



No: X-KR-08/549-2

Sarajevo, 10 September 2009

IN THE NAME OF BOSNIA AND HERZEGOVINA

In the name of Bosnia and Herzegovina, Section I for War Crimes, in the Panel composed of Judge Minka Kreho, as the Presiding Judge, and judges Marjan Pogačnik and Željka Marenčić, as members of the Panel, with the participation of legal officer Emil Pinkas, as the record-taker, in the criminal case against the accused Gordan Đurić, for the criminal offense of Crimes against Humanity, under Article 172(1)(h), in conjunction with subparagraphs (a), (d), (e) and (k) of the Criminal Code of Bosnia and Herzegovina (CC BiH), all in conjunction with Article 180(1) of the same Code, deciding on the Indictment of the Prosecutor's Office of Bosnia and Herzegovina, No: KT -RZ- 48/06 of 8 January 2009, whereupon the parties signed the Plea Agreement on 26 August 2009, during a public session held on 10 September 2009, where the Accused and his Defence Attorneys – Izet Baždarević and Dragan Međović, and the Prosecutor of the BiH Prosecutor's Office – Slavica Terzić were present, the Court granted the Agreement and rendered the following:

VERDICT

ACCUSED: GORDAN ĐURIĆ, son of Nikola and Borka, nee Tomaš, born on 15 May 1968, in Ljubija, Municipality of Prijedor, JMBG 1505968160018, residing at 94 Vojvode Stepe Stepanovića Street, in Prijedor, Serb by ethnicity, citizen of BiH, secondary school education, completed Secondary School of Machine Technology, literate, married, father of two underage children, served the army in 1987/1988 in Tetovo, holds a rank of corporal, not registered in military records, no decorations, good financial standing, no prior convictions; according to him there are no other criminal proceedings ongoing against him; currently in custody,

IS FOUND GUILTY

Because:

Between late April and late September 1992, as part of a widespread and systematic attack of the army and police of the Serb Republic of BiH, and then of the Republika Srpska, against the Bosniak and Croat population of the Prijedor Municipality, with

knowledge of such an attack, as a reserve police officer, knowingly participated in a joint criminal enterprise of civilian and military authorities of the Prijedor Municipality, with a view of persecuting and committing crimes against Bosniaks and Croats, sharing the same goal with the civilian and military authorities of the Prijedor Municipality, and with the military and civil structures of the Serb Republic of BiH and then of the Republika Srpska, the goal implying the discriminatory persecution of Bosniaks and Croats on political, national, ethnic and religious grounds from the territory controlled by the military and police of the Serb Republic of BiH and then of the Republika Srpska; he committed, participated and aided in the preparation and commission of the crime of persecution by way of forcible transfer of population, deliberate deprivation of life (murders), inhumane treatment, thus:

On 21 August 1992, acting in the aforementioned capacity and as a member of the Prijedor Public Security Station and the Police Intervention Platoon from Prijedor, participated and aided in escorting a convoy consisting of at least 16 buses, trucks and truck-trailers carrying more than 1,200 predominantly Muslim and some Croatian civilians from Prijedor. En route to the Travnik Municipality via the municipalities of Prijedor, Banja Luka, Kneževo/Skender Vakuf and Travnik where the civilians were to be transported, according to a previous plan about which everyone knew and with a view of carrying out the plan, they seized money, gold and other valuables from the Bosniak and Croatian civilians on the convoy on several occasions, threatening to kill them; Gordan Đurić, together with other members of the police intervention platoon and police from Prijedor, including Darko Mrđa, when the convoy stopped by the Ugar River on the Vlašić Mountain, knowing that the men would be separated to be killed, separated over 200 able-bodied men from other civilians on the convoy and ordered them to come out of the buses, trucks and trailer trucks, and separated over 200 able-bodied men and forced them to board two buses, and then took them to a location called *Korićanske stijene* on the Vlašić Mountain, where they ordered the men from one of the buses to come out onto the road and then marched them to an edge of the road above an abyss, ordered them to kneel down on the very edge of the road above the abyss and then opened fire at them from automatic weapons; Gordan Đurić was ordered to move away from that location in the direction of Travnik to stand guard, which he did; they continued shooting at point blank range from automatic weapons, whereupon the bodies of the killed men fell into the abyss; some of the men who were lined up threw themselves into the abyss to avoid death. Thereafter, they brought men from the other bus in small groups of two or three to the same site or a site nearby and opened fire at them at point blank range from pistols and then from automatic rifles. Thereafter, they threw hand grenades from the top of the precipice and opened fire at the bodies of the dead and the wounded men who shrieked with pain from the abyss, killing over 200 men: **Enver (Avdo) Arifagić, Rasim (Sulejman) Avdić, Edin (Mehmed) Ališić, Šerif (Ramo) Bajrić, Zafir (Šerif) Bajrić, Rasim (Muharem) Bašić, Nihad (Meho) Bešić, Zilhad (Hamid) Bešić, Suvad (Mustafa) Bešliagić, Šerif (Suljo) Blažević, Ahmet (Hamdija) Blažević, Fadil (Ibrahim) Blažević, Mustafa (Edhem) Blažević, Zijad (Ibrahim) Cejvan, Besim (Smail) Čausević, Hilmija**

(Mehmed) Ćustić, Ismet (Mehmed) Ćustić, Admir (Džemal) Dergić, Fahrudin (Kasim) Elezović, Jasmin (Hajrudin) Elezović, Edin (Muharem) Elezović, Emir (Muharem) Elezović, Hajrudin (Salih) Elezović, Almir (Refik) Fazlić, Edin (Hilmija) Fazlić, Jasim (Ismet) Fazlić, Mirsad (Ismet) Fazlić, Samir (Sadik) Garibović, Kemal (Hamdija) Garibović, Mirsad (Hasan) Gutić, Vasif (Atif) Garibović, Osman (Hasan) Hasanagić, Ismet (Husein) Hirkić, Rifet (Husein) Hirkić, Šefik (Husein) Hirkić, Midhet (Fehim) Hodžić, Ahmet (Husein) Hodžić, Said (Alija) Horozović, Emsud (Alija) Horozović, Hajro (Huska) Ičić, Ibrahim Jakupović, Armin (Mustafa) Jakupović, Senad (Latif) Jusufagić, Zuhdija (Meho) Kadiric, Mehmed (Sulejman) Kahrmanović, Sejad (Mustafa) Kadiric, Elvin (Mehmed) Kauković, Uzeir (Muharem) Kahrmanović, Elvin (Mehmed) Kauković, Meho (Ahmet) Kljajić, Sakib (Ahmet) Kljajić, Ahmet (Salih) Krkić, Sabahudin (Ćazim) Kuburaš, Abaz (Omer) Kulašić, Himzo (Redžo) Marošlić, Ejub (Abaz) Medić, Alija Mehmedagić, Asmir (Mehmed) Memić, Šefik (Hilmija) Medić, Himzo (Omer) Mrkalj, Idriz (Haso) Muretčehajić, Edin (Jusuf) Muretčehajić, Fahrudin (Redžep) Mujkanović, Nihad (Sulejman) Memić, Husein (Hamdija) Mujkanović, Senad (Esad) Mujkanović, Mehmed (Derviš) Muretčehajić, Faik (Osman) Rizvančević, Bajazid (Hamza) Saldumović, Kasim (Sefik) Sivac, Merzuk (Ibrahim) Sivac, Edin (Munib) Sivac, Nedžad (Munib) Sivac, Safet (Džemal) Sivac, Omer (Halil) Sljivar, Zijad (Ibrahim) Tadžić, Sakib (Bejdo) Trnjanin, Seid (Miralem) Vehabović, Ziko (Husein) Zahirović, Nedžad (Latif) Zulić, Mesud (Uzeir) Zulić, Sakib (Idriz) Žerić, while a certain number of the able-bodied men who were shot at managed to survive (at least 12 of them); four bodies have been recovered and identified so far: Seid (Miralem) Vehabović, Edin (Hilmija) Fazlić, Elvin (Mehmed) Kauković and Ahmet (Salih) Krkić; a number of body parts of the killed men have been identified as belonging to the following persons: Rasim (Sulejman) Avdić, Ahmet (Hamdija) Blazevic, Mustafa (Edhem) Blazevic, Zijad (Ibrahim) Cejvan, Hajrudin (Salih) Elezović, Jasmin (Hajrudin) Elezovic, Mirsad (Hasan) Gutic, Sefik (Husein) Hirkić, Zuhdija (Meho) Kadiric, Abaz (Omer) Kulasic, Himzo (Redžo) Marošlić, Alija (Beco) Mehmedagić, Himzo (Omer) Mrkalj, Idriz (Haso) Muretcehajic, Merzuk (Ibrahim) Sivac, Kasim (Sefik) Sivac, Omer (Halil) Sljivar, Sakib (Bejdo) Trnjanin and Nedžad (Latif) Zulić. The remaining bodies have not been recovered to date.

Therefore, as part of a widespread and systematic attack of the military and police of the Republika Srpska, with knowledge of such an attack and that his acts were part of that attack, the accused Gordan Đurić, together with others, committed, participated and aided in the preparation and commission of the crime of persecution by way of forcible transfer of population, deliberate deprivation of life (murders), inhumane treatment, while knowingly participating in the joint criminal enterprise of the civil and military authorities of the Prijedor Municipality, including Milomir Stakić, Simo Drljača, Slobodan Kuruzović and other members of the civil and military authorities in Prijedor and the Republika Srpska, whose goal was to expel Bosniaks and Croats from the territory controlled by the Serb authorities, committing the crimes of murder, forcible transfer, inhumane treatment;

Whereby the accused **Gordan Đurić** committed the criminal offense of Crimes against Humanity under Article 172(1)(h) as read with subparagraphs (a)(d)(e) and (k), in conjunction with Article 180(1) of the Criminal Code of Bosnia and Herzegovina,

Therefore, due to the criminal offense of Crimes against Humanity, under Article 172(1)(h) as read with subparagraphs (a)(d)(e) and (k), all in conjunction with Article 180(1) of the CC BiH, pursuant to the cited provisions and the provisions under Articles 39, 42 and 48 of the CC BiH, **the Court** hereby

**SENTENCES HIM
TO IMPRISONMENT FOR A TERM OF
8 (eight) YEARS**

Pursuant to Article 56 of the CC BiH, the time that the Accused spent in custody shall be credited towards the pronounced term of imprisonment, for the period from 14 October 2008 to 10 September 2009.

Pursuant to Article 186(1)(2), the accused Gordan Đurić is obliged to reimburse the costs of criminal proceedings, the amount of which shall be determined by a separate decision of the Court after it obtains necessary details.

Pursuant to Article 198(2) of the CPC BiH, the injured parties and families of those killed are hereby referred to take civil action in case of a claim under property law.

Reasoning

1. Charges and the Agreement

Under the Indictment of the Prosecutor's Office of Bosnia and Herzegovina, Special Department I for War Crimes, No. KT-RZ-48/06 dated 8 January 2009, which was confirmed on 12 January 2009, the accused Gordan Đurić, and seven other individuals, were charged with the commission of the criminal offense of Crimes against Humanity, under Article 172(1)(h), as read with subparagraphs (a)(d)(e) and (k) of the Criminal Code of Bosnia and Herzegovina.

During the main trial on 26 June 2009, the Prosecutor's Office of BiH filed the Agreement on Admission of Guilt, which was concluded between the Prosecutor's Office of BiH, as one party, and the accused Gordan Đurić and his Defence Attorneys – Miodrag Deretić from Prijedor and Dragan Međović from Sarajevo, as the other party, and moved for the separation of proceedings as regards this Accused. In order to serve the purpose, that is, in order to deliberate on the Agreement in question, on 6 July 2009 the Trial Panel separated the proceedings in relation to the accused Đurić.

Under the stated Agreement, the accused Gordan admitted his guilt of the criminal offense of Crimes against Humanity, under Article 172(1)(h) as read with subparagraphs (a), (d), (e) and (k) of the CC BiH, all in relation with Article 180(1) of the same Code, as described in the operative part of the BiH Prosecutor's Office Indictment, and undertook the obligation to give his testimony in the case ongoing against the other six accused, and the Prosecutor's Office of BiH agreed that the Court sentence him to imprisonment for a term ranging between 5 (five) and 8 (eight) years.

Specifically, the stated Indictment of the BiH Prosecutor's Office charges the accused Gordan Đurić that on 21 August 1992, as part of a widespread and systematic attack of the army and police of the Serb Republic of BiH and then of the Republika Srpska, against Bosniak and Croat population of the Prijedor Municipality, with knowledge of such an attack, acting in the capacity of a reserve police officer and member of the police intervention platoon from Prijedor, knowingly participated in a joint criminal enterprise of civilian and military authorities of the Prijedor Municipality – he carried out, participated and aided in escorting a convoy carrying more than 1,200 predominantly Muslim and some Croatian civilians from the Prijedor Municipality, and when the convoy was stopped near the Ugar River on the Vlašić Mountain, he, together with other members of the police intervention platoon and the police from Prijedor, separated more than 200 able-bodied men from other civilians in the convoy, and took them to the place called *Korićanske stijene*; Goran Đurić was then ordered to move away in the direction of Travnik, in order to stand guard there, while the other members of the intervention platoon marched the separated men from the bus to an edge of the road above an abyss, ordered them to kneel down on the very edge of the road above the abyss and then opened fire at them from pistols and automatic weapons, whereupon the bodies of the killed men fell into the abyss; some of the men who were lined up threw themselves into the abyss to avoid death; thereafter, they threw hand grenades from the top of the precipice and opened fire at the bodies of the dead and the wounded men who shrieked with pain from the abyss, thus killing over 200 men.

Following the plea hearing on 7 July 2009, the Accused, in the capacity of the BiH prosecution witness, which was one of the requirements of the signed plea agreement, testified about the events that were the subject of the charges against the other accused in this case. On the same day, following the deliberation and voting, the Trial Panel rendered and publicly announced the Decision rejecting the Agreement, because in his testimony as a prosecution witness during the main trial the Accused stated that he had left the location and went in the direction of Travnik on his own initiative, while the statement of facts in the Indictment renders that the Accused was ordered to move away from the location in order to stand guard. Therefore, under the stated Agreement, the Accused admitted his guilt for all the actions alleged in the statement of facts in the Indictment, however in his testimony he departed from the factual allegations of the Indictment describing the manner of

perpetration of the criminal offense. Due to the discrepancies between the factual allegations and the accused's witness testimony, the Panel decided not to grant the stated Agreement.

On the same day, the Court issued the decision to join the proceedings against this accused with the criminal proceedings against the other six accused for the purpose of efficiency.

On 26 August 2009, the Prosecutor's Office of BiH filed with the Court a new Agreement on Admission of Guilt, which was concluded on the same day between the BiH Prosecutor's Office, as one party, and the accused Gordan Đurić and his Defence Attorneys - Izet Baždarević and Dragan Međović from Sarajevo, as the other party, and moved for a new separation of proceedings in relation to the Accused. In order to start deliberation on the stated Agreement, and for the purpose of functionality, on 7 September 2009 the Trial Panel rendered the decision on new separation of proceedings in relation to the Accused.

Under the stated Agreement, the accused Gordan Đurić admitted his guilt of the criminal offense with which he is charged under the Indictment No. KT-RZ-48/06, and undertook the obligation to testify as a prosecution witness in the case ongoing against the other six accused, and the Prosecutor's Office of BiH agreed that the Court sentences him to imprisonment for a term ranging between 7 (seven) and 10 (ten) years.

On 31 August 2009, the plea hearing was held, and on 7 September 2009 the Accused testified as a prosecution witness, which was one of the requirements stated in the signed Agreement on Admission of Guilt, and gave evidence about the events alleged in the charges against the other six accused in the case; following the testimony, the Panel deliberated on the Agreement and ascertained that it was signed voluntarily, consciously and with understanding, that the Accused understood legal consequences of the plea of guilty, particularly that he waived his right to a trial and the right to appeal the criminal sanction pronounced against him, that he understood consequences in relation to the claim under property law and the costs of criminal proceedings, as well as that there was sufficient evidence on the guilt of the Accused; the Agreement was accepted and the sentencing hearing followed to sentence the accused to imprisonment for a term ranging between 7 and 10 years, as proposed by the Agreement.

2. Presented evidence

The Panel was satisfied that there was sufficient evidence against the Accused, particularly in the witness testimonies given during the main trial: Milan Komljenović, Boško Peulić, Čedo Vuković, Živorad Pelengić, Slobodan Udovičić, Radovan Đukarić, Drago Slavnić, Nenad Krejić, Zoran Babić, Milivoj Pavičić,

Nebojša Pantić, Dragomir Marković, Jevto Janković, Vlado Beben, Melisa Bajrić, Jusuf Žerić, Hakija Elezović, Muniba Sivac, Bekira Mujagić, Berislav Herceg, Nedžad Bašić, witness A and witness B; Sadik Suhonjić, Husein Jakupović, witnesses KS-1, KS-2, K-1 and KO-12, and then based on the physical evidence presented by the Prosecution and admitted in the case file, as follows: Record on examination of the witness Boško Peulić, No.KT-RZ-48/06 of 27 March 2008; Interim Report, operative number 21/8, Light Infantry Brigade Headquarters, dated 21 June 1992; Record on examination of witness Milan Komljenović No.KT-RZ-48/06 of 27 March 2008; Appointment Book; Record on examination of witness Čedo Vuković, No.KT-RZ-48/06 dated 28 March 2008; Record on examination of witness Živorad Pelengi, No. KT-RZ-48/06 dated 28 March 2008; Record on examination of witness Radovan Đukarić, No. KT-RZ-48/06 dated 25 March 2008; Record on examination of witness Slobodan Udovičić, No. KT-RZ-48/06 dated 28 March 2008; Record on examination of witness Zoran Babić, No.KT-RZ-48/06 dated 27 April 2006; Record on examination witness Drago Slavnić, No.KT-RZ-48/06 dated 3 April 2005; Record on examination of witness Nenad Krejić, No.KT-RZ-48/06 dated 27 March 2008; Record on examination of witness Melisa Bajrić, No. KT-RZ-48/06 dated 18 July 2008; Record on examination of witness A, No. KT-RZ-48/06 dated 6 April 2006; record on examination of witness Milivoj Pavičić, No. KT-RZ-48/06 dated 24 April 2006; record on examination of witness Dragomir Marković, No. KT-RZ-48/06 dated 19 May 2008; Record on examination of witness Nebojša Pantić, No. KT-RZ-48/06 dated 7 May 2008; Record on examination of witness B, No.KT-RZ-48/06 dated 13 March 2008; Record on examination of witness Jevto Janković, No.KT-RZ-48/06 dated 7 May 2008; Record on examination of witness Jusuf Žerić, No. 17-04/2-2-04-2-1044/08 dated 22 October 2008; Record on examination of witness Vlado Beben, No. KT-RZ-48/06 dated 4 April 2006; Record on examination of witness KS-1, No. KT-RZ-48/06 dated 26 March 2008; Record on examination of witness KS-1, No. KT-RZ-48/06 dated 13 August 2008; Record on examination of witness KS-2, no. KT-RZ-48/06 dated 26 March 2008; Record on examination of witness KS-2, No. KT-RZ-48/06 dated 13 August 2008; Record on examination of witness KS-2, No. KT-RZ-48/06 dated 9 July 2008; Record on examination of witness Ostoja Barišić, No. KT-RZ-48/06 dated 25 March 2008; Record on examination of witness Munib Šivac, No.KT-RZ-48/06 dated 15 July 2008; Record on examination of witness K-1, No.KT-RZ-48/06 dated 26 June 2008; Record on examination of witness K-1, No. KT-RZ-48/06 dated 30 October 2008; Record on examination of witness Hakija Elezović, No. KT-RZ-48/06 dated 6 April 2006; Record on examination of witness Nedžad Bašić, No. KT-RZ-48/06 dated 26 March 2008; Record on examination of witness Sadik Suhonjić, No.KT-RZ-48/06 dated 5 April 2006; Record on examination of witness Bekir Mujagić, No. KT-RZ-48/06 dated 12 March 2008; Record on examination of witness Husein Jakupović, No. KT-RZ-48/06 dated 12 June 2008; Record on examination of witness Berislav Herceg, No. KT-RZ-48/06 dated 15 May 2008; Record on examination of witness KO-12, No. KT-RZ-48/06 dated 17 October 2008; Record on examination of witness Damir Ivanković, No. KT-RZ-48/06 dated 16 June 2009; three photographs; Record on examination of witness Gordan Đurić, No. KTA-RZ-120/07 dated 3 July 2009; Record on examination of witness Hasan Elkaz, No.17-

04/2-2-04-2-1035/08 dated 16 October 2008; Record on examination of witness Ranko Mijić, No. KT-RZ-48/06 dated 25 March 2008 and 4 December 2008; Record on examination of witness KO-5 dated 16 July 2008; Record on examination of witness Ferid Kovačević dated 20 February 2008; Record on examination of witness Enes Džaferagić dated 15 August 2008; Record on examination of witness K-3 dated 18 December 2008; Record on examination of witness Gordan Đurić dated 14 October 2008; military ID for Gordan Đurić; four photographs; Excerpt from the criminal records of the Prijedor PSS number: 08-1-10/02-2-23-235/49-104/08 dated 15 October 2008; Record on the examination of protected witness KS-3; Record on examination of witness KO-4; Record on examination of witness KO-16; Record on examination of witness Elzin Ramić, No. KT-RZ-48/06 dated 8 August 2008; Record on examination of witness Almir Ramić, No. KT-RZ-48/06 dated 5 August 2008; Record on examination of witness Luka Gnjatović, No.17-4/2-143/06 dated 21 March 2006; Record on examination of witness Vitomir Lakić, No. 17-04/2-146/06 dated 22 March 2006; Death Certificate for **Enver (Avdo) Arifagić**, No. 04-202-1-425/2008 dated 12 August 2008; Death certificate for **Rasim (Sulejman) Avdić**, No.04-202-1-4583/2008 dated 11 August 2008; Death Certificate for **Šerif (Ramo) Bajrić**, NO. 04-202-1-4585/2008 dated 11 August 2008; Death Certificate for **Zafir (Šerif) Bajrić**, No.04-202-1-4586/2008 dated 11 August 2008; Death Certificate for **Rasim (Muharem) Bašić**, No. 04-202-1-426/2008 dated 12 August 2008; Death certificate for **Nihad (Meho) Bešić**, No. 04-202-1-427/2008 dated 12 August 2008; Death Certificate for **Suvad (Mustafa) Bešlagić** No. 04-202-1-429/2008 dated 12 August 2008; Death Certificate for **Besim (Smail) Čaušević**, No. 04-202-1-403/2008 dated 12 August 2008; Death Certificate for **Hilmija (Mehmed) Čustić**, No. 04-202-1-433/2008 dated 12 August 2008; Death Certificate for **Ismet (Mehmed) Čustić**, No. 04-202-1-433/2008 dated 12 August 2008; Death Certificate for **Admir (Džemal) Dergić**, NO. 04-202-1-401/2008 dated 8 August 2008; Death Certificate for **Edin (Muharem) Elezović**, No. 04-202-1-4506/2008 dated 7 August 2008; Death Certificate for **Emir (Muharem) Elezović**, No. 04-202-1-4507/2008 dated 7 August 2008; Death Certificate for **Hajrudin (Salih) Elezović**, No. 04-202-1-398/2008 dated 8 August 2008; Death Certificate for **Jasmin (Ismet) Fazlić**, No. 04-202-1-434/2008 dated 12 August 2008; Death Certificate for **Mirsad (Ismet) Fazlić**, No. 04-202-1-435/2008 dated 12 August 2008; Death Certificate for **Kemal (Hamdija) Garibović**, No. 04-202-1-436/2008 dated 12 August 2008; Death Certificate for **Osman (Hasan) Hasanagić**, No. 04-202-1-437/2008 dated 12 August 2008; Death Certificate for **Ismet (Husein) Hirkić**, No: 04-202-1-399/2008 dated 8 August 2008; Death Certificate for **Rifet (Husein) Hirkić**, No. 04-202-1-399/2008 dated 8 August 2008; Death Certificate for **Midhet (Fehim) Hodžić**, No. 04-202-1-4590/2008 dated 11 August 2008; Death Certificate for **Ahmet (Husein) Hodžić**, No. 04-202-1-4591/2008 dated 11 August 2008; Death Certificate for **Hajro (Huska) Ičić** No.04-202-1-441/2008 dated 12 August 2008; Death Certificate for **Armin (Mustafa) Jakupović**, No.04-202-1-442/2008 dated 12 August 2008; death Certificate for **Sakib (Ahmet) Kljajić** No.04-202-1-4513/2008 dated 7 August 2008; Death certificate for **Himzo (Redžo) Marošlić** No.04-202-1-405/2008 dated 8 August 2008; Death Certificate for **Ejub (Abaz) Medić** No.04-202-1-482/2008 dated 12 August 2008; Death Certificate for **Asmir (Mehmed)**

Memić No.04-202-1-413/2008 dated 8 August 2008; Death Certificate for **Idriz (Haso) Muretčehajić** No. 04-202-1-404/2008 dated 8 August 2008; Death Certificate for **Nihad (Sulejman) Memić** No.04-202-1-445/2008 dated 12 August 2008; Death Certificate for **Husein (Hamdija) Mujkanović**, No. 04-202-1-446/2008 dated 12 August 2008; Death Certificate for **Senad (Esad) Mujkanović** No. 04-202-1-447/2008 dated 12 August 2008; Death Certificate for **Mehmed (Derviš) Muretčehajić** No. 04-202-1-449/2008 dated 12 August 2008; Death Certificate for **Bajazit (Hamza) Saldumović** No.04-202-1-450/2008 dated 12 August 2008; Death Certificate for **Nedžad (Latif) Zulić**, No.04-202-1-453/2008 dated 12 August 2008; Death Certificate for **Šerif (Suljo) Blažević** No.04-202-1-458/2008 dated 12 August 2008; Decision of the Basic Court Prijedor, No. R:784/02 dated 20 August 2002; Record of the Basic Court in Prijedor, No. R: 784/02 dated 20 August 2002; Death Certificate for **Fadil (Ibrahim) Blažević**, No. 04-202-1-459/2008 dated 12 August 2008; Decision of the Basic Court Prijedor, No. R:290/02 dated 26 November 2002; Record of the Basic Court Prijedor, No. R:290/02 dated 26 November 2002; Death Certificate for **Almir (Refik) Fazlić**, No. 04-202-1-4498/2008 dated 7 August 2008; Decision of the Basic Court in Prijedor, No. R:157/2000 composed on 26 March 2000; Record of the Basic Court in Prijedor, No. R:157/2000 composed on 26 March 2000; Death Certificate for **Seid (Miralem) Vehabović** No.04-202-1-650/2008 dated 8 December 2008; Death Certificate for **Edin (Hilmija) Fazlić**, No: 04-202-1-463/2008 dated 12 August 2008; Death Certificate **Elvin (Mehmed) Kauković**, No.04-202-1-651/2008 dated 8 December 2008; Death Certificate for **Ahmet (Salih) Krkić**, No.04-202-1-649/2008 dated 8 December 2008; Record on forensic medicine examination of bodies in the location of *Korićanske stijene*, village of Korićani, Kneževo Municipality, dated 31 September 1992; Record on exhumation by the Cantonal Court Travnik number: Kri-38/93 dated 12 March 2002 with the sketch of the site and photo documentation; Photo documentation – examination of the remains of bones exhumed in the location of Korićanske stijene KRI: 38/93 dated 11 June 2003; Forensic medicine analysis of mortal skeletal remains from the location of Korićanske stijene - Vlašić, Skender Vakuf Municipality, June 2003; Cover document of the Banja Luka Public Security Center (PSC), Crime Police Sector number: PP/164/99 dated 4 February 2004 with attachment; Record on exhumation number: 10-02/4.1-6/2/03 dated 21 May 2003 and photo documentation; Cover document of the Banja Luka PSC, Crime Police Sector number: PP/164/99 dated 12 February 2004 with attachment; Record on exhumation number: 10-02/4.1-/286 dated 3 October 2003, with the sketch of the site, photo documentation and the report on crime scene investigation; photo documentation of the Bihać Cantonal Ministry of Interior number: 72/03 – exhumation of 4 unidentified bodies, Korićani - I, Skender Vakuf Municipality, 3 October 2003 with the sketch of the site; final report on autopsy of **Seid Vehabović (son of Miralem)** by prim. dr. Miroslav Rakočević; final report on autopsy of **Edin Fazlić (son of Hilmija)** by prim. dr. Miroslav Rakočević; Report on re-autopsy of **Elvin Kauković (son of Mehmed)** by prim. dr. Miroslav Rakočević; final report on autopsy of **Ahmet Krkić (son of Salih)** by prim. dr. Miroslav Rakočević; photo documentation of the site where the remains of human bones were found in the location of *Korićanske stijene* – site of execution of 210 persons, Bosniak Muslims,

dated 12 July 1996; Photo documentation of the site where the crime was committed and of the remains of human bodies and clothes (attachments: 4) – description of the photo documentation; DNA report for **Rasim Avdić (son of Sulejman)**, number: KRI-8/03 no. 149, dated 24 November 2003; DNA report for **Ahmet Blazević (son of Hamdija)**, number: KRI-8/03 no. 147, dated 24 November 2003; DNA report for **Mustafa Blazević (son of Edhem)**, number: KRI-8/03 no. 76, dated 2 March 2004; DNA reports for **Zijad Cejvan (son of Ibrahim)**, number: KRI-8/03 no. 33, dated 14 November 2003, no. 98, dated 13 November 2003 and no. 146, dated 8 December 2003; DNA report for **Hajrudin Elezović (son of Salih)**, number: KRI-8/03 no. 92, dated 10 November 2003; DNA report for **Jasmin Elezović (son of Hajrudin)**, number: KRI-8/03 no. 39, dated 3 June 2005; DNA report for **Mirsad Gutić (son of Hasan)**, number: KRI-8/03 no. 95, dated 8 November 2003; DNA report for **Šefik Hirkić (son of Husein)**, number: KRI-8/03 no. 124, dated 26 November 2003; DNA report for **Zuhdija Kadirić (son of Meho)**, number: KRI-8/03 No. 42, dated 14 September 2004; DNA reports for **Abaz Kulasić (son of Omer)**, number: KRI-08/03 No. 12, dated 24 November 2003, No. 21, dated 8 November 2003, No. 29, dated 8 November 2003, No. 37, dated 8 November 2003 and No. 111, dated 8 March 2004; DNA reports for **Himzo Maroslić (son of Redžo)**, number: KRI-8/03 No. 26, dated 6 May 2004, No. 119, dated 5 December 2003, No. 127, dated 8 March 2004 and No. 127, dated 8 December 2003; DNA reports for **Alija Mehmedagić (son of Beco)**, number: KRI-08/03 No. 43, dated 8 December 2003 and No. 121, dated 8 December 2003; DNA reports for **Himzo Mrkalj (son of Omer)**, number: KRI-8/03 No. 142, dated 13 February 2004 and No. 155, dated 16 April 2004; DNA report for **Idriz Muretčehajić (son of Hase)**, number: KRI-8/03 No. 113, dated 6 May 2004; DNA reports for **Merzuk Sivac (son of Ibrahim)**, number: KRI-8/03 No. 109, dated 21 January 2004, No. 131, dated 21 January 2004 and No. 150, dated 17 March 2004; DNA reports for **Kasim Sivac (son of Šefik)**, number: KRI-8/03 No. 96, dated 11 December 2005 and No. 129, dated 11 February 2005; DNA report for **Omer Sljivar (son of Halil)**, number: KRI-08/03 No. 7, dated 8 November 2003; DNA report for **Sakib Trnjanin (son of Bejdo)**, number: KRI-08/03 No. 40, dated 11 February 2005; DNA report for **Nedžad Zulić (son of Latif)**, number: KRI-8/03 No. 115, dated 11 December 2003 and No. 156, dated 2 December 2003; DNA reports for **Edin Elezović (son of Muharem) - Emir Elezović (son of Muharem)**, number: KRI-8/03 No. 46, dated 8 November 2003 and No. 136, dated 31 March 2004; DNA reports for **Edin Sivac (son of Munib) - Nedžad Sivac (son of Munib)**, number: KRI-8/03 No. 91, dated 6 May 2004 and No. 112, dated 8 November 2003; Two black and white photographs of the team for the terrain clear-up; List of intervention platoons; Public Security Station (PSS), Prijedor Police Station, List of the police employees for the calculation of salaries in the period from 16 March to 15 April 1992; Prijedor PSS, Prijedor RPS - Center, List of the members of the Reserve Police (for the payment of salaries) recruited in May 1992; Report on overtime work hours, Prijedor Police Station number: 11-11/1-1___/90; List of the members of the Reserve Police for July 1992 /employed/; List of the members of the Reserve Police for July 1992 /unemployed/; Objection to the calculation of salary for Miroslav Paraš dated 31 July 1992; List of authorized employees of the Prijedor Police Station number: 11-

12/01-1-strictly confidential number 41/92 dated 13 August 1992; List of the members of the Reserve Police for August 1992 /unemployed/; List of the Prijedor Public Security Station employees in August 1992; List of the members of the Reserve Police for September 1992 /unemployed/; Cover document of the Prijedor PSS with the list of the Reserve Police members – men liable for military service number: 11-12-154 dated 7 September 1992; Corrections to the list of the RPS for October; Interim Operational Report No. 21/08 of the 22nd Light Infantry Brigade Command no. 43/4 dated 21 August 1992; Combat report of the 1st Krajina Corps Command, strictly confidential no. 44-1/314 dated 22 August 1992; Regular Combat report of the 1st Krajina Corps Command, strictly confidential number 44-1/315; Mićo Stanišić's Order dated 31 August 1992; Dispatch Note by the Security Services Center, Banja Luka Public Security Service Sector number 11-1/02-2/345 dated 11 September 1992; Dispatch Note by the Prijedor PSS number: 11-12-2267 dated 14 September 1992; Dispatch Note by the Security Services Center, Banja Luka Public Security Service Sector number 11-1/02-2/370 dated 7 October 1992; Dispatch Note by the Prijedor PSS number: 11-12-2344 dated 13 October 1992; Criminal Report of the Banja Luka PSC number: 11-1/02-230-dated 8 September 1992; Motion to undertake certain investigative actions by the Banja Luka Basic Public Prosecutor's Office number: KTN 2293/92 dated 14 September 1992; Document of the Basic Court in Banja Luka dated 24 September 1992; Request for the collection of necessary information of the Banja Luka Basic Public Prosecutor's Office number: KTN 2293/92 dated 30 September 1992; Document of the 1st Krajina Corps Command (IKM) no. 604-1/92 dated 16 October 1992 with the attached list; Dispatch Note by the Prijedor PSS number: 11-12-97 dated 10 February 1993; Instruction on organization and activities of the authorities of the Serb people in Bosnia and Herzegovina in extraordinary circumstances dated 19 December 1991 - variant A and variant B; Decision on strategic goals of the Serb people in BiH dated 12 May 1992 published in the Official Gazette of Republika Srpska no. 22 dated 26 November 1993; Order of the Chief of Prijedor PSS number: 11-12-20 dated 31 May 1992; Information on the execution of conclusions, decisions and orders of the Banja Luka PSC – Prijedor PSS number: 11-12-13 dated 3 September 1992; 1993 January Report on the work of the Prijedor PSS for the last 9 months of 1992; Excerpt from the criminal records of the Prijedor PSS number: 08-1-10/02-2-236-235/49-36/08 dated 4 August 2008; Death certificate for Miroslav Paraš (son of Stevo) number: 04-202-1-6470/2008 dated 21 October 2008; Death certificate for Željko Bulić (son of Nikola) number: 04-202-1-6471/2008 dated 21 October 2008.

The Defence for the accused Gordan Đurić did not produce any evidence.

3. Closing arguments – presented during the hearing on the range of sentence

As the mitigating circumstances, the Prosecutor pointed out the sincerity of the Accused during the proceedings, his transparency, the fact that he had no prior convictions, and that fact that the Accused did not fire a single bullet on the occasion

in question in order to give his contribution to the perpetration of the criminal offense, although he had the opportunity to do so.

As the mitigating circumstances, the Defence for the Accused first stated that the Accused is a family man, married, father of two underage children, a reputable person and construction entrepreneur in his place of living. As a mitigating circumstance, the Defence particularly pointed out that the Accused did not directly participate in the execution, but stood guard during the incident in question, feeling very bad and sympathizing with the victims, which has been confirmed by the witnesses KS and KS-2, who were with the Accused on that occasion and recalled that he was scared and pale. Another mitigating circumstance is that the Accused expressed remorse, that he testified sincerely trying to clarify the incident in question, and that he had a proper conduct before the Court during the proceedings.

4. Applicable law

Under the signed Agreement No. KT-RZ-48/06 dated 26 August 2009, the accused Gordan Đurić pleaded guilty of the criminal offense of Crimes against Humanity, which had not been set forth as such in the Criminal Code of the Socialist Federative Republic of Yugoslavia that was in force at the time of perpetration of the stated criminal offense, but is set forth in the Criminal Code of BiH.

The issue of applicability of the CC BiH is viewed in the context of Article 4(a) of the Code, and Article 7 of the European Convention on Human Rights and Fundamental Freedoms, particularly taking into account the “general principles of international law” pursuant to Articles 3 and 4 of the CC BiH, and since the crimes against humanity were also considered as crimes at the time in question, the application of the Criminal Code of Bosnia and Herzegovina is the only possibility. This position has been confirmed in the previous case law of the BiH Court¹, as well as in the Decision of the Constitutional Court of BiH in the case against Abduladhim Maktouf².

5. Findings of the Court

a) General elements of the criminal offense of Crimes against Humanity

Under the Indictment of the BiH Prosecutor’s Office, the Accused is charged with the criminal offense of Crimes against Humanity, under Article 172(1)(h), as read with subparagraphs (a), (d), (e) and (k) of the Criminal Code of Bosnia and Herzegovina, which states as follows:

¹ Inter alia, the first instance and the second instance verdict in the case Dragoje Paunović, No. X-KR-05/16 dated 26 May 2006

² Decision on Admissibility and Meritum of the Constitutional Court of BiH, in the case Abduladhim Maktouf, No.AP 1785/06 dated 30 March 2007.

Whoever, as part of a widespread or systematic attack directed against any civilian population, with knowledge of such an attack perpetrates any of the following acts:

- a) depriving another person of his life (murder);*
- d) deportation or forcible transfer of population;*
- e) imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law;*
- h) persecutions against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious or sexual gender or other grounds that are universally recognised as impermissible under international law, in connection with any offence listed in this paragraph of this Code, any offence listed in this Code or any offence falling under the competence of the Court of Bosnia and Herzegovina;*
- k) other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to physical or mental health,*

shall be punished by imprisonment for a term not less than ten years or long-term imprisonment.

Legal definition of the criminal offense of Crimes against Humanity sets forth the following elements:

- i) the existence of a widespread and systematic attack
- ii) that the criminal offense was committed as a part of that attack
- iii) that the attack was directed against any civilian population
- iv) that the accused has knowledge of such an attack.

i) the existence of a widespread and systematic attack

The existence of this general element of the stated criminal offense requires violent acts, which is not limited to the use of armed force; it encompasses any mistreatment of the civilian population³, but it requires a widespread and systematic attack, or widespread and systematic practice of the commission of crimes, and not individual or isolated incidents. Such an attack must be of a large scale and directed against a multiplicity of victims (widespread)⁴ or involve organized nature of the acts of violence (systematic)⁵, whereby the stated two forms are given alternatively, meaning that the existence of only one form is sufficient. Therefore, murder, deportation, imprisonment, persecution on national, religious, or ethnic grounds, shall be qualified as Crimes against Humanity only if they are part of such a practice. On the other hand, the widespread and systematic character do not concern only the offense of the Accused, that is, even a single or limited number of acts on his part, within the widespread and systematic attack, would qualify as a crime against humanity.⁶

³ Judgment of the Appeals Chamber in the case Kunarac, et al (June 2002), paragraph 86 and 89

⁴ Judgment of the Trial Chamber in the case Tadić (May 1997), paragraph 648

⁵ Judgment of the Appeals Chamber in the case Kunarac, et al (June 2002), paragraph 94

⁶ Judgment of the Appeals Chamber in the case Kunarac, et al (June 2002), paragraph 96

As regards the existence of this element in the specific case, the Court was guided by the facts established in the ICTY Judgments against Duško Tadić, Miroslav Kvočka, and others, Milomir Stakić, and Radoslav Brđanin; following the motion of the Prosecutor's Office, the Court has partly accepted these facts.⁷

Also, most of the heard witnesses, as well as the Accused himself, testified about the circumstances and the situation in Prijedor from spring until the end of 1992, and gave a clear picture to the Trial Panel in relation to the existence of a widespread and systematic attack in the area of Prijedor Municipality during the relevant period of time.

ii) that the criminal offense was committed as part of that attack

The next requirement for the existence of the criminal offense of Crimes against Humanity is that actions of the accused be part of the widespread and systematic attack. Therefore, there has to be a nexus between the actions of the accused and the attack, wherefore the ICTY Trial Chamber in the case Kunarac, et al, found that this requirement is not met when the crime is so far removed from that attack that, having considered the context and circumstances in which it was committed, it cannot reasonably be said to have been part of the attack.⁸

The fact that the accused Gordan Đurić knew that his actions were part of the attack clearly ensues from the fact that he previously participated in escorting the convoys with Croats and Muslims from Prijedor, which was a rather regular occurrence during the relevant period of time.

iii) that the attack was directed against any civilian population

The attack must be directed against civilian population, which requires the analysis of several terms, that is, the clarification of each term that constitutes this element. Although the definitions of civilian population were not at first harmonized in the ICTY case law, the Appeals Chamber in the Blaškić case took the position that "civilians" are all persons who are not members of the armed forces, and members of militias or volunteer corps forming part of such armed forces, or organized resistance groups, under certain conditions⁹, given that the presence of soldiers within the civilian population does not alter the civilian nature of that population¹⁰.

The use of the word "population" does not mean that the entire population of the geographical entity must have been subjected to that attack; it is sufficient to show

⁷ Decision on Established Facts, No.X-KR-08/549 datd 29 June 2009

⁸ Judgment of the Appeals Chamber in the case Kunarac, et al (June 2002), paragraph 100

⁹ Judgment of the Appeals Chamber in the case Blaškić (July 2004), paragraph 113

¹⁰ Ibid, paragraph 115

that enough individuals were targeted, that is, it is necessary to establish that it did not involve a limited and randomly selected number of individuals¹¹

Finally, the civilian population must be the primary rather than an incidental target of the attack.¹²

All the presented evidence clearly imply that the attack was directed against Bosniak and Croat civilians in the Municipality of Prijedor, that is, the people who were executed at *Korićanske stijene* were civilians, which has been undoubtedly corroborated by all examined witnesses, both those who had been in the convoy and those who had escorted the convoy. After all, it has been confirmed by the witnesses who were at the crime scene on the days that followed the execution, including the Accused himself.

iv) that the accused had knowledge of such an attack

For the existence of this general element of Crimes against Humanity, it is necessary that the perpetrator knows that his actions are a part of a widespread and systematic attack directed against civilian population, or that the perpetrator is aware of the attack, knowing that his actions are a part of the attack.

The statement of the Accused and all other presented evidence clearly imply that the accused Đurić knew of the attack. Also, the very fact that Gordan Đurić was a member of the intervention platoon during the relevant period shows that he must have been aware of the events in the Prijedor Municipality when he took part in the actions of the platoon.

b) the act of perpetration and other elements

The charges allege that the Accused consciously and willfully participated in the joint criminal enterprise of the civilian and military authorities of the Prijedor Municipality during the relevant period, for the purpose of persecution of Bosniaks and Croats and committing crimes against them, that is, a) depriving another person of his life (murder), d) deportation or forcible transfer of population, e) imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law, and k) other inhumane acts of similar character intentionally causing great suffering, or serious injury to body or to physical or mental health.

The existence of persecution requires perpetration of the stated acts by the Accused with discriminatory intent to persecute victims on the political, racial, religious, or other unlawful grounds, therefore, in addition to the general intention required for

¹¹ Judgment of the Appeals Chamber in the case Kunarac, et al (June 2002), paragraph 90

¹² Ibid, paragraph 92

Crimes against Humanity, it is also necessary to have the existence of discriminatory intent.

- a) Murder as a crime against humanity means that the death was the result of the accused's action or his failure to act, meaning that the conduct of the Accused caused the death of the victim, given that general elements of the criminal offense of Crimes against Humanity are satisfied, or that the murder was committed as a part of a widespread and systematic attack against civilian population and that the accused was aware of the attack.
- d) Unlawful deportation, including forcible transfer, refers to violent evacuation of the population legally residing in the area, if it is not justified by international law, whether to another country, or within the same country. In addition to the general elements, this requires an intent of the accused to transfer the persons on a non-provisional basis.¹³
- e) Imprisonment or other severe deprivation of physical liberty contrary to the basic rules of international law, along with other general elements, refers to the unlawful deprivation of liberty of one or more persons. In terms of the subjective element, there has to be an intent to deprive the individual arbitrarily of his or her physical liberty or the reasonable knowledge that his act or omission is likely to cause the arbitrary deprivation of physical liberty.¹⁴
- k) Other inhumane acts of a similar nature include any act that caused great suffering or a serious bodily injury, that is, the violation of bodily or mental health, whereby the perpetrator's actions were taken in order to inflict such an injury upon the victim, when the act was a part of the widespread and systematic attack against civilian population, which the Accused was aware of.

Joint criminal enterprise as part of individual responsibility refers to the cases when all of the co-perpetrators possess the same intent to effect the common purpose and take certain actions to achieve that.¹⁵

All the statements of the witnesses heard so far, as well as all the stated documentary evidence, imply that Đurić, together with other persons, consciously and willfully participated in escorting the convoy on 21 August 1992, and that he was present during the incident in question at the location known as *Korićanske stijene*. When viewed in relation to the testimony of the accused Đurić, these pieces of evidence provide sufficient ground on his guilt for the persecution of Bosniaks and Croats and the commission of crime against them, as well as his participation in the execution of civilians, when the Accused stood guard behind a nearby rock while others fired at the men who had been separated from the convoy. Therefore, the

¹³ Judgment of the Appeals Chamber in the case Stakić (March 2006), paragraph 319

¹⁴ Judgment of the Trial Chamber in the case Krnojelac (March 2002), paragraph 115

¹⁵ Judgment of the Appeals Chamber in the case Kvočka, et al (February 2005), paragraph 82

Accused did not personally shoot at the civilians, but rather contributed to the incident, that is, he played his part in the execution of civilians due to his role in the incident in question (standing guard).

Therefore, the Panel finds beyond a reasonable doubt that the action of the Accused satisfies the elements of the criminal offense of Crimes against Humanity, under Article 172(1)(h), as read with subparagraphs (a), (d), (e) and (k) of the CC BiH, and that he is individually responsible for the perpetration of crime, as set forth in Article 180(1) of the CC BiH.

7. Meting out the punishment

As regards the criminal sanction imposed on the Accused, we should point out that the Panel first viewed the gravity of crime with which the accused Gordan Đurić is charged, and the degree of his criminal responsibility, and then the purpose of punishment, as well as all aggravating and mitigating circumstances, and sentenced him to imprisonment for a term of eight years.

The Court took into consideration the fact that the Accused, by pleading guilty, faced the consequences of what he had done, which is a key aspect of the plea of guilty, even if he, as in this case, did it through the Agreement on Admission of Guilt. This admission of guilt does not contribute only to the establishment of the truth, since the Accused has made a considerable contribution through his testimony, but also to the reconciliation in these areas, in which the Panel believes, and which significantly affected the ruling on the significance of the admission of guilt, for the purpose of imposing a more lenient sentence.

It is quite certain that some people might regard this punishment as too lenient, while others might believe it is too severe; however, this Panel, taking into consideration the range between seven and ten years (as submitted in the Agreement), finds that the imprisonment for a term of eight years is adequate, bearing in mind the admission of the accused Gordan Đurić, the degree of his criminal responsibility, and particularly the fact that the Accused did not directly participate in the execution of civilians, and holds that it would meet the purpose of punishment.

As mitigating circumstances, the Court also took into consideration that the Accused is a family man, father of two underage children, that he had no prior convictions, and that his conduct before the Court was proper; all these circumstances taken as a whole justify the sentence pronounced, all the more so because the Court has not found any aggravating circumstances in relation to the Accused.

With reference to all the aforementioned, the Court finds that the purpose of punishment in relation to the Accused has been fully achieved through the eight-year prison sentence, and, pursuant to Articles 39, 42, 48 of the CC BiH, decided as stated in the operative part of this Decision, and the period that the Accused spent in custody, from 14 October 2008 to 10 July 2009, shall be credited towards the pronounced sentence of imprisonment, pursuant to Article 56 of the CC BiH.

8. Decision on the costs of proceedings and the claim under property law

Pursuant to Article 188(1) of the CPC BiH, bearing in mind the good financial standing of the Accused, the Court has decided that he is obliged to reimburse the costs of the criminal proceedings, the amount of which will be determined by the Court after it obtains the necessary details, pursuant to Article 186(2) of the CPC BiH.

When referring the injured parties and the families of those killed to take civil action in case of a claim under property law, the Court took cognizance of the fact that a longer period of time would be required to determine the amount in relation to the property claim, which would prolong the proceedings. Therefore, the decision has been rendered pursuant to Article 198(2) of the CPC BiH.

RECORD TAKER - LEGAL OFFICER

EMIL PINKAS

/hand signature affixed/

PRESIDING JUDGE

MINKA KREHO

/signed and stamped/

LEGAL REMEDY: This Verdict may be appealed within the period of 15 days following the day of reception of this Verdict; however, the imposed criminal sanction may not be appealed.