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SF

THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA

THE PROSECUTOR OF
THE TRIBUNAL

AGAINST

ŽELJKO MEAKIĆ

MIROSLAV KVOČKA

DRAGOLJUB PRCAČ

MLADEN RADIĆ a/k/a "KRKAN"

MILOJICA KOS a/k/a "KRLE"

MOMČILO GRUBAN a/k/a "ČKALJA"

DUŠAN KNEŽEVIĆ a/k/a "DUĆA"

ZORAN ŽIGIĆ a/k/a "ŽIGA"

INDICTMENT

Richard J Goldstone, Prosecutor of the International Criminal Tribunal for the former Yugoslavia, pursuant to his authority under Article 18 of the Statute of the International Criminal Tribunal for the former Yugoslavia ("The Statute of the Tribunal"), charges:

1. From about 25 May to about 30 August, 1992, Serb forces collected and confined more than 3,000 Bosnian Muslims and Bosnian Croats from the opština of Prijedor, Bosnia-Herzegovina, in the former Yugoslavia, in inhumane conditions, under armed guard, in the Omarska "camp", located in a former mining complex approximately fifteen kilometres from the town of Prijedor. As set forth below, the Serb forces killed, raped, sexually assaulted, beat and otherwise mistreated the prisoners at Omarska.

Background - Omarska camp:

2.1. In May, 1992, intensive shelling of Muslim areas in the opština Prijedor caused the Muslim residents to flee their homes. The majority of them then surrendered or were captured by Serb forces. As the Serb forces rounded up the Muslims and any Croat residents, they forced the Muslims and Croats to march in columns bound for one or another of the prison camps that the Serbs had established in the opština. The Serb forces pulled many of the Muslims and Croats from the columns and shot or beat them on the spot.

2.2. On about 25 May 1992, about three weeks after Serbs forcibly took control of government authority in the opština, and two days after the start of large scale military

attacks on Muslim population centres, the Serb forces began taking prisoners to the Omarska camp.

2.3. During the next several weeks, the Serb forces continued to round up Muslims and Croats from Kozarac, Prijedor town, and other places in the opština and interned them in the camps. Many of Prijedor's Muslim and Croat intellectuals, professional and political leaders were sent to Omarska. There were approximately 40 women in the camp, and all the other prisoners in the camp were men.

2.4. Within the area of the Omarska mining complex that was used for the camp, the camp authorities generally confined the prisoners in three different buildings: the administration building, where interrogations took place and most of the women were confined; the garage or hangar building; the "white house," a small building where particularly severe beatings were administered; and on a cement courtyard area between the buildings known as the "pista". There was another small building, known as the "red house", where prisoners were sometimes taken but most often did not emerge alive.

2.5. Living conditions at Omarska were brutal. Prisoners were crowded together with little or no facilities for personal hygiene. They were fed starvation rations once a day and given only three minutes to get into the canteen area, eat, and get out. The little water they received was ordinarily foul. Prisoners had no changes of clothing and no bedding. They received no medical care.

2.6. Severe beatings were commonplace. The camp guards, and others who came to the camp and physically abused the prisoners, used all manner of weapons during these beatings, including wooden batons, metal rods and tools, lengths of thick industrial cable that had metal balls affixed to the end, rifle butts, and knives. Both female and male prisoners were beaten, tortured, raped, sexually assaulted, and humiliated. In addition to regular beatings and abuse, there were incidents of multiple killings and special terror. Many, whose identities are known and unknown, did not survive the camp.

3. The persons accused in this indictment were commanders, (text deleted) and others responsible for the conditions and mistreatment of prisoners in Omarska camp or otherwise assisted the accused.

The Accused:

4. **Željko MEAKIĆ** also known as (hereinafter a/k/a) **Mejakić**, a/k/a **Meagić**, was in charge of Omarska camp beginning in late June, 1992, and was in a position of superior authority to everyone else in the camp. Before he took command of the camp, he was chief of security and had full authority over all the guards and any visitors. Before the war began in Bosnia-Herzegovina, he was a police official in Omarska village.

5. **Miroslav KVOČKA** and **Dragoljub PRCAČ** were deputies to **Željko MEAKIĆ** and were in positions of authority superior to everyone in the camp other than **MEAKIĆ**. For most of the first month of the camp's operation, **KVOČKA** was

the commander of the camp. Prior to the start of the war, both **KVOČKA** and **PRCAČ** were officials at the Ministry of the Interior in Prijedor.

6. **Mladen RADIĆ** a/k/a **Mlado RADIĆ** a/k/a **Krkan**; **Milojica KOS** a/k/a **Krle**; and **Momčilo GRUBAN** a/k/a **Čkalja** were shift commanders who each supervised one of the three shifts of guards that operated the camp. As shift commanders, when they were on duty, they were in positions of superior authority to all the camp personnel, second only to the camp commander and his deputies.

7. Omitted - accused withdrawn from indictment.

8. In addition to the above-listed accused, who regularly performed duties in Omarska camp, other Serbs entered the camp, subject to the authority of **Željko MEAKIĆ**, **Miroslav KVOČKA**, and **Dragoljub PRCAČ**, where they killed, beat or otherwise physically abused prisoners. Among those who entered the camp were the following accused:

- c. **Dušan KNEŽEVIĆ** a/k/a **Duća**
- e. **Zoran ŽIGIĆ** a/k/a **ŽIGA**

General Allegations:

9. At all times relevant to this indictment, a state of armed conflict and partial occupation existed in the territory of Bosnia-Herzegovina.

10. All acts or omissions set forth as grave breaches recognised by Article 2 of the Statute of the Tribunal occurred during that armed conflict and partial occupation.

11. All of the prisoners at the Omarska camp, and the Bosnian Muslims and Croats of the opština of Prijedor referred to in this indictment were, at all relevant times, persons protected by the Geneva Conventions of 1949.

12. All of the accused in this indictment were required to abide by the mandate of the laws and customs governing the conduct of war, including the Geneva Conventions of 1949.

13. Unless otherwise set forth below, all acts and omissions set forth in this indictment took place between 24 May and 30 August 1992.

14. In each paragraph charging torture, the acts were committed by, or at the instigation of, or with the consent or acquiescence of, an official or person acting in an official capacity, and for one or more of the following purposes: to obtain information or a confession from the victim or a third person; to punish the victim for an act the victim or a third person committed or was suspected of having committed; to intimidate or coerce the victim or a third person; and/or for any reason based upon discrimination of any kind.

15. In each paragraph charging crimes against humanity, a crime recognised by Article 5 of the Statute of the Tribunal, the alleged acts or omissions were part of a

widespread or large-scale or systematic attack directed against a civilian population, specifically the Muslim and Croat population of the Prijedor district.

16. Paragraphs 4 through 15 are realleged and incorporated into each of the charges described below.

17. The term "Serb" refers either to Bosnian citizens of Serbian descent or to individuals for whom it is unknown whether they were Bosnian Serbs or citizens of Serbia proper.

CHARGES:

ACCUSED: Željko MEAKIĆ

- 18.1. **Željko MEAKIĆ**, intending to destroy, in whole or in part, the Bosnian Muslim and Bosnian Croat people as national, ethnic, or religious groups, was complicit with other persons in the killing of Bosnian Muslims and Bosnian Croats from the opština Prijedor at the Omarska camp, thereby committing **GENOCIDE**, a crime recognised by Article 4(a) of the Statute of the Tribunal.
 - 18.2. **Željko MEAKIĆ**, intending to destroy, in whole or in part, the Bosnian Muslim and Bosnian Croat people as national, ethnic, or religious groups, was complicit with other persons in causing serious bodily or mental harm to Bosnian Muslim and Bosnian Croat people from the opština Prijedor in Omarska camp, thereby committing **GENOCIDE**, a crime recognised by Article 4(b) of the Statute of the Tribunal.
 - 18.3. **Željko MEAKIĆ**, intending to destroy, in whole or in part, the Bosnian Muslim and Bosnian Croat people as national, ethnic, or religious groups, was complicit with other persons in the deliberate infliction of conditions of life on Bosnian Muslim and Bosnian Croat people from the opština Prijedor at the Omarska camp calculated to bring about their physical destruction in whole or in part, thereby committing **GENOCIDE**, a crime recognised by Article 4(c) of the Statute of the Tribunal.
- 19.1. With respect to the allegations in this indictment, **Željko MEAKIĆ, Miroslav KVOČKA, Dragoljub PRCAČ, Mladen RADIĆ, Milojica KOS and Momčilo GRUBAN** knew or had reason to know that persons in positions of subordinate authority to them at Omarska camp were about to commit those acts, or had already committed those acts, and failed to take the necessary and reasonable steps to prevent those acts or to punish the perpetrators after the acts had been committed.
- 19.2 During the operation of Omarska camp, camp guards and others who were subordinate to **Željko MEAKIĆ, Miroslav KVOČKA, Dragoljub PRCAČ, Mladen RADIĆ, Milojica KOS and Momčilo GRUBAN** regularly and openly killed, raped, tortured, beat, and otherwise subjected prisoners to conditions of constant humiliation, degradation, and fear of death.

ACCUSED: Željko MEAKIĆ, Miroslav KVOČKA, Dragoljub PRCAČ, Mladen RADIĆ, Milojica KOS and Momčilo GRUBAN in their capacity as superiors.

- 19.3. **Željko MEAKIĆ, Miroslav KVOČKA, Dragoljub PRCAČ, Mladen RADIĆ, Milojica KOS and Momčilo GRUBAN** are criminally responsible for the acts of their subordinates in the wilful killing of Omarska prisoners, including those described in paragraphs hereunder, **GRAVE BREACHES OF THE GENEVA CONVENTIONS OF 1949** (hereinafter **GRAVE BREACHES**) recognised by Articles 2(a) and 7(3) of the Statute of the Tribunal, or;
- 19.4. Alternatively, **Željko MEAKIĆ, Miroslav KVOČKA, Dragoljub PRCAČ, Mladen RADIĆ, Milojica KOS and Momčilo GRUBAN** are criminally responsible for the acts of their subordinates in the murder of Omarska prisoners, including those described in paragraphs hereunder, **VIOLATIONS OF THE LAWS OR CUSTOMS OF WAR** recognised by Articles 3 and 7(3) of the Statute of the Tribunal and Article 3(1)(a) of the Geneva Conventions.
- 19.5. **Željko MEAKIĆ, Miroslav KVOČKA, Dragoljub PRCAČ, Mladen RADIĆ, Milojica KOS and Momčilo GRUBAN** are criminally responsible for the acts of their subordinates in the murder of Omarska prisoners, including those described in paragraphs hereunder, **CRIMES AGAINST HUMANITY** recognised by Articles 5(a) and 7(3) of the Statute of the Tribunal.
- 19.6. **Željko MEAKIĆ, Miroslav KVOČKA, Dragoljub PRCAČ, Mladen RADIĆ, Milojica KOS and Momčilo GRUBAN** are criminally responsible for the acts of their subordinates in the torture of Omarska prisoners, **GRAVE BREACHES** recognised by Articles 2(b) and 7 (3) of the Statute of the Tribunal, or;
- 19.7. Alternatively, **Željko MEAKIĆ, Miroslav KVOČKA, Dragoljub PRCAČ, Mladen RADIĆ, Milojica KOS and Momčilo GRUBAN** are criminally responsible for the acts of their subordinates in the torture of Omarska prisoners, **VIOLATIONS OF THE LAWS OR CUSTOMS OF WAR** recognised by Articles 3 and 7(3) of the Statute of the Tribunal and Article 3(1)(a) of the Geneva Conventions.
- 19.8. **Željko MEAKIĆ, Miroslav KVOČKA, Dragoljub PRCAČ, Mladen RADIĆ, Milojica KOS and Momčilo GRUBAN** are criminally responsible for the acts of their subordinates in the torture of Omarska prisoners, **CRIMES AGAINST HUMANITY** recognised by Articles 5(f) and 7(3) of the Statute of the Tribunal.
- 19.9. **Željko MEAKIĆ, Miroslav KVOČKA, Dragoljub PRCAČ, Mladen RADIĆ, Milojica KOS and Momčilo GRUBAN** are criminally responsible for the acts of their subordinates in the rape of

Omarska prisoners, including those described in paragraphs hereunder, **CRIMES AGAINST HUMANITY** recognised by Articles 5(g) and 7(3) of the Statute of the Tribunal.

- 19.10. **Željko MEAKIĆ, Miroslav KVOČKA, Dragoljub PRCAČ, Mladen RADIĆ, Milojica KOS and Momčilo GRUBAN** are criminally responsible for the acts of their subordinates in wilfully causing great suffering to Omarska prisoners, including those described in paragraphs hereunder, **GRAVE BREACHES** recognised by Articles 2(c) and 7(3) of the Statute of the Tribunal, or;
- 19.11. Alternatively, **Željko MEAKIĆ, Miroslav KVOČKA, Dragoljub PRCAČ, Mladen RADIĆ, Milojica KOS and Momčilo GRUBAN** are criminally responsible for the acts of their subordinates in the commission of outrages upon personal dignity, including humiliating and degrading treatment of the Omarska prisoners, **VIOLATIONS OF THE LAWS OR CUSTOMS OF WAR** recognised by Articles 3 and 7(3) of the Statute of the Tribunal and Article 3(1)(c) of the Geneva Conventions.
- 19.12. **Željko MEAKIĆ, Miroslav KVOČKA, Dragoljub PRCAČ, Mladen RADIĆ, Milojica KOS and Momčilo GRUBAN** are criminally responsible for the acts of their subordinates in the unlawful confinement of civilians, including those listed in paragraphs hereunder, **GRAVE BREACHES** recognised by Articles 2(g) and 7(3) of the Statute of the Tribunal, or;
- 19.13. **Željko MEAKIĆ, Miroslav KVOČKA, Dragoljub PRCAČ, Mladen RADIĆ, Milojica KOS and Momčilo GRUBAN** are criminally responsible for their own acts or omissions and for the acts of their subordinates in the unlawful imprisonment of the prisoners of Omarska, including those listed in paragraphs hereunder, **CRIMES AGAINST HUMANITY** recognised by Articles 5(e) and 7(3) of the Statute of the Tribunal.

ACCUSED: Željko MEAKIĆ

20.1. Around 20 July 1992, the last remaining pocket of Bosnian Muslims and Bosnian Croats was captured from the area west of Prijedor town known as the Brdo. Many were taken to Omarska camp. When they arrived, **Željko MEAKIĆ** and camp guards beat them severely with batons and others weapons.

- 20.2. **Željko MEAKIĆ** wilfully caused these prisoners great suffering or serious injury to body or health, a **GRAVE BREACH** recognised by Articles 2(c) and 7(1) of the Statute of the Tribunal, or;
- 20.3. Alternatively, **Željko MEAKIĆ** wilfully subjected these prisoners to cruel treatment, a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognised by Articles 3 and 7(1) of the Statute of the Tribunal and Article 3(1)(a) of the Geneva Conventions.

20.4. **Željko MEAKIĆ** committed inhumane acts on the Brdo prisoners, a **CRIME AGAINST HUMANITY** recognised by Articles 5(i) and 7(1) of the Statute of the Tribunal.

21.1. About 25 June 1992, during an interrogation on the first floor of the administration building, two guards beat Saud BEŠIĆ repeatedly with batons and kicked him. **Željko MEAKIĆ** entered the room, kicked Saud BEŠIĆ in the chest and the two guards continued to beat him until he lost consciousness.

21.2. **Željko MEAKIĆ** subjected Saud BEŠIĆ to inhuman treatment, a **GRAVE BREACH** recognised by Articles 2(b) and 7(1) of the Statute of the Tribunal, or;

21.3. Alternatively, **Željko MEAKIĆ** inflicted cruel treatment on Saud BEŠIĆ, a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognised by Articles 3 and 7(1) of the Statute of the Tribunal and Article 3(1)(a) of the Geneva Conventions.

21.4. **Željko MEAKIĆ** subjected Saud BEŠIĆ to inhumane acts, a **CRIME AGAINST HUMANITY** recognised by Articles 5(i) and 7(1) of the Statute of the Tribunal.

ACCUSED: Mladen RADIĆ

22.1. During June and July, 1992, **Mladen RADIĆ** repeatedly subjected "A" to forcible sexual intercourse. The first occasion was on or about the night of 25 June 1992. **Mladen RADIĆ** took "A" to a room downstairs in the administration building, forced her on a table and subjected her to forcible sexual intercourse. Two or three nights later, **RADIĆ** again called "A" out of the room where she slept and again subjected her to forcible sexual intercourse. On at least three more occasions during June and July 1992, **Mladen RADIĆ** called "A" out of the room in the administration building where she slept and subjected her to forcible sexual intercourse. These crimes are charged separately below:

First Incident

22.2. Around 25 June, 1992, **Mladen RADIĆ** wilfully caused "A" great suffering by subjecting her to forcible sexual intercourse, a **GRAVE BREACH** recognised by Article 2(c) of the Statute of the Tribunal or;

22.3. Alternatively, around 25 June 1992, **Mladen RADIĆ** subjected "A" to cruel treatment by forcible sexual intercourse, a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognised by Article 3 of the Statute of the Tribunal and Article 3(1)(a) of the Geneva Conventions.

- 22.4. Around 25 June 1992, **Mladen RADIĆ** raped "A", a **CRIME AGAINST HUMANITY** recognised by Article 5(g) of the Statute of the Tribunal.

Second Incident

- 22.5. Around 27 June 1992, **Mladen RADIĆ** wilfully caused "A" great suffering by subjecting her to forcible sexual intercourse, a **GRAVE BREACH** recognised by Article 2(c) of the Statute of the Tribunal, or;
- 22.6. Alternatively, around 27 June 1992, **Mladen RADIĆ** subjected "A" to cruel treatment by forcible sexual intercourse, a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognised by Article 3 of the Statute of the Tribunal and Article 3(1)(a) of the Geneva Conventions.
- 22.7. Around 27 June, 1992, **Mladen RADIĆ** raped "A", a **CRIME AGAINST HUMANITY** recognised by Article 5(g) of the Statute of the Tribunal.

Third Incident

- 22.8. During July, 1992, **Mladen RADIĆ** wilfully caused "A" great suffering by subjecting her to forcible sexual intercourse, a **GRAVE BREACH** recognised by Article 2(c) of the Statute of the Tribunal, or;
- 22.9. Alternatively, during July, 1992, **Mladen RADIĆ** subjected "A" to cruel treatment by forcible sexual intercourse, a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognised by Article 3 of the Statute of the Tribunal and Article 3(1)(a) of the Geneva Conventions.
- 22.10. During July, 1992, **Mladen RADIĆ** raped "A", a **CRIME AGAINST HUMANITY** recognised by Article 5(g) of the Statute of the Tribunal.

Fourth Incident

- 22.11. During late July, 1992, **Mladen RADIĆ** wilfully caused "A" great suffering by subjecting her to forcible sexual intercourse, a **GRAVE BREACH** recognised by Article 2(c) of the Statute of the Tribunal, or;
- 22.12. Alternatively, during late July, 1992, **Mladen RADIĆ** subjected "A" to cruel treatment by forcible sexual intercourse, a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognised by Article 3 of the Statute of the Tribunal and Article 3(1)(a) of the Geneva Conventions.
- 22.13. During late July, 1992, **Mladen RADIĆ** raped "A", a **CRIME AGAINST HUMANITY** recognised by Article 5(g) of the Statute of the Tribunal.

Fifth Incident

- 22.14. During late July, 1992, **Mladen RADIĆ** wilfully caused "A" great suffering by subjecting her to forcible sexual intercourse, a **GRAVE BREACH** recognised by Article 2(c) of the Statute of the Tribunal, or;
- 22.15. Alternatively, during late July 1992, **Mladen RADIĆ** subjected "A" to cruel treatment by forcible sexual intercourse, a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognised by Article 3 of the Statute of the Tribunal and Article 3(1)(a) of the Geneva Conventions.
- 22.16. During late July, 1992, **Mladen RADIĆ** raped "A", a **CRIME AGAINST HUMANITY** recognised by Article 5(g) of the Statute of the Tribunal.

ACCUSED: Zoran ŽIGIĆ, Dušan KNEŽEVIĆ (names deleted)

- 23.1. In about July 1992, **Zoran ŽIGIĆ, Dušan KNEŽEVIĆ** and a third unknown person savagely beat Bećir MEDUNJANIN on two occasions over a two day period in the "white house." The accused assaulted Bećir MEDUNJANIN with a club, a chair, a baton and kicked him. The morning after the second assault Bećir MEDUNJANIN died in the room and his body was removed from the camp immediately.
- 23.2. **Zoran ŽIGIĆ** and **Dušan KNEŽEVIĆ** participated in the wilful killing of Bećir MEDUNJANIN, a **GRAVE BREACH** recognised by Article 2(a) and 7(1) of the Statute of the Tribunal, or;
- 23.3. Alternatively, **Zoran ŽIGIĆ** and **Dušan KNEŽEVIĆ** participated in the murder of Bećir MEDUNJANIN, a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognised by Articles 3 and 7(1) of the Statute of the Tribunal and Article 3(1)(a) of the Geneva Conventions.
- 23.4. **Zoran ŽIGIĆ** and **Dušan KNEŽEVIĆ** participated in the murder of Bećir MEDUNJANIN, a **CRIME AGAINST HUMANITY** recognised by Articles 5(a) and 7(1) of the Statute of the Tribunal.
- 24.1. On or about 10 June 1992, **Zoran ŽIGIĆ, Dušan KNEŽEVIĆ, (names deleted)** went to the Omarska camp. **ŽIGIĆ, KNEŽEVIĆ, (names deleted)** were not regular guards at the camp, but were allowed into the camp to murder, beat or otherwise physically abuse the prisoners. On that particular day, they called four prisoners at the Omarska camp, Emir BEGANOVIĆ, Rezak HUKANOVIĆ, Asef KAPETANOVIĆ, and Šefik TERZIĆ into the "white house" and severely beat them. The accused used metal batons and cables, a knife, their fists and kicked the victims with their military-style boots.

victim: Emir BEGANOVIĆ

- 24.2. **Zoran ŽIGIĆ, Dušan KNEŽEVIĆ, (names deleted)** participated in wilfully causing serious injury to the body or health of Emir BEGANOVIĆ, a **GRAVE BREACH** recognised by Articles 2(c) and 7(1) of the Statute of the Tribunal, or;
- 24.3. Alternatively, **Zoran ŽIGIĆ, Dušan KNEŽEVIĆ, (names deleted)** participated in subjecting Emir BEGANOVIĆ to cruel treatment, a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognised by Articles 3 and 7(1) of the Statute of the Tribunal and Article 3(1)(a) of the Geneva Conventions.
- 24.4. **Zoran ŽIGIĆ, Dušan KNEŽEVIĆ, (names deleted)** participated in subjecting Emir BEGANOVIĆ to inhumane acts, a **CRIME AGAINST HUMANITY** recognised by Articles 5(i) and 7(1) of the Statute of the Tribunal.

victim: Rezak HUKANOVIĆ

- 24.5. **Zoran ŽIGIĆ, Dušan KNEŽEVIĆ, (names deleted)** participated in wilfully causing serious injury to the body or health of Rezak HUKANOVIĆ, a **GRAVE BREACH** recognised by Articles 2(c) and 7(1) of the Statute of the Tribunal, or;
- 24.6. Alternatively, **Zoran ŽIGIĆ, Dušan KNEŽEVIĆ, (names deleted)** participated in subjecting Rezak HUKANOVIĆ to cruel treatment, a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognised by Articles 3 and 7(1) of the Statute of the Tribunal and Article 3(1)(a) of the Geneva Conventions.
- 24.7. **Zoran ŽIGIĆ, Dušan KNEŽEVIĆ, (names deleted)** participated in subjecting Rezak HUKANOVIĆ to inhumane acts, a **CRIME AGAINST HUMANITY** recognised by Articles 5(i) and 7(1) of the Statute of the Tribunal.

victim: Asef KAPETANOVIĆ

- 24.8. **Zoran ŽIGIĆ, Dušan KNEŽEVIĆ, (names deleted)** participated in wilfully causing serious injury to the body or health of Asef KAPETANOVIĆ, a **GRAVE BREACH** recognised by Articles 2(c) and 7(1) of the Statute of the Tribunal, or;
- 24.9. Alternatively, **Zoran ŽIGIĆ, Dušan KNEŽEVIĆ, (names deleted)** participated in subjecting Asef KAPETANOVIĆ to cruel treatment, a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognised by Articles 3 and 7(1) of the Statute of the Tribunal and Article 3(1)(a) of the Geneva Conventions.
- 24.10. **Zoran ŽIGIĆ, Dušan KNEŽEVIĆ, (names deleted)** participated in subjecting Asef KAPETANOVIĆ to inhumane acts, a **CRIME**

AGAINST HUMANITY recognised by Articles 5(i) and 7(1) of the Statute of the Tribunal.

victim: Šefik TERZIĆ

- 24.11. Zoran ŽIGIĆ, Dušan KNEŽEVIĆ, (names deleted) participated in wilfully causing serious injury to the body or health of Šefik TERZIĆ, a **GRAVE BREACH** recognised by Articles 2(c) and 7(1) of the Statute of the Tribunal, or;
- 24.12. Alternatively, Zoran ŽIGIĆ, Dušan KNEŽEVIĆ, (names deleted) participated in subjecting Šefik TERZIĆ to cruel treatment, a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognised by Articles 3 and 7(1) of the Statute of the Tribunal and Article 3(1)(a) of the Geneva Conventions.
- 24.13. Zoran ŽIGIĆ, Dušan KNEŽEVIĆ, (names deleted) participated in subjecting Šefik TERZIĆ to inhumane acts, a **CRIME AGAINST HUMANITY** recognised by Articles 5(i) and 7(1) of the Statute of the Tribunal.

ACCUSED: (name deleted)

25.1. Between early June and 3 August 1992, a guard at the Omarska camp (**name deleted**), who was a member of Mladen RADIĆ's shift, repeatedly forced "F" from the room where she was sleeping, took her to another room on the first floor of the administration building in the Omarska camp and subjected her to forcible sexual intercourse.

25.2.-25.4 Charges omitted - accused withdrawn from indictment.

ACCUSED: (name deleted)

26.1. Between early June and 3 August 1992, (**name deleted**), a guard at the Omarska camp, forced "F" from the room where she was sleeping, took her to another room on the first floor of the administration building in the Omarska camp and subjected her to forcible sexual intercourse.

26.2.-26.4. Charges omitted - accused withdrawn from indictment.

ACCUSED: (names deleted)

27.1 Around 6 July 1992, on the "pista", the victim Rizah HADŽALIĆ, in response to a comment by a guard, used a common polite Bosnian Muslim expression, "Bujrum". The accused (**name deleted**), together with the co-accused (**names deleted**) and a guard known only as "Nedo", went to Rizah HADŽALIĆ and beat him for using this Muslim expression. The four accused and "Nedo" beat Rizah

HADŽALIĆ until he fell to the ground in a sitting position. About half an hour later, Rizah HADŽALIĆ died as a result of the beating.

27.2.-27.4. Charges omitted - accused withdrawn from indictment.

ACCUSED: (name deleted)

28.1. In early June, 1992, a large group of prisoners were confined in the canteen area of the administration building of the Omarska Camp. One night an elderly man, Mehmedalija NAŠIĆ, stood up and shouted in apparent protest over the prisoners' confinement. He was, at the time, distressed and possibly mentally disturbed by the conditions that he had been forced to endure. The accused, **(name deleted)**, a regular guard at Omarska, ordered him to sit down. NAŠIĆ did not sit down, and after a few minutes **(name deleted)** fired his rifle, killing the victim and wounding several other prisoners sitting nearby.

28.2.-28.4. Charges omitted - accused withdrawn from indictment.

ACCUSED: (name deleted)

29.1. On or about 17 June 1992, **(name deleted)**, a guard in the Omarska camp, with four other guards whose names are not known, took Šerif VELIĆ, a prisoner in the camp, to a room in the Administration Building where they stripped him to his underwear, kicked him in the testicles, repeatedly beat him with a baton and rifle, and kicked him in the ribs, causing him to lapse in and out of consciousness.

29.2.-29.4. Charges omitted - accused withdrawn from indictment.

ACCUSED: (name deleted)

30.1. "F" was taken to the Omarska camp as a prisoner in early June 1992. Sometime between early June and 3 August 1992, "F" was taken to the Separacija building at the entrance to the Omarska camp and placed in a room where **(name deleted)** subjected "F" to forcible sexual intercourse.

30.2.-30.4. Charges omitted - accused withdrawn from indictment.

ACCUSED: DUŠAN KNEŽEVIĆ

31.1. Around the latter part of June or first part of July 1992, near the building known as the "white house," a group of Serbs from outside the camp, including **DUŠAN KNEŽEVIĆ**, ordered prisoners, whose names are not known, to drink water like animals from puddles on the ground, jumped on their backs and beat them until they were unable to move. As the victims were removed in a wheelbarrow, one of the Serbs discharged the contents of a fire extinguisher into the mouth of one of the victims.

- 31.2. **DUŠAN KNEŽEVIĆ** participated in wilfully causing a group of Omarska prisoners, whose names are not known, great suffering or serious injury to body or health, a **GRAVE BREACH** recognised by Articles 2(c) and 7(1) of the Statute of the Tribunal, or;
- 31.3. Alternatively, **DUŠAN KNEŽEVIĆ** participated in subjecting these unknown Omarska prisoners to cruel treatment, a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognised by Articles 3 (1) (a) of the Geneva Conventions.
- 31.4. **DUŠAN KNEŽEVIĆ** participated in subjecting these unknown Omarska prisoners to inhuman acts, a **CRIME AGAINST HUMANITY** recognised by Articles 5(I) and 7(1) of the Statute of the Tribunal.

Richard J. Goldstone
Prosecutor