



Tužilaštvo – Tužiteljstvo Bosne i Hercegovine
Тужилаштво Босне и Херцеговине

Special Department for War Crimes

Number: KT-RZ-130/07

Sarajevo, 25 December 2007

COURT OF BOSNIA AND HERZEGOVINA

Pursuant to Article 35 (2) h), Article 226 (1) and Article 227 of the CPC of BiH, I hereby file the following

INDICTMENT

Against:

SULJO KARAJIĆ a.k.a. “HODŽA”, son of Ćamil and Hata nee Šakanović, born on 20 July 1968, in the settlement of Trnovi, Municipality of Velika Kladuša, residing in Velika Kladuša, settlement of Joše, Lamela 4, entrance A, of Bosniak ethnicity, citizen of BiH, educator by occupation, in the bee-keeping business, literate, completed Teacher training college, married, father of two children, no previous convictions, under the Decision of the Court of BiH Number X-KRN-07/336 dated 19 October 2007 he was ordered into custody until 17 November 2007 and under the Decision of the Court of BiH Number X-KRN-07/336 dated 16 November 2007 the custody was extended for two months and may last until 17 January 2008 or a new decision of the Court of BiH

Because:

During the armed conflict in Bosnia and Herzegovina between the members of the 5th Corps of the Army of BiH and members of the

National Defense of the Autonomous Province of Western Bosnia, in the period from August 1994 until February 1995, in the territory of District of Bihać, in violation of Article 3 a) and c) of the Geneva Convention relative to the Treatment of Prisoners of War dated 12 August 1949, as a member of the 506 Brigade, and then in the capacity of the commander of the 2nd platoon of the military police of the 505 Chivalrous Motorized Brigade of the 5th Corps of the Army of BiH with the headquarters in Bužim, he committed and ordered his subordinate military police officers to commit the deprivation of life, infliction of severe physical and mental harm, inhumane treatment and to cause great suffering and serious injury to prisoners of war. Additionally, in violation of Article 3 a) and c), Article 27 (1) and Article 147 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War dated 12 August 1949, in the capacity of the commander of the 2nd platoon of the military police of the 505 Chivalrous Motorized Brigade of the 5th Corps of the Army of BiH with the headquarters in Bužim, he committed, as well as ordered, incited and assisted the subordinate military police officers in the deprivation of life, intentional infliction of severe physical or mental harm or suffering, inhumane treatment and violation of bodily integrity or health, unlawful detention of civilian persons, inasmuch as he:

- 1. On 4 August 1994, in front of the cellarage of the Radoč Motel in Bužim, in which the captured members of the National Defense of the Autonomous Province of Western Bosnia were detained, called out a person known as "██████████", so when ██████████ ██████████, a captured member of the National Defense, climbed on the bed in order to respond to him, he fired a short burst from the 5.65 mm SAR rifle in the area of his thorax which caused the instantaneous death of ██████████;*
- 2. On 6 December 1994, in the place of Vrnograč, Municipality of Velika Kladuša, together with the subordinate members of the military police platoon, from the detention unit of the Sub-station of the Police Station Vrnograč, he took out to the street ██████████ ██████████, a captured member of the National Defense of the Autonomous Province of Western Bosnia, and following a short interrogation he fired several shots at him which caused the instantaneous death of ██████████;*

3. In December 1994, in the village of Todorovska Slapnica, Municipality of Velika Kladuša, he was bringing in civilians to the elementary school without any grounds, and ordered the members of the military police subordinate to him to bring to the elementary school premises the civilians who he assumed to have supported the idea of the Autonomous Province of Western Bosnia, whereupon he deprived them of life and subjected them to inhumane treatment and mental torture inasmuch as he:

- a. entered the house of person "C" and ordered a subordinate member of his military police platoon to beat him with a baton saying: "Beat him and spare his face, he is going to the hangar", then he held an edge of a knife to the throat of his wife and told her to prepare a white bed sheet because her husband would not need anything else, and then he kicked person "C" in the back, pushed him down the stairs, took him out of the house and while on their way they met person "B" and he ordered him to come along with them and with the rifle pointed at their back he took them to the aforementioned school where [REDACTED] [REDACTED] had already been brought and then he hit person "C" in the head several times,
- b. kicked [REDACTED], and then hit him several times in the head and the back of the head with a baton, which inflicted injuries to the soft parts of the tissue on the scalp with necrosis of parts of the scalp tissue, and asked him about his son [REDACTED], threatening to kill both of them; he ordered him to open his mouth and he placed the barrel of a pump-action shotgun in his mouth telling him that he would die slowly,
- c. hit [REDACTED] on his head and body with a rifle; he hit person "B" with a rubber baton and kicked him and thereupon banged his head against the wall; he hit [REDACTED] on the head with a baton and ordered his subordinate members of the military police platoon to punch the above mentioned civilians and kick them with their boots all over their bodies,

- d. ordered [REDACTED], whom he previously kicked twice in the temple, to fully undress and go out in the snow and stand for two hours in the snow while [REDACTED], commander of the Civil Defense in Todorovska Slapnica, poured water upon them, which he did,
- e. hit [REDACTED] in the head asking him where his rifle was, ordered him to undress and to go out naked in the snow, which he did and he stood in the snow for some twenty minutes, and he then ordered him to dress and be on guard around the aforementioned school,
- f. ordered his subordinate member of the military police platoon not to allow [REDACTED] to enter the school for two hours and the subordinate member of the military police platoon had previously ordered the above mentioned to undress, to go out naked in the snow and pour buckets of water on each other and then, in his presence, the subordinate member of the military police platoon, [REDACTED] were taken to the school, and while interrogating [REDACTED] told him to hold out his hands and hit him with the rubber baton in the hands some ten times, each time harder,
- g. after he brought [REDACTED], a member of the 506 Brigade of the 5th Corps of the Army of BiH, from the front line to the aforementioned school, under suspicion that he was cooperating with the members of the National Defense of the Autonomous Province of Western Bosnia, together with his subordinate member of the military police platoon Osman a.k.a. "Šekinov" and member of the 505 Chivalrous Motorized Brigade Hamo Durmić a.k.a. "Pišta" he physically abused him by hitting him all over his body and two or three days after that, together with Husein Džaferović a.k.a.. "Zvizda", commander of the Civil Defense in Todorovska Slapnica and members of his subordinate

military police platoon, Juso Bužimkić and Šemsudin Čaušević a.k.a. "Šucko", he took him out of the aforementioned school and thereafter they together fired some fifteen shots at him which resulted in the instantaneous death of [REDACTED],

h. on several occasions, he hit [REDACTED] with a police baton in the head and body whereupon, together with Derviš Ponjević and Bećir Džebić, he drove him to Vrnograč telling him during the ride that he had killed [REDACTED] because he had tried to escape,

i. physically abused [REDACTED] together with his subordinate members of the military police platoon Juso Bužimkić, Osman a.k.a. "Šekinov", Šemsudin Durmić a.k.a. "Šucko" and member of the 505 Chivalrous Motorized Brigade, Hamo Durmić a.k.a. "Pišta", beat him with the rubber batons all over his body which resulted in him being covered in blood and unable to walk and as a consequence of the injuries he sustained, Muhamed Džebić died in the school.

4. At the end of December 1994, in the village of Trnovi, on the Džaferagić hill, Municipality of Velika Kladuša, after [REDACTED], a wounded member of the National Defense of the Autonomous Province of Western Bosnia, surrendered with his weapons, he kicked him and the blow knocked him down facing the ground, then he kneeled down next to him and started to cut his head with a hand-saw and thereupon he separated the head from the body with an axe blow and placed the head of [REDACTED] on a pole and drove it into the ground.

5. On 25 December 1994, after the members of the 5th Corps of the Army of BiH, in the close vicinity of the settlement of Latića Glavica, Municipality of Velika Kladuša, captured the members of the National Defense: "L", "J", "K", "F", [REDACTED], he took them to the settlement of Todorovska Slapnica and lined them up, whereupon he approached [REDACTED] and fired a shot at his stomach

and then he also fired a shot at the stomach of [REDACTED] as a result of which [REDACTED] fell to the ground; a uniformed soldier approached them then and fired a bullet into each man's head; he took the remaining captured members of the National Defense to the catering facility "Stop", in the place of Hajrat, leaving the bodies of the killed [REDACTED] on the ground;

6. During the period from 25 December 1994 until February 1995, after he physically abused the captured members of the National Defense : "L", "J", "K", "F", [REDACTED] in the catering facility "Stop", in the place of Hajrat, in a manner that, together with the members of the 5th Corps of the Army of BiH, he punched and hit them with the rifle butt all over their bodies and ordered that [REDACTED] and "F" be executed which was prevented by the arrival of the members of the 5th Corps Command; he took the above mentioned members of the National Defense, together with a group of twenty seven previously captured members of the National Defense to the basement of the Radoč Motel in Bužim where on several occasions he hit them all over their bodies and he hit [REDACTED] with the rifle butt in the back of the head, ordered him to lean with his back against the wall and to spread his legs apart and then he hit him in his sex organs until [REDACTED] fainted; he ordered them, including "F", to sprint and mount a horse drawn on the wall, which "F" and the others had to do and they would then hit the wall and fall to the ground; his subordinate members of the military police platoon also physically abused the captured members of the National Defense by punching and kicking them all over their bodies;

7. At the end of December 1994, in the early morning, in the village of Todorovo, having entered into the improvised clinic, without any cause and reason he slapped person "D", and then he punched and hit her with a rubber baton in the head and arms which caused her injuries in the form of lacerations and contusions in the back of her head and her right fist while threatening her; thereafter he took her to the house where she was staying and told her to

surrender to him a radio set saying that she was the one who was informing the authorities in the Autonomous Province of Western Bosnia about everything and while doing so he was holding the edge of a knife against her neck and was hitting her with it in the head;

- 8. On 27 December 1994, in the village of Donja Lučka, Municipality of Velika Kladuša, together with his subordinate members of the military police platoon Juso Bužimkić and Hasica Hančin, he took out [REDACTED] from the house, having kicked him with his right leg in the face, ordered that his hands be tied and took him to the settlement of Bare, ordered him to fully undress and enter the stream and have a bath and when he got out of the stream he fired several shots at him which caused the instantaneous death of [REDACTED];*
- 9. In late November or early December 1994, in the place of Podzvizd, Municipality of Velika Kladuša, he entered the house in which [REDACTED] stayed, he verbally assaulted him telling him to surrender weapons and a radio, and when he answered that he did not possess any of those, he addressed him using the following words: “[REDACTED], speak, we killed one of your kind yesterday in Bužim”, he took him out of the house and in the garage owned by Ibro Ćerimović he physically assaulted him by hitting him with a rifle, the so-called pump-action shotgun, in the head and then he took him to the prison in Bužim, where, after a certain period of time, [REDACTED] was killed;*
- 10. In February 1995, in the settlement of Murtići, Municipality of Velika Kladuša, in the house in which the Municipal Headquarters of the Civil Defense of Velika Kladuša was located, after he verbally assaulted [REDACTED], the commander of the Municipal Headquarters of the Civil Defense of Velika Kladuša, he forced him out of the house, drove him to the settlement of Donja Slapnica in a “Golf” vehicle and then, in a room that he used together with his subordinate members of the military police platoon, he physically attacked him by hitting him with a rubber baton in the head and other parts of the body in which [REDACTED] suffered*

injuries in the form of lacerations and contusions of the head, hematoma on the skin of his body, arms and legs; thereafter, in his presence, members of his platoon Hasica Suljanović and the person also known as “Šekinov” went on beating him and he ordered him to walk to the place of Vrnograč, three kilometers away from the place where he physically abused him, to report to the Detachment of the Ministry of Defense to give him call-up papers to go on the front line, which [REDACTED] did out of fear and he set out to the place of Vrnograč.

***Therefore,** in violation of the rules of international law in regard to prisoners of war, he committed, as well as ordered, deprivation of life, infliction of severe physical or mental pain, inhumane treatment and causing of great suffering or serious injuries; and in violation of the rules of international law in time of war he committed, ordered, incited and assisted in deprivation of life, intentional infliction of severe physical or mental pain or suffering, inhumane treatment and causing of great suffering or serious injury to bodily integrity or health and unlawful detention of civilian persons.*

***Whereby,** under Counts 1, 2, 4, 5 and 6 he committed the criminal offence of War Crimes against Prisoners of War under Article 175 (1) a) and b) and under Counts 3, 7, 8, 9 and 10 he committed the criminal offense of War Crimes against Civilians under Article 173 (1) c) and e) in conjunction with Article 180 (1) of the CC of BiH, all as read with Article 29 of the CC of BiH*