressed in uniforms, on several occasions, he beat [redacted] born in 1948, who was imprisoned for 7 days in a cell, causing his back to be black and blue as a result of injuries, and when he was transferred to the "Sušica" camp, he disappeared without trace;
3. In the same period, at the same place, he kicked and punched [redacted] who was imprisoned in a 2 by 3 prison cell with another 17 Bosniak civilians, having found a rifle in his house, the so-called Russian drum magazine gun; he intended to kill [redacted] and a Serb soldier stopped him in his attempt;

<sup>17</sup> The person is registered in Table B under no 293.

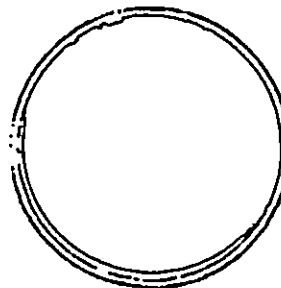
<sup>18</sup> The person is registered in Table B under no 653.

<sup>19</sup> The person is registered in Table B under no 654.

<sup>20</sup> The person is registered in Table B under no 465.

<sup>21</sup> The person is registered in Table B under no 419.

<sup>22</sup> The person is registered in Table B under no 134.



4. On an undetermined date in May 1992, together with another two unidentified persons dressed in uniforms, he came by *Lada* vehicle to the house of [REDACTED], in which, in fear for her safety, [REDACTED] was hiding together with her underage children, on which occasion he strongly slapped her twice on her face in a fit of rage because she did not want to tell him about the whereabouts of her husband and son;
5. On an undetermined date in mid-May 1992, together with other unidentified Serb soldiers, in the prison behind the Court building in Vlasenica where [REDACTED] and [REDACTED] were imprisoned together with another seven Bosniak civilians, he beat them on a daily basis by bringing them into the hall, one by one, from where the sound of beating and cries of pain were coming, and then, after half-an-hour of continuous beating, he threw them into the cell since they could not walk; he beat [REDACTED] in his head and back on a daily basis during 20 days with the gun butt, putting the gun into his mouth;
6. On an undetermined date in mid-June 1992 in the PS Vlasenica, in which [REDACTED] was imprisoned, he beat him on a daily basis together with a number of unidentified persons dressed in uniforms, forcing the injured party to clean the room soaked with blood, in which he was beaten with other prisoners, Bosniak civilians, upon every beating;
7. On 11 July 1992 between 20:00 and 21:00 hours, at [REDACTED] St. in Vlasenica, in the group of more than 5 Serb soldiers, he entered the house of [REDACTED] born in 1942, punching, kicking and hitting him with the rifle butts in his face, mouth and nose, while his wife [REDACTED] was begging him to stop, he strongly punched her in her face, cutting her lip, strongly kicking her with a military boot in her spinal area; she rolled down the steps as a consequence; he continued beating her, kicking her in the street where she fell on her stomach on the asphalt, when he put his foot and rifle on her back threatening her that he would kill her unless she said where her son-in-law and her son were; in the meantime a van full of civilians, men, women and children arrived, she got on it and was taken to the "Sutica" camp;
8. At the same time and in the same street, when he noticed that [REDACTED] had seen him beating [REDACTED] he kicked her in her breast as a result of which she fell down on the asphalt, and then he put his foot on her back pointing his barrel at her back, ordered her to crawl on the asphalt as other Moslems were doing and who had to crawl around his feet, ordered her to get in the van which was going around collecting the remaining Moslems from the Titova bb St.; from there they were driven away to the "Sutica" camp;
9. On an undetermined date, in the first half of June 1992, together with a group of 5 or 6 Serb soldiers, he came to the *Panorama* settlement where the person under the code name "3" resided with her husband and children, ordered them to leave the house, whereupon, in the same street, together with Serb soldiers, he beat with a rifle butt [REDACTED] born in 1947 and his wife [REDACTED];

<sup>91</sup> The person is registered in Table B under no 519.

<sup>92</sup> The person is registered in Table B under no 796.

<sup>93</sup> The person is registered in Table B under no 331.

<sup>94</sup> The person is registered in Table A under no 45.

<sup>95</sup> The person is registered in Table B under no 124.



daughter of [REDACTED] born in 1949 and two underage children, forcing her to pray the Moslem way on the asphalt; afterwards he drove them away together with several dozen of Bosniak civilians by a van without any seats to the "Sušica" camp;

10. In early June, most probably on 6 June 1992, he took out a number of Bosniak civilians from the "Sušica" camp, who have never come back again, among whom was [REDACTED] born in 1952, whom he took away under the pretext of taking him for forced labour and whose body was found in the *Ogradice* mass grave in the territory of the Vlasenica municipality on 18 June 2003;
11. On 2 June 1992 or around that date, together with two Serb soldiers, guards of the "Sušica" camp, in the evening hours, he took out of the camp [REDACTED] of [REDACTED] born in 1946, [REDACTED] born in 1952 and a young man from the place of Kula, Zvornik municipality, who disappeared without a trace until the body of one of them, [REDACTED] was recovered and exhumed on 29 September 2000;
12. On 27 June 1992, he came in front of the "Sušica" camp by a truck of the *RO Polet*, ordering 20 prisoners to get on the truck to go and perform forced labour, among whom were a certain person with the last name [REDACTED] [REDACTED] when they came in the vicinity of the veterinary station in Vlasenica, he ordered [REDACTED] to start digging a hole as big as a human body, giving him a gun to kill a certain postman [REDACTED] and when the said person refused to do so, he gave the gun to [REDACTED] when this one also refused to do so, laughing, he packed them into the truck, winding up the steering-wheel at high speed to the right and to the left sadistically abusing the helpless prisoners;
13. In the period between 18 and 30 June 1992, in the "Sušica" camp, he beat with the rifle butt, kicked and punched [REDACTED] (Table B, No. 670) whom he took to perform forced labour together with a group of Bosniak civilians on several occasions, more specifically, to the field sowed with potatoes; they had to pick up potato bugs – and throw them into a glass bottle full of water, afterwards forcing [REDACTED] to drink the water from the bottle;
14. On an undetermined date in the second half of June 1992, he parked the *Zastava* lorry, the so-called refrigerator lorry, behind the veterinary station in Vlasenica in which he detained 13 Bosniak civilians whom he had previously taken out of the "Sušica" camp to perform forced labour, among whom there was [REDACTED] whom he had previously kicked loading his rifle, the so-called drum magazine gun pointed towards his body, abusing him sadistically, afterwards closing him in the refrigerator lorry together with the other civilians, keeping him there for one hour in the closed space where they started fainting because of the lack of air - oxygen, being in panic and fear; a Serb soldier saved them from dying;

<sup>98</sup> The person is registered in Table A under no 127.

<sup>99</sup> The person is registered in Table A under no 219.

<sup>100</sup> The person is registered in Table B under no 615.

<sup>101</sup> Death certificate no 10/13-1-038/08.



15. On an undetermined date in the first half of June 1992 at around 23:00 hours, he took out of the "Sušica" camp a person under the code name "8" and brought her into the guard-house where there were three guards from the "Sušica" camp to whom he said "shall we do it our way?" He put handcuffs on her wrists, previously kicking and punching her; when one of the Serb soldiers pushed her onto the iron bed, he violently tore her clothes off and raped her;
16. In the period between 2 June and 2 July 1992, together with the guards, members of the Serb army and police, he raped the person under the code name "6" on several occasions, whom he took out of the camp and brought into the house in the immediate vicinity of the camp, where he raped and sexually abused her, requiring from her to react back and to scream, while the unidentified persons from the other room were shouting "that's the way, 'Wind', that's the way, 'Wind'!"
17. On 10 July 1992, at [REDACTED] St, in the family house owned by [REDACTED] together with another unidentified Serb soldier he raped [REDACTED]<sup>102</sup>, daughter of [REDACTED] born 1958, abusing her sexually in one of the rooms, having previously forced her mother [REDACTED] to leave the house, ordering them to lie on the asphalt during which time he brought [REDACTED] into her house and raped her; afterwards he took all of them to the "Sušica" camp;
18. On 18 July 1992, together with a number of unidentified Serb soldiers, in the place of Luke in the territory of the Vlasenica municipality, he participated in the separation of women from the bus by which they were deported in the direction of Kladanj to the territory controlled by the Bosnian Moslems, among whom was [REDACTED], daughter of [REDACTED] born in 1952, who disappeared without a trace and whose body has never been recovered;

**IV. PREDRAG BASTAH a.k.a. Dragan and GORAN VIŠKOVIĆ a.k.a. Vjetar- together**

- 1) On an undetermined date, in late April, armed with automatic rifles, in the evening hours, they came by *Lada* vehicle to the house of [REDACTED] born in 1940, at [REDACTED] St, in Vlasenica, took him out of the house, previously beating him all over his body, threw him into the vehicle together with his brother-in-law [REDACTED], [REDACTED] born in 1965, whom they also kicked and beat with the rifle butts and subsequently drove away to the Vlasenica PS where they imprisoned them;
- 2) On an undetermined date in May 1992, they captured [REDACTED] in the street and took him to the Vlasenica PS from where he was transferred to the "Sušica" camp together with his two sons, [REDACTED]

<sup>102</sup> The person is registered in Table B under no 419.

<sup>103</sup> The person is registered in Table B under no 836.

<sup>104</sup> The person is registered in Table A under no 12.

<sup>105</sup> The person is registered in Table B under no 395.

<sup>106</sup> The person is registered in Table A under no 97.

born in 1950 and [REDACTED] born in 1958, most probably in the second half of June on 21 June 1992, where they kicked and punched them inside the hangar with another three guards from the "Sušica" camp, which lasted for about ten minutes, afterwards pushing them out of the camp since then they disappeared until their bodies were exhumed on 29 September 2000;

- 3) On an undermined date in June 1992, they came by a *Niva* vehicle to the Jarovlje village in front of the house of [REDACTED] born in 1953, whom they took away in the direction of Vlasenica to the "Sušica" camp from where they brought him out, since then he disappeared without a trace;
- 4) On an undermined date in July 1992, they escorted buses transporting Bosniak civilians to the territory controlled by the Bosnian Muslims and in the place of Luke in the territory of Vlasenica, participated in the separation of young girls who were on the bus, [REDACTED] born in 1978 and [REDACTED] born in 1975, whistling in order to make a sign to the unidentified Serb soldiers who were in the vicinity of the place where they had stopped to take the girls away; they did so and since then the young girls disappeared without a trace;
- 5) At night between 12 and 13 September 1992, together, in the group of 5 or 6 unidentified persons, dressed in uniforms, armed with automatic rifles, they came to [REDACTED] Street, to the house of [REDACTED], son of [REDACTED] born in 1942; when the unidentified persons entered the house, they waited in front of it; shooting was heard from the house and when the aforementioned persons came out of the house, they left the site together with them;
- 6) At the beginning of September 1992 at around 03:30 hrs., they came carrying arms together with another Serb soldier to 57 Titova Street in Vlasenica where brother and sister [REDACTED] lived; they knocked on the door of their apartment and having found the door locked, in a fit of rage, the Accused Višković strongly swung at [REDACTED] who started spitting blood because he kicked him in his chest; Višković threatened that he would kill them if the door were locked again, which they did several days later when they brought them out of their apartment and killed them; the body of [REDACTED] born in 1922, was exhumed on 18 June 2003 and identified on 24 November 2005, while the body of [REDACTED] has never been recovered;

<sup>107</sup> The person is registered in Table A under no 96.  
<sup>108</sup> The person is registered in Table B under no 566.  
<sup>109</sup> The person is registered in Table B under no 567.  
<sup>110</sup> The person is registered in Table B under no 510.  
<sup>111</sup> The person is registered in Table A under no 244.  
<sup>112</sup> The person is registered in Table A under no 245.  
<sup>113</sup> The person is registered in Table A under no 117.

Therefore,

Within a widespread and systematic attack of the military and police forces of the so-called Srpska Republika of BiH, directed against the civilian Bosniak and non-Serb population of the Vlasenica municipality, with the knowledge of such an attack and knowing that the acts of perpetration, incitement, planning, non-punishment, non-prevention and other unlawful actions they committed within a joint criminal enterprise, whose common objective was the persecution of civilian non-Serb population – by depriving another person of his life, unlawful imprisonment, emotional, physical and sexual abuse and enforced disappearance of persons.

they committed the following criminal offences:

-Veljko Bašić, under count I – 1.1.a -1 i and count 2.-2.a and 2.b of the operative part of the Indictment, the criminal offence of Crimes against Humanity in violation of Article 172, paragraph 1, tem h) of the BiH CC, in conjunction with items a), d), e), f), i) and k), all in conjunction with Article 180, paragraphs 1 and 2 of the BiH CC.

-Bastah Predrag, under count II – 1.1.-10 i and count IV-1.-6. of the operative part of the Indictment, the criminal offence of Crimes against Humanity in violation of Article 172, paragraph 1, tem h) of the BiH CC, in conjunction with items a), d), e), f), i) and k), all in conjunction with Article 180, paragraph 1 of the BiH CC and Articles 29 and 30 of the BiH CC.

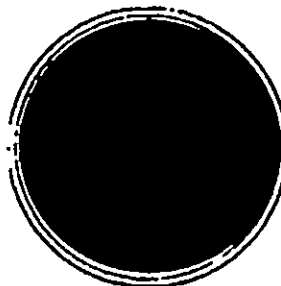
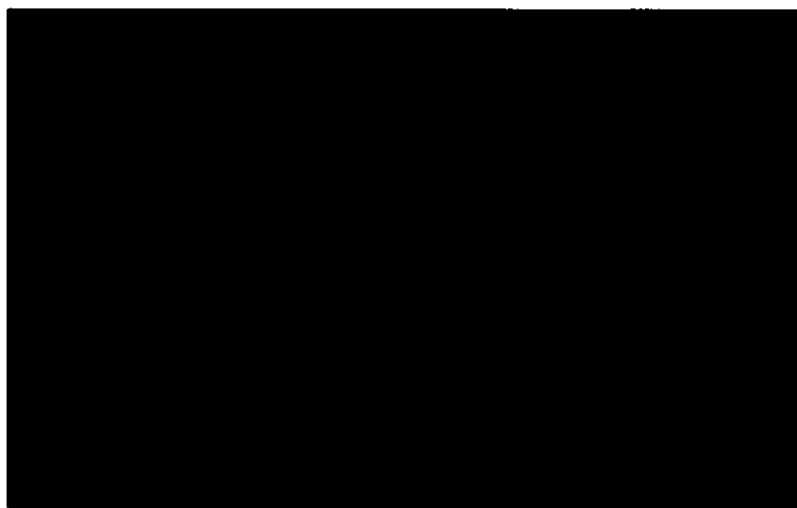
- Goran Višković, under count III – 1.-18 i and count IV-1.-6. of the operative part of the Indictment, the criminal offence of Crimes against Humanity in violation of Article 172, paragraph 1, tem h) of the BiH CC, in conjunction with items a), d), e), f), i) and k), all in conjunction with Article 180, paragraph 1 of the BiH CC and Articles 29 of the BiH CC.

In view of the above, I hereby submit the

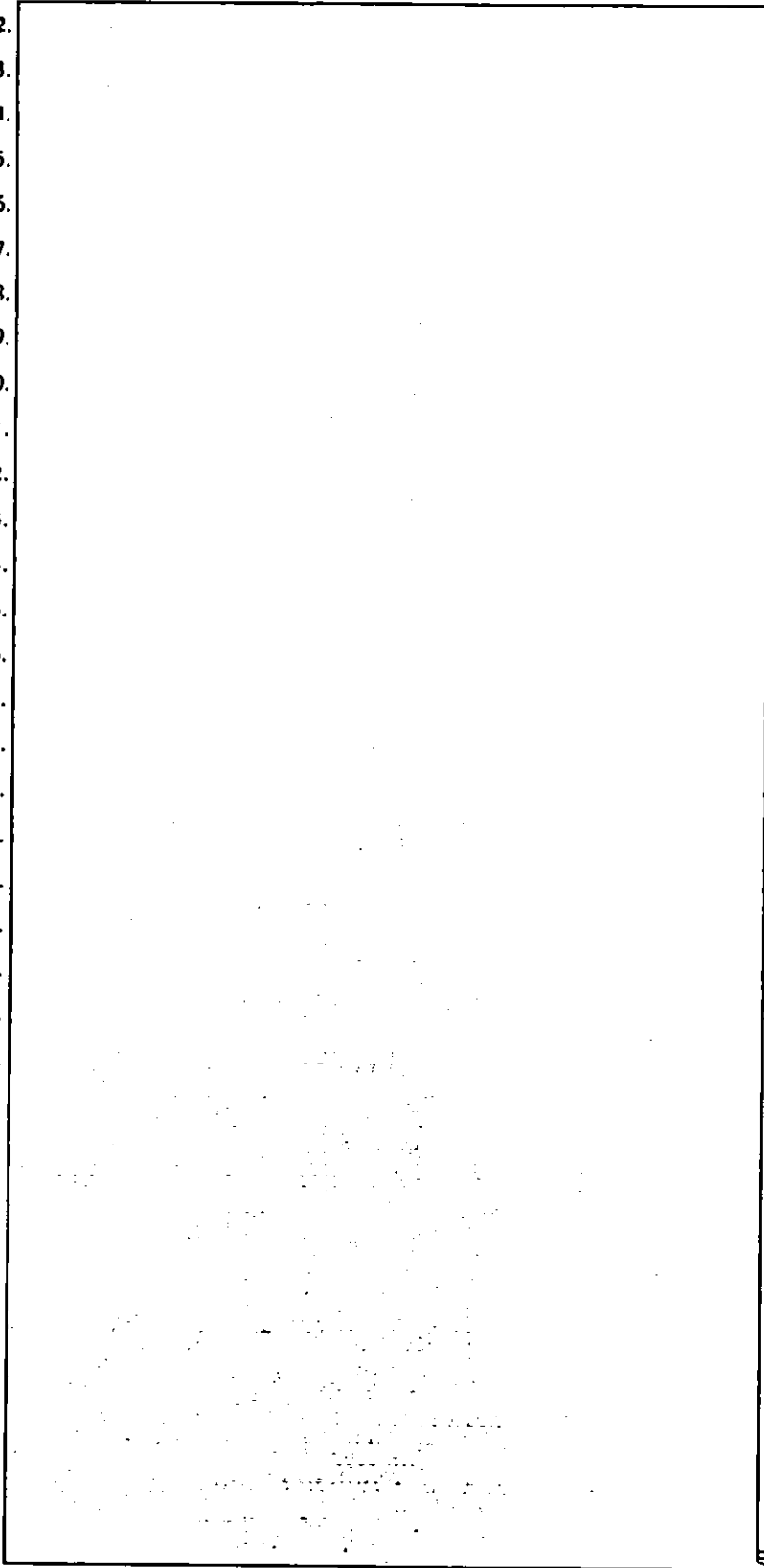
**PROPOSAL**  
of evidence to be presented

**I- To hear the following witnesses:**

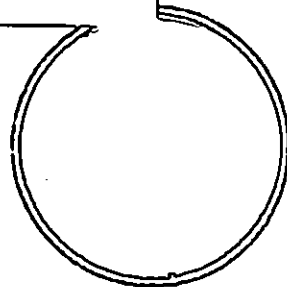
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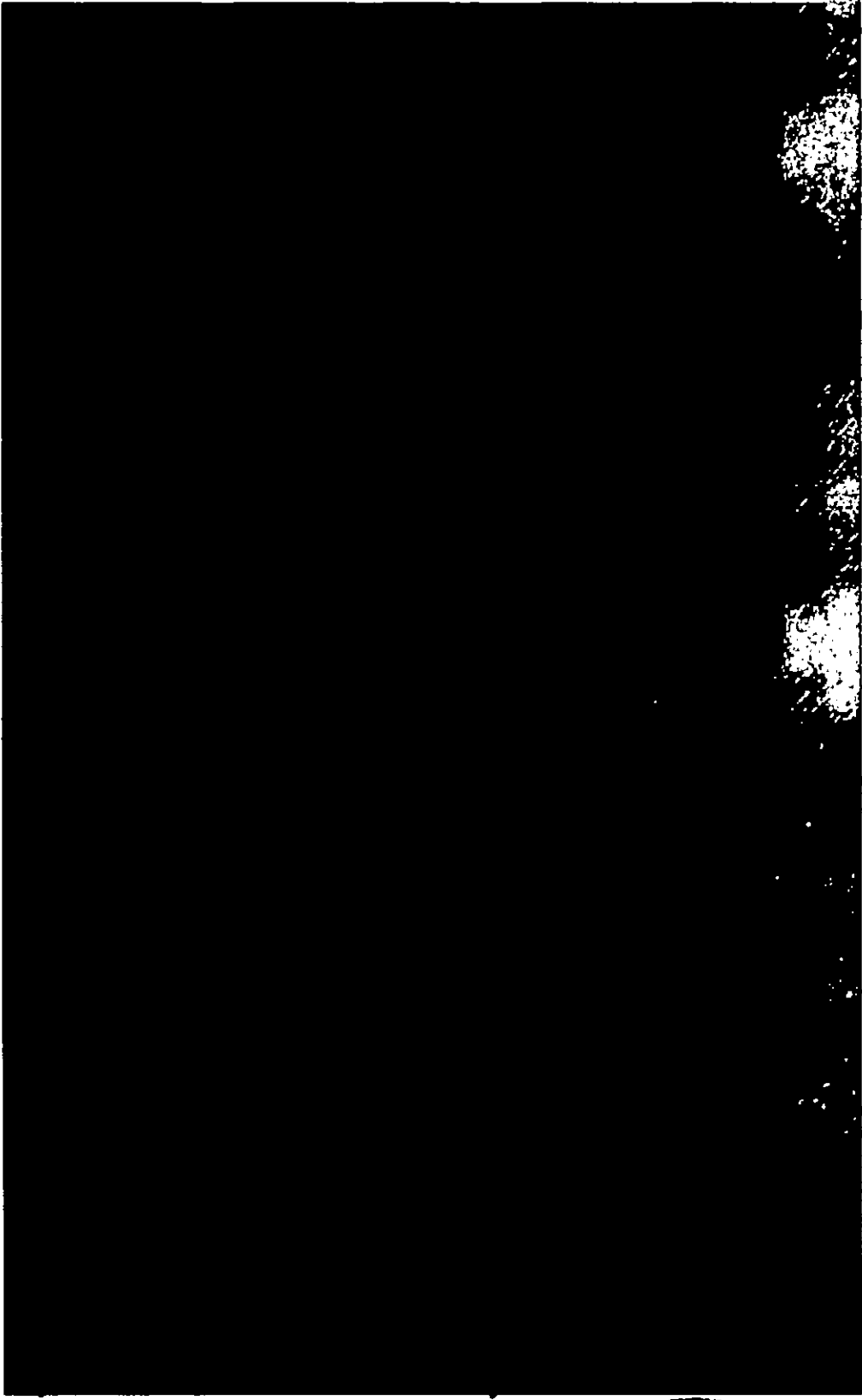
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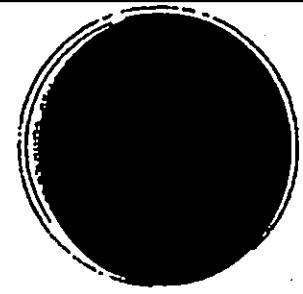


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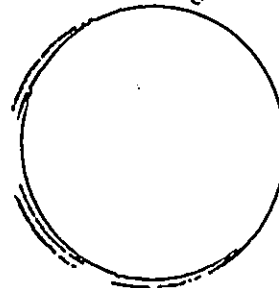
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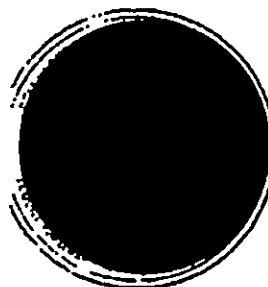
**II – To review the following documents:**

1. *Video recording of the "Sušica" camp, duration 11 minutes and 56 seconds;*
2. *Decision on proclamation of imminent war threat made by the Presidency of the Republic of Bosnia and Herzegovina at the session held on 9 April 1992;*
3. *Decision on proclamation of state of war in the territory of the Republic of BiH dated 20 June 1992 (Official Gazette of RBiH No. 7 of 20 June 1992);*
4. *Decision on formation of the Army of Srpska Republika BiH No. 6 of 12 May 1992 (Official Gazette of the Serbian People in BiH);*
5. *Particulars about Veljko Bašić submitted by the General Administration Department of Vlasenica Municipality, No. 03/11-835-1-1/07 of 04.01.2008 (he was a member of Military Post 7115 Šekovići, in the period from 21.04.'92 through 31.01.'93);*
6. *Military ID booklet reading in the name of Veljko Bašić;*
7. *Certificate issued by Šekovići Military Post, No. 06-96 of 02.09.1996 reading in the name of Veljko Bašić;*

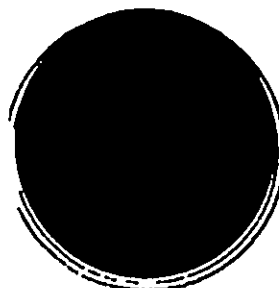


8. *Decision issued by the Service of General Affairs and Social Activities, No. 3-560/1058/96 of 10.02.1997 reading in the name of Veljko Bašić:*
9. *Certificate issued by Republika Srpska – Ministry of Defense No. 02-S31-1-344 of 17.06.1998:*
10. *Certificate issued by the Vlasenica Military Post 7344 No. 05/2-28/95 of 24.01.1996 reading in the name of Bašić Veljko:*
11. *Statement given by Slobodan Kukić about duty roster for Bašić Veljko:*
12. *Medical documents in the name of Bašić Veljko found when searching his house on 28.01.2008:*
13. *Certificate of Police Record issued by the Šekovići Police Station No. 12-1-9/03-235-199/08 of 15.02.2008 reading in the name of Bašić Veljko:*
14. *Record on opening and inspection of the temporarily seized objects and documents made in the Prosecutor's Office of BiH, No. KT-RZ-137/05 of 05.02.2008 in the name of Veljko Bašić, and the receipt on handover of the same documents to the accused Veljko Bašić and his Defense Counsel, Slavko Ašćerić:*
15. *Search Warrant of Dwelling issued by the Court of BiH No. X-KRN-05/122 dated 24.01.2008:*
16. *Record on the search of dwelling, other premises and personal properties made by the State Investigation and Protection Agency of BiH (SIPA), No. 17-04/2-04-2-3 of 28.01.2008 (search of the premises owned by Veljko Bašić):*
17. *Receipt on temporary seizure of objects issued by the State Investigation and Protection Agency of BiH No. 17-04/2-04-2-2/08 of 28.01.2008 (objects seized from Dušanka Bašić):*
18. *Official Note issued by the Ministry of Labor and of Veterans & Disabled Veterans Protection No. 16-03/5-56-1731/08 of 13.02.2008 reading in the name of Bašić Veljko, Sheet No. 10, entry number 47:*
19. *Photo documentation made by the State Investigation and Protection Agency of BiH, No. 17-14/1-7-13/08 of 28.01.2008 (search of Bašić Veljko's house):*
20. *Certified copy of the list made on the basis of the Register of Employees of the Vlasenica Police Station (wherein Predrag Bastah, son of Radovan, born on 18.10.1953 in Han Pijesak, who was a member of the Vlasenica Public Security Station from 04.04.1992 through 20.01.1996 is registered under No. 15), the letter No. 12-1-8/02-230-21/08 of 14.01.2008 was sent by the Vlasenica Police Station:*
21. *Certified photocopy of the unit – personal file in the name of Predrag Bastah (which shows that Predrag Bastah was a member of the Vlasenica Public Security Station from 27.04.1992 through 20.01.1999), the letter No. 03/11-835-1-5/07 of 23.01.2008 was sent by the Administration Service – General Administration Department:*

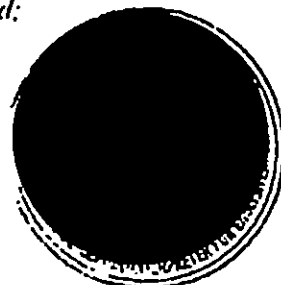
22. Certificate of Police Record issued by the Han Pijesak Police Station No. 13-7/02-235-17/08 of 15.02.2008 reading in the name of Predrag Bastah;
23. Record on the search of dwelling by the State Investigation and Protection Agency of BiH No. 17-04/2-04-2-2/08 of 28.01.2008;
24. Record on opening and inspection of the temporarily seized objects and documents made in the Prosecutor's Office of BiH, No. KT-RZ-137/05 of 05.02.2008 in the name of Predrag Bastah, with the receipt on handover of the same to the accused Predrag Bastah and his Defense Counsel, Veljko Čivša;
25. Receipt on temporary seizure of objects issued by the State Investigation and Protection Agency of BiH, No. 17-04/2-04-2-3/08 of 28.01.2008;
26. White envelope containing 6 photos and the SFRY passport No. 005135218; found when searching the house of Predrag Bastah;
27. Notebook (personal organizer), green cover, A5 size; found when searching the house of Predrag Bastah;
28. Predrag Bastah's request to the Service of Reserve Forces dated 25.03.1996 and the copy of the book titled "Criminals and Victims", pages 58 and 190;
29. Certified copy of the Decision reading in the name of Predrag Bastah on recognition of his disabled veteran status No. 5-560-179/05 of 28.09.2005;
30. Decision made by the Vlasenica Municipality, No. 03-10-568-191/07 of 08.03.2007, reading in the name of Bastah Predrag, establishing his status of the 1<sup>st</sup> category veteran;
31. Photocopy of the employment record booklet No. 679267 in the name of Predrag Bastah;
32. Certificate issued by the Vlasenica Public Security Station No. 13-2/01-24-461 of 09.11.1998 on receiving the personal incomes in the Vlasenica Public Security Station;
33. Photo documentation made by the State Investigation and Protection Agency of BiH, 17-02/8-04-1-5/08 of 28.01.2008 (search of Predrag Bastah's house);
34. Record on opening and inspection of the temporarily seized objects and documents from Goran Višković made in the Prosecutor's Office of BiH, No. KT-RZ-137/05 of 05.02.2008 (in the presence of the suspects and their attorneys, individually);
35. Record on the search of dwelling, other premises and personal properties made by the State Investigation and Protection Agency of BiH No. 17-04/2-04-2-01/08 of 28.01.2008 (search of Goran Višković's premises);
36. Receipt on temporary seizure of objects issued by the State Investigation and Protection Agency of BiH No. 17-04/2-04-2-01/08 of 28.01.2008 (seized from Živojka Višković);
37. Military ID booklet in the name of Goran Višković, numbered 00952;



38. Decision issued by the General Administration Department of the Vlasenica Municipality No. 5-569-107/01 of 06.02.2001. In the name of Goran Višković establishing his status as 1<sup>st</sup> category veteran by virtue of his participation in the Army of the Serb Republic over the period which lasted 58 months and 9 days, whereof he spent 43 months in the zone of combat operations and 7 months and 9 days outside the zone of combat operations;
39. Certificate issued by the Ministry of Defense - Vlasenica Department, No. 8/4-05-03-S33-2-123/02 of 18.03.2002 in the name of Goran Višković;
40. Certified photocopies of the personal and unit file in the name of Goran Višković, submitted by the General Administration Department of the Šekovići Municipality, No. 05-832-2/08 of 22.01.2008 (particulars about his military engagement in the period from 21.04.1992 through 21.04.1993, in the Military Post 7296 in Milići, from 21.04.1993 through 09.03.1996 in the Military Post 7118 in Han Pijesak, and from 10.03.1996 through 30.06.1996 in the Military Post 7115 Šekovići);
41. Certificate of police Record No. 12-1-9/02-235-199/08 of 28.02.2008 issued by the Milići Police Station in the name of Goran Višković;
42. Decision No. 09-185 of 11.08.1997 issued by the Military Post 7115 in Šekovići;
43. Photo documentation made by the State Investigation and Protection Agency of BiH dated 28.01.2008 (Šekovići - Jakovice)  
(report on the traces – objects found, dated 29.01.2008);
44. Record on investigation made by the State Investigation and Protection Agency of BiH No. 17-04/2-04-2-1148-38/06 of 12.02.2008;
45. Photo documentation made by the State Investigation and Protection Agency of BiH No. 17-02/8-04-1-3/08 of 12.02.2008;
46. Sketch of the investigation scene No. 17-02/8-04-1-1/08 of 12.02.2008;
47. Photo-documentation of the Federation Police Administration, Center for Forensic and Support, number 09-14/1-04-5-2337/08 dated 3 April 2008 with the findings and opinion under the above number;
48. Findings and opinion of the graphologist [REDACTED];
49. Map of Birač region (ERN:01117774);
50. Birač Brigade Command of Serb Army, Order of 31.05.1992 (04276217);
51. Paper calling up to serve in the armed forces issued in the name of Dragan Nikolić, dated 26.04.1992 (03394039);
52. List of unemployed members of the Reserve police Forces of the Vlasenica Public Security Station, numbered 09-120-177/92 (F120-3059);



53. Document issued by the Ministry of Interior – Romanija-Birać Security Service Center, the Milići Station, Nos. 01-14/24-13 of 04.01.1993. (01785307, 0185308, 0185309, 01785310, 01785311, 01785312, 01785313);
54. Dragun Nikolić, Chronology of events (04220469);
55. List of the members of Special Platoon within the Vlasenica Public Security Station (F120-3067);
56. List of active and reserve members of the Vlasenica Public Security Station including the list of the members of the Special Platoon of the Vlasenica Public Security Station (F120-3057-58-59-60);
57. Guard's diary in the Sušica camp (03394056 - 033940942);
58. Tabular presentation of mass graves exhumed in the period from 1995 to 2004 (0401-9987 do 0401-9992);
59. ESTIMATE- (marked as: military secret – strictly confidential) (EDS: 03394045 and 03394046);
60. Order (military secret – strictly confidential) based on item 322 of the Rules of Service in Armed Forces, covering the estimation of threat to the facilities made out by the committee of experts, aimed at securing the facilities in Sušica (03394047);
61. OVERVIEW- Engagement of manpower for safeguarding the facilities for accommodation of prisoners of war in Sušica (003394048);
62. Overview of providing the guards for securing the facilities for accommodation of prisoners of war in Sušica - Weapons (003394049);
63. Guards' Operations Instructions (signed by Major Slobodan Pajić), EDS No. 03394050;
64. Sušica-Vlasenica Military Prison: REPORT of 22.06.1992 (signed by Prison Warden, Veljko Bašić), EDS No. 03394052;
65. List of the reserve employees who performed the duties in this Police Station as from 27.10.1992 (F120-2636);
66. Report (0024731);
67. Paper on how to guard the facility 4, PB Vlasenica (03394043);
68. Photographs of the Sušica camp (13 photos);
69. Letter of the Missing Persons Institute No. 01-40-137/2008 of 29.01.2008, containing:
- ♦ Table "A" – List of the non-Serbs who disappeared in the territory of the Vlasenica municipality in the period from 04.04.1992 through 31.12.1992 and who have been exhumed and identified;



- *Table "B" – List of the non-Serbs who disappeared in the territory of the Vlasenica municipality in the period from 04.04.1992 through 31.12.1992.*
- *Graphic representation of the missing non-Serbs who disappeared in the territory of the Vlasenica municipality in the period from 04.04.1992 through 31.12.1992, per number of disappeared and identified;*
- *Graphic representation of the missing non-Serbs who disappeared in the territory of the Vlasenica municipality in the period from 04.04.1992 through 31.12.1992, per their age;*
- *Graphic representation of the missing non-Serbs, who disappeared in the territory of the Vlasenica municipality in the period from 04.04.1992 through 31.12.1992, per their sex;*
- *Graphic representation of the missing non-Serbs who disappeared in the territory of the Vlasenica municipality in the period from 04.04.1992 through 31.12.1992, per their ethnicity;*

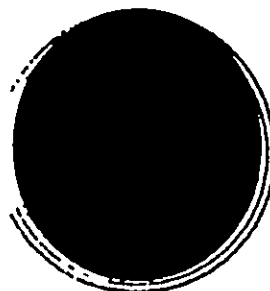
70. *Death Certificate in the name of [REDACTED] issued by the Vlasenica Municipality No. 202-4-18/08 of 21.01.2008 (from which it follows that 10.06.1992 was entered as the date of death, Vlasenica – item 2.a);*
71. *Certification of death in the name of [REDACTED] dated 08.03.2001 including the Record on determination of identity;*
72. *Certification of death in the name of [REDACTED] dated 20.03.2002 including the Record on determination of identity;*
73. *Letter of the Vlasenica Health Center No. 50-2/08 of 13.03.2008;*
74. *Letter of the Vlasenica Health Center No. 50/08 of 15.02.2008;*
75. *Record on exhumation, made by the Cantonal Court in Tuzla, No. KRI-107/00 of 25.09.2000;*
76. *Record on exhumation, made by the Cantonal Court in Tuzla, No. KRI-111/00 of 09.10.2000;*
77. *Certification of death in the name of [REDACTED] dated 27.05.2004 including the record on determination of identity and the DNA testing report;*
78. *Certification of death in the name of [REDACTED] dated 21.11.2000 including the Record on determination of identity;*
79. *Death Certificate in the name of [REDACTED] issued by the Tuzla Municipality, dated 04.12.2000;*
80. *Certification of death in the name of [REDACTED] dated 26.02.2001;*

81. Certification of death in the name of [REDACTED] dated 21.02.2001, including the Record on determination of identity;
82. Certification of death in the name of [REDACTED] dated 07.12.2000, including the Record on determination of identity;
83. Certification of death in the name of [REDACTED] dated 02.12.2005, including the Record on determination of identity and the DNA testing report;
84. Certification of death in the name of [REDACTED] dated 02.12.2005, including the Record on determination of identity and the DNA testing report;
85. Certification of death in the name of [REDACTED] dated 02.12.2005, including the Record on determination of identity and the DNA testing report;
86. Certification of death in the name of [REDACTED] dated 26.03.2001, including the Record on determination of identity;
87. Certification of death in the name of [REDACTED] dated 09.03.2007, including the Record on determination of identity and the DNA testing report;
88. Certification of death in the name of [REDACTED] dated 18.04.2007, including the Record on determination of identity and the DNA testing report;
89. Record on determination of identity of [REDACTED] dated 08.12.2004, including the DNA testing report, certification of death in the name of [REDACTED] and the permission for burial of the deceased [REDACTED];
90. Death Certificate in the name of [REDACTED] issued by the Vlasenica Municipality, No. 202-4-20/2008 of 21.01.2008;
91. Death Certificate in the name of [REDACTED] issued by the Vlasenica Municipality, No. 202-4-19/2008 of 21.01.2008;
92. Death Certificate in the name of [REDACTED] issued by the Vlasenica Municipality, No. 202-4-21/2008 of 21.01.2008;
93. Death Certificate in the name of [REDACTED] issued by the Vlasenica Municipality, No. 202-4-24/2008 of 21.01.2008;
94. Photocopy of the pass issued by the Crisis Staff of the Serb Municipality of Vlasenica, reading in the name of [REDACTED];
95. Photocopy of the medical documents reading in the name of [REDACTED] (5 copies) and Findings & Opinion made by the expert [REDACTED] on seriousness of bodily injuries, reading in the name of [REDACTED];
96. Photocopy of the Agreement to Exchange the Real Property (the house) made on 12 June 1992 between [REDACTED];



97. Certification of death in the name of [REDACTED] dated 15.03.2004. including the Record on determination of identity:
98. Certification of exhumation in the name of [REDACTED] issued by the Federation Commission for Missing Persons. No.:01-41-1410/2004. of 17.05.2004:
99. Death Certificate in the name of [REDACTED]:
100. Decision of the Basic Court in Vlasenica, No. R2-22/2002 of 17.10.2002. declaring the missing [REDACTED] dead:
101. Certification of death issued by JZU UKC Tuzla No. 289/07 and DNA testing report in the name of [REDACTED]
102. Record on determination of identity No. 289107 in the name of [REDACTED]
103. Death Certificate in the name of [REDACTED]
104. Certification of death in the name of [REDACTED]
105. Death Certificate in the name of [REDACTED] 200
106. Record on determination of identity in the name of [REDACTED]:
107. Certification of death in the name of [REDACTED]
108. Death Certificate in the name of [REDACTED]
109. Record on determination of identity in the name of [REDACTED]
110. Death Certificate in the name of [REDACTED]
111. Decision made by the Municipal Court in Zenica, No. R-249/2000 of 26.10.2000 declaring [REDACTED] dead:
112. Death Certificate in the name of [REDACTED]:
113. Decision made by the Municipal Court in Zenica, No.R-249/2000 of 26.10.2000 declaring [REDACTED] dead:
114. Item 5 on the sheet of the paper marked as A-Ga, states the name of Dragan Bastah:
115. Item 4 on the sheet of the paper marked as B-Ga, states the name of Dragan Bastah:
116. Photo No.1, a person identifies Dragan Bastah:
117. Photo No.2, a person identifies Goran Višković:

118. Findings and of opinion of the specialist of "Plava poliklinika" in Sarajevo in the name of [REDACTED] dated 17.10.2007;
119. Certificate dated 04.10.1994, issued by the Vlasenica Municipality - the Commission for Exchange of Prisoners of War, reading in the name of [REDACTED]
120. Certification of death in the name of [REDACTED]
121. Death Certificate in the name of [REDACTED]
122. Photo documentation made by the State Investigation and Protection Agency of BiH dated 13.03.2008 (location: close to the road leading to the "Alpro" factory - Toplana settlement) and SIPA Official Note dated 13.03.2008;
123. Sketch of the scene dated 13.03.2008;
124. Decision made by the Municipal Court in Sarajevo, No.: R-643/99 of 02.12.1999, declaring [REDACTED] dead;
125. Certificate issued by the Republic of Bosnia and Herzegovina - the State Commission for Search of Missing Persons No. 06/5-793-E/96 of 18.10.1996 reading in the name of [REDACTED]
126. Photo of the house owned by [REDACTED]
127. Certificate issued by the Red Cross dated 18-09.1992 reading in the name of [REDACTED]
128. Photo dated 31.01.08 - the protected witness under the code name "witness 3" identifies Bastah under item 5;
129. Photo dated 31.01.08 - the protected witness under the code name "witness 3" identifies Bastah under item 1;
130. Death Certificate in the name of [REDACTED]
131. Death Certificate in the name of [REDACTED]
132. Certificate issued by the Association of Camp Detainees of BiH No. 7991/2007 of 22.11.2007 in the name of [REDACTED]
133. Certification of death in the name of [REDACTED] dated 26.02.2001 and Record on determination of identity of [REDACTED] of the same date;
134. Death Certificate No. 202-4-22/28 of 21.01.2008 in the name of [REDACTED]
135. Permission for burial of the deceased [REDACTED] dated 26.02.2001;
136. Complete medical documents under the code name "witness 9";

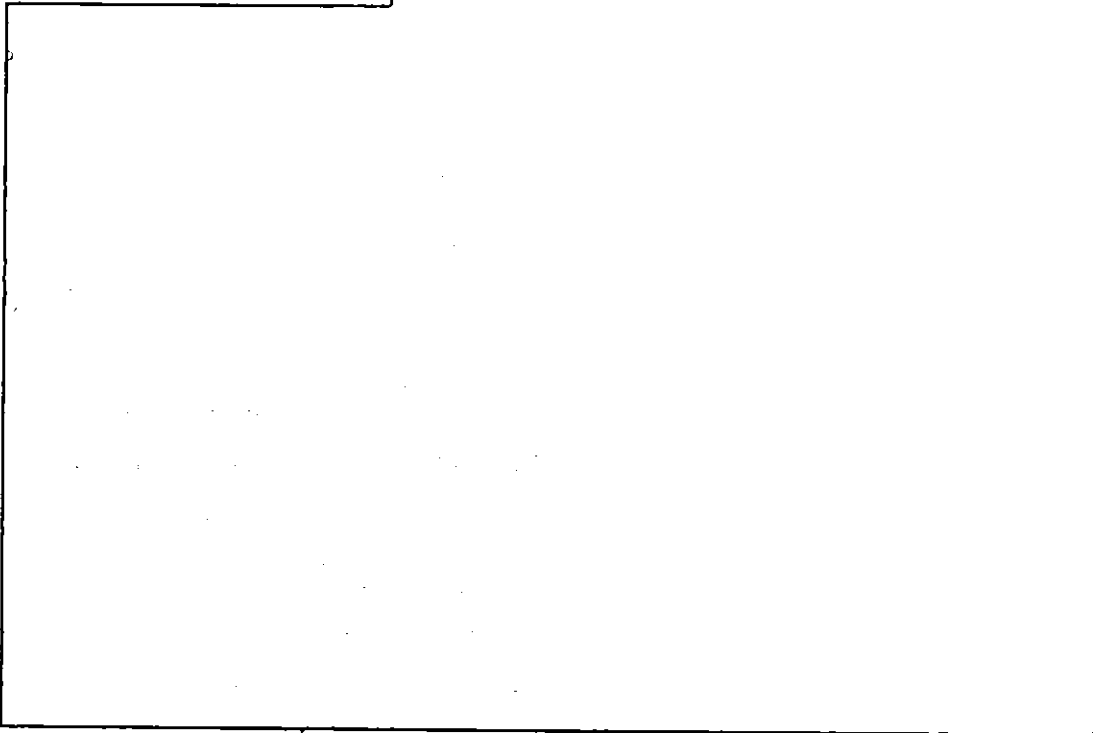


137. Photo dated 11.10.08 - [REDACTED] identifies Predrag Bastah a.k.a. Car:
138. Photo dated 11.10.07 - [REDACTED] identifies Goran Višković a.k.a. Vjetar:
139. List of identified bodies, No. 14-02-06 of 17.04.2006:
140. Certification of death in the name of [REDACTED] DNA testing report dated 21.07.2005 and Record on determination of identity of [REDACTED]:
141. Certification of death in the name of [REDACTED]
142. Certification of death in the name of [REDACTED]
143. Decision made by the Basic Court in Vlasenica, No. P2.30/2001 of 10.09.2001 declaring [REDACTED] dead:
144. Letter of discharge issued by the Tuzla Psychiatry Clinic, No. 1100/470 in the name of [REDACTED]
145. Decision on recognition of the status of civil war victim reading in the name of [REDACTED] No. 04-35-534-16/06 of 25.12.2006:
146. Certificate issued by the Municipal Red Cross Organization of the Vlasenica Municipality, No. 6/2000 of 06.03.2000 reading in the name of [REDACTED]:
147. Letters of the Vlasenica Police Station dated 24.01.2008 and 11.03.2008. CIPS particulars dated 04.03.2008 and the letter of the Kladanj Police Station dated 10.03.2008 in the name of [REDACTED]:
148. Death Certificate in the name of [REDACTED]
149. Pass issued in the name of [REDACTED]
150. SIPA Official Note No. 17-15/3-1-73/08 of 01.04.2008:
151. First-instance Verdict in the case against Momčilo Krajišnik number: IT-00-39, paragraphs 346 through 358:
152. Verdict in the case against Dragan Nikolić number: IT-94-2-S dated 18.12.2003 paragraphs 50 through 82 and paragraph 111 number: IT-00-39, paragraphs 346 through 358.

**The results of the investigation:**

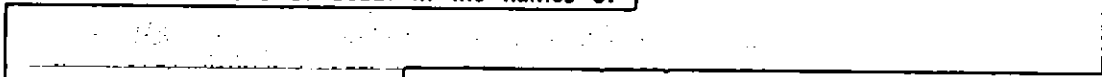
The results of the investigation conducted by this Prosecutor's Office have undoubtedly confirmed that the suspects Veljko Bašić, Predrag Bastah and Goran Višković committed the criminal offences as charged.

The grounded suspicion that the Accused have committed the criminal offence follows from the statements of the witnesses



while,

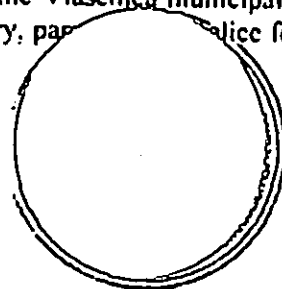
having beforehand made the records on identification, exhumation and autopsy, the expert witnesses, pathologists, M.D. [redacted] stated the basic cause of death in their certifications of death in the names of [redacted]



[redacted] whose deaths have been brought into connection with the actions of the Accused persons.

The documentary pieces of evidence from the case file corroborate the charges explicitly stated in the Indictment.

The attack on the town of Vlasenica and many villages in the Vlasenica municipality in the course of April and May 1992 was carried out by the military, par [redacted] police forces and



June  
1992

the local Serbs and was aimed at eliminating for good its Bosniak inhabitants and other population of non-Serb ethnicity. The town of Vlasenica is situated in the territory of the Vlasenica municipality. According to the 1991 census, the municipality had 33,800 inhabitants, out of whom, 55% were Moslems, 43% Serbs and 2% declared themselves as 'Others', while the town of Vlasenica itself had 7,500 inhabitants, out of whom 65% were Moslems and 35% were Serbs. In January 1992, the Serbs from Vlasenica and 8 neighbouring municipalities proclaimed the "Autonomous District Birač" comprising of the municipalities of Han Pijesak, Kladanj, Rogatica, Olovo, Sokolac and Šekovići. A great number of reserve officers were present there during the first days of April 1992. There were the tanks, artillery and combat vehicles brought there. In the period from 21 April 1992, the Serb soldiers occupied the Vlasenica municipality with the assistance of the armed paramilitary formations and the so-called Novi Sad Corps, taking control over all major facilities and institutions. Immediately after the Serbs had taken control over the Vlasenica municipality, a great number of Moslems and other non-Serbs were expelled or arrested in the period between May 1992 and the end of September 1992.

The fact that there was a widespread and systematic attack carried out in the territory of Vlasenica is corroborated by the statements of the proposed witnesses whose testimonies are identical in relation to the attacked villages from which almost all of the Moslem population was expelled, among which, the villages of Drum, Piskavice, Gradina and Zaklopača, which was also established by the ICTY Verdict number: IT-00-39 against Momčilo Krajišnik, which says that "the Panel concluded that the Serb forces had killed more than 270 persons in the period from mid-May until September 1992 in the Vlasenica municipality, 70 persons in the Zaklopača village on 16 May 1992 and that the Serb soldiers had taken out 29 prisoners from the Police Station prison and killed them on 29 May 1992, while a great number of Moslems were transferred to and detained in the "Sušica" camp where about 2000 Moslems of both sex and age were detained in the period between June and September 1992.

The participation of the MUP (Ministry of the Interior), the Vlasenica SJB and the Serb army in the widespread attack against the Bosniak civilian and other non-Serb population of the Vlasenica municipality were undeniably established. While attacking the villages of Gradina, Zaklopača and Drum, the units of the Serb army and the paramilitary formations were headed by the Special-Purpose Platoon of the Vlasenica SJB. There was also a large number of reserve and active police officers who participated in the combat operations during April, May and June 1992. A pre-designed plan to expel all Moslems and non-Serbs from that area follows from the above decision on the establishment of the Birač SAO (Serbian Autonomous District). In addition, by this decision, the detention camp that was commanded by the army and local police, located about 1 km away from the town of Vlasenica, was set up in Sušica. The "Sušica" camp consisted of two main buildings and one small house, which is easily visible and explained in the photographs attached to the Indictment as an exhibit. The prisoners were placed in the warehouse, the so-called hangar, 30 metres long and 50 meters wide. In the period from the end of May until end of October 1992, there were several thousand Moslem and other non-Serb civilians detained in the camp. The number of detainees ranged between 300 and 500 persons who were placed in an overcrowded room, and in dreadful living conditions. The other smaller building was used as warehouse for uniforms, equipment as well for interrogations of Moslem and other non-Serb detainees.

It follows from the statements given by the proposed witnesses that men, women, children and even entire families were kept confined in the camp. The women and children were usually staying for a short period of time before being forcibly transferred to the nearby

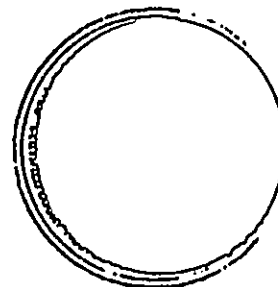
Moslem areas. Before forcible transfer, they had to sign a document with the statement that they had voluntarily left that area and that they had waived their property. Many detainees were beaten up; dozens of them died or are registered as missing persons; many of them were the victims of sexual abuse. The proposed witnesses shall testify about the experiences they shared in the camp.

The camp warden was a retired police officer Veljko Bašić, which fact, among other things, was also confirmed by the ICTY Verdict number 03394052, which says that the camp guards were under the command of the camp warden Veljko Bašić. In addition, many witnesses have stated the importance of the role the suspect Veljko Bašić had played in the camp, also providing evidence on his actual control over the guards. In his/her statement, the protected witness under the code number "4" explained it most explicitly saying that Veljko Bašić had known what was going on in the "Sušica" camp, since he was lining up the prisoners, looking at them and doing a count on a daily basis, which means that he must have known who was missing.

Witness [redacted] properly explains the role of the camp warden Bašić saying that the warden was deciding the "Sušica" camp prisoners' destiny. On one occasion, while speaking to the camp warden in a small utility room, they were approached by one of the "Sušica" camp guards who wanted to hear the conversation between the prisoner [redacted] and the camp warden. When Veljko Bašić ordered him to leave the room, he left unquestioningly.

It follows from the statement of the witness [redacted] that Veljko Bašić had a quarrel with the convict Dragan Nikolić over which one of them was in charge of the prison. When he found out that [redacted] and a young man from Kula had been taken away and killed the night before, he entered the hanger among the prisoners, calling roll to see if anyone else was missing.

The statement of the witness [redacted] confirms that he knew what was going on in the "Sušica" camp, mentioning that one day the Serb soldiers, who were guards there, took out [redacted] on which occasion he asked her: "Did you see who had taken [redacted] away?" The fact that the prisoners were being killed within the camp under his jurisdiction is corroborated by the correspondence he sent to the Vlasenica Supreme Command, explaining that two prisoners, [redacted] had died of heart disease but not because they had been beaten up, falsely stating that these two prisoners had been medically examined by M.D. [redacted]. This was denied in M.D. [redacted] statement. To wit, being a camp warden, he must have known what was going on in the camp since he should have known that the unlawful actions would continue (which actually happened afterwards - killing of [redacted] including many others) after the killing of [redacted] about which he found out at the very beginning. It is a fact that Dragan Nikolić a.k.a. Jenki bears direct responsibility for the death of the stated persons of which offence he was convicted, however, Veljko Bašić did not do anything to prevent Dragan Nikolić, one of the camp commanders, to do such things or to report him to the competent bodies. He must have seen the traces of blood in the immediate vicinity of the hangar as a result of beatings and killings of prisoners, since, as stated by the witness [redacted] everybody saw blood near column "A". In their statements, the protected witness under the code name "witness 2", [redacted] protected witness under the code name "witness 3", [redacted] spoke about the role of the Accused Bašić. One of the above witnesses *(translator's note: not clear to*



which of the stated witnesses it refers is explicit when saying that Veljko Bašić introduced himself to them as the camp warden. It follows from the statement of [REDACTED] that the Accused Veljko Bašić came in person to the door of the house where they were hiding in fear for their safety and the safety of their children, ordering them to leave for the "Sušica" camp, which they did. After several days of their stay in the "Sušica" camp and his coming to the house of [REDACTED] he ordered them to leave the town of Vlasenica itself.

It stems from the documentary evidence, such as guards' log book of the "Sušica" camp<sup>1089a</sup> EDS numbers 0339405676 and the security guards' operation instruction, EDS number 03394050, which exhibits are attached to the Indictment, that the camp warden Veljko Bašić was informed of important events occurring in the "Sušica" camp itself and that, according to the security guards' operation instruction, each guard was obliged to report on all irregular and extraordinary occurrences in the camp, first to the camp warden and subsequently to the SJB Vlasenica and the IV Vlasenica Infantry Battalion, to the telephone numbers specified in the Order. It clearly follows from the above that the camp warden Veljko Bašić knew what was going on inside and outside the camp and about the involvement of both the Serb army and the local MUP in commanding the "Sušica" camp. While Veljko Bašić was the warden of the "Sušica" camp, the total number of 45 persons who were taken out from the camp for, as it was called, 'forced labour', never returned. Death certificates and records on the DNK analysis confirmed that 9 persons who were recovered and identified, died a violent death. As a superior and a responsible person, Veljko Bašić failed to take a single action to prevent the perpetration of the stated offences or to punish the perpetrators.

As members of the MUP and the RS army, both of the accused, Predrag Bastah and Goran Višković were engaged from the very beginning in the war activities directed against Bosniak and other non-Serb population in the territory of the Vlasenica municipality, taking the incriminating actions exactly in the manner, time and under the circumstances as stated in the operative part of the Indictment.

As members of the MUP and the RS army, they participated not only in the widespread and systematic attack against the entire non-Serb population of the Vlasenica municipality, which was explicitly confirmed by the witnesses' statements, claiming that the Accused Predrag Bastah known as "Car" and "Dragan" and Goran Višković a.k.a. "Vjetar" were the ones who participated in the arrest of the civilians, torture and forcible abduction of women, many of whom were raped and sexually abused, as well as in taking men away to perform forced labour, many of whom have not returned and whose bones have never been recovered. As for those who were recovered in the mass graves in the territory of the Vlasenica municipality, it was established that their deaths were caused by entry-and-exit wounds.

It follows from the documentary evidence, Table "A", the list of non-Serbs that disappeared in the territory of the Vlasenica municipality in the period from 4 April 1992 through 31 December 1992 who were exhumed and identified, 309 persons were at issue. It also follows from the List "B", the list of non-Serbs that disappeared in the territory of the Vlasenica municipality in the same period, the number of persons was 836.

The above are solely the persons of non-Serb ethnicity. To wit, it follows from all the above that a great number of Bosniak men, women, children and elderly people were killed in the Vlasenica municipality and the surrounding area. An additional number of 100 Muslim civilians of all ages and both sexes were exhumed from the mass and individual graves in the

territory of the Vlasenica municipality and the surrounding area. A large number of the non-Serb civilians were systematically expelled in an organised manner and unlawfully imprisoned, killed and beaten up. The last remaining Bosniaks were expelled in late September 1992 when, practically speaking, there were no Bosniaks left in Vlasenica. By their actions, the Accused contributed to the achievement of their joint aim in the manner as described in the operative part of the Indictment.

Evaluating the evidence collected during the investigation, it may be concluded that the Accused Veljko Bašić, Predrag Bastah and Goran Višković, acted together with the other accomplices and in accordance with a common plan with a criminal intent, that is killing, torture, expulsion, rape and forceful disappearance, all of which is specified in the Indictment under counts 1 through 10. The Accused participated completely voluntarily in the common plan and in concert with other members of both the army and the police, sharing the same intention, which resulted in the killings of at least nine persons, forceful disappearance of more than 40 persons, rape of three persons as well as in the permanent mental harm to the persons who survived the torture by the Accused.

For the above grounds, their joint actions in their entirety may be subsumed under personal and command responsibility foreseen under Article 180, paragraphs 1 and 2 of the BiH CC by participating in the joint criminal enterprise that implies joint planning and taking actions with a shared intent.

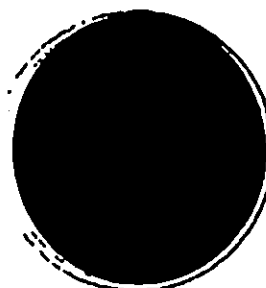
Taking into consideration that the Accused were members of the forces participating in the attack on the territory of the Vlasenica municipality, which stems from the collected and submitted evidence, they knew about the attack and were aware that their actions as described in detail in the operative part of the Indictment, constituted part of that attack. The actions taken by the Accused had an exclusively discriminatory basis since there are no other motives arising from them except for the different ethnic, religious and political affiliation of the victims.

In view of the above, it can clearly be concluded that, in the period when the actions charged against the Accused were taken, Serb forces, comprising of a military, paramilitary and police formations undertook a widespread and systematic attack directed against the civilian population of non-Serb ethnicity living in the Vlasenica municipality and that the Accused were aware of that, that they knew that the actions which they had committed in the manner as described in the operative part of the Indictment constituted a part of that attack and that they were exclusively taken to persecute civilians of non-Serb ethnicity on political, racial and religious grounds, which all indicates that all elements of the offence the Accused are charged with, have been met.

The suspects Veljko Bašić, Predrag Bastah and Goran Višković were examined during the investigation in respect of the offences they are charged with. In addition, they used their right foreseen by the law to remain silent.

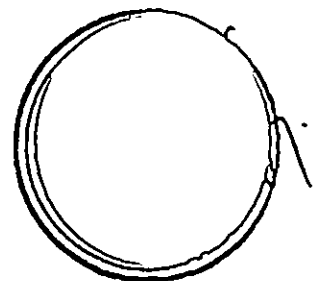
#### ***EVIDENCE CORROBORATING ALLEGATIONS OF THE INDICTMENT***

1. *Record on questioning the suspect Predrag Bastah a.k.a. Dragan in the Prosecutor's Office of BiH. No. KT-RZ -137/05 of 29.02.2008;*



2. *Record on questioning the suspect Goran Višković a.k.a. Vjetar in the Prosecutor's Office of BiH, No. KT-RZ -137/05 of 29.02.2008:*
3. *Record on questioning of the suspect Veljko Bašić in the Prosecutor's Office of BiH, No. KT-RZ -137/05 of 29.02.2008:*
4. *Record on examination of the witness [REDACTED] 05.02.2008:*
5. *Record on examination of the witness [REDACTED] of 18.01.2008:*
6. *Record on examination of the witness under the code name "witness 1" of 11.01.2008:*
7. *Record on examination of the witness under the code name "witness 15" of 12.03.2008:*
8. *Record on examination of the witness [REDACTED] of 13.03.2008:*
9. *Record on examination of the witness under the code name "witness 6" of 07.01.2008:*
10. *Record on examination of the witness [REDACTED] 06.04.2008:*
11. *Record on examination of the witness [REDACTED] 18.01.2008:*
12. *Record on examination of the witness [REDACTED] 2.2008:*
13. *Record on examination of the witness [REDACTED] 21.01.200:*
14. *Record on examination of the witness [REDACTED] 3.2007:*
15. *Record on examination of the witness [REDACTED] 2007:*
16. *Record on examination of the witness [REDACTED] 06.04.2007:*
17. *Record on examination of the witness [REDACTED] 02.2008:*
18. *Record on examination of the witness [REDACTED] 06.03.2008:*
19. *Record on examination of the witness [REDACTED] of 20.02.2008:*
20. *Record on examination of the witness [REDACTED] 02.2008:*
21. *Record on examination of the witness under the code name "witness 2" of 05.09.2007:*
22. *Record on examination of the witness under the code name "witness 7" of 15.08.2007:*
23. *Record on examination of the witness [REDACTED] of 16.10.2007:*
24. *Record on examination of the witness under the code name "10" of 17.03.2008:*
25. *Record on examination of the witness [REDACTED] 14.01.2008:*
26. *Record on examination of the witness [REDACTED] 10.2007 and 17.01.2008:*
27. *Record on examination of the witness [REDACTED] of 18.02.2008:*
28. *Record on examination of the witness [REDACTED] of 18.02.2008:*
29. *Record on examination of the witness [REDACTED] of 22.10.2007:*
30. *Record on examination of the witness [REDACTED] 02.2008:*
31. *Record on examination of the witness under the code name "witness 11" of 11.03.2008:*
32. *Record on examination of the witness under the code name "witness 14" of 14.03.2008:*

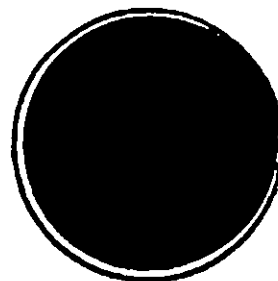
33. Record on examination of the witness under the code name "witness 12" of 14.03.2008;
34. Record on examination of the witness [redacted] 17.01.2008;
35. Record on examination of the witness [redacted] 22.01.2008;
36. Record on examination of the witness [redacted] of 31.08.2007;
37. Record on examination of the witness [redacted] of 11.09.2007;
38. Record on examination of the witness [redacted] 07.02.2008;
39. Record on examination of the witness [redacted] of 11.03.2008;
40. Record on examination of the witness under the code name "witness 3" of 05.09.2007;
41. Record on examination of the witness [redacted] of 18.02.1998;
42. Record on examination of the witness [redacted] 24.01.2008;
43. Record on examination of the witness [redacted] 16.01.2008;
44. Record on examination of the witness [redacted] 6.01.2008;
45. Record on examination of the witness under the code name "witness 13" of 12.03.2008;
46. Record on examination of the witness under the code name "witness 8" of 15.01.2008;
47. Record on examination of the witness [redacted] of 14.01.2008;
48. Record on examination of the witness under the code name "witness 9" of 15.01.2008;
49. Record on examination of the witness [redacted] of 11.10.2007;
50. Record on examination of the witness [redacted] 25.01.2008;
51. Record on examination of the witness [redacted] of 19.05.1999;
52. Record and transcript on examination of the witness Habiha Hukić of 16.01.2008;
53. Record on examination of the witness [redacted] of 17.02.2008;
54. Record on examination of the witness [redacted] 02.02.2007;
55. Record on examination of the witness [redacted] 30.01.2007;
56. Record on examination of the witness [redacted] 1.2008;
57. Record on examination of the witness [redacted] 16.01.2008;
58. Record on examination of the witness [redacted] 8.04.2006;
59. Record on examination of the witness [redacted] of 18.02.2008;
60. Record on examination of the witness [redacted] ić of 14.01.2008;
61. Record on examination of the witness [redacted] of 06.12.2007;
62. Record on examination of the witness [redacted] of 21.01.2007;
63. Record on examination of the witness [redacted] of 08.10.2007;
64. Record on examination of the witness [redacted] of 11.03.2008;
65. Record on examination of the witness [redacted] 1.03.2008;
66. Record on examination of the witness [redacted] of 24.03.2008;



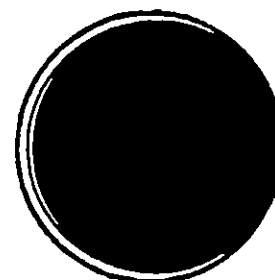
67. Record on examination of the witness under the code name "witness 4" of 06.02.2008;
68. Record on examination of the witness [REDACTED] of 29.03.2007;
69. Record on examination of the witness [REDACTED] 21.01.2008;
70. Record on examination of the witness [REDACTED] 02.2007;
71. Record on examination of the witness [REDACTED] 15.01.2008;
72. Record on examination of the witness under the code name "witness 5" of 24.01.2008;
73. Record on examination of the witness [REDACTED] 09.2007;
74. Record on examination of the witness [REDACTED] 007;
75. Record on examination of the witness [REDACTED] 02.2008;
76. Record on examination of the witness [REDACTED] 05.03.2007;
77. Record on examination of the witness [REDACTED] 24.10.2007;
78. Record on examination of the witness [REDACTED] of 07.06.2007;
79. Record on examination of the witness [REDACTED] 0.2006;
80. Record on examination of the witness [REDACTED] 25.01.2007;
81. Record on examination of the witness [REDACTED] 2008;
82. Record on examination of the witness [REDACTED] 02.1998;
83. Record on examination of the witness [REDACTED] 13.03.2008;
84. Record on examination of the witness [REDACTED] 4.04.2006;
85. Record on examination of the witness [REDACTED] of 10.01.2008;
86. Record on examination of the witness [REDACTED] 09.01.2008;
87. Record on examination of the witness [REDACTED] of 29.02.2008;
88. Record on examination of the witness [REDACTED] 2.2008;
89. Record on examination of the witness under the code name "witness 16" of 04.03.2008;
90. Record on examination of the witness [REDACTED] of 18.03.2008;
91. White envelopes containing the Statements given by the protected witnesses under the code names No "1" through "17".

*and the following documentary evidence:*

92. Decision on proclamation of imminent war threat made by the Presidency of the Republic of Bosnia and Herzegovina at the session held on 9 April 1992;
93. Decision on proclamation of state of war in the territory of the Republic of BiH dated 20 June 1992 (Official Gazette of RBiH No. 7 of 20 June 1992);
94. Decision on formation of the Army of Srpska Republika BiH No. 6 of 12 May 1992 (Official Gazette of the Serbian People in BiH);

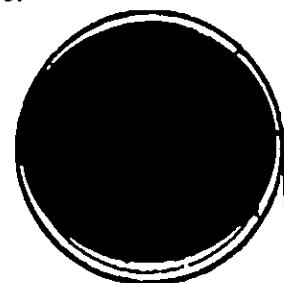


95. *Particulars about Veljko Bašić submitted by the General Administration Department of Vlasenica Municipality, No. 03/11-835-1-1/07 of 04.01.2008 (he was a member of Military Post 7115 Šekovići, in the period from 21.04.'92 through 31.01.'93):*
96. *Military ID booklet reading in the name of Veljko Bašić:*
97. *Certificate issued by Šekovići Military Post, No. 06-96 of 02.09.1996 reading in the name of Veljko Bašić:*
98. *Decision issued by the Service of General Affairs and Social Activities, No. 5-560-1058/96 of 10.02.1997 reading in the name of Veljko Bašić:*
99. *Certificate issued by Republika Srpska – Ministry of Defense No. 02-831-1-344 of 17.06.1998:*
100. *Certificate issued by the Vlasenica Military Post 7344 No. 05/2-28/95 of 24.01.1996 reading in the name of Bašić Veljko:*
101. *Statement given by Slobodan Kukić about duty roster for Bašić Veljko:*
102. *Medical documents reading in the name of Bašić Veljko found when searching his house on 28.01.2008:*
103. *Certificate of Police Record issued by the Šekovići Police Station No. 12-1/02-234-29/08 of 25.02.2008 reading in the name of Bašić Veljko:*
104. *Record on opening and inspection of the temporarily seized objects and documents made in the Prosecutor's Office of BiH, No. KT-RZ-137/05 of 05.02.2008 in the name of Veljko Bašić, and the receipt on handover of the same to the accused Veljko Bašić and his Defense Counsel, Slavko Aščerić:*
105. *Search Warrant of Dwelling issued by the Court of BiH No. X-KRN-05/122 dated 24.01.2008:*
106. *Record on the search of dwelling, other premises and personal properties made by the State Investigation and Protection Agency of BiH (SIPA), No. 17-04/2-04-2-3 of 28.01.2008 (search of the premises owned by Veljko Bašić):*
107. *Receipt on temporary seizure of objects issued by the State Investigation and Protection Agency of BiH No. 17-04/2-04-2-2/08 of 28.01.2008 objects seized from Dušanka Bašić:*
108. *Official Note issued by the Ministry of Labor and of Veterans & Disabled Veterans' Protection No. 16-03/5-56-1731/08 of 13.02.2008 reading in the name of Bašić Veljko – Sheet No. 10, entry number 47:*
109. *Photo documentation made by the State Investigation and Protection Agency of BiH, No. 17-14/1-7-13/08 of 28.01.2008 (search of Bašić Veljko's house):*



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110. *Official Note made by the State Investigation and Protection Agency of BiH, No. 17-15/3-1-72/08 of 01.04.2008:*
  111. *Certified copy of the list made on the basis of the Register of Employees of the Vlasenica Police Station (wherein Predrag Bastah, son of Radovan, born on 18.10.1953 in Han Pijesak, who was a member of the Vlasenica Public Security Station from 04.04.1992 through 20.01.1996 is registered under No. 15), the letter No. 12-1-8/02-230-21/08 of 14.01.2008 was sent by the Vlasenica Police Station:*
  112. *Certified photocopy of the unit – personal file in the name of Predrag Bastah (which shows that Predrag Bastah was a member of the Vlasenica Public Security Station from 27.04.1992 through 20.01.199), the letter No. 03/11-835-1-5/07 of 23.01.2008 was sent by the Administration Service – General Administration Department:*
  113. *Certificate of Police Record issued by the Han Pijesak Police Station No. 13-7/02-235-17/08 of 15.02.2008 reading in the name of Predrag Bastah:*
  114. *Record on the search of dwelling by the State Investigation and Protection Agency of BiH No. 17-04/2-04-2-2/08 of 28.01.2008:*
  115. *Record on opening and inspection of the temporarily seized objects and documents made in the Prosecutor's Office of BiH, No. KT-RZ-137/05 of 05.02.2008 in the name of Predrag Bastah, with the receipt on handover of the same to the accused Predrag Bastah and his Defense Counsel, Veljko Čivša:*
  116. *Receipt on temporary seizure of objects issued by the State Investigation and Protection Agency of BiH, No. 17-04/2-04-2-3/08 of 28.01.2008:*
  117. *White envelope containing 6 photos and the SFRY passport No. 005135218:*
  118. *Notebook (personal organizer), black cover, A5 size; notebook, brown-green cover, A5 size:*
  119. *Predrag Bastah's request to the Service of Reserve Forces dated 25.03.1996 and the copy of the book titled "Criminals and Victims", pages 58 and 190:*
  120. *Certified copy of the Decision reading in the name of Predrag Bastah on recognition of his disabled veteran status No. 5-560-179/05 of 28.09.2005:*
  121. *Decision made by the Vlasenica Municipality, No. 03-10-568-191/07 of 08.03.2007, reading in the name of Bastah Predrag, establishing his status of the 1<sup>st</sup> category veteran:*
  122. *Photocopy of the employment record booklet No. 679267 in the name of Predrag Bastah:*
  123. *Certificate issued by the Vlasenica Public Security Station No. 13-2/01-24-461 of 09.11.1998 on receiving the personal incomes in the Vlasenica Public Security Station:*

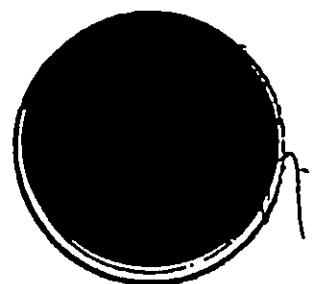
124. *Photo documentation made by the State Investigation and Protection Agency of BiH, 17-02/8-04-1-5/08 of 28.01.2008 (search of Predrag Bastah's house):*
125. *Record on opening and inspection of the temporarily seized objects and documents made in the Prosecutor's Office of BiH, No. KT-RZ-137/05 of 05.02.2008 (in the presence of the suspects and their attorneys, individually):*
126. *Record on the search of dwelling, other premises and personal properties made by the State Investigation and Protection Agency of BiH No. 17-04/2-04-2-01/08 of 28.01.2008:*
127. *Receipt on temporary seizure of objects issued by the State Investigation and Protection Agency of BiH No. 17-04/2-04-2-01/08 of 28.01.2008:*
128. *Military ID booklet reading in the name of Goran Višković, numbered 00952:*
129. *Decision issued by the General Administration Department of the Vlasenica Municipality No. 5-569-107/01 of 06.02.2001, in the name of Goran Višković establishing his status of the 1<sup>st</sup> category veteran by virtue of his participation in the Army of the Serb Republic over the period lasted 58 months and 9 days, whereof he spent 43 months in the zone of combat operations and 7 months and 9 days outside the zone of combat operations:*
130. *Certificate issued by the Ministry of Defense - Vlasenica Department, No. 8/4-05-03-833-2-123/02 of 18.03.2002 in the name of Goran Višković:*
131. *Certified photocopies of the personal and unit file in the name of Goran Višković, submitted by the General Administration Department of the Šekovići Municipality, No. 05-832-2/08 of 22.01.2008 (particulars about his military engagement in the period from 21.04.1992 through 21.04.1993, in the Military Post 7296 in Milići, from 21.04.1993 through 09.03.1996 in the Military Post 7118 in Han Pijesak, and from 10.03.1996 through 30.06.1996 in the Military Post 7115 Šekovići):*
132. *Certificate of police Record No. 12-1-9/02-235-199/08 of 28.02.2008 issued by the Milići Police Station in the name of Goran Višković:*
133. *Decision No. 09-185 of 11.08.1997 issued by the Military Post 7115 in Šekovići:*
134. *Photo documentation made by the State Investigation and Protection Agency of BiH dated 28.01.2008 (Šekovići - Jakovice) (report on the traces - objects found, dated 29.01.2008):*
135. *Record on Investigation made by the State Investigation and Protection Agency of BiH No. 17-04/2-04-2-1148-38/06 of 12.02.2008:*
136. *Photo documentation made by the State Investigation and Protection Agency of BiH No. 17-02/8-04-1-3/08 of 12.02.2008:*
137. *Sketch of the investigation scene No. 17-02/8-04-1-1/08 of 12.02.2008:*



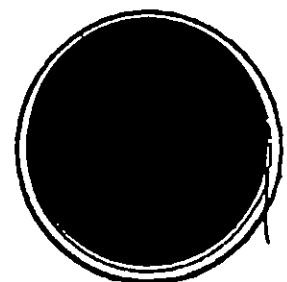
138. *Map of Birač region (ERN:01117774):*
139. *Birač Brigade Command of Serb Army, Order of 31.05.1992 (04276217):*
140. *Paper calling up to serve in the armed forces issued in the name of Dragan Nikolić, dated 26.04.1992 (03394039):*
141. *List of unemployed members of the Reserve police Forces of the Vlasenica Public Security Station, numbered 09-120-177/92 (F120-3059):*
142. *Documents issued by the Ministry of Interior – Romunija-Birač Security Service Center, the Milići Station, Nos. 01-14/24-13 of 04.01.1993. (01785307, 0185308, 0185309, 01785310, 01785311, 01785312, 01785313):*
143. *Dragan Nikolić, chronology of events (04220469):*
144. *List of the members of Special Platoon within the Vlasenica Public Security Station (F120-3067):*
145. *List of active and reserve members of the Vlasenica Public Security Station including the list of the members of Special Platoon of the Vlasenica Public Security Station (F120-3057-58-59-60):*
146. *Guard's logbook in the Sušica camp (03394056 - 033940942):*
147. *Tabular presentation of mass graves exhumed in the period from 1995 to 2004 (0401-9987 do 0401-9992):*
148. *ESTIMATE- (marked as: military secret – strictly confidential) (EDS: 03394045 and 03394046):*
149. *Order (military secret – strictly confidential) based on item 322 of the Rules of Service in Armed Forces, covering the estimation of threat to the facilities made out by the committee of experts, aimed at securing the facilities in Sušica (03394047):*
150. *OVERVIEW- Engagement of manpower for safeguarding the facilities for accommodation of prisoners of war in Sušica (003394048):*
151. *Overview of providing the guards for securing the facilities for accommodation of prisoners of war in Sušica -Weapons (003394049):*
152. *Guards' Operations Instructions (signed by Major Slobodan Pajić), EDS No. 03394050:*
153. *Sušica-Vlasenica Military Prison: REPORT of 22.06.1992 (signed by Prison Warden, Veljko Bašić), EDS No. 03394052:*

154. *List of the reserve employees who performed the duties in this Police Station as from 27.10.1992 (F120-2636):*
155. *Report (0024731):*
156. *Instructions on Firefighting Protection & Natural Disasters:*
157. *Paper on how to guard the facility 4. PB Vlasenica (03394043):*
158. *Photographs of the Sušica camp (13 photos):*
159. *Letter of the Missing Persons Institute No. 01-40-137/2008 of 29.01.2008, containing:*
- *Table "A" – List of the non-Serbs who disappeared in the territory of the Vlasenica municipality in the period from 04.04.1992 through 31.12.1992 and whose bodies have been exhumed and identified:*
  - *Table "B" – List of the non-Serbs who disappeared in the territory of the Vlasenica municipality in the period from 04.04.1992 through 31.12.1992.*
  - *Graphic representation of the missing non-Serbs who disappeared in the territory of the Vlasenica municipality in the period from 04.04.1992 through 31.12.1992, per number of disappeared and identified:*
  - *Graphic representation of the missing non-Serb who disappeared in the territory of the Vlasenica municipality in the period from 04.04.1992 through 31.12.1992, per their age:*
  - *Graphic representation of the missing non-Serbs, who disappeared in the territory of the Vlasenica municipality in the period from 04.04.1992 through 31.12.1992, per their sex:*
  - *Graphic representation of the missing non-Serbs who disappeared in the territory of the Vlasenica municipality in the period from 04.04.1992 through 31.12.1992, per their ethnicity:*
160. *Death Certificate in the name of [REDACTED] issued by the Vlasenica Municipality No. 202-4-18/08 of 21.01.2008:*
161. *Certification of death in the name of [REDACTED] dated 08.03.2001 including the Record on determination of identity:*
162. *Certification of death in the name of [REDACTED] dated 20.03.2002 including the Record on determination of identity:*
163. *Letter of the Vlasenica Health Center No. 50-2/08 of 13.03.2008:*
164. *Letter of the Vlasenica Health Center No. 50/08 of 15.02.2008:*

165. *Record on exhumation, made by the Cantonal Court in Tuzla, No. KRI-107/00 of 29.09.2000;*
166. *Record on exhumation, made by the Cantonal Court in Tuzla, No. KRI-111/00 of 09.10.2000;*
167. *Certification of death in the name of [REDACTED] dated 27.05.2004 including the record on determination of identity;*
168. *Certification of death in the name of [REDACTED] dated 21.11.2000 including the Record on determination of identity;*
169. *Death Certificate in the name of [REDACTED] issued by the Tuzla Municipality, dated 04.12.2000;*
170. *Birth Certificate in the name of [REDACTED] issued by the Olovo Municipality, No. 03-13-1-68/08 of 21.01.2008;*
171. *Certification of death in the name of [REDACTED] dated 26.02.2001;*
172. *Certification of death in the name of [REDACTED] dated 21.02.2001, including the Record on determination of identity;*
173. *Certification of death in the name of [REDACTED] dated 07.12.2000, including the Record on determination of identity;*
174. *Certification of death in the name of [REDACTED] dated 02.12.2005, including the Record on determination of identity and the DNA testing report;*
175. *Certification of death in the name of [REDACTED] dated 02.12.2005, including the Record on determination of identity and the DNA testing report;*
176. *Certification of death in the name of [REDACTED] dated 02.12.2005, including the Record on determination of identity and the DNA testing report;*
177. *Certification of death in the name of [REDACTED] dated 26.03.2001, including the Record on determination of identity;*
178. *Certification of death in the name of [REDACTED] dated 09.03.2007, including the Record on determination of identity and the DNA testing report;*
179. *Certification of death in the name of [REDACTED] dated 18.04.2007, including the Record on determination of identity and the DNA testing report;*
180. *Record on determination of identity of [REDACTED] dated 20.07.2004, including the DNA testing report;*
181. *Death Certificate in the name of [REDACTED] issued by the Vlasenica Municipality, No. 202-4-20/2008 of 21.01.2008;*



182. *Death Certificate in the name of [REDACTED] issued by the Vlasenica Municipality, No. 202-4-19/2008 of 21.01.2008;*
183. *Death Certificate in the name of [REDACTED] issued by the Vlasenica Municipality, No. 202-4-21/2008 of 21.01.2008;*
184. *Death Certificate in the name of [REDACTED] issued by the Vlasenica Municipality, No. 202-4-24/2008 of 21.01.2008;*
185. *Certification of death in the name of [REDACTED] dated 24.11.2005;*
186. *Death Certificate in the name of [REDACTED] issued by the Vlasenica Municipality, No. 202-4-23/2008 of 21.01.2008;*
187. *Death Certificate in the name of [REDACTED] issued by the Vlasenica Municipality, No. 202-4-20/2008 of 21.01.2008;*
188. *Death Certificate in the name of [REDACTED] issued by the Vlasenica Municipality, No. 202-4-19/2008 of 21.01.2008;*
189. *Photocopy of the pass issued by the Crisis Staff of the Serb Municipality of Vlasenica, reading in the name of [REDACTED];*
190. *Photocopy of the medical documents reading in the name of [REDACTED] (5 copies) and Findings & Opinion made by the expert [REDACTED] M.D., on seriousness of bodily injuries, reading in the name of [REDACTED];*
191. *Photocopy of Agreement to Exchange the Real Property (the house) made on 12 June 1992 between [REDACTED];*
192. *Certification of death in the name of [REDACTED] dated 15.03.2004, including the Record on determination of identity;*
193. *Certificate issued by the Federation Commission for Missing Persons, No.:01-41-1410/2004, of 17.05.2004;*
194. *Death Certificate in the name of [REDACTED];*
195. *Decision of the Basic Court in Vlasenica, No. R2-22/2002 of 17.10.2002, declaring the missing [REDACTED] dead;*
196. *Certification of death issued by JZU UKC Tuzla No. 289/07 and DNA testing report in the name of [REDACTED];*
197. *Record on determination of identity No. 289107 in the name of [REDACTED];*
198. *Death Certificate in the name of [REDACTED];*
199. *Certification of death in the name [REDACTED];*



200. *Death Certificate in the name of [REDACTED]*
201. *Record on determination of identity in the name of [REDACTED]*
202. *Certification of death in the name of [REDACTED]*
203. *Death Certificate in the name of [REDACTED]*
204. *Record on determination of identity in the name of [REDACTED]*
205. *Death Certificate in the name of [REDACTED]*
206. *Decision made by the Municipal Court in Zenica, No. R-249/2000 of 26.10.2000 declaring [REDACTED] dead;*
207. *Death Certificate in the name of [REDACTED]*
208. *Decision made by the Municipal Court in Zenica, No. R-249/2000 of 26.10.2000 declaring [REDACTED] dead;*
209. *Item 5 on the sheet of the paper marked as A-Ga, states the name of Dragan Bastah;*
210. *Item 4 on the sheet of the paper marked as B-Ga, states the name of Dragan Bastah;*
211. *Photo No. 1, a person identifies Dragan Bastah;*
212. *Photo No. 2, a person identifies Goran Višković;*
213. *Findings and of opinion of the specialist of "Plava poliklinika" in Sarajevo in the name of [REDACTED] dated 17.10.2007;*
214. *Certificate dated 04.10.1994, issued by the Vlasenica Municipality - the Commission for Exchange of Prisoners of War, reading in the name of [REDACTED]*
215. *Sheet of paper dated 01.02.2008 showing 5 photos; item 5 designates the person of Predrag Bastah;*
216. *Certification of death in the name of [REDACTED];*
217. *Death Certificate in the name of [REDACTED]*
218. *Photo documentation made by the State Investigation and Protection Agency of BiH dated 13.03.2008 (location: close to the road leading to the "Alpro" factory - Toplana settlement) and SIPA Official Note dated 13.03.2008;*
219. *Sketch of the scene dated 13.03.2008;*

220. Decision made by the Municipal Court in Sarajevo, No.: R-643/99 of 02.12.1999, declaring ██████████ dead;
221. Certificate issued by the Republic of Bosnia and Herzegovina – the State Commission for Search of Missing Persons No. 06/5-793-E/96 of 18.10.1996 reading in the name of ██████████
222. Photo of the house owned by ██████████
223. Photo dated 31.01.08 – the protected witness under the code name "witness 3" identifies Bastah under item 5;
224. Photo dated 31.01.08 – the protected witness under the code name "witness 3" identifies Bastah under item 1;
225. Death Certificate in the name of ██████████
226. Death Certificate in the name of ██████████
227. Certificate issued by the Association of Camp Detainees of BiH No. 7991/2007 of 22.11.2007 in the name of ██████████
228. Certification of death in the name of Ismet Zekić dated 26.02.2001 and Record on determination of identity of ██████████ of the same date;
229. Death Certificate No. 202-4-22/28 of 21.01.2008 in the name of ██████████
230. Permission for burial of the deceased ██████████ dated 26.02.2001;
231. Complete medical documents under the code name "witness 9";
232. Photo dated 11.10.08 - ██████████ identifies Predrag Bastah a.k.a. Car;
233. Photo dated 11.10.07 - ██████████ identifies Goran Višković a.k.a. Vjetar;
234. List of identified bodies, No. 14-02-06 of 17.04.2006;
235. Certification of death in the name of ██████████ DNA testing report dated 21.07.2005 and Record on determination of identity of ██████████
236. Certification of death in the name of ██████████
237. Certification of death in the name of ██████████
238. Decision made by the Basic Court in Vlasenica, No. P2.30/2001 of 10.09.2001 declaring ██████████ dead;
239. Certification of death in the name of ██████████ and permission for burial of the deceased ██████████

240. Letter of discharge issued by the Tuzla Psychiatry Clinic, No. 1100/470 in the name of [REDACTED]
241. Decision on recognition of the status of civil war victim reading in the name of [REDACTED] No. 04-35-534-16/06 of 25.12.2006:
242. Certificate issued by the Municipal Red Cross Organization of the Vlasenica Municipality, No. 6/2000 of 06.03.2000 reading in the name of [REDACTED]
243. Letters of the Vlasenica Police Station dated 24.01.2008 and 11.03.2008, CIBS particulars dated 04.03.2008 and the letter of the Kludanj Police Station dated 10.03.2008:
244. Death Certificate in the name of [REDACTED]
245. Certification of death in the name of [REDACTED] dated 02.12.2005:
246. SIPA Official Note No. 17-15/3-1-73/08 of 01.04.2008:
247. Pass issued by the Crisis Staff of the Vlasenica Municipality in the name of [REDACTED]

Having made an analysis of the evidence collected during the investigation, both the subjective and the objective ones, individually and collectively, we consider that there is sufficient evidence indicating grounded suspicion that the suspects Veljko Bašić, Predrag Bastah and Goran Višković committed the criminal offence as charged by the Indictment. Therefore, the Prosecutor's Office of BiH finds this Indictment fully grounded and moves the Preliminary Hearing Judge to confirm this Indictment.

*The Motion to extend custody of the Accused Predrag Bastah and Goran Višković, Motion for the duration of the prohibiting measures imposed on the Accused Veljko Bašić until the Verdict becomes final*

*Pursuant to Article 227, paragraph 3 and Article 137, paragraph 1 of the BiH CPC, in case the Court confirms this Indictment, the Prosecutor's Office of BiH proposes the extension of custody of the Accused Predrag Bastah and Goran Višković, because of the existence of special custody grounds under items a) and b), Article 132, paragraph 1 of the BiH CPC in respect of the Accused Predrag Bastah and in respect of the Accused Goran Višković, also under item b), Article 132, paragraph 1 of the BiH CPC, since we consider that there still exist custody grounds that also existed at the time when the Decision to order custody and the Decision to extend custody were issued during the investigation.*

*Bringing of the Indictment against the Accused for the perpetration of the criminal offence of Crimes against Humanity in violation of Article 172, paragraph 1, item h), in conjunction with items a), d), e), f), g) and k), all in conjunction with item 29 of the BiH CC, and Article 180, paragraph 1 of the BiH CC, with an aim of bringing them before the Court of BiH, finding them guilty and punishing them according to the law, unmistakably follows from this Motion to extend custody and the evidence attached to this Indictment as an attachment to the Motion to extend custody.*

*The extension of custody is proposed in order to prevent the escape of the Accused Predrag Bastah and the influence of Predrag Bastah and Goran Višković on witnesses and possible accomplices.*

*The grounded suspicion (in terms of Article 5, paragraph 1, item c) of the European Convention for the Protection of Human Rights and Fundamental Freedoms) that the Accused Predrag Bastah and Goran Višković committed the stated criminal offences is based on the facts and evidence from the case file. These pieces of evidence bring the Accused in connection with the committed criminal offence. In conclusion, all documentary evidence based on the BiH law and the Conventions constitute lawful grounds to extend custody.*

*Therefore, the requirements under Article 5, paragraph 1, item c of the European Convention for the Protection of Human Rights and Fundamental Freedoms and Article 137 of the BiH CPC have been fully met (accused for the perpetration of the criminal offence as defined in the BiH CC; the objective of custody and its extension is to bring the Accused before the competent Court of BiH to decide on his responsibility taking into account that there exists grounded suspicion that the suspects committed the criminal offence).*

*The justification of the custody extension is also contained in the foreseen punishment for this criminal offence, which may be a strong reason for the escape of the Accused persons in order to avoid responsibility. However, a severe punishment by itself is not sufficient to justify custody or extension of custody, but there also exists other circumstances:*

*To wit, the Accused Predrag Bastah (Article 132, paragraph 1, item a) of the BiH CPC) holds citizenship of another State, holds property in another State (Serbia) – apartment in Novi Sad, Serbia, at Kraljevića Marka 019 (seen also on the valid passport of the Accused, number 005135218 – passport of the Federal Republic of Yugoslavia), as seen in the Official Note made by the State Investigation and Protection Agency number 17-04/2-04-2-83/08 dated 29 January 2008, which may be a strong reason for the escape or to avoid the criminal responsibility, which would surely happen in case he is released.*

*It must be borne in mind that there is an Agreement on Legal Assistance between the BiH Government and the Government of Serbia, but that Agreement does not oblige the contracting parties to extradite accused persons to the state where the criminal proceedings are conducted against the person whose extradition is required. In addition, the applicable legal regulations of the State of Serbia do not allow the extradition of its citizens to another state.*

*Therefore, the release of the Accused Predrag Bastah would constitute a great risk and justifies the Motion to extend custody as defined under item a), Article 132, paragraph 1 of the BiH CPC.*

*As for item b), Article 132, paragraph 1 of the BiH CPC concerning both the Accused Predrag Bastah and Goran Višković, all counts of the Indictment need to be taken into account, as charged.*

*To wit, the Accused resides in the area of the Vlasenica municipality on which territory the criminal offence and all actions of the criminal offence were committed which is why there is a realistic risk that they would intimidate the witnesses, in particular those who returned or intend to return to their property from the area which had been expelled at the critical*

period of time and who will be examined during the trial. It is necessary that they testify in the atmosphere without any pressure and fear of revenge.

Moreover, it follows from the operative part of the Indictment that the criminal offence was committed together with unknown perpetrators, members of the Serb army and police, in a group and in concert with the other perpetrators, who, although unknown for the time being, are the co-perpetrators; therefore if released, it is realistic to expect that they would get into contact with him and hinder the criminal proceedings.

Vlasenica is a small place, thus, it is possible to get into contact and make arrangements with witnesses and potential accomplices without great difficulties since all of them reside in the same place, and, in the opinion of the Prosecutor's Office, all the above constitutes a concrete risk.

It should be kept in mind that a large number of witnesses are direct victims of the actions of the Accused as charged, that they are the victims of rape, specifically, by the Accused Goran Višković, which has left deep trauma and mental problems on the victim, which is why, seventeen witnesses are seeking protection. Therefore, the release and encountering the Accused in Vlasenica would certainly cause many problems, disturbance and produce fear.

Witnesses, in particular the victims, must have confidence in the ability of judicial bodies to prevent any kind of contact with witnesses before justice has been served.

As for the Accused Veljko Bašić, charged with the criminal offence of War Crimes against Humanity in violation of Article 172, paragraph 1, item h), in conjunction with items a), d), e) f) g) and k), all in conjunction with Article 180, paragraphs 1 and 2 of the BiH CC, by the Decision of this Court number X-KRN-05/122 dated 29 January 2008, the following prohibiting measures have been imposed on him:

- I. House arrest and prohibition to leave the Vlasenica municipality, Bosnia and Herzegovina, without prior approval by the Court;
- II. Mandatory stay at the address Naselje drinskog korpusa 4 Vlasenica;
- III. Mandatory reporting each Monday to the Vlasenica PS between 08:00 and 10:00 hours;
- IV. Prohibition to contact the persons that could be the prosecution witnesses;
- V. Prohibition to contact or meet with any potential participants in this criminal offence or potential suspects;

We are of the opinion that there still exist grounds for which the above measures have been imposed in the first place, in particular taking into consideration Counts I, II and III, since it follows from the Official Note of the State Investigation and Protection Agency number 17-15/3-1-72/08 dated 1 April 2008 that there is a risk that the Accused, should the above measures be revoked, could leave their place of residence and move to another State – Serbia in order to avoid the appearance before the Court and the criminal responsibility, thereby jeopardizing the entire criminal proceedings.

In view of the above, I consider that the Motion to extend custody and the Motion to extend the duration of the imposed prohibiting measures in order to secure the presence of the Accused are entirely well-founded wherefore I hereby recommend that they be granted.

**PROSECUTOR  
PROSECUTOR'S OFFICE OF BIH  
Sanja Jukić**

*I hereby confirm that this document is a true translation  
Sarajevo, 8 May 2008*

*of Serbian/Croatian.*

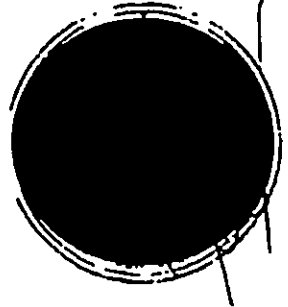
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*I hereby confirm that this document is a true translation of the  
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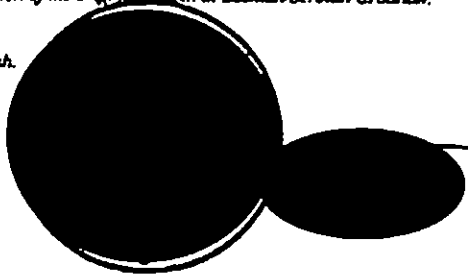
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