

**Bosnia and Herzegovina  
Prosecutor's Office of Bosnia and Herzegovina**

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**Special Department for War Crimes  
Number: KT-RZ-30/05  
Sarajevo, 16 April 2009**

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

**S a r a j e v o**

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

**I N D I C T M E N T**

**AGAINST: 1. Mehura Selimović, son of Ismet and Mala, nee Bašalić, born on 4 April 1962 in Vrsta, Municipality of Bihać, personal identification number: 0404962110057, residing in Bihać at 6 Kosta Horman Street, Bosniak, citizen of BiH, literate, university education – Faculty of Technical Sciences, married, served army in 1981/82 in Karlovac and Koprivnica, major, no decorations, no previous convictions, no other criminal proceedings pending against him, medium income, under prohibiting measures ordered by the decision of the Court of BiH number X-KRN-08/522 of 11 April 2008 and 13 October 2008;**

**2. Adil Ružnić, son of Murat and Rasema, nee Jusić, born on 2 August 1967 in Bihać, personal identification number: 0208967110019, residing in Bihać at 24 Vasifbega Bišćevića Street, Muslim-Bosniak, citizen of BiH, graduate economist, literate, graduated from the Faculty of Economics, married, served army in 1986/87 in Sarajevo, major, no decorations, no previous convictions, no other criminal proceedings pending against him, medium income, under the prohibiting measures ordered by the decision of the Court of BiH number X-KRN-08/522 of 11 April 2008 and 13 October 2008;**

**3. Emir Mustafić, son of Hašim and Muniba, nee Purić, born on 22 July 1961 in Bihać, personal identification number: 2207961110018, residing in Bihać at 27 Prvi krajiški odred Street or at 27 Hatinački progon Street, Muslim-Bosniak, citizen of BiH, journalist-editor, literate, Secondary Commercial School, divorced, father of a minor, did not serve the army, no rank, no decoration, no previous convictions, no criminal proceedings pending against him, medium income, under the prohibiting measures ordered by the decision of the Court of BiH number X-KRN-08/522 of 11 April 2008 and 13 October 2008;**

**On the following grounds:**

**Mehura Selimović, as the counterintelligence officer, operations officer and Deputy Head of the Military Security Department with the Staff of the 5<sup>th</sup> Corps of the Army of RBiH, and Adil Ružnić as the Assistant Commander for Security and operations officer of the Military Security Department with the Staff of the 5<sup>th</sup> Corps of the Army of RBiH,**

**in violation of the rules of international law during the war, acting in violation of Articles 3 and 4 of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 12 August 1949, Articles 3, 4, 13, 14, 15 and 17 of the Geneva Convention Relative to the Treatment of Prisoners of War of 12 August 1949, and Articles 45, 51 and 75 of the Protocol Additional to the Geneva Conventions of 12 August 1949, relative to the Protection of Victims of International Armed Conflicts (Protocol I), during the armed conflict in Bosnia and Herzegovina between the army of the Republic of Bosnia and Herzegovina (hereinafter: Army of RBiH) and the army of Republika Srpska (hereinafter: VRS),**

**during the period from mid-February 1994 to early February 1996**

**1.1. they aided and abetted and instigated the imprisonment of civilians and the prisoners of war in a manner contrary to the provisions of international humanitarian law, by detaining the prisoners of war, members of VRS and the RS police in the detention camps at the locations of the *Adil Bešić* barracks in Bihać, premises of the car-repair shop *Rad* in Cazin, premises of the civil prison *Luke* in Bihać, premises of the *Park* Hotel in Bihać and the premises of the Plastics Factory in Bosanski Petrovac, wherein**

- **the detained persons, prisoners of war and civilians were kept in the buildings at the locations described under Count 1 in extremely poor living conditions, slept on wooden pallets put on concrete, without necessary hygienic conditions, without sufficient quantities of drinking water and with meagre meals, deprived of the possibility of normally meeting their physiological needs, deprived of adequate or any medical care, whereas many of the war prisoners had previously been wounded, and the prisoners and civilians were forced to labour which included hard physical jobs, wood cutting, digging ditches, burial of the killed soldiers' bodies, sweeping streets and the compounds of the detention centres in which they were kept, wherein the detainees were hidden from the ICRC representatives for a certain period of their detention in order to prevent their registration;**

**I.2. organised, ordered, committed, aided and abetted and instigated physical and mental mistreatment of detainees at the locations and at times as referred to in Count 1.1, and failed to take the necessary and reasonable measures to prevent and punish the subordinates and other persons from mistreating the detainees, although they had knowledge that the subordinates were themselves preparing to commit such actions, that is, that they had already committed them, and they failed to undertake the necessary and reasonable measures of supervision over the functioning of the detention centres in**

compliance with the international law rules, although they knew that some detainees were civilians who were unlawfully detained, so that:

- detainees, prisoners of war and civilians, including [REDACTED]

[REDACTED] were subjected to interrogations and physical and mental mistreatments by the guards of the detention centres, other soldiers who freely entered the premises of the detention centres, and the suspects themselves who acted as interrogators, wherein the prisoners were forced to fight among themselves, while the prisoners of war [REDACTED] died in the buildings at the location of the *Adil Bešić* barracks in Bihac as a result of mistreatments and living conditions as described under this Count and Count I.1;

**Therefore:**

**The suspects Mehura Selimović and Adil Ružnić:**

**In the detention centre in the Plastics Factory in Petrovac**

**During the period from early to middle October 1995**

**I.2.1.a) repeatedly interrogated the prisoners of war, including [REDACTED] and [REDACTED], in a way that they were mistreated by several unidentified soldiers who were beating them all the time while escorting them to the office in which the interrogators Ružnić and Selimović were, and, during the interrogation, the suspects made various gestures indicating that the soldiers should continue to beat them;**

**I.2.1.b) enabled unidentified soldiers to mistreat and beat the prisoners of war during the interrogations, in a way that they kicked them, cursed and offended them in various manners, including prisoners [REDACTED] while the suspects failed to undertake the necessary and reasonable measures to prevent and punish unidentified soldiers for mistreatment of the prisoners of war, although they knew that the soldiers were about to commit such actions or that they had already committed them.**

**The suspect Mehura Selimović:**

**In the detention centre in the Plastics Factory in Petrovac**

**During the period from early to middle October 1995**

**I.2.2.** interrogated the prisoner of war [REDACTED] during which he physically and mentally mistreated him by threatening to kill him and intimidating him, and he put him under mental pressure in order to make him disclose information on the criminal acts which were unknown to him;

**In the detention centre Luke in Bihac**

During the period from middle February 1994 to early February 1996

**I.2.3.a)** he repeatedly interrogated the prisoners of war, during which he physically and mentally mistreated them in a way that he beat them, imprisoned them on the premises without necessary hygienic conditions (solitary cells), threatened to kill them, intimidated and offended them in different manners, accused them of having committed crimes against Bosniak population, put them under mental pressure in order to make them admit the commission of or disclose information on the criminal acts unknown to them, whereby the following persons were mistreated in such a manner: [REDACTED]  
[REDACTED]

**I.2.3.b)** during the interrogations, he enabled the unidentified soldiers to mistreat and beat the prisoners of war in a way that they were slapping them in the face and hit them with batons, rifle butts, fists, cursing and offending them in various manners, whereby the following persons were mistreated in such a manner: [REDACTED]  
[REDACTED] while the suspect failed to take the necessary and reasonable measures to prevent the subordinate unidentified soldiers from mistreating the prisoners of war and to punish them thereof, although he knew that the soldiers were about to commit such actions or that they had already committed them;

**In the detention centre in the Car-Repair Shop Rad in Cazin**

During the period from 25 October 1994 to 11 March 1995

**I. 2.4.a)** he repeatedly interrogated the prisoners of war on which occasions he physically and mentally mistreated them by beating, intimidating and offending them in various manners, and accused them of having committed the crimes against Bosniak population and put them under mental pressure in order to make them admit the commission of or disclose information on the criminal acts unknown to them, forced them to sign certain statements without reading them first, whereby the following persons were mistreated in such a manner: [REDACTED]  
[REDACTED]

**I.2.4.b)** during the interrogations, he enabled unidentified soldiers to mistreat and beat the prisoners of war by hitting them with batons and fists, and to intimidate and offend them in various manners, whereby the following persons were mistreated in such a manner: [REDACTED] while the suspect failed to take the necessary and reasonable measures to prevent the subordinate

unidentified soldiers from mistreating the prisoners of war and to punish them thereof, although he knew that the soldiers were about to commit such actions or that they had already committed them;

**In the detention centre in the *Adil Bešić* barracks in Bihać**

During the period from middle May to the second half of December 1994

I.2.5.a) he repeatedly interrogated the prisoners of war on which occasions he physically and mentally mistreated them by beating, intimidating and offending them in various manners, and accused them of having committed the crimes against Bosniak population and put them under mental pressure in order to make them admit the commission of or disclose information on the criminal acts unknown to them, and forced them to sign certain statements without reading them first, whereby the following persons were mistreated in such a manner: [REDACTED]

I.2.5.b) during the interrogations, he enabled unidentified soldiers to mistreat and beat the prisoners of war by kicking and hitting them with batons, and to intimidate and offend them in various manners, whereby the following persons were mistreated in such a manner: [REDACTED] while the suspect failed to take the necessary and reasonable measures to prevent the subordinate unidentified soldiers from mistreating the prisoners of war and to punish them thereof, although he knew that the soldiers were about to commit such actions or that they had already committed them;

I.2.5.c) he repeatedly interrogated civilian [REDACTED] during which he mentally mistreated him by threatening to beat him up in the way he was beaten up on the day when he was deprived of liberty by members of the 5<sup>th</sup> Corps, and forced him to put down incorrect and incriminating allegations about Fikret Abdić, and enabled unidentified soldiers to beat [REDACTED] after those interrogations, while the suspect failed to take the necessary and reasonable measures to prevent the actually subordinate unidentified soldiers from mistreating him and to punish them thereof, although he knew that the soldiers were about to commit such actions or that they had already committed them;

**In the detention centre in the Park Hotel in Bihać**

During the period from early May to late June 1995

I.2.6. he repeatedly interrogated the prisoners of war on which occasions he physically and mentally mistreated them in a way that he beat them or ordered that they be beaten and threatened to kill them should they fail to cooperate with him, whereby the following persons were mistreated in such a manner: [REDACTED]

**In the Bihać hospital**

**During the period from the second half of September 1994 to the second half of January 1995**

**I.2.7. during interrogations in a hospital room, he physically and mentally mistreated the prisoners of war by threatening to kill them should they fail to provide him with information on military positions of the VRS, and ordered and enabled two unidentified soldiers to point their rifles at the wounded prisoners of war, exerted mental and physical pressure on them in order to make them admit the commission of or to disclose information on the criminal acts unknown to them, whereby the following persons were mistreated in such a manner: [REDACTED] while the suspect failed to take the necessary and reasonable measures to prevent the actually subordinate unidentified soldiers from mistreating the prisoners of war and to punish them thereof, although he knew that the soldiers were about to commit such actions or that they had already committed them;**

**I.2.8. on 11 March 1995**

**during the bus transportation of the prisoners of war from the detention centres *Luke* and the Car-Repair Shop *Rad* in Cazin to the exchange point in Ličko Petrovo Selo, he enabled unidentified soldiers to mistreat and beat them, whereby they hit them with batons, punched and kicked them, and stamped on them in the space between the bus seats cursing and offending them in various manners, whereby the following persons were mistreated in such a manner: [REDACTED]**

**[REDACTED] who, due to the sustained injuries, was carried out of the bus, while the suspect failed to take the necessary and reasonable measures to prevent the subordinate unidentified soldiers from mistreating the prisoners of war and to punish them thereof, although he knew that the soldiers were about to commit such actions or that they had already committed them.**

**Suspect Adil Ružnić:**

**In the detention centre Car-Repair Shop Rad in Cazin**

**During the period from middle September to late September 1995**

**I.2.9. he repeatedly interrogated the prisoners of war on which occasions he physically and mentally mistreated them in a way that he ordered and enabled unidentified soldiers who were present during the interrogations, by way of giving them various beforehand agreed signals, such as body language or touching his hair, to beat them, and consequently [REDACTED] were mistreated in such a manner, and the suspect failed to take the necessary and reasonable measures to prevent the subordinate unidentified soldiers from mistreating the prisoners of war and to punish them thereof, although he knew that the soldiers were about to commit such actions or that they had already committed them;**

**In the detention centre in the *Adil Bešić* barracks in Bihac**

During the period from middle September 1995 to February 1996

**I. 2.10. a)** he repeatedly interrogated the prisoners of war on which occasions he physically and mentally mistreated them in a way that he intimidated them, threatened to kill them and threatened that they could die and remained unexchanged, accused them of having committed crimes against the Bosniak population, exerted mental pressure on them in order to force them to admit the commission of or disclose information on the criminal acts unknown to them, showing them, for the purpose of recognition, to unknown persons who insulted and beat them, he imprisoned them on the premises without necessary hygienic conditions (solitary cells), whereby the following persons were mistreated in such a manner: [REDACTED]

**I. 2.10. b)** enabled unidentified soldiers during the interrogations of the prisoners of war to mistreat and beat them, intimidating them by holding a knife against their throats, in which way the following persons were mistreated: [REDACTED]

[REDACTED] while the suspect failed to take the necessary and reasonable measures to prevent the subordinate unidentified soldiers from mistreating the prisoners of war and to punish them thereof, although he knew that the soldiers were about to commit such actions or that they had already committed them;

**I.2.11.** during the period from middle September 1995 to 27 January 1996, he mentally mistreated the prisoners of war by forcing them to serve in the armed forces of the Army of RBiH in a way that, having them previously decently dressed, he took them from the *Adil Basić* barracks and the prison *Luke* in which they had been detained and mistreated in a manner as described under Counts I.2.9., I.2.10a) and I.2.10.b) of the operative part, to a coffee-bar in Bihać where he put them under mental pressure in order to make them incline towards the Army of RBiH and commit themselves to spy on VRS, on which occasion he secretly video recorded them, then showed them the footage and threatened them by blackmailing them on their life or safety of their families and their own safety, in which manner the following persons were mistreated: [REDACTED]

### **I.3. Emir Mustafić, military police officer with the 5<sup>th</sup> Corps of the Army of RBiH**

In violation of the rules of international law during the war, acting in violation of Articles 3 and 4 of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 12 August 1949, Articles 3, 4, 13, 14, 15 and 17 of the Geneva Convention Relative to the Treatment of Prisoners of War of 12 August 1949, and Articles 45, 51 and 75 of the Protocol Additional to the Geneva Conventions of 12 August 1949, relating to the Protection of Victims of International Armed Conflicts (Protocol I), at the time of the armed conflict in Bosnia and Herzegovina between the 5<sup>th</sup> Corps of the Army of RBiH and VRS,

During the period from September 1995 to February 1996

In the detention centre in the *Adil Bešić* barracks in Bihać, he mistreated and aided and abetted in the mistreatment of the detainees in a way that he

interrogated the prisoners of war and civilians under the beforehand prepared questionnaire, on which occasion he kicked them and hit them with hands and a baton, and he forced the prisoners of war to beat each other, accusing them of the perpetration of war crimes against Bosniak population, he put them under mental pressure so as to admit the commission of or disclose information on the criminal acts unknown to them, intimidated them by tying a rope around their necks and hitting a cocked pistol against a desk to make it fire at the ceiling uncontrolled, deprived the prisoners of war of their meals by spilling those meals, during the forced labour he made them run while carrying firewood, in which manner the following prisoners of war and civilians were mistreated:

[REDACTED]

Therefore,

**Mehura Selimović and Adil Ružnić**

Violating the rules of international law during the war and armed conflict, they acted in an inhuman manner and intentionally inflicted severe bodily and mental pain or suffering (torture) upon prisoners of war, and they acted in an inhuman manner and unlawfully detained civilians, while

**Mehura Selimović and Emir Mustafić**

Violating the rules of international law during the war and armed conflict, they acted in an inhuman manner and intentionally inflicted severe bodily and mental pain or suffering (torture) upon prisoners of war and treated them an inhuman manner,

and, in violating the rules of international law during the war and armed conflict, they intentionally inflicted severe bodily and mental pain or suffering (torture) upon civilians and treated them an inhuman manner, causing great suffering or serious injury to bodily integrity or health of civilians, and

**Adil Ružnić**

In violation of the rules of international law during the war and armed conflict, he compulsively enlisted prisoners of war into the armed forces of an enemy power

**By doing so they:**

Through the actions described under Counts 1.1., 1.2., 1.2.1.a) and b), 1.2.2., 1.2.3.a) and b), 1.2.4.a) and b), 1.2.5.a) and b), 1.2.6., 1.2.7., 1.2.8., 1.2.9., 1.2.10.a) and b), and 1.3., committed the criminal offence of war crimes against prisoners of war in violation of Article 175(1)(a), by actions described under Count 1.2.11. they committed the criminal offence of war crimes against prisoners of war in violation of Article 175(1)(c), and by actions described under Counts 1.1., 1.2., 1.2.5.c) and 1.3., they committed the criminal offence of war crimes against civilians in violation of Article 173(1)(c) and e) of the Criminal Code of Bosnia and Herzegovina in conjunction with Article 180(1) and (2) and Article 29 of the same law.

**Thereby, I**

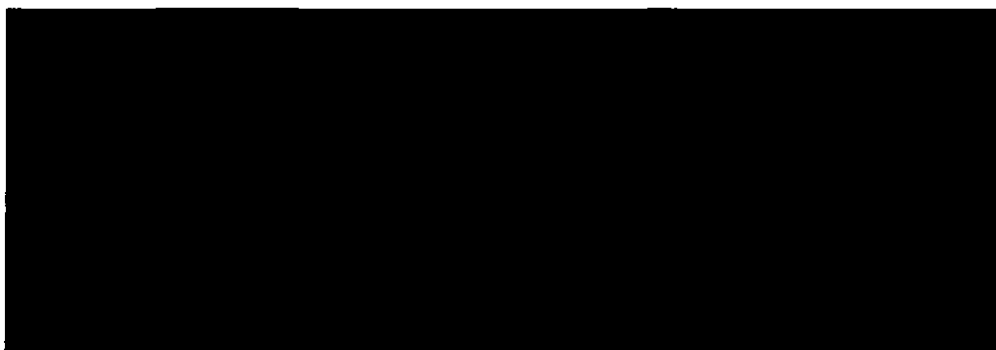
**M O V E**

- I. that the Court of Bosnia and Herzegovina, having subject matter and territorial jurisdiction in this case, confirm the Indictment;
- II. that, upon confirming the Indictment, the following parties be summoned to the main trial at the Court of Bosnia and Herzegovina:
  - Prosecutor with the Prosecutor's Office of BiH
  - Suspects Mehura Selimović, Adil Ružnić and Emir Mustafić whose personal information is identical to the one as stated in the operative part,
  - Defence Counsel for suspect Mehura Selimović, Ilijas Midžić, Defence Counsel for suspect Adil Ružnić, Alaga Bajramović, and Defence Counsel for suspect Emir Mustafić, Hasan Veladžić, all of them lawyers from Bihać.

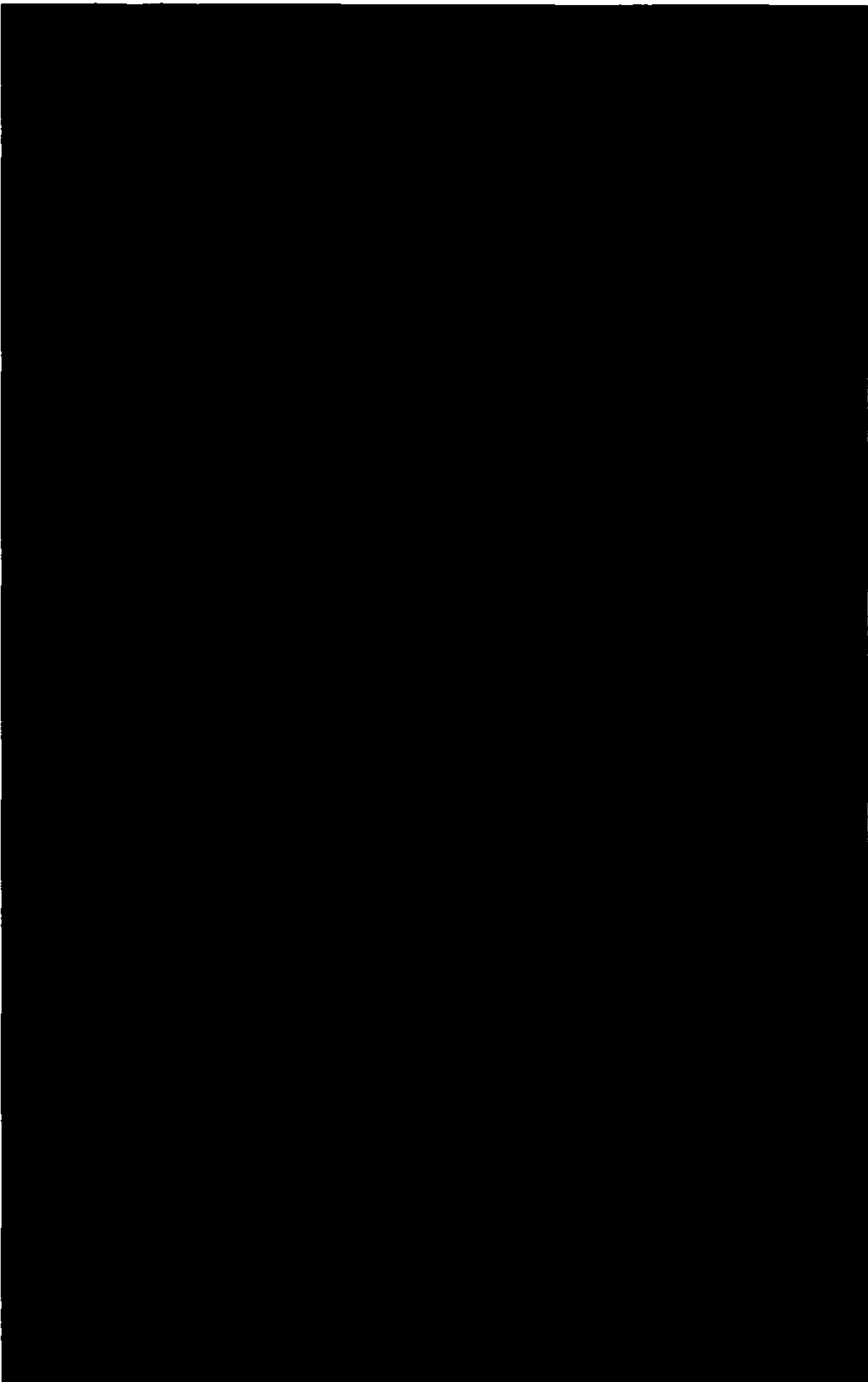
**III. The following evidence to be presented at the main trial:**

**a) Hearing of witnesses:**

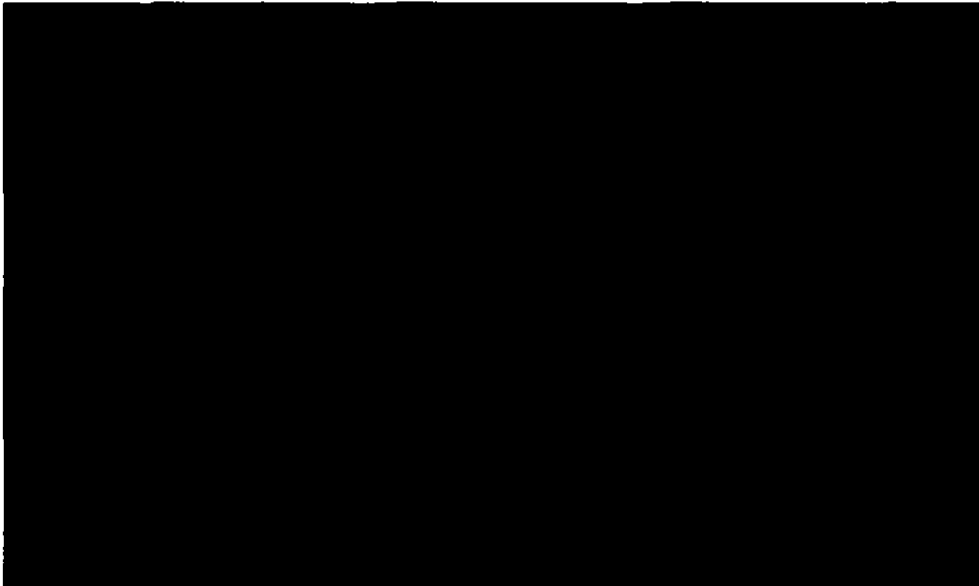
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**b) To review the following:**

1. Decision on the proclamation of the state of war by the Presidency of RBiH, of 20 June 1992, Official Gazette of RBiH number 7/92
2. Document number: 01049510.frm – Table showing formation duties of the Military Security Service of the 5th Corps of the Army of R BiH
3. Organisational scheme of the Bihać District Security Organs
4. Instructions of the 5th Corps Military Security Service Department with the Army of R BiH number: 03/321-12 of 3 September 1995
5. Rules on the treatment of prisoners of war in the collective centre Bihać, number Pov.07/900-2 of 8 August 1993
6. Decision on the establishment of the prison for prisoners of war number: 01-s-012-113/92 of 17 August 1992, by the Bihać District President
7. Document str.pov.09-1/193-27 of 1 July 1996, Attack Order under the code name *Sana*, 5th Corps of the Army of R BiH number 01-1/352-327 of 17 August 1995 with the text-tabular part of the plan for the *Sana* operation and the force grouping deployment developed by Major Hilmija Suljić
8. Order to apply the rules on international law of war in the armed forces of R BiH, Official Gazette of RBiH number: 15/92
9. Rules of service in the Army of the Republic of Bosnia and Herzegovina, Official Gazette number 11/92
10. Authorisation of the 5th Corps Military Security Service Department with the Army of R BiH Int. number: 03/845-1 of 9 September 1994
11. Permission to visit and register prisoners of war, number: 03/388-47 of 23 October 1995

12. Records on prisoners of war number: 03/73-68-4 of 19 October 1995;
13. Records on captured SČV (Serbian Chetnik soldiers), strictly confidential, number: 03/73-68-3 of 12 October 1995;
14. Records on captured SČV, strictly confidential, number: 03/73-68-2 of 5 October 1995;
15. Records on captured SČV, strictly confidential, number: 03/73-68 of 8 September 1995;
16. Document – confidential, number: 03/112-118 of 22 September 1995;
17. Decision number: 07/49-5 of 29 December 1994, by 5<sup>th</sup> Corps Commander;
18. Decision number: 07/49-4 of 21 November 1994, by 5<sup>th</sup> Corps Commander;
19. Provision of information on the captured members of SČA (Serbian Chetnik Army), strictly confidential, number: 03/1042-7 of 15 November 1994
20. List of captives deprived of the status of prisoners of war, confidential, number: 03/794-1 of 26 December 1994;
21. Books of Records on PoW and various lists of prisoners of war
22. Order number: 04-1/853-1 of 13 October 1995, by 5<sup>th</sup> Corps Commander;
23. Order number: 07/3102-1 of 10 May 1994;
24. Ordinances for the Military Security Service in the armed forces of R BiH number: 02-011-714/92 of 11 September 1992;
25. Record on statement taken from [REDACTED] number: 14-1/02-4-255/95 of 16 February 1995;
26. Record on statement taken from [REDACTED] number: 02-132/95 of 27 January 1995;
27. Record on statement taken from [REDACTED] number: 02-142/7/95 of 27 January 1995;
28. Record on statement taken from [REDACTED] number: 02-146/10/95 of 28 January 1995;
29. Record on statement taken from [REDACTED] number: 02-146/9/95 of 28 January 1995;
30. Document of the Military Security Department of the 5<sup>th</sup> Corps, strictly confidential, number: 03/1188-80 of 20 December 1994, on statement taking from [REDACTED];
31. Official Note of the Military Security Department, strictly confidential, number: 03/1188-75 of 13 November 1994, on statement taking from [REDACTED] document, strictly confidential, number: 03/1188-78 of 22 December 1994, document number: 03/1188-77, document number: 14-1/02-4-1502/94 of 9 December 1994, Record number: 02-1254/94 of 2 December 1994 and a photocopied card of [REDACTED]
32. Data supplement, strictly confidential, number: 03/67-12 of 31 August 1995, Decision on the status of a prisoner of war, strictly confidential, number: 03/67-11 of 29 August 1995, Decision, confidential, number: 07-3/2033-1 of 7 August 1995, Decision, confidential, number: 07-3/2290-1 of 1 September 1995;
33. Record on statement taking from [REDACTED] number: 03/1188-10 and supplement to the statement of [REDACTED] Official Note number: 03/360-2, Escort Sheet for [REDACTED] number: 07-5/94 of 9 May 1994, Personal file of [REDACTED] of 15 June 1995, Record on statement taking from [REDACTED]

- number: 03/360-3 and 03/1188-10 of 30 April 1994 and questions for [REDACTED]  
[REDACTED] Letter of Security Administration number: 7-3/28-111 of 28 March 1995,  
Instructions number: SP (SC) 03/1040-2 of 23 March 1995 and a letter of [REDACTED]  
[REDACTED] through IRC;
34. Official Note strictly confidential number: 03/ of 22 July 1994, on statement taking from [REDACTED], supplement to the statement of [REDACTED] *All Fikret's Connections (Sve Fikretove veze)*, handwritten supplement to the statement of [REDACTED], handwritten supplement to the statement of [REDACTED] number: 22079403.txt, two typed supplements to the statement of [REDACTED] supplement to the statement of [REDACTED], number: Str.pov.br.03/696-3 of 2 August 1994, supplement to the statement of [REDACTED] [REDACTED] number: 10089430 txt, supplement to the statement of [REDACTED] number: str.pov. 03/ of 18 August 1994;
  35. Assessment of security in the Collective Centre for prisoners of war, evid.br.03/378-2 of 11 May 1994;
  36. Study of safeguarding the Collective Centre for prisoners of war, strictly confidential, number: 03/378-6 of 14 May 1994;
  37. Document of the Department for Military Security Service (MSS) SC number: 03/329-12 of 24 (month is illegible) 1995;
  38. Document of the MSS Department 03/329-7 of 13 April 1995;
  39. Analysis of situational element, File Cover, document number: 03/535-2 of 28 June 1994, Order: pov.br.02/4244-1 of 27 June 1994;
  40. Official Note SC. number 03/1188-71 of 25 November 1994 on statement taking from [REDACTED]
  41. Document SC, number: 03/388-40 of 13 September 1995 on provision of a list of prisoners of war;
  42. Document SC, number: 03/67-7 of 15 August 1995 on provision of data on the aggression soldiers, foreign nationals from the territory of so-called FRY;
  43. Document number 14/02-4-1448/95 of 14 November 1995, SECURITY Service Centre (SSC) Police Station (PS) Bihać;
  44. Notification, SC, number: 03/388-50 of 9 November 1995;
  45. List of persons subjected to criminal investigation procedures on the premises of the Bosanski Petrovac Police Station;
  46. Document, SC, number: 03/388-38 of 5 September 1995;
  47. Document, SC, number: 03/388-51 of 9 November 1995;
  48. Document of the High Court in Bihać number. 5/95-RZ of 17 April 1995;
  49. Document, SC, number: 03/252-2 of 10 March 1995;
  50. Document of High Court in Bihać, number Ki.12/94-RZ of 28 February 1995;
  51. Official Note strictly confidential, number: 03/1188-61 of 29 November 1994, on statement taking from [REDACTED] and a fingerprint card of [REDACTED]  
[REDACTED]
  52. Document, confidential, number: 03/493-2 of 17 June 1994;
  53. Decision on the granted prisoner of war status of [REDACTED] number 07/49-1 of 10 February 1994;
  54. Supplement to the statement of [REDACTED] taken from Ismet Mujanović and Mehura Selimović;

55. Decision on the granted prisoner of war status, confidential, number: 07/6163-1 of 20 September 1994;
56. Document, SC, number: 03/85-12 of 2 February 1995, data on MSS members;
57. Personal file of ██████████ number: 07/5-45/95 of 25 January 1995;
58. Information SU-34/94 of 21 April 1994, Military District Court in Bihać;
59. Report on accidental death of ██████████ number: 07/5-109/95 of 7 March 1995, Official Note on interview of ██████████, and Official Note number 07/5-45-2/95 of 5 March 1995;
60. Official Note on taking a statement from ██████████ strictly confidential number: 03/73-13 of 13 March 1995, Official Note strictly confidential number 03/13-3 of 25 February 1995;
61. Report on inspection of detainees, number 12/170-1 of 6 January 1994;
62. Order, confidential, number: 07/305-1 of 14 August 1994;
63. Order, confidential, number: 07/7762-1 of 9 December 1994;
64. Decision on granted prisoner of war status, confidential, number: 07-3/1585-1 of 30 May 1995;
65. Application for granting a prisoner of war status, confidential, number: 12/7165-1 of 6 November 1994;
66. Order to Exchange Prisoners, SC, number 07-1/202-1 of 10 March 1995;
67. Order to Exchange Prisoners, strictly confidential, number 04-1/1106-1 of 22 December 1995;
68. Duty appointment document, strictly confidential, number: 05/53-171 of 22 January 1995;
69. Order to Exchange Prisoners, strictly confidential, number: 04-1/1047-1 of 28 November 1995;
70. Taking statements from captured Chetniks, Guidelines Number: 01.3/96-39 of 5 July 1994;
71. Official Note, confidential, number: 03-146/95 of 21 February 1995;
72. Case File of the MSS Department of 5<sup>th</sup> Corps of 15 June 1995;
73. Report on inspection of 505<sup>th</sup> Vmtbr and 506<sup>th</sup> bobr. of 4 April 1995;
74. Daily Report, strictly confidential, number: 03/1-13 of 14 January 1995;
75. List of members of a Company of the Serbian Chetnik Army, reg. number: 03/360-4 of 4 May 1994;
76. Transfer of a prisoner of war, SC number: 03/699-2 of 24 September 1995;
77. Plan and Programme for Training Military Officers of the MSS of 5<sup>th</sup> Corps, of 10 February 1995;
78. Plan and Programme for Training Military Officers of the MSS of 5<sup>th</sup> Corps 04.03.1995.godine;
79. Additional findings from the statements of captured members of the Serbian Chetnik Army, strictly confidential number: 03/297-1 of 21 March 1995;
80. Verification of ██████████ in handwriting, of 26 May 1994;
81. Verification of ██████████ in handwriting, of 26 May 1994;
82. Verification of ██████████ in handwriting, of 25 May 1994;
83. Official Note of 12 July 1994;
84. Document of the Ministry of Defence of RBiH, findings, number: 01.3/28-230 of 21 July 1994;

85. Report, strictly confidential, number: 03/548-6 of 25 July 1994;
86. Rules for Military Police Operations, number: 02/90-31 of 11 September 1994;
87. Personal questionnaire and statements of [REDACTED] of 19 October 1995;
88. Personal questionnaire and statement of [REDACTED] of 19 October 1995;
89. Personal file of [REDACTED];
90. Official Note, strictly confidential, number: 03/73-5 of 23 January 1995 about statement taking from [REDACTED] supplement to the statement and fingerprint card of [REDACTED];
91. Official Note, strictly confidential, number: 03/73-2 of 20 January 1995, about statement taking from [REDACTED] supplement to the statement and fingerprint card of [REDACTED] and three handwritten statements;
92. Statement on the establishment of organised cooperation with MSS of AF RBiH by [REDACTED] of 10 March 1995;
93. Official Note on taking a statement from [REDACTED] in handwriting, and the Official Note on taking a statement from [REDACTED] strictly confidential, number 03/1188-28 of 23 September 1994;
94. Document, strictly confidential, number 03/1136-1 and 03/1188-30 of 1 December 1994, with the attachment;
95. Document number 02-1232-2/94 of 7 December 1994, with the attachment;
96. Interview plan for [REDACTED] and the Official Note on taking a statement from [REDACTED] strictly confidential, number 03/1034-4 -1188-25 of 30 October 1994;
97. Two Official Notes, strictly confidential, number 03/1188-23 of 23 September 1994 on taking a statement from [REDACTED] fingerprint card of [REDACTED] a, a handwritten statement, a letter of the Security Administration number 06.1/28-307-2 of 5 November 1994;
98. Official Note, strictly confidential, number 03/1188-21 of 25 September 1994, on taking a statement from [REDACTED] and a fingerprint card of [REDACTED];
99. Assignment Plan for Counterintelligence Department (CID) on 2 December 1994 and 4 December 1994;
100. Assignment Plan for CID on 21 December 1994 and 22 December 1994.godine;
101. Assignment Plan for CID on 23 December 1994 and 24 December 1994;
102. Assignment Plan for CID on 26 December 1994 and 27 December 1994;
103. Assignment Plan for CID on 28 December 1994 and 29 December 1994;
104. Assignment Plan for CID from 1 to 31 January 1995;
105. Assignment Plan for CID from 1 February to 5 February 1995;
106. Monthly plan of activities of the Department for Military Security Service of 5<sup>th</sup> Corps for April 1995;
107. Assignment Plan for CID for September 1995, of 24 August 1995;
108. Assignment Plan for CID for November 1995 of 26 October 1995;
109. Report on an unusual incident number 07/5-364/95 of 17 November 1995 with attachments;
110. File of [REDACTED] number 03/1188-55;

111. Official Note on taking a statement from [REDACTED] strictly confidential, number 03-1188-54 of 22 September 1994;
112. Fingerprint card of [REDACTED] Official Note, strictly confidential, number 03/1188-52 of 28 September 1994 and a handwritten Statement of Siniša Malešević;
113. Fingerprint card of [REDACTED] Official Note on taking a statement, strictly confidential, number 03/1188-48 of 27 September 1994, a handwritten Statement of [REDACTED];
114. Official Note on taking a statement from [REDACTED] number 03/1188-46 of 11 November 1994, Official Note on taking a statement number 03-480/94 of 11 November 1994, a handwritten supplement to the statement of [REDACTED];
115. Fingerprint card of [REDACTED] Official Note, strictly confidential, number 03/1188-42, Official Note on taking a statement number 03/1188-43 of 11 November 1994, Interview plan for [REDACTED] a handwritten Statement of [REDACTED];
116. Fingerprint card of [REDACTED] Official Note on taking a statement, strictly confidential, number 03/1188-39 of 18 November 1994, Official Note on taking a statement number 03/1188-40 of 18 November 1994, a handwritten Statement of [REDACTED];
117. Official Note on taking a statement from [REDACTED] strictly confidential, number 03/1188-37 of 12 November 1994, a handwritten Statement of [REDACTED];
118. Escort Sheet for [REDACTED] of 28 November 1994;
119. Official Note on taking a statement from [REDACTED] strictly confidential, number 03/73-3/95 of 18 January 1995;
120. Official Note on taking a statement from [REDACTED] strictly confidential, number 03/73-4/95 of 20 January 1995;
121. Official Note on taking a statement from [REDACTED] strictly confidential, number 03/73-7/95 of 24 January 1995;
122. Official Note on taking a statement from [REDACTED] strictly confidential, number 03/73-10/95 of 26 January 1995, supplement to the statement of [REDACTED] [REDACTED] handwritten statement and a fingerprint card of [REDACTED];
123. Official Note on taking a statement from [REDACTED] strictly confidential, number 03/1188-73/94 of 25 November 1994;
124. Official Note on taking a statement from [REDACTED] strictly confidential, number 03/1188-66 of 31 October 1994;
125. Official Note on taking a statement from [REDACTED] strictly confidential, number 03/1188-64 of 31 October 1994;
126. Certificate, strictly confidential, number 03/7-1 of 18 January 1995;
127. Promotion Order, confidential, number 05/357-05 of 29 May 1995;
128. Appointment Order, strictly confidential, number 05/53-392 of 29 April 1994;
129. Order on Redeployment, strictly confidential, number 05/340-490 of 29 April 1994;
130. Appointment Order, strictly confidential, number 05/53-388 of 29 April 1994;
131. Approval, SC number 03/675-1 of 12 September 1995;
132. Approval number Kri 3814/95 of 8 September 1995;

133. Criminal Report, SC number 03/73-63 of 5 September 1995;
134. Official Note on taking a statement from [REDACTED], SC number 03/73-56-1 of 24 June 1995, fingerprint card of [REDACTED] handwritten statement /28 pgs./, supplement to the statement/10 pgs./, review of necessary information about the person interesting from the security aspect;
135. Official Note on taking a statement from [REDACTED], SC number 03/73-61 of 19 May 1995;
136. Official Note on taking a statement from [REDACTED] number 03/73-60-1 of 5 May 1995;
137. Official Note on taking a statement from [REDACTED] mber 03/73-50-1 of 6 June 1995, fingerprint card of [REDACTED] a handwritten statement /11 pgs./;
138. Official Note on taking a statement from [REDACTED] C number 03/73-59-1 of 4 September 1995, questionnaire for [REDACTED] fingerprint card for [REDACTED] and a handwritten statement;
139. Official Note on taking a statement from [REDACTED] C number 03/73-55 of 4 September 1995;
140. Official Note on taking a statement from [REDACTED] number 03/73-29 of 12 June 1995;
141. Official Note on taking a statement from [REDACTED] number 03/73-31 of 12 June 1995;
142. Official Note on taking a statement from [REDACTED] number 03/73-32 of 11 June 1995;
143. Official Note on taking a statement from [REDACTED] C number 03/73-16 of 13 March 1995 and a fingerprint card of [REDACTED];
144. Order, strictly confidential, number 03/3174-1 of 12 May 1994;
145. List of detainees per cells in the *Luke* prison, in handwriting;
146. Fingerprint card for [REDACTED];
147. Fingerprint card for [REDACTED];
148. Fingerprint card for [REDACTED];
149. Official Note on taking a statement from [REDACTED] SC number 03/73-21 of 12 June 1995;
150. Official Note on taking a statement from [REDACTED] SC number 03/73-23 of 9 June 1995;
151. Document, SC number 03/707-3 of 4 October 1995;
152. Taking Prisoner Report, SC number 03/73-56 of 4 September 1995;
153. Taking Prisoner Report, SC number 03/73-55-2 of 4 September 1995;
154. Taking Prisoner Report, SC number 03/73-60 of 4 September 1995;
155. Taking Prisoner Report, SC number 03/73-50-2 of 4 September 1995;
156. Taking Prisoner Report, SC number 03/73-62 of 4 September 1995;
157. Taking Prisoner Report, SC number 03/73-58 of 4 September 1995;
158. Taking Prisoner Report, SC number 03/73-59 of 4 September 1995;
159. Taking Prisoner Report, SC number 03/73-57-1 of 4 September 1995;
160. Official Note on taking a statement from [REDACTED] C number 03/73-49-1 of 30 May 1995;
161. Official Note on taking a statement from [REDACTED] SC number 03/73-62-1 of 17 May 1995;

162. Official Note on taking a statement from ██████████ SC number 03/73-58-1 of 17 May 1995;
163. Official Note on taking a statement from ██████████ SC number 03/73-57 of 4 September 1995;
164. Questionnaire for ██████████ and a handwritten statement of ██████████
165. Handwritten statement of ██████████ of 15 February 1995, supplement to statement of ██████████ given to the Department of MSS of 15 March 1995, fingerprint card, Official Note on taking a statement from ██████████ number 03/1188-32 of 20 September 1994;
166. Handwritten statement of ██████████
167. Official Note on taking a statement from ██████████ of 22 September 1994;
168. Official Note on taking a statement from ██████████ of 16 September 1994;
169. Official Note on taking a statement from ██████████ 2 February 1996;
170. Order, confidential number 07/7519-1 of 25 November 1994, and a list of prisoners of war;
171. List of prisoners of war, members of Serbian Chetnik Army in the *Adil Bešić* Collective Centre for Prisoners of War;
172. Order, SC number 07/4102-1 of 20 June 1994;
173. Order, strictly confidential number 04-1/911-1 of 28 October 1995 supported by a list of prisoners of war;
174. Order, SC number 03-1/840-1 of 3 October 1995;
175. Dispatch Note of RS Intelligence-Security Service (ISS) number 506-362 of 22 August 2000;
176. Official Note of RS ISS, MKS (*translator's note: abbreviation unknown*)(number 03719078;
177. MKS Official Note number B0018152 related to interview of ██████████
178. Information on attempted recruitment of ██████████ MKS number B0018171;
179. Information of RS RDB (*translator's note: abbreviation unknown, possibly State Security Department*), MKS number B0018103;
180. Interview number 52/95 of 13 March 1995, MKS number B0067181;
181. Information on interview of ██████████ – some findings about Bihaću and the enemy focus concerning the armed forces, strictly confidential, number 10-3-361/95 of 13 April 1995, MKS number B0067285;
182. Dispatch Note of RDB number 01-84/96 of 2 March 1996, MKS number B0018164;
183. Official Note about interview of ██████████ of 16 March 1995, MKS number B0067327;
184. Some security findings, document of RS RDB, MKS number B0035877;
185. Order number 02-1/906-1 of 26 October 1995, MKS number 01852421;
186. Official Note about interview of ██████████ of 6 June 1996, MKS number B0018111;
187. Official Note about interview of ██████████ number 55/95 of 22 March 1995, MKS number B0067314;
188. Record on supplemented statement of ██████████ MKS number B0039299;
189. Record on examination of witness ██████████ number Kri-373/95 of 4 November 1995;
190. Official Note about interview of ██████████ MKS number B0066927;

191. Official Note about interview of [REDACTED] of 21 March 1995, MKS number B0066980;
192. Section of a document of RDB RS, MKS number B0035882 - B0035885;
193. Official Note – brief breakdown of findings about the *Skakač* operation, of 29 March 1996, MKS number B0018139;
194. Information on security findings about the circumstances surrounding the capturing of [REDACTED] MKS number B0032131;
195. Official Note about the interview of [REDACTED] number 56/95 of 22 March 1995, MKS number B0067001;
196. Dispatch Note of I.KK (1<sup>st</sup> Krajina Corps), strictly confidential, number 14-52 of 27 November 1994, MKS number 01291700;
197. Information of CRDB (State Security Department Centre) Prijedor number 03-33 of 9 November 1995, MKS number P0000993;
198. Document of the Democratic Action Party (*Stranke demokratske akcije*), Municipal organisation Bihać, number 49/97 of 7 August 1997;
199. Death Certificate for [REDACTED] number 1946 of 19 November 2008;
200. Record on taking a witness statement from [REDACTED] number 10-02/2-271/05 of 20 May 2005, message via IRC and a notification of death of [REDACTED] by lawyer Simo J.Tošić of 13 April 2008;
201. Official Note, strictly confidential, number 03/1014-1 of 15 October 1994;
  
202. Report on committed criminal offence and the perpetrators, number KU-2440/05 of 5 September 2005;
203. Document of PSC Banja Luka number KU-2440/05 of 2 May 2006, with attachments of the BiH Ministry of Defence and the Federation Ministry of the Interior;
204. Document of the District Prosecutor's Office of Banja Luka number KTA-RZ-11/05 of 14 March 2005, with the attachments as stated in the document;
205. Document of the District Prosecutor's Office of Banja Luka number KTA-RZ-30/05 of 12 April 2005, with the attachments as stated in the document;
206. Document of the Federation Ministry for Issues of Veterans and Disabled Veterans of Patriotic War, number: pov.01/1-41-1820/08 of 15 May 2008, with attachments
207. Document of the BiH Ministry of Defence number 13-04-1-3256-9/05 of 28 August 2008, with attachment, certified copies of excerpts taken from VOB-8;
208. Document of the Cantonal MUP of Una-Sana Canton number 05-1/06-2-04-1-799/08 of 16 April 2008, with the attachments as stated in the document;
209. Document of the Municipality of Bihać number 07/1-13-316/08 of 16 April 2008, with the attachments as stated in the document;
210. Record on questioning of suspect Mehura Selimović, number KT-RZ-30/05 of 9 April 2008;
211. Record on questioning of suspect Adil Ružnić number KT-RZ-30/05 of 9 April 2008;
212. Record on questioning of suspect Emir Mustafić number KT-RZ-30/05 of 9 April 2008;

213. Document of the RS Commission for Missing Persons number 918/07 of 13 November 2007 and a DVD on the exchange of 11 March 1995;
214. Expert opinion on handwriting and signatures on the documents as referred to in the order of the Prosecutor's Office of BiH number KT-RZ-30/05 of 17 October 2008. by handwriting expert [REDACTED] of 10 December 2008;

## **RESULTS OF THE INVESTIGATION**

The Prosecutor's Office of BiH has conducted an investigation against Adil Ružnić, Mehura Selimović and Emir Mustafić and, based on the findings and results of the investigation, it rendered a decision that there is sufficient evidence that suspects Mehura Selimović, Adil Ružnić and Emir Mustafić committed the criminal offence of War Crimes against the Prisoners of War in violation of Article 175, and War Crimes against Civilians, in violation of Article 173 of the Criminal Code of BiH, in conjunction with Article 180(1) and (2) and Article 29 of the same Code, in the manner described in the operative part of this Indictment.

It is an indisputable fact that there was the state of war in BiH during most of the time period covered by this Indictment, which is proven by the Decision of the Presidency of RBiH on the Declaration of the State of War dated 20 June 1992, Official Gazette of RBiH number 7/92. We would like to note that the suspects are charged with having committed the criminal offences against the prisoners of war and civilians, some of whom remained incarcerated even after the state of war formally ended. Pursuant to Article 75(6) of the Additional Protocol to the Geneva Conventions of 12 August 1949, relating to the Protection of Victims of International Armed Conflicts (Protocol I), persons who are arrested or detained for reasons related to the armed conflict shall enjoy international protection until their final release even after the end of the armed conflict.

Suspects Mehura Selimović, Adil Ružnić and Emir Mustafić were members of the 5<sup>th</sup> Corps of the Army of BiH, namely: Mehura Selimović as an officer in charge of military-police affairs during the period from 16 November 1993 to 10 January 1994, as a counter-intelligence officer from 10 January 1994 to 1 May 1994, as a field officer from 1 May 1994 to 15 July 1995 and as Deputy Head of the Military Security of the 5<sup>th</sup> Corps Command from 15 July 1995 to 22 April 1996; Adil Ružnić as the Assistant Commander for Security Affairs during the period from 21 July 1993 to 1 May 1994, as a military security officer from 1 May 1994 to 4 May 1994, as Deputy Commander for Security Affairs from 4 May 1994 to 15 July 1995 and as a field officer-operative in the military security sector from 15 July 1995 to 22 April 1996; Emir Mustafić, as a military police officer of the Military Police Department of the 5<sup>th</sup> Corps Command during the period from 3 July to 22 December 1995.

Also, based on the proposed material documents, namely based on the unit *personal files* of the Principal Suspect and the Second Suspect, as well as based on the statements of the witnesses, it follows that they had military ranks, namely: Adil Ružnić had a rank of senior lieutenant on 5 October 1994 and the rank of a captain on 29 May 1995, whereas Mehura Selimović had the rank of senior captain on 29 May 1995,

although according to some documents such as the document number: 01049510.frm – a table with formation duties of the Military Security Service /MSS/ of the 5<sup>th</sup> Corps of the Army of RBiH, Selimović had the formational rank of a colonel and personal rank of a major even when the state of war was still in force and during the periods covered by the operative part of this Indictment.

The above-listed data represent positions which the suspects held within the structure of the 5<sup>th</sup> Corps, however the evidence which the Prosecutor's Office of BiH will present through the hearing of the witnesses will show that the suspects carried out the above-mentioned duties de facto, whereas the Principle Suspect and the Second Suspect were to a certain extent subordinated to the Third Suspect and other military police officers who were guards in the detention centers where the criminal offence charged against the suspects by this Indictment was committed.

The military security authority as a department within the 5<sup>th</sup> Corps Command and its members were not directly military superior to the military police, which secured the detention camps in the locations listed in the operative part, however, in fact, according to the territorial division of the Security Authorities of the Bihać District, every detachment of the Military Security Department had an attached and subordinated company of the military police, whose members provided support to the operations of the military security authorities, as proven by the organizational chart of the security authorities in the Bihać District. Also, the military security authority carried out the so called expert conduct of the operative processing of the prisoners of war, which is also confirmed by the document number 03/321-12 dated 3 September 1995, which provided Instruction on the conduct during the processing of the prisoners of war. The Instruction was issued by the Assistant Security Commander of the MSS Department of the 5<sup>th</sup> Corps, Major Husnija Avdagić, and it proves the competence of this authority and therefore of the Principal Accused and the Second Accused in the military-intelligence processing of the prisoners of war, whereby in the same document it was also noted that it is necessary to *“work on creating cooperative positions on the voluntary or compromising basis”*, as well as that it is necessary *“to document every establishment of organized cooperation in an audio, video and written form”*. This instruction gives us an indication of the general conduct of security officers on the occasion of interviewing the prisoners of war, but also, in its introductory part, it requests that *“the processing of the captured members of the aggressor's formations be harmonized with the ‘Instruction on the application of the rules of international law in the OS /armed forces/ of the RBiH’”*, which was not the case, as it will be proven by the witnesses, members of the VRS who were detained and who were subjected to the above-mentioned *“processing”*.

The fact that the Principal Suspect and the Second Suspect had certain power and authority over the treatment of the prisoners of war clearly stems from the fact that they signed different documents.<sup>1</sup>

In addition, the document of the 5<sup>th</sup> Corps Command strictly confidential number: 04-1/853 dated 13 October 1995 clearly shows that the Principle Suspect was the person who was chosen as one of the two representatives of the 5<sup>th</sup> Corps at the meeting of the Commission for Exchange of all corps with the representatives of the VRS, and this

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<sup>1</sup> 03/845-1 dated 9 September 1994, 03/308-47 dated 23 October 1995, 03/73-68-4 dated 19 October 1995, SC 03/699-2 dated 24 September 1995

proves the high-ranking position of the Principle Suspect within the organization structure of the 5<sup>th</sup> Corps, as well as his authority over the treatment of the prisoners of war.

The document titled Rule for the work of the military police of the Armed Forces of the Republic of Bosnia and Herzegovina shows the manner in which the relations between the military security authority and the military police were prescribed. Therefore, item 8 of chapter II (leadership and command over the military police) prescribes that *“from the professional point of view, the military police are lead by the senior officer of the Military Security Service in whose establishment the military police unit is either included or attached”*.

Additional Protocol I to the 1977 Geneva Conventions defines the term of civilian through the following negative formulation: *“A civilian is any person who does not belong to one of the categories of persons referred to in Article 4 (A) (1), (2), (3) and (6) of the Third Convention and in Article 43 of this Protocol. In case of doubt whether a person is a civilian, that person shall be considered to be a civilian.”*

Article 4.A of the Third Geneva Convention relative to the protection of the prisoners of war defines the term of prisoners of war, who, pursuant to this Convention, enjoy protection as such, whereas Article 43 of the Additional Protocol I defines the term of armed forces of a Party to a conflict as consisting of all organized armed forces which are under a command responsible to that Party, regardless of whether that Party is represented by a government or an authority not recognized by an adverse Party, as well as that all members of the armed forces are combatants, pursuant to this Protocol, and, pursuant to Article 44 of the same Protocol, if they fall into power of an adverse Party, they shall be prisoners of war.

Based on the evidence collected during the investigation, namely the Decision on recognizing the status of prisoner of war that was signed by the Commander of the 5<sup>th</sup> Corps, the Prosecutor’s Office of BiH determined that a large number of prisoners of war, members of the VRS and VRSK, were correctly identified as such by the 5<sup>th</sup> Corps of the Army of RBiH, because they really were members of the armed forces which were in conflict with the Army of RBiH, specifically with the 5<sup>th</sup> Corps of the Army. However, through the same evidence, as well as through the hearing of the witnesses, it was determined that a certain number of civilians were unlawfully detained in the detention centers of the 5<sup>th</sup> Corps.

In this manner, by violating Article 4 of the Third Geneva Convention on the protection of prisoners of war, the suspects formally applied the procedures which were prescribed for the so called “processing” of the prisoners of war and they interrogated them, which is again in violation of Article 17 of the same Convention, whereby they acted in an inhumane manner and caused injuries to the bodily integrity and health of the detained civilians.

The interrogations that were carried out by the field agents of the Military Security Department, among others, referred to the information about the committed criminal offences of war crimes against the Bosniak population in the municipalities of Bosanska Krajina. Supporting their actions in this regard, the Prosecutor’s Office found the above-mentioned document titled the Instruction on the conduct during the processing

of the prisoners of war. However, the statements of the witnesses prove that during these interrogations the Principal Suspect and the Second Suspect put physical and psychological pressure on the detainees, as well as the Third Suspect, under the pretext that the goal of such interrogations was to find out the information about the committed crimes and their perpetrators.

The fact that detention centers for the prisoners of war did exist follows from the following documentary evidence, including the Decision of the Speaker of the Bihać District Assembly number 01/9-012-113/92 dated 17 August 1992, under which a prison for the prisoners of war was established on the premises of the Bihać District Prison. Also, document confidential number 07/3102-1 dated 10 May 1994 shows that the collection centre for the prisoners of war was organized – in accordance with the Order from this document – at the *Adil Bešić* barracks in Bihać and with this Order related to the treatment of the prisoners of war, pursuant to the Rulebook on the treatment of the prisoners of war, the Commander of the 5<sup>th</sup> Corps made the Warden of the Collection Centre and the Commander of the VJ 5665 Bihać responsible, whereas the control of the correct functioning of the security at the Collection Centre was to be carried out by the Military Security Department, about which the Department was supposed to inform the Commander of the 5<sup>th</sup> Corps on a regular basis. The statements of the witnesses confirm that detention centers existed not only in these locations, but also in the location of the premises of the “Rad” auto-service in Cazin and the factory of plastic products in Bosanski Petrovac, as it is noted in the operative part of the Indictment, as well as in other locations in Bosanska Krajina, for example: the detention centre in the “Park” hotel in Bihać, the detention centre on the premises of the military warehouse located in the vicinity of the police station in Bosanski Petrovac, the detention centers in the cinema hall, on the premises of the police station, in privately-owned houses and in other locations in the region of the Sanski Most Municipality, the detention centers in the locations of the privately-owned houses in the region of the Ključ Municipality.

The above-mentioned Order dated 10 May 1994 clearly shows that the Commander of the 5<sup>th</sup> Corps issued the Rulebook on the treatment of the prisoners of war at the Collection Centre Bihać number 07/900-1 dated 5 August 1993, which was as such known to the members of the 5<sup>th</sup> Corps too. However, the statements of the witnesses clearly indicate that the treatment of the prisoners of war, and other detainees who were in fact detained under the pretext of being prisoners of war, was in contrast with the international humanitarian law, the III Geneva Convention Related to the Treatment of Prisoners of War. Based on the statements of the witnesses it clearly follows that the persons detained in all locations in Bihać, Cazin and other places in Bosanska Krajina were held in rooms with bad conditions, with no heating, which were of small dimensions, packed with detainees, so that they often did not have enough air, they slept on bad beds, that is, on wooden pallets, they had meager meals, and limited use of toilets, they often had to take care of their bodily functions in the room where they were detained and they were also taken to perform different kinds of forced labor, such as cutting woods, digging, burying dead bodies, cleaning the compound of the *Adil Bešić* barracks and other detention centers, and then they were interrogated about the circumstances of their engagement in the VRS Army and about the circumstances of their knowing of and

participating in different crimes committed against the Bosniak population, on which occasion they were physically and mentally maltreated.

Based on all pieces of evidence presented it stems that the all locations in which the detained persons, the prisoners of war and civilians were detained and abused in the manner described in the operative part of the Indictment had the characteristics of detention centers.

Based on all pieces of the evidence presented it clearly stems that suspects Mehura Selimović, Adil Ružnić and Emir Mustafić were aware of the commission of the acts charged against them and aware of the criminal offence they committed as well as that they wanted to commit it.

Therefore, the suspects organized, ordered, committed, aided and instigated the physical and mental abuse of the detained persons in the places and during time period described in paragraph I. 1., and they failed to undertake the necessary and reasonable measures to prevent and punish their subordinates and other persons for abusing the detained persons, although they knew that their subordinates were getting ready to commit such actions, that is, that they had already committed them, and, bearing in mind their ranks during the relevant period, the Principal Suspect and the Second Suspect had a realistic control over the actions carried-out by the lower-ranking soldiers of the 5<sup>th</sup> Corps.

Suspects Mehura Selimović and Adil Ružnić have been exercising their right to remain silent. During the investigation by the Prosecutor's Office of BiH suspect Emir Mustafić presented his defense. In his defense he noted that he is a disabled person and incapacitated for the military, but that he was mobilized during the war in BiH and deployed after the training to the military police and to the Collection Centre for the prisoners of war. Suspect Mustafić stated that in this collection centre the security officer and the commander of the barracks were the persons in charge. He also noted that he did not have any authority, that he acted under the authority to take statements and followed the orders of security officer Ružnić.

Based on numerous statements of the witnesses and the presented material documentation it follows that the suspects committed the criminal offences charged against them and that this Indictment is justified and based on the law.

**Material corroborating the allegations from the Indictment:**

1. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 8 April 2008
2. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 23 April 2008

3. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 4 March 2008
4. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 7 February 2008 and number 10-01/8-02/05 dated 28 December 2004
5. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 7 February 2008 and number 10-01/8-01/05 dated 29 December 2004
6. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 24 October 2008
7. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 24 October 2008
8. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 25 October 2008
9. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 3 January 2008
10. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 27 March 2008
11. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 29 February 2008
12. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 28 August 2007
13. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 6 February 2008
14. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 31 March 2008
15. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 31 March 2008
16. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 19 November 2008
17. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 19 November 2008
18. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 6 December 2008 and number 11-02/2-230-520/04 dated 30 May 2005
19. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 14 December 2008
20. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 25 January 2008
21. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 24 April 2008
22. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 14 December 2007
23. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 27 June 2008

24. Record on the examination of witness [REDACTED] number 10-02/2-444/05 dated 4 August 2005
25. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 26 June 2008 and number 10-1-11/02-317/05 dated 21 June 2005
26. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 25 June 2008
27. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 10 March 2008
28. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 20 November 2008
29. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 4 January 2008
30. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 1 April 2008
31. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 19 February 2008
32. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 24 May 2008
33. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 11 June 2008
34. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 10 March 2008
35. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 5 March 2008
36. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 15 April 2008
37. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 30 May 2008
38. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 12 May 2008
39. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 23 April 2008
40. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 15 April 2008
41. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 24 April 2008
42. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 7 April 2008
43. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 29 May 2008
44. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 29 May 2008
45. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 26 October 2008

46. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 17 April 2008 and number 10-02/2-656/05 dated 11 November 2005
47. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 4 March 2008
48. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 19 November 2007
49. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 23 November 2007
50. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 27 June 2008
51. Record on the examination of witness [REDACTED] number 17-12/3-04-2-50/08 dated 22 July 2008
52. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 20 November 2008
53. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 29 May 2008
54. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 26 June 2008
55. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 30 June 2008
56. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 1 April 2008
57. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 12 November 2008
58. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 26 October 2007
59. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 29 August 2007
60. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 12 July 2007
61. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 11 June 2008
62. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 17 April 2008
63. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 1 April 2008
64. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 1 April 2008
65. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 28 May 2008
66. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 23 August 2007 and number 10-02/2-295/05 dated 27 May 2005
67. Record on the examination of witness [REDACTED] number KT-RZ-30/05 and 117/07 dated 4 September 2007

68. Record on the examination of witness [REDACTED] number 315/08-7 dated 28 October 2008
69. Record on the examination of witness [REDACTED] number KT-RZ-117/07 dated 12 March 2007 and number 17-04/2-04-2-244/09 dated 12 March 2009
  
70. Decision on the Proclamation of the State of War by the Presidency of RBiH dated 20 June 1992, Official Gazette of RBiH number 7/92;
71. Document number: 01049510.frm – a table showing formation duties of the Military Security Service /MSS/ of the 5<sup>th</sup> Corps of the Army of R BiH;
72. Organizational chart of the Bihac District Security Authorities;
73. Instruction of the MSS Department of the 5<sup>th</sup> Corps of the Army of RBiH number: 03/321-12 dated 3 September 1995;
74. Rules on the treatment of the prisoners of war in the Bihac Collection Centre, number confidential 07/900-2 dated 8 August 1993;
75. Decision on the establishment of a detention camp for prisoners of war number: 01-s-012-113/92 dated 17 August 1992, by the President of the Bihac District;
76. Document strictly confidential 09-1/193-27 dated 1 July 1996, Attack Order under the code name *Sana* of the 5<sup>th</sup> Corps of the Army of RBiH operational number 01-1/352-327 dated 17 August 1995 with textual-tabular part of the *Sana* action plan and the force grouping deployment developed by Major Hilmija Suljić;
77. Order to apply the Rules of the International Law of War in the Armed Forces of the R BiH, Official Gazette of RBiH number: 15/92;
78. Rules of the service in the Army of the Republic of Bosnia and Herzegovina, Official Gazette number: 11/92;
79. Authorization of the Military Security Department of the 5<sup>th</sup> Corps of the Army of RBiH Int. number: 03/845-1 dated 9 September 1994;
80. Permission to visit and register the POWs number: 03/388-47 dated 23 October 1995;
81. Record on the POWs number: 03/73-68-4 dated 19 October 1995;
82. Record on the captured members of SČV /Serb-Chetnik Army/ SC /strictly confidential/ number: 03/73-68-3 dated 12 October 1995;
83. Record on the captured members of SČV SC number: 03/73-68-2 dated 5 October 1995;
84. Record on the captured members of SČV SC number: 03/73-68 dated 8 September 1995;
85. Document confidential number: 03/112-118 dated 22 September 1995;
86. Decision number: 07/49-5 dated 29 December 1994, by the Commander of the 5<sup>th</sup> Corps;
87. Decision number: 07/49-4 dated 21 November 1994, by the Commander of the 5<sup>th</sup> Corps;
88. Submission of data related to the captured members of SČA, SC number 03/1042-7 dated 15 November 1994;
89. List of captives deprived of the POW status, confidential number: 03/794-1 dated 26 December 1994;

90. POWs Record book and different lists of POWs;
91. Order number: 04-1/853-1 dated 13 October 1995, by the Commander of the 5<sup>th</sup> Corps;
92. Order number: 07/3102-1 dated 10 May 1994;
93. Rule for operating of the Military Security Service in the Armed Forces of the R BiH number: 02-011-714/92 dated 11 September 1992;
94. Record on statement taken from [REDACTED] 14-1/02-4-255/95 dated 16 February 1995;
95. Record on statement taken from [REDACTED] number: 02-132/95 dated 27 January 1995;
96. Record on statement taken from [REDACTED] number: 02-142/7/95 dated 27 January 1995;
97. Record on statement taken from [REDACTED] number: 02-146/10/95 dated 28 January 1995;
98. Record on statement taken from [REDACTED] number: 02-146/9/95 dated 28 January 1995;
99. Document of the 5<sup>th</sup> Corps Military Security Department SC number 03/1188-80 dated 20 December 1994 on statement taken from [REDACTED]
100. Official Note of the Military Security Department SC number 03/1188-75 dated 13 November 1994 on statement taken from [REDACTED] document strictly confidential number 03/1188-78 dated 22 December 1994, document number 03/1188-77, document number 14-1/02-4-1502/94 dated 9 December 1994, Record number 02-1254/94 dated 2 December 1994 and a photocopy of [REDACTED]'s file;
101. Supplementary data SC number 03/67-12 dated 31 August 1995, Decision on the POW status SC number 03/67-11 dated 29 August 1995, Decision confidential number 07-3/2033-1 dated 7 August 1995, Decision confidential number 07-3/2290-1 dated 1 September 1995;
102. Record on statement taken from [REDACTED] number 03/1188-10 and Supplementary statement of [REDACTED] Official Note number 03/360-2, escort sheet for [REDACTED] number 07-5/94 dated 9 May 1994, [REDACTED]'s file dated 15 June 1995, Record on statement taken from [REDACTED] number 03/360-3 and 03/1188-10 dated 30 April 1994 and questions for [REDACTED] letter of the Security Administration number 7-3/28-111 dated 28 March 1995, document Instructions SC number 03/1040-2 dated 23 March 1995 and [REDACTED]'s letter sent through ICRC;
103. Official Note strictly confidential number 03/ dated 22 July 1994 on statement taken from [REDACTED] supplementary statement [REDACTED] titled „All Fikret's connections“, supplementary statement of [REDACTED] handwriting, supplementary statement of [REDACTED] in handwriting number 22079403.txt, two supplementary statements of [REDACTED] in typed text, supplementary statement of [REDACTED] strictly confidential number 03/696-3 dated 2 August 1994, supplementary statement of [REDACTED] number 10089430 txt, supplementary statement of [REDACTED] strictly confidential number 03/ dated 18 August 1994

104. Assessment of security in the POW collective centre record number 03/378-2 dated 11 May 1994
105. Security survey of the POW collective centre strictly confidential number: 03/378-6 dated 14 May 1994
106. Document of the Military Security Department SC number 03/329-12 dated 24 (month is illegible) 1995
107. Document of the MSS 03/329-7 dated 13 April 1995
108. Inspection of the state of security elements, file cover, document number 03/535-2 dated 28 June 1994, Order confidential number 02/4244-1 dated 27 June 1994
109. Official Note SC number 03/1188-71 dated 25 November 1994 on statement taken from [REDACTED]
110. Document SC number 03/388-40 dated 13 September 1995 on submission of the lists of POWs;
111. Document SC number 03/67-7 dated 15 August 1995 on submission of data about the aggressor's soldiers foreign nationals from the territory of the so-called SRJ /*Federal Republic of Yugoslavia*/;
112. Document number 14/02-4-1448/95 dated 14 November 1995 CSB PS /*Public Security Centre Police Station/ Bihac*;
113. Notification SC number 03/388-50 dated 9 November 1995;
114. List of persons subjected to criminal investigation procedures on the premises of the Bosanki Petrovac Police Station;
115. Document SC number 03/388-38 dated 5 September 1995;
116. Document SC number 03/388-51 dated 9 November 1995;
117. Document of the High Court in Bihac number 5/95-RZ dated 17 April 1995;
118. Document SC number 03/252-2 dated 10 March 1995;
119. Document of the Higher Court in Bihac number Ki.12/94-RZ dated 28 February 1995;
120. Official Note strictly confidential number 03/1188-61 dated 29 November 1994 on statement taken from [REDACTED]'s fingerprint card;
121. Document confidential number 03/493-2 dated 17 June 1994;
122. Decision on the granted POW status of [REDACTED] number 07/49-1 dated 10 February 1994;
123. Supplementary statement of [REDACTED] taken by Ismet Mujanović and Mehura Selimović;
124. Decision on recognizing the POW status confidential number 07/6163-1 dated 20 September 1994;
125. Document SC number 03/85-12 dated 2 February 1995, data about the members of the MSS;
126. File of [REDACTED] number 07/5-45/95 dated 25 January 1995;
127. Information SU-34/94 dated 21 April 1994 of the District Military Court in Bihac;

128. Report on incidental death of [REDACTED] number 07/5-109/95 dated 7 March 1995, Official Note on the interview with [REDACTED] and the Official Note number 07/5-45-2/95 dated 5 March 1995;
129. Official Note on taking the statement from [REDACTED] strictly confidential number 03/73-13 dated 13 March 1995, Official Note strictly confidential number 03/13-3 dated 25 February 1995;
130. Report on inspection of detainees number 12/170-1 dated 6 January 1994;
131. Order confidential number 07/305-1 dated 14 August 1994;
132. Order confidential number 07/7762-1 dated 9 December 1994;
133. Decision on the granted POW status confidential number 07-3/1585-1 dated 30 May 1995;
134. Request for granting the POW status confidential number 12/7165-1 dated 6 November 1994;
135. Order to exchange prisoners SC number 07-1/202-1 dated 10 March 1995;
136. Order to exchange prisoners strictly confidential number 04-1/1106-1 dated 22 December 1995;
137. Document on appointment of duties strictly confidential number 05/53-171 dated 22 January 1995;
138. Order to exchange prisoners strictly confidential number 04-1/1047-1 dated 28 November 1995;
139. Taking statements from captured Chetniks, guidelines number 01.3/96-39 dated 5 July 1994;
140. Official Note confidential number 03-146/95 dated 21 February 1995;
141. Case File of the 5<sup>th</sup> Corps MSS Department the dated 15 June 1995;
142. Report on inspection of the 505<sup>th</sup> Motorized Brigade and the 506<sup>th</sup> Brigade dated 4 April 1995;
143. Daily Report strictly confidential number 03/1-13 dated 14 January 1995;
144. List of the members of a company of Serb-Chetnik Army record number 03/360-4 dated 4 May 1994;
145. Transfer of a POW SC number 03/699-2 dated 24 September 1995;
146. Plan and program of the training course for senior officers of the 5<sup>th</sup> Corps MSS dated 10 February 1995;
147. Plan and program of the training course for senior officers of the 5<sup>th</sup> Corps MSS dated 4 March 1995;
148. Additional information from the statements of the captured members of SČA strictly confidential number 03/297-1 dated 21 March 1995;
149. Verification of [REDACTED] in handwriting, dated 26 May 1994;
150. Verification of [REDACTED] in handwriting, dated 26 May 1994;
151. Verification of [REDACTED] handwriting, dated 25 My 1994;
152. Official Note dated 12 July 1994;
153. Document of the RBIH Ministry of Defense, information, number 01.3/28-230 dated 21 July 1994;

154. Report strictly confidential number 03/548-6 dated 25 July 1994;
155. Rules for the military police operating, number 02/90-31 dated 11 September 1994;
156. Questionnaire and statement of [REDACTED] dated 19 October 1995;
157. Questionnaire and statement of [REDACTED] dated 19 October 1995;
158. File of [REDACTED];
159. Official Note strictly confidential number 03/73-5 dated 23 January 1995 on taking the statement from [REDACTED]'s supplementary statement and fingerprint card;
160. Official Note strictly confidential number 03/73-2 dated 20 January 1995 on taking the statement from [REDACTED]'s supplementary statement and fingerprint card and three statements in handwriting;
161. Statement about the establishment of organized cooperation with the MSS of RBiH OS */Armed Forces/* given by [REDACTED] dated 10 March 1995;
162. Official Note on taking the statement from [REDACTED] in handwriting and the Official Note on taking the statement from [REDACTED] SC number 03/1188-28 dated 23 September 1994;
163. Document strictly confidential number 03/1136-1 and 03/1188-30 dated 1 December 1994 with an attachment;
164. Documents number 02-1232-2/94 dated 7 December 1994 with an attachment;
165. Interview plan for [REDACTED] and Official Note on taking the statement from [REDACTED] SC number 03/1034-4 -1188-25 dated 30 October 1994;
166. Two Official Notes strictly confidential number 03/1188-23 dated 23 September 1994 on taking the statement from [REDACTED]'s fingerprint card, statement in handwriting, letter of the Security Administration number 06.1/28-307-2 dated 5 November 1994;
167. Official Note strictly confidential number 03/1188-21 dated 25 September 1994 about taking the statement from [REDACTED]'s fingerprint card;
168. Assignment Plan for Counter-Intelligence Department */CID/* on 2 December 1994 and on 4 December 1994;
169. Assignment Plan for CID on 21 December 1994 and on 22 December 1994;
170. Assignment Plan for CID on 23 December 1994 and on 24 December 1994;
171. Assignment Plan for CID on 26 December 1994 and on 27 December 1994;
172. Assignment Plan for CID on 28 December 1994 and on 29 December 1994;
173. Assignment Plan for CID from 1 to 31 January 1995;

174. Assignment Plan for CID from 1 to 5 February 1995;
175. Monthly plan of activities of the 5<sup>th</sup> Corps Military Security Service Organ for April 1995;
176. Assignment Plan for CID for September 1995 dated 24 August 1995;
177. Assignment Plan for CID for November 1995 dated 26 October 1995;
178. Report on an unusual incident number 07/5-364/95 dated 17 November 1995 with attachments;
179. File of ██████████ number 03/1188-55;
180. Official Note on taking the statement from ██████████ strictly confidential number 03-1188-54 dated 22 September 1994;
181. ██████████'s fingerprint card, Official Note strictly confidential number 03/1188-52 dated 28 September 1994 and ██████████'s statement in handwriting;
182. ██████████'s fingerprint card, Official Note on taking the statement SC number 03/1188-48 dated 27 September 1994, ██████████'s statement in handwriting;
183. Official Note on taking the statement from ██████████ number 03/1188-46 dated 11 November 1994, Official Note on taking the statement number 03-480/94 dated 11 November 1994 ██████████'s supplementary statement in handwriting;
184. ██████████'s fingerprint card, Official Note SC number 03/1188-42, Official Note on taking the statement number 03/1188-43 dated 11 November 1994, Plan to interview ██████████'s statement in handwriting;
185. ██████████'s fingerprint card, Official Note on taking the statement strictly confidential number 03/1188-39 dated 18 November 1994, Official Note on taking the statement number 03/1188-40 dated 18 November 1994, ██████████'s statement in handwriting;
186. Official Note on taking the statement from ██████████ strictly confidential number 03/1188-37 dated 12 November 1994, ██████████'s statement in handwriting;
187. Escort sheet for ██████████ dated 28 November 1994;
188. Official Note on taking the statement from ██████████ SC number 03/73-3/95 dated 18 January 1995;
189. Official Note on taking the statement from ██████████ strictly confidential number 03/73-4/95 dated 20 January 1995;
190. Official Note on taking the statement from ██████████ strictly confidential number 03/73-7/95 dated 24 January 1995;
191. Official Note on taking the statement from ██████████ strictly confidential number 03/73-10/95 dated 26 January 1995, ██████████'s supplementary statement, ██████████'s statement in handwriting and fingerprint card;
192. Official Note on taking the statement from ██████████ strictly confidential number 03/1188-73/94 dated 25 November 1994;
193. Official Note on taking the statement from ██████████ strictly confidential number 03/1188-66 dated 31 October 1994;

194. Official Note on taking the statement from [REDACTED] strictly confidential number 03/1188-64 dated 31 October 1994;
195. Receipt strictly confidential number 03/7-1 dated 18 January 1995;
196. Promotion Order confidential number 05/357-05 dated 29 May 1995;
197. Appointment Order strictly confidential number 05/53-392 dated 29 April 1994;
198. Order on redeployment strictly confidential number 05/340-490 dated 29 April 1994;
199. Appointment Order strictly confidential number 05/53-388 dated 29 April 1994;
200. Approval SC number 03/675-1 dated 12 September 1995;
201. Approval number Kri 3814/95 dated 8 September 1995;
202. Criminal report SC number 03/73-63 dated 5 September 1995
203. Official Note on taking the statement from [REDACTED] SC number 03/73-56-1 dated 24 June 1995, [REDACTED]'s fingerprint card, statement in handwriting /28 pages/, supplementary statement /10 pages/, overview of the necessary data related to the persons interesting from the security aspect;
204. Official Note on taking the statement from [REDACTED] SC number 03/73-61 dated 19 May 1995;
205. Official Note on taking the statement from [REDACTED] SC number 03/73-60-1 dated 5 May 1995;
206. Official Note on taking the statement from [REDACTED] SC number 03/73-50-1 dated 6 June 1995, [REDACTED]'s fingerprint card, statement in handwriting /11 pages/;
207. Official Note on taking the statement from [REDACTED] number 03/73-59-1 dated 4 September 1995, questionnaire [REDACTED], [REDACTED]'s fingerprint card and statement in handwriting;
208. Official Note on taking the statement from [REDACTED] SC number 03/73-55 dated 4 September 1995;
209. Official Note on taking the statement from [REDACTED] SC number 03/73-29 dated 12 June 1995;
210. Official Note on taking the statement from [REDACTED] SC number 03/73-31 dated 12 June 1995;
211. Official Note on taking the statement from [REDACTED] SC number 03/73-32 dated 11 June 1995;
212. Official Note on taking the statement from [REDACTED] SC number 03/73-16 dated 13 March 1995 and [REDACTED]'s fingerprint card;
213. Order strictly confidential number 03/3174-1 dated 12 May 1994;
214. List of detainees per cells in the *Luke* prison, in handwriting;
215. Fingerprint card for [REDACTED];
216. Fingerprint card for [REDACTED];
217. Fingerprint card for [REDACTED];
218. Official Note on taking the statement from [REDACTED] SC number 03/73-21 dated 12 June 1995;

219. Official Note on taking the statement from ██████████ SC number 03/73-23 dated 9 June 1995;
220. Document SC 03/707-3 dated 4 October 1995;
221. Taking Prisoner Report, SC number 03/73-56 dated 4 September 1995;
222. Taking Prisoner Report, SC number 03/73-55-2 dated 4 September 1995;
223. Taking Prisoner Report, SC number 03/73-60 dated 4 September 1995;
224. Taking Prisoner Report, SC number 03/73-50-2 dated 4 September 1995;
225. Taking Prisoner Report, SC number 03/73-62 dated 4 September 1995;
226. Taking Prisoner Report, SC number 03/73-58 dated 4 September 1995;
227. Taking Prisoner Report, SC number 03/73-59 dated 4 September 1995;
228. Taking Prisoner Report, SC number 03/73-57-1 dated 4 September 1995;
229. Official Note on taking the statement from ██████████ SC number 03/73-49-1 dated 30 May 1995;
230. Official Note on taking the statement from ██████████ SC number 03/73-62-1 dated 17 May 1995;
231. Official Note on taking the statement from ██████████ SC number 03/73-58-1 dated 17 May 1995;
232. Official Note on taking the statement from ██████████ C number 03/73-57 dated 4 September 1995;
233. Questionnaire for ██████████ and ██████████'s statement in handwriting;
234. ██████████'s statement in handwriting dated 15 February 1995, ██████████'s supplementary statement given to the OSVB /MSS Authority/ dated 15 March 1995, fingerprint card, Official Note on taking the statement from ██████████ number 03/1188-32 dated 20 September 1994;
235. ██████████'s statement in handwriting;
236. Official Note on taking the statement from ██████████ dated 22 September 1994;
237. Official Note on taking the statement from ██████████ dated 16 September 1994;
238. Official Note on the interview with ██████████ dated 12 February 1996;
239. Order confidential number 07/7519-1 dated 25 November 1994 with a list of POWs;
240. List of POWs members of SČA who are located in SCRZ /POW Collective Centre/ Adil Bešić;
241. Order SC number 07/4102-1 dated 20 June 1994;
242. Order strictly confidential number 04-1/911-1 dated 28 October 1995 with the attachment – a list of POWs;
243. Order SC number 03-1/840-1 dated 3 October 1995;
244. Dispatch of the RS OBS /Intelligence-Security Service/ number 506-362 dated 22 August 2000;
245. Official Note of the RS OBS, MKS /Trans. note: abbreviation unknown/ number 03719078;
246. Official Note of the MKS B0018152 the interview with ██████████;
247. Information on attempted recruitment of ██████████ MKS number B0018171;

248. Information of the RS RDB */translator's note: abbreviation unknown, possibly State Security Department/*, MKS number B0018103;
249. Interview number 52/95 dated 13 March 1995, MKS number B0067181;
250. Information related to the interview with [REDACTED] – some findings about Bihać and the enemy's focus related to the armed forces, strictly confidential number 10-3-361/95 dated 13 April 1995, MKS number B0067285;
251. Dispatch of the RDB number 01-84/96 dated 2 March 1996, MKS number B0018164;
252. Official Note on the interview with [REDACTED] dated 16 March 1995, MKS number B0067327;
253. Certain security information, document of the RS RDB, MKS number B0035877;
254. Order number 02-1/906-1 dated 26 October 1995, MKS number 01852421;
255. Official Note on the interview with [REDACTED] dated 6 June 1996, MKS number B0018111;
256. Official Note on the interview with [REDACTED] number 55/95 dated 22 March 1995, MKS number B0067314;
257. Record on supplementary statement from [REDACTED], MKS number B0039299;
258. Record on the examination of witness [REDACTED] number Kri-373/95 dated 4 November 1995;
259. Official Note on the interview with [REDACTED], MKS number B0066927;
260. Official Note on the interview with [REDACTED] dated 21 March 1995, MKS number B0066980;
261. Section of a document of RS RDB, MKS number B0035882 - B0035885;
262. Official Note – brief breakdown of findings about the *Skakač* operation, dated 29 March 1996, MKS number B0018139;
263. Information on security-related data about the circumstances of capturing [REDACTED], MKS number B0032131;
264. Official Note on the interview with [REDACTED] number 56/95 dated 22 March 1995, MKS number B0067001;
265. Dispatch of the 1<sup>st</sup> Corps Command strictly confidential number 14-52 dated 27 November 1994, MKS number 01291700;
266. Information of the Prijedor CRDB */State Security Department Centre/* number 03-33 dated 9 November 1995, MKS number P0000993;
267. Document of the Party of Democratic Action, Bihać Municipal organization, number 49/97 dated 7 August 1997;
268. Death certificate of [REDACTED] number 1946 dated 19 November 2008;
269. Record on taking the statement from witness [REDACTED] number 10-02/2-271/05 dated 20 May 2005, message through ICRC and notice of lawyer Simo J. Tošić about the death of [REDACTED] dated 13 April 2008;
270. Official Note strictly confidential number 03/1014-1 dated 15 October 1994;

271. Report on the committed criminal offence and the perpetrators number KU-2440/05 dated 5 September 2005;
272. Document of the CJB */Public Security Centre/* Banja Luka number KU-2440/05 dated 2 May 2006 with the attachments of the BiH Ministry of Defense and the FBiH Ministry of Interior;
273. Document of the Banja Luka District Prosecutor's Office number KTA-RZ-11/05 dated 14 March 2005 with attachments, as in the document;
274. Document of the Banja Luka District Prosecutor's Office number KTA-RZ-30/05 dated 12 April 2005 with the attachments, as in the document;
275. Document of the FBiH Ministry for the Issues of Veterans and Invalids of the Defense War for Liberation number confidential 01/1-41-1820/08 dated 15 May 2008 with the attachments;
276. Document of the BiH Ministry of Defense number 13-04-1-3256-9/05 dated 28 August 2008, with attachments, certified photo-copies of excerpts from the VOB-8;
277. Document of the Cantonal Mol of the Una-Sana Canton number 05-1/06-2-04-1-799/08 dated 16 April 2008 with attachments as in the document;
278. Document of the Bihać Municipality number 07/1-13-316/08 dated 16 April 2008 with the attachments as in the document;
279. Record on the questioning of suspect Mehura Selimović number KT-RZ-30/05 dated 9 April 2008;
280. Record on the questioning of suspect Adil Ružnić number KT-RZ-30/05 dated 9 April 2008;
281. Record on the questioning of suspect Emir Mustafić number KT-RZ-30/05 dated 9 April 2008;
282. Document of the RS Commission for Missing Persons number 918/07 dated 13 November 2007 and a DVD footage of the exchange dated 11 March 1995;
283. Expert opinion on the handwritings and signatures from the documents as referred to in the Order of the Prosecutor's Office of BiH number KT-RZ-30/05 dated 17 October 2008 by expert graphologist [REDACTED] dated 10 December 2008;

**PROSECUTOR  
OF THE PROSECUTOR'S OFFICE OF BiH  
Milorad Barašin  
*/stamp and signature affixed/***

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

***Sarajevo, 29 April 2009***

***[REDACTED]***  
***Certified Court Interpreter for English***