

**BOSNIA AND HERZEGOVINA  
PROSECUTOR'S OFFICE OF BOSNIA AND HERZEGOVINA  
S A R A J E V O  
SPECIAL DEPARTMENT FOR WAR CRIMES  
Number: KT-RZ-137/05  
Sarajevo, 16 November 2009**

**COURT OF BOSNIA AND HERZEGOVINA  
-Trial Panel-  
Ref. No: X-KR-05/122**

Pursuant to Article 35(2)i) and Article 226(1) and Article 275 of the Criminal Procedure Code of BiH, I hereby file the following

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

AGAINST:

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

**GORAN VIŠKOVIĆ, a.k.a. "Vjetar"**, son of Stojan and Milica (maiden name Drakulić), born in Buljevići, Vlasenica Municipality, on 25 November 1954, residing in Šekovići at Jakovice bb/no number/, Citizen Identification Number 2511954183744, Serb, citizen of the RS and BiH, literate, secondary school qualifications, married, father of one underage and three children of age, indigent, served the army in Kraljevo and Niš 1973/1974, convicted by a Judgment of the Basic Court of Vlasenica number 092-0-K-07-000 001 dated 2 July 2007 for the criminal offense referred to in Article 155(1) of the RS CC and sentenced to imprisonment for a term of three (3) months (suspended sentence of 1 one year), the Accused has been imposed the prohibitive measures under the most recent Decision X-KR-05/122 dated 10 July 2009.

Inasmuch as they:

Between April and late September 1992, as part of a widespread and systematic attack of parts of the YNA Units, military, paramilitary and police forces of the Serb Republic of BiH directed against the civilian Bosniak and other non-Serb population of Vlasenica Municipality, with knowledge of such an attack and of the fact that their acts constituted part of the attack, as members of these forces, specifically Predrag Bastah as a member of the reserve forces of the MUP of RS, SJB Vlasenica and Goran Višković as a member of the Army of the Serb Republic of BiH, persecuted the civilian population of Bosniak and other

non-Serb ethnicities on political, ethnic and religious grounds by participating in a joint plan and its contribution to the fulfillment of a common goal of depriving the lives of other persons (killings), unlawful imprisonment, psychological and sexual mistreatment, enforced disappearance, torture and other inhumane acts committed to inflict bodily and mental harm in which the Accused persons directly participated in the manner that they:

### **I. PREDRAG BASTAH a.k.a. “Dragan” – alone**

1) On 23 April 1992, in the close vicinity of *Lipa* catering establishment in Vlasenica, armed with a 7.62 mm caliber automatic rifle with a folding butt, together with another Serb soldier, participated in a severe deprivation of physical liberty of ██████████ by ordering him to go to the Vlasenica PS by the vehicle that he drove, which the latter did; Bastah previously hit him with the rifle butt and detained in a 2x4 m cell where there were more than twenty Bosniak civilians detained and, after putting handcuffs on his hands, took him out into the corridor where he punched and kicked him together with another three Serb soldiers all over his body until his body was covered in blood.;

2) On an undetermined date, in the first half of May 1992, together with an unidentified police officer, wearing a blue uniform of the reserve police forces, armed with an automatic rifle, he came to the locality known as Jezero, Vlasenica Municipality, in a Golf I vehicle to the property owned by the person who was assigned code name “17”, deprived him of liberty, drove this person to the Vlasenica Police Station and detained him there, also threatening that he would kill him and his entire family if a rifle was found in his house;

2a) On 31 May 1992 at around 8 a.m., he participated in a severe deprivation of liberty of ██████████<sup>1</sup>, born in 1935 whom he took out of his house at Omladinska Street bb, brought to and detained at the Vlasenica PS, where he also brought ██████████<sup>2</sup>, born in 1943, where they were subjected to inhumane treatment and torture at the Vlasenica PS whereupon ██████████ disappeared without a trace whereas the body of ██████████ was exhumed and identified on 9 March 2007;

3) On 22 May 1992. he participated in a severe deprivation of liberty of ██████████ by taking him out of the house at ██████████ in Vlasenica around 3 p.m., together with three members of the reserve police forces and imprisoned at the Vlasenica PS, whereupon on 18 June 1992, after the injured party ██████████ had been transferred to a prison behind the Court building in Vlasenica, he transported him by a truck to the “Sušica” camp together with 10 other Bosniak civilians;

4) On an undetermined date in May 1992, together with another Serb soldier, he drove in a Lada or Niva vehicle to the house of ██████████ in Vlasenica and took ██████████<sup>3</sup>, her son born in 1962, out of that house, severely depriving him of his liberty and driving him in a vehicle to the prison behind the building of the Court in

---

<sup>1</sup> The person is registered in Table B under no. 217

<sup>2</sup> The person is registered in Table A under no. 13

<sup>3</sup> The person is registered in Table B under no. 693

Vlasenica where he incarcerated him and from there he took him to perform forced labor on several occasions until 9 or 10 July 1992, whereupon he disappeared without a trace. His body has never been recovered.

**5) At the beginning of June, most probably on 2 June 1992**, he participated in a severe deprivation of liberty of the underage ██████████, in a manner that he came to the house of ██████████ in Vlasenica in a blue-and-white police Golf and took the underage ██████████ out of the house by pulling his hair; he drove ██████████ and another Bosniak civilian to the Vlasenica Police Station. After he kicked that unknown civilian in the back and after the latter rolled down the stairs at the PS, he started hitting the underage ██████████ vigorously in the chest with a rifle butt in the corridor next to the information desk in the police station and demanded that ██████████ lift his arms above his head while receiving the blows so that the blows would be more painful. ██████████ obeyed and Predrag Bastah a.k.a. “Dragan” continued hitting the underage ██████████ until the latter started reeling because of the pains. Further physical mistreatment was stopped by one Serb police officer;

**6)** On an undetermined date in June 1992, together with several unidentified persons wearing uniforms, he participated in a severe deprivation of liberty of ██████████ who was at ██████████ in Vlasenica in a manner that he ordered him to board a truck packed with Bosniak civilians, which the latter obeyed, whereupon he was transported by the same vehicle to the “Sušica” Camp;

**7)** On an undetermined date in the second half of June 1992, together with a group of more than five Serb soldiers, he came to the house of ██████████, whom he severely deprived of liberty, as well as ██████████ who was hiding in the house of M ██████████ in fear for his safety, whereupon he imprisoned them at the PS Vlasenica; there he kicked and punched them together with the other Serb soldiers and police officers, slapped them in the face, forcing the underage “Witness 15” who was brought to and imprisoned at the police station by unknown persons to beat other imprisoned civilian Bosniaks and them to beat him and when the minor refused to do so, he punched him in his head;

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

**9)** On or about 2 June 1992, he went by a police vehicle to the house of ██████████<sup>4</sup>, son of ██████████, deprived him of his liberty and took him to the Vlasenica PS where he was detained for a couple of hours and afterwards took him out of the police station in a “Golf” vehicle together with another unidentified police officer to the place known as Toplik, to a meadow in the vicinity of the “Alpro” factory where he deprived him of life; when ██████████’s wife, looking for her husband, asked a police officer for help on the premises of the PS, he punched and kicked her, hitting her with the rifle butt all over her body and imprisoned her in the cell of the Vlasenica PS;

---

<sup>6</sup> The person is registered in Table A under no. 513

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

11) At night between 12 and 13 September 1992, he participated in the killing of a number of persons, together with a group of five or more unidentified persons dressed in uniforms, wearing stockings over their heads, all armed with automatic rifles, coming to Maršala Tita St. in the centre of Vlasenica, knowing and being aware of what would happen to the Bosniak civilians if found in their houses as he selected and took with him two Bosniak camp prisoners driving a tractor with a trailer intended for the transport of dead bodies; when he came to the house of [REDACTED], born in 1922, in which there were [REDACTED], born in 1933, [REDACTED]<sup>5</sup>, daughter of [REDACTED], born in 1910, and the house of [REDACTED], born in 1907 and his wife [REDACTED]<sup>6</sup>, daughter of [REDACTED], born in 1925, he waited in the street while soldiers wearing stockings on their head entered the houses wherefrom fire in rapid succession was heard; when the soldiers got out of the houses, he ordered the camp prisoners to bring the dead bodies out and load them onto the trailer of the tractor, which they did.

11. a) After the prisoners had driven away the tractor with the dead bodies, he left the scene together with a group of unidentified soldiers dressed in uniforms, wearing stockings on their heads, who had previously, in the same street, taken out of their houses and taken away in an unknown direction while alive [REDACTED], born in 1968, whose bodies including the bodies of [REDACTED] have never been recovered;

12) On an undetermined date, in the first half of June 1992, together with a number of unidentified persons dressed in uniforms, he took away [REDACTED], born in 1950, from the “*Sušica*” Camp, who disappeared without a trace ever since;

13) In the period between 10 and 19 July 1992, together with a group of unidentified persons dressed in uniforms, among whom there were also guards from the “*Sušica*” camp, he brought out 12 Bosniak civilians, who have never come back and, who ever since disappeared without a trace, among whom there were [REDACTED], born in 1939, [REDACTED], born in 1951, whose bodies have never been recovered, including the body of [REDACTED], born in 1962, whom he brought out of the camp on Thursday, 16 July 1992, [REDACTED], born in 1954;

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

<sup>5</sup> The person is registered in Table B under no. 813

<sup>6</sup> The person is registered in Table B under no. 302

15) On an undetermined date in late August 1992, he ordered [REDACTED] and her husband [REDACTED] to leave the house in five minutes, otherwise, he would kill them and demolish the house with a personnel carrier; after that, they were forced to go to the territory controlled by the Bosnian Moslems; he also forced [REDACTED] to leave her house with her underage children, ordering them to leave Vlasenica, or otherwise, he would kill all of them, which they were forced to do.

## **II. THE ACCUSED GORAN VIŠKOVIĆ a.k.a. Vjetar, alone**

1. On 23 April 1992, he participated in a severe deprivation of liberty of [REDACTED], who, together with several dozen of Bosniak civilians waited in front of the building of the Vlasenica municipality to obtain a pass to move around the so-called Serb Vlasenica municipality, by grasping firmly his arm, pinning it behind his back, kicking him several times into his buttocks, hitting him with a rifle butt in the area of his back and finally bringing him to the Vlasenica PS where he imprisoned him;
2. On an undetermined date in May 1992, together with a number of unidentified persons dressed in uniforms, on several occasions, with the intention to cause great suffering or injury to body or to physical and mental health, he beat [REDACTED], born in 1948, who was imprisoned for 7 days in a cell, causing his back to be black and blue as a result of injuries, and when he was transferred to the "Sušica" camp, he disappeared without trace;
3. In the same period, at the same place and with the same intention, he kicked and punched [REDACTED] who was imprisoned in a 2 by 3 prison cell with more than 10 Bosniak civilians, having found a rifle in his house, the so-called Russian drum magazine gun; he intended to kill [REDACTED] and a Serb soldier stopped him in his attempt;
4. On an undetermined date in May 1992, together with another unidentified person dressed in uniforms, he came by *Lada* vehicle to the house of [REDACTED], to which, [REDACTED] came with her underage child [REDACTED], on which occasion he strongly slapped her twice on her face in a fit of rage because she did not want to tell him about the whereabouts of her husband and son;
5. On an undetermined date in mid-May 1992, together with other unidentified Serb soldiers, in the prison behind the Court building in Vlasenica where [REDACTED] were imprisoned, he beat them on a daily basis by bringing them into the hall, one by one, from where the sound of beating and cries of pain were coming, and then, after continuous beating, he threw them into the cell since they could not walk; he kicked [REDACTED] with his boots and hit him at least 20 times with a gun butt in his head and back, putting the gun into his mouth; he also kicked [REDACTED] all over his body, mostly in the area of his shoulders, putting the gun into his mouth;
6. On 11 July 1992 between 20:00 and 21:00 hours, at [REDACTED] in Vlasenica, in the group of more than 5 Serb soldiers, he entered the house of [REDACTED], born in 1942, punching, kicking and hitting him with the rifle butts in his face, mouth and nose, while his wife [REDACTED] was begging him to stop, he

strongly punched her in her face, cutting her lip, strongly kicking her with a military boot in her spinal area; she rolled down the steps as a consequence; he continued beating her, kicking her in the street where she fell on her stomach on the asphalt, when he put his foot and rifle on her back threatening her that he would kill her unless she said where her son-in-law and her son were;

7. At the same time and in the same street, when he noticed that [REDACTED] had seen him beating [REDACTED], he kicked her in her breast as a result of which she fell down on the asphalt, and then he put his foot on her back pointing his barrel at her back, ordered her to crawl on the asphalt as other Moslems were doing and who had to crawl around his feet, ordered her to get in the van which was going around collecting the remaining Moslems from the Titova bb St.; from there she was driven away and imprisoned in the “*Sušica*” camp;
8. On an undetermined date, in the first half of June 1992, together with a group of about ten Serb soldiers, he came to the *Panorama* settlement where the person under the code name “3” resided with her husband and children; when the NN soldier ordered them to leave the house, they went to the street where, together with other Serb soldiers, he kicked and beat with a rifle butt [REDACTED], born in 1947, his wife [REDACTED], born in 1949 and two underage children, forcing [REDACTED] to pray the Moslem way on the asphalt;
9. In the first half of June, most probably on 6 June 1992, he took out a number of Bosniak civilians from the “*Sušica*” camp, who have never come back again, among whom was [REDACTED], born in 1952, whom he took away under the pretext of taking him for forced labour and whose body was recovered in the *Ogradice* mass grave in the territory of the Vlasenica municipality on 18 June 2003;
10. On 2 June 1992 or around that date, together with two Serb soldiers, guards of the “*Sušica*” camp, in the evening hours, he took out of the camp [REDACTED], born in 1952 and a young man from the place of Kula, Zvornik municipality, who disappeared without a trace until the body of one of them, [REDACTED], was recovered and exhumed on 29 September 2000;
11. On 27 June 1992, he came in front of the “*Sušica*” camp by a truck of the *RO Polet*, ordering 20 prisoners to get on the truck to go and perform forced labour, among whom were a certain person with the last name [REDACTED]; when they came in the vicinity of the veterinary station in Vlasenica, he ordered [REDACTED] to start digging a hole as big as a human body, giving him a gun to kill a certain postman [REDACTED], and when the said person refused to do so, he gave the gun to [REDACTED]; when this one also refused to do so, laughing, he packed them into the truck, winding up the steering-wheel at high speed to the right and to the left, sadistically abusing the helpless prisoners;
12. In the period between 18 and 30 June 1992, in the “*Sušica*” camp, he beat [REDACTED] (Table B, No. 670) with the rifle butt, kicked and punched him and took him to perform forced labour together with a group of Bosniak civilians on several

occasions, more specifically, to the field sowed with potatoes; they had to pick up pests, the so called potato bugs – and throw them into a glass bottle full of water, afterwards forcing ██████████ to drink the water from the bottle;

13. On an undetermined date in the second half of June 1992, he parked the *Zastava* lorry, the so-called refrigerator lorry, behind the veterinary station in Vlasenica in which he detained 13 Bosniak civilians whom he had previously taken out of the “Sušica” camp to perform forced labour, among whom there was ██████████, whom he had previously kicked loading his rifle, the so-called drum magazine gun pointed towards his body, abusing him sadistically, afterwards closing him in the refrigerator lorry together with the other civilians, keeping him there for one hour in the closed space where they started fainting because of the lack of air - oxygen, being in panic and fear; a Serb soldier saved them from dying;
14. On an undetermined date in the first half of June 1992 at around 23:00 hors, he took out of the “*Sušica*” camp a person under the code name “8” and brought her into the guard-house where there were three guards from the “*Sušica*” camp to whom he said ”shall we do it our way?” He put handcuffs on her wrists, previously kicking and punching her; when one of the Serb soldiers pushed her onto the iron bed and spread her legs, he violently tore her clothes off, pushed a police butt into her genitals and afterwards raped her;
15. In the period between 2 June and 2 July 1992, together with the guards, members of the Serb army and police, he raped the person under the code name “6” on several occasions, whom he took out of the camp and brought into the house in the immediate vicinity of the camp, where he raped and sexually abused her, requiring from her to react back and to scream, while the unidentified persons from the other room were shouting “that’s the way, ‘Wind’, that’s the way, ‘Wind’!”
16. On 10 July 1992 at around 21:40 hrs, at ██████████ St, in the apartment of ██████████, together with two unidentified Serb soldiers, he raped ██████████, born 1958, previously forcing her to leave her apartment together with her mother and sister and ██████████, ordering them to lie on the asphalt in front of the building, whereupon he brought her back to the apartment together with two unidentifid soldiers, where he raped her;

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

- 1) On an undetermined date, in late April, armed with automatic rifles, in the evening hours, they came by *Lada* vehicle to the house of ██████████<sup>7</sup>, son of ██████████, born in 1940, at 40 ██████████ in Vlasenica, whom they severely deprived of liberty and took out of the house, previously beating him all over his body, threw him into the vehicle together with his brother-in-law ██████████, born in 1965, whom they also kicked and beat with the rifle butts and subsequently drove away to the Vlasenica PS where they imprisoned them;

---

<sup>7</sup> The person is registered in Table A under no, 12

- 2) On an undermined date in May 1992, they participated in a severe deprivation of physical liberty of [REDACTED] in the street, in the centre of Vlasenica and took him to the Vlasenica PS; when [REDACTED] was taken to the Sušica camp together with his two sons, [REDACTED], born in 1950 and [REDACTED], born in 1958, they took [REDACTED] out of the camp in the second half of June, most probably on 21 June 1992, together with another guard from the “Sušica” camp, previously kicking and punching them, grabbed them by their shoulders and threw out of the camp, from which moment they disappeared without a trace; their bodies were exhumed on 29 September 2000 ;
- 3) On an undermined date in June 1992, they came on foot to the Jarovlje village, Vlasenica municipality, in front of the house of Ibrahim Lelo<sup>8</sup>, son of Šaban, born in 1953, whom they severely deprived of liberty and took away in the direction of Vlasenica; subsequently, after he had been taken to the “Sušica” camp, he was brought out of the camp in the presence of several Serb soldiers; since then he disappeared without a trace and his body has never been recovered;

4) In the period from 13 to 19 July 1992, in the place of Luke, Vlasenica municipality, where buses and trucks had stopped packed with civilians, women and children who were being transported from the Sušica camp to the territory controlled by Bosnian Moslems, together with several members of the Serb army and police, they participated in forcible displacement and separation of women and young girls who have been missing ever since; Goran Mišković escorted the above vehicles and watched the separation, saying “well, well, we are going to have plenty of them, “budas” /*translator’s note: pejorative form for Moslem women*”, while Predrag Bastah, who drove one of the trucks with a canvas top, whistled and shouted “separate as many young women and young girls as possible and impregnate as many of them as you can with our semen” signaling unidentified Serb soldiers who were in the vicinity of the place where he had stopped the truck, that they had arrived; then the soldiers acted accordingly, separating women, young girls and children. Among the separated women there were also [REDACTED]

[REDACTED], born in 1975, whose bodies, including the bodies of another 13 non-identified persons who had been taken away, have never been recovered,

**Thereby they committed the following criminal offences,**

**Bastah Predrag**, - Crimes against Humanity-Persecution in violation of Article 172(1)h) of the Criminal Code of Bosnia and Herzegovina in conjunction with actions under:

**-item a)** depriving another person of his life (murder), as described under Counts **I-9 and I-11** of the Indictment;

---

<sup>8</sup> The person is registered in Table B under no. 566

- **item d)** forcible transfer of population as described under Counts **I-14; I-15 and III-4** of the Indictment;
- item e)** imprisonment or other severe deprivation of physical liberty as described under Counts **I-1; I-2; I-2a; I-3; I-4; I-5; I-6; I-7; I-9; I-10; III-1; III-2** of the Indictment;
- item i)** enforced disappearance of persons as described under counts **I-8; I-11a; I-12, I-13; III-2; III-3 and III-4** of the Indictment;
- item k)** other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to physical or mental health as described under Counts **I-1; I-5; I-7 and III-1** of the Indictment;

In conjunction with Article 29 of the BiH CC, all in conjunction with Article 180(1) of the Criminal Code of Bosnia and Herzegovina

- **Goran Višković**, Crimes against Humanity – persecution in violation of Article 172(1)h) of the Criminal Code of Bosnia and Herzegovina in conjunction with actions under

- **item d)** forcible transfer of population as described under Count **III-4** of the Indictment;
- item e)** imprisonment or other severe deprivation of physical liberty as described under Counts **II-1; III-1 and III-2** of the Indictment;
- item f)** torture as described under count **II-5** of the Indictment:
- item g)** coercing another by force or by threat of immediate attack upon his life or limb, or the life or limb of a person close to him, to sexual intercourse or an equivalent sexual act (rape) and **f)** torture as an intentional causing of severe pain and suffering as described under counts **II-14, II-15; II-16** of the Indictment;
- item i)** enforced disappearance of persons as described under counts **II-9, II-10; III-2; III-3 and III-4**;of the Indictment;
- item k)** other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to physical or mental health as described under Counts **II-1; II-2; II-3; II-4; II-6; II-7; II-8; II-11; II-12; II-13; III-1** of the Indictment;

all in conjunction with Article 29 and Article 180(1) of the Criminal Code of Bosnia and Herzegovina.

In view of the above, I consider that there exist sufficient grounds for the existence of grounded suspicion that Predrag Bastah and Goran Višković have committed the criminal offences as charged under this amended Indictment.

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

