

THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

THE PROSECUTOR OF THE TRIBUNAL

AGAINST

Milan BABIC

INDICTMENT

The Prosecutor of the International Criminal Tribunal for the Former Yugoslavia, pursuant to her authority under Article 18 of the Statute of the International Criminal Tribunal for the Former Yugoslavia ("the Statute of the Tribunal") charges:

Milan BABIC

with **CRIMES AGAINST HUMANITY** and **VIOLATIONS OF LAWS OR CUSTOMS OF WAR** as set forth below:

THE ACCUSED

1. **Milan BABIC**, son of Bozo, was born on 26 February 1956 in Kukar, municipality of Sinj, Croatia. He is a dentist by profession. In 1989 he assumed the position of one of the acting directors in the medical centre in Knin.
2. **Milan BABIC**, previously a member of the League of Communists of Croatia, was a prominent political figure in the Serbian Democratic Party ("SDS") in Croatia since its inception in February 1990 and held a senior position in the SDS municipal committee in Knin. After Jovan RASKOVIC's death in 1992, **Milan BABIC** assumed the position as President of the SDS party, in which function he remained until 1995.
3. From 1990 until April 1994, **Milan BABIC** held the position of the President of the Municipal Assembly in Knin. From 31 July 1990 onwards, he was the President of the Serbian National Council ("SNC"). On 30 April 1991, **Milan BABIC** was elected President of the Executive Council of the so-called "Serbian Autonomous District/*Srpska autonomna oblast*/" ("SAO") Krajina." Subsequently, on 29 May 1991, he became the Prime Minister/President of the government of the self-declared SAO Krajina. On 19 December 1991, the SAO Krajina proclaimed itself Republic of Serbian Krajina/*Republika Srpska Krajina* ("RSK") with **Milan BABIC** as President. **Milan BABIC** held the position until 15 February 1992. **Milan BABIC** became the Minister of Foreign Affairs of the RSK government in April 1994. In July 1995 he was elected Prime Minister of the RSK government, a position he held only until beginning August 1995 when in the course of the Croatian offensive known as Operation Storm the whole of the RSK leadership including **Milan BABIC** fled the RSK.

INDIVIDUAL CRIMINAL RESPONSIBILITY

Article 7(1) of the Statute of the Tribunal

4. **Milan BABIC** is individually criminally responsible for the crimes referred to in Articles 3 and 5 of the Statute of the Tribunal and described in this indictment. The accused committed, or otherwise aided and abetted in the planning, preparation, or execution of these crimes. By using the word "committed" in this indictment the Prosecutor does not intend to suggest that the accused physically committed any of the crimes charged personally. "Committing" in this indictment refers to participation in a joint criminal enterprise as a co-perpetrator or an aider and abettor.
5. **Milan BABIC** participated in a joint criminal enterprise that came into existence no later than 1 August 1991 and continued until at least June 1992. The purpose of this joint criminal enterprise was the permanent forcible removal of the majority of the Croat and other non-Serb population from approximately one-third of the territory of the Republic of Croatia ("Croatia"), in order to make them part of a new Serb-dominated state through the commission of crimes in violation of Articles 3 and 5 of the Statute of the Tribunal. These areas included those regions that were referred to by Serb authorities as the "SAO Krajina," the "SAO Western Slavonia," the "SAO Slavonia, Baranja and Western Srem" (after 19 December 1991, the "SAO Krajina" became known as the RSK; on 26 February 1992, the "SAO Western Slavonia" and the "SAO Slavonia, Baranja and Western Srem" joined the RSK), as well as the "Dubrovnik Republic /*Dubrovačka republika*".
6. The crimes enumerated in this indictment were within the objective of the joint criminal enterprise and **Milan BABIC** held the state of mind necessary for the commission of each of the crimes. Alternatively, the crimes enumerated in Counts 1 to 5 were the natural and foreseeable consequence of the execution of the objective of the joint criminal enterprise and **Milan BABIC** was aware that such crimes were the likely outcome of the execution of the joint criminal enterprise.
7. A number of individuals participated in this joint criminal enterprise at different times during its existence. Each participant or co-perpetrator within the joint criminal enterprise played his role or roles that significantly contributed to the overall objective

of the enterprise. Individuals participating in this joint criminal enterprise included Slobodan MILOSEVIC; Milan MARTIC; Goran HADZIC; Jovica STANISIC; Franko SIMATOVIC, also known as "Frenki"; Vojislav SESELJ; General Blagoje ADZIC; General Ratko MLADIC and other known and unknown members of the Yugoslav People's Army ("JNA"); the Serb Territorial Defence ("TO") of Croatia, Serbia and Montenegro; local and Serbian police forces ("MUP forces"), including the State Security /*Državna bezbednost* ("DB") of the Republic of Serbia, and Serb police forces of the SAO Krajina and the RSK commonly referred to as "Martić's Police," "*Marticevci*," "SAO Krajina Police" or "SAO Krajina Milicija" (hereinafter "Martić's Police"). **Milan BABIC** participated in this joint criminal enterprise until at least February 1992.

8. **Milan BABIC**, acting individually or in concert with other members of the joint criminal enterprise participated in the joint criminal enterprise in the following ways:
- a. In his capacity as the President of the SNC and subsequently as President/Prime Minister in the SAO Krajina and the RSK, he formulated, promoted, participated in, and/or encouraged the development and implementation of SDS and SAO Krajina/RSK governmental policies intended to advance the objective of the joint criminal enterprise. Throughout 1991, **Milan BABIC** attended meetings with the Serbian, SFRY and Bosnian Serb leadership defining these policies of the joint criminal enterprise and presented its positions in international negotiations.
 - b. He was instrumental in the establishment, support and maintenance of the government bodies ruling the SAO Krajina/RSK, which in co-operation with the military and police implemented the objective of the joint criminal enterprise and participated in the commission of crimes as listed in this indictment.
 - c. He participated in and contributed to the creation, organisation, recruitment, and direction of the Territorial Defence forces (TO) of the SAO Krajina and subsequently the RSK, which participated in the crimes listed in the indictment. From at least 1 June 1991 to including 15 February 1992, Milan BABIC was the de jure commander of the TO forces. On 8 August 1991 he appointed Milan MARTIC Deputy TO Commander.
 - d. Under Milan BABIC's tenure as President/Prime Minister, Milan MARTIC was appointed to the following positions within the SAO Krajina: On 04 January 1991 he was appointed Secretary of the Interior; On 29 May 1991 he was appointed Minister of Defence; On 27 June 1991 he was re-appointed Minister of Interior. Milan BABIC co-operated with Milan MARTIC, which led to MARTIC's command and control over "Martić's Police" involved in the commission of crimes.
 - e. He participated in the provision of financial, material, logistical and political support necessary for the military take-over of territories in the SAO Krajina, and the subsequent forcible removal of the Croat and other non-Serb population by the TO forces, who acted in co-operation with the JNA and "Martić's Police."
 - f. He made ethnically based inflammatory speeches during public events and in the media that created an atmosphere of fears and hatred amongst Serbs living in Croatia in order to win support for and participation in achieving the objective of the joint criminal enterprise.
 - g. He requested the assistance of or facilitated the participation of JNA forces to further the objective of the joint criminal enterprise.
 - h. He encouraged and assisted in the acquisition of arms and their distribution to Croatian Serbs to further the objective of the joint criminal enterprise.
9. **Milan BABIC** knowingly and willfully participated in the joint criminal enterprise, while sharing the intent of other participants in the joint criminal enterprise, or having knowledge of the intent of other participants in the joint criminal enterprise, or being aware of the foreseeable consequences of their actions. On this basis, he bears individual criminal responsibility for these crimes under Article 7(1) of the Statute of the Tribunal in addition to his responsibility under the same article for otherwise aiding and abetting in the planning, preparation, or execution of these crimes.

GENERAL ALLEGATIONS

10. At all time relevant to this indictment, a state of armed conflict existed in Croatia.
11. All acts and omissions charged as Crimes against Humanity were part of a widespread and systematic attack directed against the Croat and other non-Serb civilian populations of large areas of Croatia.
12. At all times relevant to this indictment, **Milan BABIC** was required to abide by the laws and customs governing the conduct of armed conflicts.

THE CHARGES

13. From on or about 1 August 1991 until at least 15 February 1992, **Milan BABIC**, acting individually or in concert with other known and unknown members of a joint criminal enterprise, committed or otherwise aided and abetted in the planning, preparation, or execution of persecutions of the Croat and other non-Serb civilian populations in the SAO Krajina/RSK.
14. Throughout this period, Serb forces, comprised of JNA, local Serb TO units and TO units from Serbia and Montenegro, local and Serbian MUP police units, including "Martić's Police," and paramilitary units, attacked and took control of towns, villages and settlements in the SAO Krajina/RSK. After the take-over, Serb forces, in co-operation with the local Serb authorities, established a regime of persecutions designed to drive the Croat and other non-Serb civilian populations from these territories.
15. These persecutions were based on political, racial or religious grounds and included the following:
 - a. The extermination or murder of hundreds of Croat and other non-Serb civilians, including women and elderly persons, in Dubica, Cerovljani, Bacin, Saborsko, Poljanak, Lipovaca and neighbouring hamlets, Skabrnja, Nadin, and Bruska in Croatia. Following is a description of these incidents:
 - i. From about 7 October 1991, Serb forces, comprised of JNA, members of the local Serb TO, and "Martić's Police" were in control of the area of Hrvatska Kostajnica. Most of the Croat civilians had fled their homes during the initial attack in September 1991. Approximately 120 Croat civilians, mostly women, the elderly or the infirm remained behind. In the morning of 20 October 1991, members of the Serb forces rounded up fifty-three civilians in Dubica and detained them in the village fire station. Shortly after, ten were released because they were either Serbs or had connections with Serbs. On 21 October 1991, the Serb forces took the remaining forty-three detained Croats to a location near the village of Bacin. In addition, the Serb forces brought thirteen non-Serb civilians from Bacin and Cerovljani to the same location. All fifty-six victims were killed there. At approximately the same time, the Serb forces took away an additional thirty civilians from Bacin and twenty-four from the villages Dubica and Cerovljani into an unknown location where they killed them.
 - ii. From early August 1991 until 12 November 1991, the Croat villages of Saborsko, Poljanak and Lipovaca were attacked by members of Serb forces, in particular the JNA, the TO and "Martić's Police," killing all remaining non-Serb inhabitants. On 28 October 1991, TO units entered Lipovaca and killed seven civilians. On 7 November 1991, JNA and TO units, in particular a special JNA unit from Nis, entered the hamlet of Vukovici near Poljanak and executed ten civilians. On 12 November 1991, members of the JNA, the TO and "Martić's Police" entered the village of Saborsko where they killed twenty-nine Croat civilians.
 - iii. In November 1991, forces comprised of the JNA, TO units, and "Martić's Police" attacked the village of Skabrnja, near Zadar. On 18 November 1991, the Serb forces entered Skabrnja. Moving from house to house, they killed thirty-eight non-Serb civilians in their homes or in the streets. In addition, when Serb forces attacked the neighbouring villages of Nadin the next day, they killed seven non-Serb civilians. Between 18 November and February 1992, all remaining Croat civilians in Skabrnja died, including twenty-six of the remaining elderly and infirm Croat civilians.
 - iv. On 21 December 1991, members of "Martić's Police" and other Serb forces entered the village of Bruska and the hamlet of Marinovic where they killed ten persons, among them nine Croat civilians.

The names of all victims are listed in attached Annex 1.

- b. The prolonged and routine imprisonment and confinement of several hundred of Croat and other non-Serb civilians in inhumane living conditions in the old hospital and the JNA barracks in Knin, as set forth below, which were used as detention facilities and run by the members of "Martić's Police" and the JNA respectively, acting in co-operation with local Serb authorities and other Serb forces, including Serbian State Security officials.
 - i. Old hospital in Knin run by "Martić's Police," approximately one hundred and twenty detainees, operating from at least August 1991 until at least November 1991.
 - ii. JNA barracks in Knin operated by the JNA, approximately one hundred and fifty detainees from at least August 1991 until at least November 1991.
- c. The deportation or forcible transfer of thousands of Croat and other non-Serb civilians from the SAO Krajina/RSK. According to the 1991 census the total population of the SAO Krajina/RSK was 286,716. Croats amounted to 78,611 (27, 42%) of the total population. Only 1,932 (0,67%) Muslims were registered at that time. Virtually the whole Croat, Muslims and non-Serb population of the SAO Krajina/RSK was forcibly removed, deported or killed.
- d. The deliberate destruction of homes, other public and private property, cultural institutions, historic monuments and sacred sites of the Croat and other non-Serb population in Dubica, Cerovljani, Bacin, Saborsko, Poljanak, Lipovaca and neighbouring hamlets, Vaganac, Skabrnja, Nadin, and Bruska in the SAO Krajina/RSK.

16. By these acts and omissions, **Milan BABIC** committed:

Count 1: Persecutions on political, racial, and religious grounds, a **CRIME AGAINST HUMANITY**, punishable under Articles 5(h), and 7(1) of the Statute of the Tribunal.

Count 2: In relation to the conduct described in paragraph 15 a), Murder, a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR**, as recognised by Common Article 3(1)(a) of the Geneva Conventions of 1949, punishable under Articles 3 and 7(1) of the Statute of the Tribunal.

Count 3: In relation to the conduct described in paragraph 15 b), Cruel treatment, a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR**, as recognised by Common Article 3(1)(a) of the Geneva Conventions of 1949, punishable under Articles 3 and 7(1) of the Statute of the Tribunal.

Count 4: In relation to the conduct described in paragraph 15 d), Wanton destruction of villages, or devastation not justified by military necessity, a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR**, as recognised by Common Article 3(1)(b) of the Geneva Conventions of 1949, punishable under Articles 3 and 7(1) of the Statute of the Tribunal.

Count 5: In relation to the conduct described in paragraph 15 d), Destruction or wilful damage done to institutions dedicated to education or religion, a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR**, as recognised by Common Article 3(1)(d) of the Geneva Conventions of 1949, punishable under Articles 3 and 7(1) of the Statute of the Tribunal.

Dated this 6th of November 2003

At The Hague
The Netherlands

Carla Del Ponte
Prosecutor

ANNEX I

VICTIMS BACIN - PARAGRAPH 15 (a) (i)

DATE	LOCATION	VICTIMS	YEAR OF BIRTH / SEX
October 1991	BACIN & surroundings	ALAVANCIC, Katarina	1910/ FEMALE
		ALAVANCIC, Terezija	1922/ FEMALE
		ANTOLOVIC, Josip	1910/ MALE
		ANTOLOVIC Marija	1917/ FEMALE
		BARIC, Sofija	Not Known/ FEMALE
		BARUNOVIC, Ivo	Not Known/MALE
		BARUNOVIC, Marija	Not Known/ FEMALE
		BARUNOVIC, Matija	60 years/MALE
		BARUNOVIC, Nikola	Not Known/MALE
		BATINOVIC, Anka	Not Known/ FEMALE
		BATINOVIC, Marija	1901/ FEMALE
		BLINJA, Ana	1923/ FEMALE
		BLINJA, Josip	1926/ MALE
		BLINJA, Katarina	1933/ FEMALE
		BLINJA, Nikola	1922/ MALE

BUNJEVAC, Toma	60 years/MALE
BUNJEVAC, Antun	40 years/MALE
BUNJEVAC, Kata	Not Known/ FEMALE
CORIC, Antun	50 years/MALE
CORIC, Barica	60 years/ FEMALE
CORIC, Josip	30 years/MALE
CORIC, Josip	60 years/MALE
CORIC, Mara	1939/ FEMALE
CORIC, Vera	60 years/FEMALE
COVIC, Mijo	1915/ MALE
DELIC, Marija	Not Known/ FEMALE
DIKULIC, Ana	1942/ FEMALE
DIKULIC, Maca	Not Known/ FEMALE
DIKULIC, Ruza	1913/ FEMALE
DIKULIC, Sofija	1946/ FEMALE
DIKULIC, Stjepan	Not Known/ MALE
DUKIC, Antun	1933/ MALE
DUKIC, Danica	Not Known/ FEMALE
DUKIC, Kata	Not Known/ FEMALE
DUKIC, Liza	Not Known/ FEMALE
DUKIC, Marija	1923/ FEMALE
DURINOVIC, Antun	Not Known/ MALE
FELBABIC, Nikola	50 years/MALE
FERIC, Ana	1926/ FEMALE
FERIC, Juraj	1923/ MALE
FERIC, Kata	1925/ FEMALE
GLAVINIC, Grga	60 years/MALE
JOSIPOVIC, Anka	60 years/ FEMALE
JOSIPOVIC, Ankica	50 years/ FEMALE
JOSIPOVIC, Ivo	50 years/MALE
JUKIC, Filip	1949/ MALE
JUKIC, Iva	Not Known/ FEMALE
JUKIC, Marija	1924/ FEMALE
JUKIC, Vera	1920/ FEMALE
JURATOVIC, Marija	Not Known/ FEMALE
JURIC, Janja	Not Known/ FEMALE
KARAGIC, Josip	50 years/MALE
KARANOVIC, Jozo	Not Known/ MALE
KRAMARIC, Terezija	1922/ FEMALE
KRIVAJIC, Antun	Not Known/ MALE
KRIVAJIC, Reza	Not Known/ FEMALE
KRNIC, Stefo	Not Known/ MALE
KRNIC, Marija	Not Known/ FEMALE
KRNIC, Mijo	1929/ MALE
KROPF, Barbara	1928/ FEMALE
KROPF, Pavao	1931/ MALE
KULISIC, Ivan	1926/ MALE

KULISIC, Ivica	1972/ MALE
LAZIC, Mijo	Not Known/MALE
LIKIC, Andrija	1908/ MALE
LIKIC, Anka	Not Known/ FEMALE
LIKIC, Antun	Not Known/ MALE
LIKIC, Jelka	Not Known/ FEMALE
LONCAR, Ana	1923/ FEMALE
LONCAR, Antun	1908/ MALE
LONCAR, Kata	60 years/ FEMALE
LONCAR, Kata	1906/ FEMALE
LONCAR, Stjepan	60 years/MALE
LONCAREVIC, Antun	Not Known/ MALE
LONCARIC, Nikola	1910/ MALE
LUJIC, Janja	1954/ FEMALE
MATIJEVIC, Dragica	Not Known/ FEMALE
MILASINOVIC, Marija	Not Known/ FEMALE
MISIC, Mijo	Not Known/ MALE
MUCAVAC, Antun	1946/MALE
MUCAVAC, Mara	Not Known/ FEMALE
ORDANIC, Antun	60 years/MALE
ORDANIC, Luka	60 years/MALE
PAVIC, Antun	1936/ MALE
PAVIC, Matija	60 years/MALE
PERKOVIC, Nevenka	Not Known/ FEMALE
PERKOVIC, Vlado	Not Known/MALE
PERKOVIC, Zoran	Not Known/MALE
PEZO, Ivo	Not Known/ MALE
PEZO, Sofija	1922/ FEMALE
PIKTAJA, Anka	1920/ FEMALE
SABLJAR, Stjepan	1912/ MALE
SESTIC, Julia	Not Known/ FEMALE
SESTIC, Marija	1922/ FEMALE
SESTIC, Milan	1941/ MALE
STANKOVIC, Veronika	1915/ FEMALE
SVRACIC, Antun	1920/ MALE
SVRACIC, Marija	1924/ FEMALE
TEPIC, Ana	1925/ FEMALE
TEPIC, Dusan	Not Known/ MALE
TRNINIC, Ivan	1913/ MALE
TRNINIC, Ivo	Not Known/ MALE
TRNINIC, Kata	1925/ FEMALE
TRNINIC, Terezija	Not Known/ FEMALE
VLADIC, Katarina	1931/ FEMALE
VOLAREVIC, Soka	1905/ FEMALE
VRPOLJAC, Nikola	55 years/MALE
VUKOVIC, Pero	Not Known/ MALE

****Plus 2 Unidentified Persons

ANNEX I

VICTIMS LIPOVACA - PARAGRAPH 15 (a) (ii)

DATE	LOCATION	VICTIMS	YEAR OF BIRTH / SEX
28 October 1991	LIPOVACA	BROZINCEVIC, Franjo	1930/MALE
		BROZINCEVIC, Marija	Not Known/ FEMALE
		BROZINCEVIC, Mata	Not Known/FEMALE
		BROZINCEVIC, Mira	
		BROZINCEVIC, Mirko	1925/FEMALE
		BROZINCEVIC, Roza	1971/ MALE
		CINDRIC, Katarina aka CINDRIC, Katja	Not Known/FEMALE 1925/ FEMALE

ANNEX I

VICTIMS - VUKOVICI PARAGRAPH 15 (a) (ii)

DATE	LOCATION	VICTIMS	YEAR OF BIRTH/SEX
7 November 1991	VUKOVICI	MATOVINA, Josip	Not Known/MALE
		MATOVINA, Nikola	Not Known/MALE
		VUKOVIC, Dane	Not Known/ MALE
		VUKOVIC, Dane	Not Known/ MALE
		VUKOVIC, Ivan	1934/MALE
		VUKOVIC, Lucija	Not Known/ FEMALE
		VUKOVIC, Milka	Not Known/ FEMALE
		VUKOVIC, Nikola	1926/MALE
		VUKOVIC, Nikola	1938/MALE
		VUKOVIC, Vjekoslav	Not Known/MALE

ANNEX I

VICTIMS SABORSKO - PARAGRAPH 15 (a) (ii)

DATE	LOCATION	VICTIMS	YEAR OF BIRTH/SEX
12 November 1991	SABORSKO	BICANIC, Ana	1924/ FEMALE
		BICANIC, Milan	1927/MALE
		BICANIC, Nikola	1928/MALE
		BICANIC, Petar	1935/MALE
		CONJAR, Leopold	1898/MALE
		DUMENCIC, Ante	1962/MALE
		DUMENCIC, Darko	1970/MALE
		DUMENCIC, Kata	1930/FEMALE
		DUMENCIC, Nikola	1930/MALE
		DUMENCIC, Ivica	Not Known/MALE
		MATOVINA, Ivan	1930/MALE
		MATOVINA, Kata	Not Known/ FEMALE
		MATOVINA, Kata aka MATOVINA, Kate	Not Known/ FEMALE
		MATOVINA, Lucija	1906/FEMALE
		MATOVINA, Marija	1909/FEMALE
		MATOVINA, Marta	Not Known/ FEMALE
		MATOVINA, Mate	1895/MALE
		MATOVINA, Mate	Not Known/MALE
		MATOVINA, Milan	Not Known/MALE
		MATOVINA, Slavica	1959/FEMALE
		SERTIC, Slavko	1941/MALE
		SPEHAR, Mate	Not Known/MALE
		STRK, Josip	Not Known/MALE
		VUKOVIC, Ivan	Not Known/MALE
		VUKOVIC, Jela	Not Known/ FEMALE
		VUKOVIC, Jure	Not Known/MALE
		VUKOVIC, Jure	Not Known/MALE
		VUKOVIC, Petar	1932/MALE

**** Plus 2 Unidentified Deceased

ANNEX I

VICTIMS SKABRNJA CASE ONE - PARAGRAPH 15 (a) (iii)

DATE	LOCATION	VICTIMS	YEAR OF BIRTH / SEX
18-19 Nov. 1991	SKABRNJA	BRKIC, Joso	1924/ MALE
		BRKIC, Marija	1943/ FEMALE
		BRKIC, Marko	1943/MALE
		CURKOVIC, Zeljko	1968/ MALE
		DRAZINA, Marija	Age 71/FEMALE
		HORVAT, Vladimir	1953/ MALE
		JURIC, Ana	Age 77/FEMALE
		JURIC, Grgo	1909/ MALE
		JURIC, Nediliko	1955/MALE
		JURIC, Petar	1936/MALE
		MILJANIC, Josip	1928/MALE
		MILJANIC, Slavko	1956/MALE
		PAVICIC, Mile	1965/MALE
		PAVICIC, Niko	1922/MALE
		PAVICIC, Petar	1942/MALE
		PERICA, Gaspar	1955/MALE
		PERICA, Josip	1934/ MALE
		PERICA, Ljubo	1932/ MALE
		RAZOV, Ante	1955/MALE
		RAZOV, Ivan	1927/MALE
		RAZOV, Jela	Age 86/FEMALE
		ROGIC, Kata	1932/FEMALE
		ROGIC, Marko	1959/MALE
		ROGIC, Nikola	1939/MALE
		SEGARIC, Sime	1955/ MALE
		SEGARIC, Grgica	1911/FEMALE
		SEGARIC, Ivica	1961/MALE
		SEGARIC, Krsto	1927/MALE

		SEGARIC, Rade	1931/MALE
		SEGARIC, Vice	1933/MALE
		SKARA, Nediljko	1955/MALE
		VICKOVIC, Stana	1936/FEMALE
		VICKOVIC, Stanko	1956/ MALE
		ZILIC, Mara	1914/ FEMALE
		ZILIC, Pavica	1928/FEMALE
		ZILIC, Roko	1929/MALE
		ZILIC, Tadija	1928/MALE
		ZUPAN, Marko	1932/MALE

ANNEX I

VICTIMS NADIN - PARAGRAPH 15 (a) (iii)

DATE	LOCATION	VICTIMS	YEAR OF BIRTH / SEX
19 Nov.1991	NADIN	ATELJ, Novica	1965/MALE
		BRKIC, Stoja	1928/FEMALE
		BRZOJA, Danka	1951/FEMALE
		CIRJAK, Ika	1922/FEMALE
		CIRJAK, Masa	1921/FEMALE
		SESTAN, Jakov	1911/MALE
		SESTAN, Marija	1933/FEMALE

ANNEX I

VICTIMS SKABRNJA CASE TWO - PARAGRAPH 15 (a) (iii)

DATE	LOCATION	VICTIMS	YEAR OF BIRTH / SEX
18 November 1991 to February 1992	SKABRNJA	BABIC, Ivan	1941/MALE
		BILAVER, Grgo	1915/MALE
		BILAVER, Marija	1921/FEMALE
		BILAVER, Peka	Not Known/FEMALE
		BRKIC, Ana	1925/FEMALE
		BRKIC, Josipa	1920/FEMALE
		BRKIC, Kata	1935/FEMALE

	BRKIC, Kata	1939/FEMALE
	BRKIC, Marija	1906/ FEMALE
	BRKIC, Mato	1918/MALE
	BRKIC, Mijat	1915/MALE
	ERLIC, Jure	1925/MALE
	GOSPIC, Dumica	1914/FEMALE
	IVKOVIC, Ljubomir	Not Known/MALE
	IVKOVIC, Nedjeljko	1952/MALE
	IVKOVIC, Tereza	Age 78/FEMALE
	JURJEVIC, Simica	1912/FEMALE
	KARDUM, Mirko	1919/MALE
	PERICA, Kata	Age 60/FEMALE
	RAZOV, Sime	1938/MALE
	RAZOV, Grgica	1899/FEMALE
	RAZOV, Marko	Not Known/MALE
	SEGARIC, Luca	1920/FEMALE
	SKARA, Pera	Not Known/FEMALE
	STURA, Bozo	Not Known/MALE
	STURA, Draginja	1917/FEMALE

ANNEX I

VICTIMS BRUSKA - PARAGRAPH 15 (a) (iv)

DATE	LOCATION	VICTIMS	YEAR OF BIRTH / SEX
21 December 1991	BRUSKA	DRACA, Sveto (Serbian)	Not Known/MALE
		MARINOVIC, Dragan	Not Known/MALE
		MARINOVIC, Draginja	Not Known/FEMALE
		MARINOVIC, Dusan	Not Known/MALE
		MARINOVIC, Ika	Not Known/ FEMALE
		MARINOVIC, Krste	Not Known/MALE
		MARINOVIC, Manda	1927/ FEMALE
		MARINOVIC, Petar	1923/MALE
		MARINOVIC, Roko	Not Known/MALE

ANNEX II

ADDITIONAL POLITICAL AND HISTORICAL FACTS

1. On 17 February 1990, the Serbs in the Krajina regional, headed by Dr. Jovan Raskovic, including **Milan BABIC**, founded the Serbian Democratic party "SDS."
2. In April and May 1990, the first multi-party elections after World War II were held in the Socialist Republic of Croatia, one of the federal units of the Socialist Federative Republic of Yugoslavia ("SFRY"). In these elections, Croatian Democratic Union ("HDZ") won 41.5% of votes and 2/3 of seats in the Parliament (Sabor) of the Socialist Republic of Croatia. The new Sabor then, on 30 May 1990, elected the HDZ candidate Dr. Franjo TUDMAN President of the Presidency of the Socialist Republic of Croatia as well as six other members of the Presidency
3. On 25 July 1990, a gathering of several thousand Croatian Serbs including the leadership of the SDS, including **Milan BABIC**, and of the Serb Orthodox Church passed a Declaration "on the Sovereignty and Autonomy of the Serbian Nation" in Srb, in Croatia. This declaration stipulated the establishment of a political representation of the Serbs in Croatia, the Serbian Sabor seated in Srb and a Serbian National Council (SNC) as the executive organ of the Serbian Sabor. Further, the declaration determined that the SNC could call a referendum on the question of status of Serbs in Croatia, including all other issues arising with respect to autonomy and sovereignty.
4. On 31 July 1990, during the SNC's first constituent session, a plebiscite, which would confirm the autonomy and sovereignty of the Serb nation in Croatia, was decided upon. On 16 August 1990, in the SNC's second session, a resolution was passed to this effect.
5. On 17 August 1990, the Croatian government declared that referendum illegal. Rumours surfaced that the Croatian police moved towards several Serb towns in the Krajina region and towards Knin. Serbs, organised by Milan MARTIC, put up barricades and "Martic's Police" distributed weapons to Serbs. This incident became commonly known as the "log-revolution." From 17 August onwards, armed Serb formations supported by the JNA were in control in Knin.
6. Between 19 August and 2 September 1990, Croatian Serbs held a referendum on the issue of Serb "sovereignty and autonomy" in Croatia. The vote was conducted in pre-dominantly Serb communities and in settlements where Serbs lived and was limited to only Serb voters including Croatian Serbs living abroad. 99,7 % of those who voted (567,317) were in support of Serb autonomy.
7. On 30 September 1990, the SNC declared "the autonomy of the Serbian people on ethnic and historic territories on which they live and which are within the current boundaries of the Republic of Croatia as a federal unit of the Socialist Federal Republic of Yugoslavia."
8. On 21 December 1990, Croatian Serbs in Knin lead by **Milan BABIC** announced the creation of a "Serbian Autonomous District" ("SAO") of Krajina by adopting a statute.
9. On 4 January 1991, the Executive Council of the SAO Krajina passed a decision to appoint Milan MARTIC as the Secretary of the Interior of the SAO Krajina.
10. On 28 February 1991, the SAO Krajina officially declared itself independent from the Republic of Croatia. On the same day, the municipalities of Gracac, Korenica, Donji Lapac and Glina, as well as some local communities within the municipalities of Sinj and Sibenik, joined the SAO Krajina.
11. On 1 April 1991, the Executive Council of the SAO Krajina passed the decision to join the SAO Krajina to the Republic of Serbia. That decision stipulated that the Constitution and laws of the Republic of Serbia, as well as the constitutional-legal system of the SFRY, were applied on the territory of the SAO Krajina.
12. On 12 May 1991, a referendum was held in the SAO Krajina concerning the annexation of the SAO Krajina to the Republic of Serbia and its remaining in Yugoslavia with Serbia, Montenegro and others that wished to preserve Yugoslavia. 99.8% of those voting supported the annexation.
13. On 19 May 1991, Croatia held a referendum in which the electorate voted overwhelmingly for independence from the SFRY. On 25 June 1991, Croatia and the Republic of Slovenia declared their independence from Yugoslavia.

14. On 29 May 1991, the Assembly of the SAO Krajina appointed Milan MARTIC Minister of Defense of the SAO Krajina. On the same day, the Assembly passed a decision on establishing special purpose units of the Ministry of Interior of the SAO Krajina under the name "Milicija Krajine" (the Krajina Militia), which were put under the authority of the Ministry of Defense.
15. On 25 June 1991, the JNA moved to suppress Slovenia's secession.
16. On 27 June 1991, the Assembly of the SAO Krajina appointed Milan MARTIC as Minister of Interior of the SAO Krajina.
17. The European Community sought to mediate in the conflict. On 8 July 1991, an agreement was reached that Croatia and Slovenia would suspend implementation of their independence until 8 October 1991. The European Community ultimately recognised Croatia as an independent state on 15 January 1992.
18. On 18 July 1991, the Federal Presidency, with support of the Serbian and Montenegrin government and General KADIJEVIC, voted to withdraw the JNA from Slovenia, thereby acceding to its secession and the dissolution of the SFRY.
19. The Serbs in the Krajina region, in Eastern Slavonia, and in Western Slavonia began receiving increasing support from the government of the Republic of Serbia. By August 1991, Serb volunteer, TO and police forces in these regions were being supplied, trained and partly led by officials of the Republic of Serbia Ministry of Interior.
20. Throughout August and September 1991, substantial areas of Croatia came under Serb control as a result of actions by Serb military, JNA, TO, volunteer and police forces including "Martić's Police."
21. On 8 September 1991 Milan MARTIC and a JNA security officer were stopped at a road blockade in Otoka, municipality of Bosanska Krupa, and subsequently detained. Various high-ranking JNA officers and members of the joint criminal enterprise specified in paragraph 7 of the indictment, among them **Milan BABIC**, were involved in securing his release.
22. In Geneva on 23 November 1991, Slobodan MILOSEVIC, Federal Secretary of People's Defence Veljko KADIJEVIC, and Franjo TUDMAN entered into an agreement signed under the auspices of the United Nations Special Envoy Cyrus VANCE. This agreement called for the lifting of blockades by Croatian forces on JNA barracks and for the withdrawal of JNA forces from Croatia. Both sides committed themselves to an immediate cease-fire throughout Croatia by units "under their command, control, or political influence" and further bound themselves to ensure that any paramilitary or irregular units associated with their forces would also observe the cease-fire.
23. Throughout that time **Milan BABIC**, despite the repeated insistence of SFRY officials including Slobodan MILOSEVIC, vehemently opposed the VANCE Plan in its proposed form as a viable peace option for the SAO Krajina. He opposed the complete demilitarisation of the Krajina (i.e. disbanding of TO forces), the withdrawal of the JNA (which he considered the Croatian Serbs' only "protector" in Croatia), the position of the international forces within the SAO Krajina/RSK territory and the territorial composition of the various protected areas.
24. On 19 December 1991, the SAO Krajina proclaimed itself the Republic of Serbian Krajina ("RSK"). On 26 February 1992, the SAO Western Slavonia and SAO Slavonia, Baranja and Western Srem joined the RSK, which initially had only encompassed the territories within the SAO Krajina.
25. On 3 January 1992, another cease-fire agreement was signed by Franjo TUDMAN and Slobodan MILOSEVIC paving the way for the implementation of a United Nations peace plan put forward by Cyrus VANCE. Under the VANCE Plan, four United Nations Protected Areas (UNPAs) were established in the areas occupied by Serb forces. The Vance Plan called for the withdrawal of the JNA from Croatia and for the return of displaced persons to their homes in the UNPAs. Although the JNA officially withdrew from Croatia in May 1992, large portions of its weaponry and personnel remained in the Serb-held areas and were turned over to the "police" of the RSK. Displaced persons were not allowed to return to their homes and those few Croats and other non-Serbs who had remained in the Serb-occupied areas were expelled in the following months.
26. On 16 February 1992, the RSK Assembly, against the expressed will of **Milan BABIC**, adopted the VANCE Plan.
27. Around that time **Milan BABIC** was already politically ostracised by Belgrade and its political allies in the RSK, such as Mile PASPALJ, Goran HADZIC and Milan MARTIC. On 26 February 1992, Goran HADZIC replaced **Milan BABIC** as President/Prime Minister of the RSK.
28. **Milan BABIC** remained in politics throughout the existence of the RSK but in a considerably weakened position.
29. The Serb-held territories in the RSK remained under RSK forces "SVK" control until two operations successfully restored Croatian control over these territories. In May 1995, a massive Croatian offensive, commonly called "Operation Flash", was launched against Western Slavonia, resulting in a defeat of the SVK forces. Later in early August another operation, commonly referred to as "Operation Storm," resulted in an exodus of the Croatian Serbs from Knin and marked the demise of the RSK. The remaining area of Serb control in Eastern Slavonia was peacefully re-integrated into Croatia in 1998.