

THE PROSECUTOR

AGAINST

**GORAN JELISIC, also known as Adolf
RANKO CESIC**

SECOND AMENDED INDICTMENT

Louise Arbour, 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 ("Tribunal Statute"), charges:

1. Beginning on about 30 April 1992, Serb forces from Bosnia and elsewhere in the former Yugoslavia fought to obtain control of Brcko, a town and municipality in the Republic of Bosnia and Herzegovina in the former Yugoslavia. Serb forces forcibly expelled Croat and Muslim residents from their homes, and, with the assistance of local Serb authorities, held them at collection centres, where many were killed, beaten and otherwise mistreated. Many of the women, children and elderly were confined at the nearby village of Brezovo Polje. Most of the men of military age, and a few women, were taken to Luka camp.
2. From about 7 May 1992 until early July 1992, Serb forces confined hundreds of Muslim and Croat men, and a few women, at Luka camp in inhumane conditions and under armed guard. From about 7 May 1992 until about 21 May 1992, detainees were systematically killed at Luka. Almost every day during that time, the accused, often assisted by camp guards, entered Luka's main hangar where most detainees were kept, selected detainees for interrogation, beat them and then often shot and killed them.
3. The accused, often assisted by camp guards, usually shot detainees at close range in the head or back. Often, the accused and camp guards forced the detainees who were to be shot to put their heads on a metal grate that drained into the Sava River, so that there would be minimal clean-up after the shootings. The accused and guards then ordered other detainees to move the bodies to one of two disposal areas where the bodies were piled until they were later loaded on trucks and taken to mass graves outside the town of Brcko or disposed of in other ways.
4. From about 21 May 1992 until early July 1992, the detainees were subjected to beatings and, less frequently than before, killings.
5. In early July 1992, the surviving Luka detainees were transferred to another detention camp at Batkovic.
6. During the time Luka camp operated, the Serb authorities killed hundreds of Muslim and Croat

detainees.

THE ACCUSED

7. On about 1 May 1992, **Goran JELISIC**, who was born on 7 June 1968 in Bijeljina, came to Brcko from Bijeljina, where he had worked as an agricultural machinery mechanic. During most of May 1992, **Goran JELISIC** held a position at Luka camp and called himself the "Serb Adolf".

8. **Ranko CESIC**, who was born in 1964 in Drvar, lived in Brcko before the war. During May and June 1992, he acted under the apparent authority of the Brcko police, and held a position of authority at Luka camp.

GENERAL ALLEGATIONS

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

10. At all relevant times, **Goran JELISIC** and **Ranko CESIC** were required to abide by the laws and customs governing the conduct of war, including the Geneva Conventions of 1949.

11. **Goran JELISIC** and **Ranko CESIC** are individually responsible for the crimes alleged against them in this indictment, pursuant to Article 7(1) of the Tribunal Statute. Individual criminal responsibility includes committing, planning, initiating, ordering or aiding and abetting in the planning, preparation or execution of any crime referred to in Articles 2 to 5 of the Tribunal Statute.

12. All acts and omissions charged as crimes against humanity were part of a widespread, systematic or large-scale attack directed against the Muslim and Croat civilian population of Brcko.

13. Paragraphs 9 to 13 are realleged and incorporated into each of the charges set forth below.

CHARGES

COUNT 1 (GENOCIDE)

14. In May 1992, **Goran JELISIC**, intending to destroy a substantial or significant part of the Bosnian Muslim people as a national, ethnical, or religious group, systematically killed Muslim detainees at the Laser Bus Co., the Brcko police station and Luka camp. He introduced himself as the "Serb Adolf", said that he had come to Brcko to kill Muslims, and often informed the Muslim detainees and others of the number of Muslims he had killed. In addition to killing countless detainees, whose identities are unknown, **Goran JELISIC** personally killed the victims described in paragraphs 16-25, 30 and 33. By these actions, **Goran JELISIC** committed or aided and abetted:

Count 1: **GENOCIDE**, a crime recognized by Article 4(2)(a) of the Tribunal Statute.

COUNTS 2-3

(KILLING OF SAKIB BECIREVIC AND FOUR OTHER MEN)

15. On about 5 May 1992, **Ranko CESIC** went to the Brcko Partizan Sports Hall where Muslim civilians were being confined, and took the Muslim detainee Sakib Becirevic (a/k/a Kibe) and four other men named "Pepa", "Sale" and the two sons of a man called Avdo outside the hall. **Ranko CESIC** lined up and shot and killed the five detainees with bursts of gunfire. By these actions, **Ranko CESIC** committed:

Count 2: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (murder) of the Geneva Conventions;

Count 3: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute.

**COUNTS 4-5
(KILLING OF UNKNOWN MALE)**

16. On about 6 or 7 May 1992, **Goran JELISIC** escorted an unknown male detainee down a street near the Brcko police station and then shot him in the head with a Scorpion pistol. By these actions, **Goran JELISIC** committed:

Count 4: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (murder) of the Geneva Conventions;

Count 5: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute.

**COUNTS 6-7
(KILLING OF HASAN JASAREVIC)**

17. On about 7 May 1992, **Goran JELISIC**, using a Scorpion pistol, shot and killed Hasan Jasarevic, a Muslim detainee who had fled the Brcko police station. By these actions, **Goran JELISIC** committed:

Count 6: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (murder) of the Geneva Conventions;

Count 7: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute.

**COUNTS 8-9
(KILLING OF A YOUNG MAN FROM SINTERAJ)**

18. On about 7 May 1992, **Goran JELISIC** left the Brcko police station with a young man from the neighborhood of Sinteraj, whose identity is unknown. **Goran JELISIC** escorted the young man away from the police station to an area where the young man was shot and killed. By these actions, **Goran JELISIC** committed:

Count 8: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of

the Tribunal Statute and Article 3(1)(a) (murder) of the Geneva Conventions;

Count 9: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute.

COUNTS 10-11
(KILLING OF AHMET HODZIC OR HADZIC)

19. On about 7 May 1992, **Goran JELISIC** took the Muslim detainee Ahmet Hodzic (a/k/a Papa), a leader of the Brcko SDA (Muslim political party) outside the Brcko police station. **Goran JELISIC** took Ahmet Hodzic to the same place where **Goran JELISIC**, earlier that day, had killed a young detainee from Sinteraj. After reaching the area, **Goran JELISIC** shot and killed Ahmet Hodzic. By these actions, **Goran JELISIC** committed:

Count 10: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (murder) of the Geneva Conventions;

Count 11: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute.

COUNTS 12-13
(KILLING OF SUAD)

20. On about 7 May 1992, **Goran JELISIC** took a Muslim detainee named Suad from the Brcko police station. **Goran JELISIC** walked Suad to the same area where **Goran JELISIC**, earlier that day, had killed Ahmet Hodzic and a young man from Sinteraj. After reaching the area, **Goran JELISIC** shot and killed Suad. By these actions, **Goran JELISIC** committed:

Count 12: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (murder) of the Geneva Conventions;

Count 13: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute.

COUNTS 14-15
(KILLING OF SEAD CERIMAGIC AND JASMINKO CUMUROVIC)

21. On about 8 May 1992, **Goran JELISIC** took the Muslim detainees Sead Cerimagic (a/k/a Cita) and Jasminko Cumurovic (a/k/a Jasce, Jasmin) from the main hangar building at Luka camp. **Goran JELISIC** shot and killed Jasminko Cumurovic. By these actions, **Goran JELISIC** committed:

Count 14: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (murder) of the Geneva Conventions;

Count 15: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute.

COUNTS 16-17
(KILLING OF HUSO AND SMAJIL ZAHIROVIC)

22. On about 8 May 1992, at Luka camp, **Goran JELISIC** took two Muslim brothers from Zvornik, Huso and Smajil Zahirovic, outside of the main hangar building where he shot and killed one of them. By these actions, **Goran JELISIC** committed:

Count 16: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (murder) of the Geneva Conventions;

Count 17: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute;

COUNTS 18-19
(KILLING OF NAZA BUKVIC)

23. On about 9 May 1992, near the main hangar building at Luka camp, **Goran JELISIC** beat Naza Bukvic with a police baton and then shot and killed her. By these actions, **Goran JELISIC** committed:

Count 18: **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (murder) of the Geneva Conventions;

Count 19: **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute.

COUNTS 20-21
(KILLING OF MUHAREM AHMETOVIC)

24. On about 9 May 1992, **Goran JELISIC** called the Muslim detainee Muharem Ahmetovic, the father of Naza Bukvic, from the main hangar building at Luka camp and shot and killed him. By these actions, **Goran JELISIC** committed:

Count 20: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (murder) of the Geneva Conventions;

Count 21: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute.

COUNTS 22-23
(KILLING OF STIPO GLAVOCEVIC)

25. On about 9 May 1992, **Goran JELISIC** shot and killed a Croat detainee named Stipo Glavocevic (a/k/a Stjepo), just outside the entrance to the main hangar. By these actions, **Goran JELISIC** committed:

Count 22: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (murder) of the Geneva Conventions;

Count 23: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal

Statute.

**COUNTS 24-25
(KILLING OF SEJDO)**

26. On about 9 May 1992, Sejdo, a Muslim fisherman whose last name is unknown, arrived at Luka camp in the trunk of a car. **Ranko CESIC** put Sejdo in a small warehouse, beat him and then shot and killed him. By these actions, **Ranko CESIC** committed:

Count 24: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (murder) of the Geneva Conventions;

Count 25: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute.

**COUNTS 26-27
(KILLING OF MIRSDAD GLAVOVIC)**

27. On about 11 May 1992, **Ranko CESIC** called the Muslim policeman Mirsad Glavovic from the main hangar building at Luka camp. **Ranko CESIC** ordered Mirsad Glavovic to say good-bye and shake hands with the other detainees. **Ranko CESIC** then took Mirsad Glavovic outside the hangar building, beat him and killed him. By these actions, **Ranko CESIC** instigated, ordered or committed:

Count 26: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (murder) of the Geneva Conventions;

Count 27: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute;

**COUNTS 28-29
(SEXUAL ASSAULT)**

28. On about 11 May 1992, at Luka camp, **Ranko CESIC** forced, at gunpoint, Muslim detainees A and B, who were brothers detained there, to beat each other and perform sexual acts on each other in the presence of others, causing them great humiliation and degradation. By these actions, **Ranko CESIC** instigated, ordered or committed:

Count 28: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(c) (humiliating and degrading treatment) of the Geneva Conventions;

Count 29: a **CRIME AGAINST HUMANITY** recognized by Article 5(g) (rape, which includes other forms of sexual assault) of the Tribunal Statute.

**COUNTS 30-31
(BEATINGS OF ZEJCIR AND RESAD OSMIC)**

29. Between 10 and 12 May 1992, **Goran JELISIC** beat the Muslim brothers Zejcir and Resad

Osmic with a baton. Both brothers suffered head injuries, and Resad lost consciousness as a result of the beatings. By these actions, **Goran JELISIC** committed:

Count 30: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (cruel treatment) of the Geneva Conventions;

Count 31: a **CRIME AGAINST HUMANITY** recognized by Article 5(i) (inhumane acts) of the Tribunal Statute.

**COUNTS 32-33
(KILLING OF NOVALIJA)**

30. On about 12 May 1992, in the main hangar building at Luka camp, **Goran JELISIC** beat Novalija, an elderly Muslim man, with a police baton. Novalija died as a result of the beatings. By these actions, **Goran JELISIC** committed:

Count 32: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (murder) of the Geneva Conventions;

Count 33: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute;

**COUNTS 34-35
(KILLING OF NIHAD JASAREVIC)**

31. On about 12 or 13 May 1992, in the main hangar building at Luka camp, **Ranko CESIC** and another person beat the Muslim detainee Nihad Jasarevic with a wooden club that contained a lead cylinder, killing Nihad Jasarevic. By these actions, **Ranko CESIC** instigated, ordered, committed or aided and abetted:

Count 34: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (murder) of the Geneva Conventions;

Count 35: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute;

**COUNTS 36-37
(BEATINGS OF MUHAMED BUKVIC)**

32. On about 13 May 1992, at Luka camp, **Goran JELISIC**, used a police baton to beat the Muslim detainee Muhamed Bukvic over his entire body. By these actions, **Goran JELISIC** committed:

Count 36: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (cruel treatment) of the Geneva Conventions;

Count 37: a **CRIME AGAINST HUMANITY** recognized by Article 5(i) (inhumane acts) of the Tribunal Statute.

COUNTS 38-39
(KILLING OF ADNAN KUCALOVIC)

33. On about 18 May 1992 at Luka camp, **Goran JELISIC** shot and killed Adnan Kucalovic. By these actions, **Goran JELISIC** committed:

Count 38: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (murder) of the Geneva Conventions;

Count 39: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute;

COUNTS 40-41
(BEATINGS OF AMIR DIDIC)

34. Between about 20 May and 28 May 1992 at Luka camp, **Goran JELISIC** beat the Muslim detainee Amir Didic with a police baton, causing Amir Didic to lose consciousness. By these actions, **Goran JELISIC** committed:

Count 40: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (cruel treatment) of the Geneva Conventions;

Count 41: a **CRIME AGAINST HUMANITY** recognized by Article 5(i) (inhumane acts) of the Tribunal Statute.

COUNTS 42-43
(KILLING OF TWO UNKNOWN MALES)

35. Between about 1 June and 6 June 1992, **Ranko CESIC** took four detainees, whose identities are unknown, from the office building at Luka camp to the paved road in front of the main hangar building and, with the assistance of two guards, shot and killed at least two of the detainees. By these actions, **Ranko CESIC** instigated, ordered, committed or aided and abetted:

Count 42: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 of the Tribunal Statute and Article 3(1)(a) (murder) of the Geneva Conventions;

Count 43: a **CRIME AGAINST HUMANITY** recognized by Article 5(a) (murder) of the Tribunal Statute.

COUNT 44
(PLUNDER OF PRIVATE PROPERTY)

36. From about 7 May to about 28 May 1992, **Goran JELISIC** stole money belonging to persons detained at Luka camp, including Hasib Begic, Zejcir Osmic, Enes Zukic and Armin Drapic. By these actions, **Goran JELISIC** committed:

COUNT 44: a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR** recognized by Article 3 (e) (plunder) of the Tribunal Statute.

Graham Blewitt
Deputy Prosecutor

Dated this 19th day of October 1998
At The Hague
The Netherlands