

Exhibit B



**Republic of Serbia
OFFICE OF THE WAR
CRIMES PROSECUTOR**

Ref. KTRR-55/2011
Belgrade, 28 April 2011

WAR CRIMES IN THE AREA OF ČAPLJINA

This text contains the integral version of notes for my presentation before the officials of the U.S. Embassy in Belgrade, ICE and FBI, at the meeting held on the premises of the War Crimes Prosecutor's Office in Belgrade on 11 April 2011, along with some additional information that I have collected after the meeting.

With reference to the subject of our today's meeting – the interest of the U.S. authorities in the events and war crimes that occurred in the territory of Čapljina, i.e. the role of certain individuals (who subsequently became U.S. residents) in the commission of those crimes – it is important to note that the primary activity of the Serbian War Crimes Prosecutor's Office is to prosecute Serbian citizens suspected of involvement in war crimes. I have to emphasize this fact in order for you to understand that our resources are predominantly directed towards collecting documents and data that could serve as evidence in the criminal prosecution of war crimes suspects who are available to the Serbian judicial authorities – namely the Republic of Serbia's citizens who also have residence in this state.

Specific issues related to war crimes committed by citizens of other former Yugoslav states, who can and ought to be prosecuted by their respective prosecution services, are addressed by this Prosecutor's Office in the framework of prosecutorial cooperation. This Office has exceptionally good cooperation with the Republic of Croatia's State Prosecutor's Office in the criminal prosecution of individuals responsible for war crimes. On the other hand, we still have certain problems in cooperation with the BH Prosecutor's Office due to the absence of a relevant agreement between the two Prosecutor's Offices. As far as I have been informed, however, these problems should soon be resolved – also owing to the U.S. efforts – by the signing of such an agreement.

War crimes in the area of Čapljina were addressed by this Office upon requests received from three states, i.e. their respective prosecution services that sought assistance in their criminal proceedings against individuals suspected of inhumane treatment of Serb civilians in Dretelj camp from May through August 1992. The first request related to the said case – specifically to investigation against one individual

(Mirsad Repak) – came to our Office in February 2007, from the Higher Public Prosecutor of the Norwegian National Prosecution Service in charge of war crimes, crimes against humanity and genocide committed abroad by persons who have residence in Norway. In May 2007, the Norwegian request was joined by the Public Prosecution Service in Stockholm, which had opened investigation against a suspect (Ahmet Makitan) who had residence in Sweden. Finally, in June 2010, a request relating to the Dretelj case came from the State Prosecutor of Bosnia-Herzegovina, the country in whose territory the particular crimes had taken place.

Acting upon the aforementioned requests, this Office provided its counterparts in Norway, Sweden and BH with copies of statements given by 62 persons – former Dretelj detainees – before courts in Serbia, Montenegro and BH, i.e. the Republic of Srpska. A copy of each of those statements was sent to the former Committee for Collecting Data on Crimes against Humanity and International Law, whose files – pursuant to the Serbian Government's decision – were placed at the disposal of this Office.

In response to requests for assistance to the aforementioned prosecution services relating to the Dretelj case, we located a number of former Dretelj inmates who have residence in the territory of Serbia, and facilitated interviews with them based on requests for international legal assistance. Being immediately involved in the realization of requests received from those prosecution services, I am familiar with the contents of statements provided by the former Dretelj inmates, which are also stored in my official computer, along with a copy of another statement from the Committee archives, namely that of Fikret Boškailo, given before the State Security Centre in Trebinje on 24 and 25 November 1994.

The documentation of the Committee for Collecting Data on Crimes against Humanity and International Law, parts of which had been available at this organ's official website until 2003, when it closed down. Part of the information obtained in relation to crimes committed against Serb population – including those in Dretelj camp – mainly consists of witness statements and has been delivered to the Office of the ICTY Prosecutor. Those statements served as a basis for reports on certain events, and credibility of those reports exclusively depended on the credibility of allegations in the said statements. In the period between 2003 and 2006, within research work done for the Ministry of Justice, I examined the contents of the Committee documentation and made a number of reports on certain events. As a result, I am familiar with the fact that the Committee associates, upon collecting various testimonies of a war crime event, would make reports which included basic characteristics of the particular event and names of victims involved – killed, tortured, raped etc., as well as those of possible perpetrators. Since most statements were given by victims or witnesses who – in one way or another – had also been victims, the knowledge of those people regarding the perpetrators was generally poor and would rarely include more than an occasional nickname, family name, place of birth or a physical feature. All those bits of information ought to be verified and supported by references to other sources.

Beside looking into war events in the territory of Čapljina regarding the Dretelj case, the War Crimes Prosecutor's Office has addressed a crime report received from the Serbian National Society (SND) 'Prebilovci' in June 2008. The report concerned individuals suspected of war crimes against civilian population in the Neretva valley. Since the crimes in question had been committed in the BH territory, this Office referred a photocopy of the crime report to the BH Prosecutor's Office. Being charged with the task of writing a note about the said crime report, I am familiar with its contents.

The aforementioned documents are the source of official information that I have obtained about certain war events in the Čapljina area, or more specifically, about crimes that also involve certain individuals who are the subject of the U.S. authorities' interest. Still, I believe that the basic source of your information regarding the persons whom you may consider interesting are the BH Prosecutor's Office, i.e. the relevant service of the BH Ministry of the Interior. Namely, the event which those persons were involved in ought to be a matter of those institutions' interest and consequent investigation. Beside that, the said institutions have access to documentation from military and police archives. I am familiar with the fact that the Dretelj case is addressed by International Prosecutor Jude Romano, whereas the head of the investigation team is Emily Tarr, who interviewed the former Dretelj inmates in this Office. My assessment was that Ms. Tarr had an excellent understanding of events that had taken place in the Čapljina area at the time. I also believe that the BH Prosecutor's Office is investigating other events committed in the Čapljina area.

Beside the official information that is available to me regarding the events which you are interested in, I have considerable unofficial knowledge about them since I was born in Čapljina and lived there until October 1991, when I was forced to leave the area. Likewise, some very interesting individuals were familiar to me at the time. On several occasions following the end of the war, during my private visits to Čapljina, I learnt additional details about the said events from my Croat and Muslim/Bosniak friends. Certainly, in what I am going to say about the persons who are relevant to you, I shall clearly separate my official knowledge from that acquired from private sources, since the latter might serve you solely as an operational auxiliary.

With reference to the persons relevant to your case, I would first mention the person under number 9. Boris Ružek, son of Ivan, born on 05 January 1974 in Ljubljana, Slovenia, of Croat nationality. In his statement before judge Milan Bosić of the Basic Court in Trebinje, former Dretelj inmate Radoslav Bulut, son of Savo, born on 01 October 1950 in Čapljina, now deceased, said: *Boris Ružek from Čapljina, whose father was an army officer, aged around 20, very short, was particularly rude, probably due to his short stature.* This statement – part of the said Committee documentation, filed under no. 445/94-2, is available to this Prosecutor's Office. It should be added that I personally knew Mr. Bulut, who – unfortunately – never recovered from the consequences of the torture suffered in Dretelj camp and died at a young age. I also know judge Milan Bosić, who had served in the Basic Court in Čapljina before the war. In a small place like Čapljina, both Mr. Radoslav Bulut and judge Milan Bosić might have known Boris Ružek from the time before the war,

although he was much younger than the two. Additionally, Milan Bosić's father was a JNA commander, and so was Boris Ružek's father Ivan, both serving in the JNA barracks 'Miro Popara' in village Grabovina outside Čapljina.

Miloš Samardžić, the former prisoner in Dretelj camp, mentions Boris Ružek in his statement given to an investigative judge of the District Court in Subotica (Committee ref. no. 674/95-1). Miloš Samardžić states that Boris Ružek was in the group of camp guards who beat up a newly arrived group of prisoners from Mostar, including Mr. Samardžić. The former prisoner in the same camp, Žarko Vujinović, gave a statement (Committee ref. no. 856/95-7) before Branko Karadeglić, the investigative judge of the Military Court in Bileća, who now has a lawyer's office in Čapljina. In his statement, he says that he remembered Boris Ružek called "Rijeka" as one of the infamous members of the HOS (Croatian Defense Forces).

Within the preparations for this meeting, I spoke to Vlado Milošević, who was imprisoned in Dretelj camp, as a retired JNA (Yugoslav People's Army) colonel. Before retirement, Vlado Milošević had been the commander of the JNA military barracks "National Hero Miro Popara". The father of Boris Ružek, Ivan Ružek, had served in that barracks and I knew him personally, as well as Vlado Milošević. I asked Mr. Milošević whether he had known the son of his former subordinate officer Ivan Ružek, and if so, whether he had seen that individual among guards in Dretelj camp. Vlado Milošević answered that he knew Ivan Ružek's son since the latter's childhood, because officers' children used to attend performances in the Čapljina JNA Centre in Čapljina, and that he was a guard in Dretelj camp, where he was known as Boris "Rijeka". Vlado Milošević added that he had not mentioned Boris Ružek neither in his statement given to an investigative judge of the District Court in Belgrade, nor in any other statement given to prosecutors' offices in Norway, Sweden or Bosnia and Herzegovina, because he had not beaten that witness, or anybody else in his presence. As a confirmation that he had known Boris Ružek as one of the guards in Dretelj camp, Vlado Milošević stated that on one occasion he had been ordered by Ružek to clean the latter's boots, which Milošević did. He had not mentioned that earlier because it had not been a crime, and nobody had asked him anything about Ružek.

Beside the abovementioned, Edin Sakoč, born on 7 March 1959 in Stolac, son of Meho, a Muslim, is the only person from the list we have received for the purposes of this meeting, who is mentioned in statements made by former Dretelj prisoners. Tatjana Čučak, daughter of Mihajlo, mentions this individual in her statement before a judge of the Basic Court in Trebinje (Committee ref. no. 445/94-37). Tatjana states: *On the same day when they took me to Dretelj, my mother and aunt were killed in our house. Later I found out that Edin Sakoč and his group had done it. I had known him before because he was from Tasovčići.* Fikret Boškailo states that Edo Sakoč told him, in the presence of "Boban" from Zagreb, that he had raped Tatjana Čučak called "Gara", bragging about the fact that she had been a virgin, as well as that "Boban" had killed her mother then. Edin Sakoč is better known by a shortened version of his name – Edo, of which I also have personal knowledge, because Mr. Sakoč lived in the house next to my parent's home. The fact that in her statement Tatjana Čučak fails to mention her being raped does not mean she was

not, because some other raped women were also reluctant to speak about it. At the same time, Tatjana Čučak's knowledge about Edin Sakoč murdering her mother Cvijeta Čučak - 93 at the time of the murder - and her aunt Vasilija Ekmečić, who was 80, may stem from her knowledge of the fact that Edin Sakoč was one of the two masked persons who took her to Dretelj, as she alleges in her statement. According to the witness information that we received from you in the meeting, Emily Tarr has contacts with Tatjana Čučak and she is willing to cooperate. In their future contacts, Emily Tarr could perhaps check whether it is possible for Tatjana Čučak to know that Edin Sakoč was one of the two masked persons who took her to Dretelj. Apart from that, I heard some unofficial information, albeit not from immediate witnesses, about a masked Edin Sakoč committing murders and rapes. Hiding behind a mask, he attacked and attempted to kill his mother's friend, Gordana Pjaca, who recognized him and started shouting his name, whereupon he left her alone and ran away.

Among other allegations in his statement, Fikret Boškailo mentions that Edo /Edin/ Sakoč was a member of Mirza Kudra's group. On the day of the attack on the left Neretva bank, that group organized an ambush in the place called Muminovača, where they intercepted vehicles with the rest of the Serbs fleeing from Tasovčići. In those vehicles they killed several individuals /Đorđe Đolanga, Branko Bekan, Vukašin Reljić, Novica Reljić and Đurđa Reljić/, while Jadranka Lečić and her underage daughter were wounded and taken to Čapljina. Beside the abovementioned, Fikret Boškailo, who specifies in his statement the houses he personally burnt - among others my parents' house - states that Edin Sakoč was in a group which destroyed and burned Serb houses in the neighborhood of Tasovčići. During my first post-war visit to Čapljina, in July 1998, I went to this neighborhood - before the war predominantly inhabited by Serbs - and saw the results of that burning and destruction. Ground-floor houses which could be destroyed by fire had been burnt down, whereas those which had two floors with concrete slab between them could not be burnt down, so they were destroyed by explosives. As I knew the owners of those houses, many of them were my relatives and friends, I went to the ruins and saw how thorough the destruction was - during that short period, I registered more than 100 destroyed and burnt Serb houses. I also saw one intact house owned by a Serb, who was married to a Croatian woman and who lived there. Having seen no traces of the previously existing houses familiar to me on the other side of the neighborhood, I found out that the clearing of the ruins had been partly carried out in that area, but was later discontinued. On that occasion I travelled through some other places formerly inhabited by Serbs /Klepci, Prebilovci and Gabela/ and saw that Serb houses had suffered the same fate as those in Tasovčići. The remains of Serbian victims from Čapljina, Stolac and a part of Mostar, killed by Ustashas in 1941, had been transferred shortly before the war - in August 1991 - to the crypt of an Orthodox church, which was under construction at the time, near the place called Prebilovci. By concrete ruins, I could barely establish the one-time existence of the church, which had been destroyed with the human remains in it.

As I referred to Fikret Boškailo's statement in the case of Edin Sakoč, and since other names interesting to you are mentioned in it, I feel compelled to clear out some facts related to that statement. Firstly, pursuant to the Criminal Procedure Law of the

Republic of Serbia, this statement would not be valid in proceedings as it was taken by an officer of the State Security Centre. Further more, one has to have reservations regarding contents of a statement given by a war prisoner during a war conflict. I have had such reservations ever since I learnt about that statement and read its content, and have analyzed it at least 20 times. Therefore on one occasion, I spoke about the circumstances of taking this statement with Vukašin Misita, one of the two police officers who had taken it, and who was later killed in a car accident near Belgrade. Another person present during witness Misita's testimony was Miro Prelo, head of the State Security Detachment for Čapljina, Ljubuški, Grude, Stolac and Neum before the war, and a person whom I personally know. I asked Vukašin Misita (who was younger than me and whom I had known for a long time as a distant relative) whether the contents of Fikret Boškailo's statement had been extorted in any way. Vukašin Misita told me then that Fikret Boškailo had not been under no pressure whatsoever, that they were only interested in what he had known, seen or heard, because the events about which he testified were indisputable, persons whom he mentioned as murdered were no longer alive, female prisoners in Dretelj camp had been raped and it was only important to link particular crimes to their perpetrators. On that occasion Vukašin Misita agreed with me that Fikret Boškailo, during his testimony about what had really happened according to his knowledge, might have consciously replaced the roles of some perpetrators, who certainly belonged to the group of people he mentioned, but I still lack a clear idea as to who of them did what. Among else, it is unknown to me whether Boškailo had killed Ilija Misita called "Pundo". Boškailo's allegations are unquestioned regarding Ilija Misita's being wounded by a grenade and the spot where he was found, and so is his description of the circumstances in which he had deprived Ilija Misita of life. However, that does not mean that Boškailo had killed him, i.e. it is possible that Ilija Misita had already succumbed to injuries at an earlier point. An answer to this question can only be found in the coroner's report, which is exclusively at the disposal of authorities in Bosnia and Herzegovina. The experience I have gained clarifying some of the war crimes committed by the Serbs in Croatia, has taught me that with so much time having passed since the crimes commission, successful settlement of those crimes is only possible if we secure a testimony from an individual who belonged to the perpetrators' circles. Fikret Boškailo states that he participated in the removal of Nikola and Dušanka Kuzman, dentists, from their apartment and in dividing their money, after Mirza Kudra had murdered them. In his interview of 22 September 1992 with police officers of the Trebinje Security Services Centre, Zoran Pudar, Nikola Kuuzman's maternal half-brother, said that Edo Sakoč had killed his brother Nikola and his wife Dušanka. He also stated that Olga Draško knew details about that murder, but Olga Draško could not have known anything about that, because she had been in Dretelj camp at the time, whereas the Kuzmans had been previously released from the camp. In your list of international witnesses which we received at the meeting, you mention Milenko Parović's witness statement, given to the Military Court in Bileća in May 1995. In that statement, witness Parović accuses Zdenko Jakiša and Edin Sakoč of having participated in the murder of Nikola and Dušanka Kuzman, but this witness could only have indirect knowledge about that murder. According to some information, one of Nikola Kuzman's friends could have more knowledge about the murder of Nikola and Dušanka Kuzman. His name is Zijad Hasanagić, called Zijo, a Muslim /Bosniak/, son

of Meho /or Mehmed/ and Nusreta, born in 1942 or 1943, now with residence in Sarajevo and Čapljina.

As to the individual named Zdenko Jakiša (Croat), son of Fillip, he was born on 27 June 1968 in Čapljina and according to our data his actual name is Zdenko Jakić. This person was better known in Čapljina by his nickname "Pipa", which also was his father's nickname, as it often happens that a father and a son carry the same nickname. This individual is also related to several murders, but in Čapljina it is the "common knowledge" that Zdenko Jakiša killed Nevenka Elezović, daughter of Aleksa. I was familiar with that fact as early as during the war, and during my first post-war visit to Čapljina some people explained to me that Zdenko Jakiša had committed that murder due to the lack of self-possession and because he had wrongly believed that Nevenka Elezović was tipping the Serbian army about positions in Čapljina. Within preparations for this meeting, I tried to talk to Božidar Vulić about the circumstances of Nevenka Elezović's murder. Božidar Vulić is the son of Nevenka's sister, Anđelka, and was with her in the house at the time of her murder. As Božidar Vulić is now working in a lawyer's office and is in The Hague due to his obligations related to the ICTY, I had a telephone interview with him. In this conversation Božidar Vulić, who was 12 at the time of the critical events, said that he was sleeping in his aunt Nevenka's house. As he got up awoken by shooting, he found his aunt's dead body, and then – with Suad Vejzagić, a tenant in the Elezović house – went out into the yard and saw Zdenko Jakiša, who had murdered Nevenka. Božidar Vulić also said that then he ran off to the Outpatient Department to fetch his father, Dr. Borivoj Vulić, who was on call that night. After he had left, Zdenko Jakiša took Suad Vejzagić to a command office in Čapljina and maltreated him there for some time. According to Božidar Vulić, Suad Vejzagić is now living in Atlanta, U.S.A. When Božidar Vulić returns to Belgrade, he will come to this Prosecutor's Office for an interview about the aforementioned circumstances.

On the list of people you are interested in, person number 8 is Almir Kudra, son of Enver, born on 23 November 1973, a Muslim. This individual was better known under nickname "Hogar", because his brother Amar called "Žučo", who was two years older than Almir, had a similar name, so it was easier for others to differentiate them by nicknames. Before the outbreak of the armed conflict in Bosnia and Herzegovina, at the suggestion of the local SDA leadership (Democratic Action Party), both Kudra brothers were included in the reserve unit of the Public Safety Station in Čapljina. As a rule, all members of that unit were prepared for the upcoming armed conflict by nationalist parties and participation in the police forces served them to secure weapons. Fikret Boškailo was also in that group and, citing relatively accurate data about the age of the Kudra brothers, he separated them by their known nicknames – "Žučo" and "Hogar". However, during his testimony about the events, he mainly used their names, so it cannot be known with certainty which brother he had in mind when speaking about some events. The contents of the statement suggests that he mentioned Almir Kudra called "Hogar" only in relation to going to Dretelj camp in order to rape female prisoners, as well as that he burned Saveta Toholj's house, whereas the rest of his allegations are related to his brother, Amar Kudra, called "Žučo". In his statement before Branko Karadeglija, investigative judge of the Military Court in Bileća, witness Momčilo Bekan from Tasovčići, said that brothers Amar Kudra called "Žučo" and Almir Kudra called "Hogar", sons of Enver Kudra, were

known to him as Muslim extremists. However, this witness, as well as other Serbs from this neighborhood could not have known what those two did after crossing from Tasovčići to the right bank of the Neretva river, or upon their return on 7 June 1992.

As to the sons of Vejsilo Razić, i.e. individuals under numbers 4 and 5 on your list, their real names are Enes Razić, born on 2 January 1965 and Esad Razić, called "Eso", born on 2 November 1966. He is listed in your file as Eso Razić, called "Esad", but the usual nickname, i.e. shortened version of the name Esad is "Eso". In his statement, Fikret Boškailo refers to them as members of the Čapljina Public Safety Station reserve force, included at the suggestion of the local leadership of the Muslim SDA party, but he does not mention their participation in later events. I knew Esad Razić as a worker in the Čapljina-based industrial armature factory "Enegroingvest" where I was also employed as assistant managing director, and I know that he had married a woman of Serbian nationality, which is also confirmed in Fikret Boškailo's statement. This Prosecutor's Office does not have any information about what the two brothers did in Čapljina.

The only reference to the individual under number 6 on your list, Ale Durić, called Ali, son of Jusa, born on 2 September 1966, is made in the aforementioned statement of Fikret Boškailo. Moreover, witness Boškailo states that he had seen Slaviša Zelenković's dead body on 7 June 1992 in Počitelj, which could be true, because Slaviša Zelenković, a member of the local Serbian territorial forces, was murdered on that date. Fikret Boškailo refers to Selim Dizdar, who allegedly told him that Slaviša Zelenković was wounded in the leg and that a certain Šuta – a Muslim soldier and Zelenković's neighbour – dressed his wound and that Ale Durić killed Slaviša Zelenković by shots from his machinegun. As in other parts of his statement, Fikret Boškailo cites a number of correct data connected to the abovementioned event in Počitelj. Beside the fact that Slaviša Zelenković was killed there, other truthful data include the following: Serbs from the Zelenković family and Muslims from the Šuta family were neighbours; Selim Dizdar was an inhabitant of Počitelj who could have seen the killing of Slaviša Zelenković; in Počitelj he saw the lifeless body of a person with the last name Puhalo who had a yellowish beard, and Slavko Puhalo (who did have a yellowish beard) was, in fact, killed there. This Prosecutor's Office does not have any other information which could confirm or deny Fikret Boškailo's claim that Ale Durić killed a wounded Slaviša Zelenković and that Selim Dizdar witnessed that.

As far as the person under number 3 on your list is concerned – Zoran Delić, son of Šero, born on 18 September 1975 in Bihać, Bosnia and Herzegovina, a Muslim – we do not have any reliable data. Zoran Delić, son of Šerif, born in 1965 in Travnik, is referred to in the aforementioned statement of Fikret Boškailo, as a security major in the former JNA (Yugoslav People's Army) who had been stationed in Zadar as a member of 116th brigade of the Croatian army, before he came to the Čapljina area.

According to my knowledge, this Prosecutor's Office does not have any data in connection with persons under numbers 7 and 10 on your list – Jeton Beriša and Osman Gološ.

As for the witnesses on the list we received from you in the meeting, I am aware of some facts, which could be of use to your further investigations.

Sakoč case: witness Sava Bekan has deceased. She knew that her son Branko Bekan had been murdered and she might have known the place of his murder. Likewise, she might have only heard from someone that a group including Edo Sakoč had committed the murder, but had no direct knowledge of the event. The data in Fikret Boškailo's statement about the witness number 7 in the Sakoč case, Robert Rebac, son of N/A, place and date of birth N/A, are positively correct. It is Robert Rebac, called "Huja", son of Pera and Vera (born Jelčić), probably born in 1966. Robert Rebac is now living in his birthplace – Čapljina, Tasovčići hamlet. However, there is a problem with witness Robert Rebac as he is a potential suspect in crimes against Serb civilians in the Čapljina area.

Jakiša/Sakoč case: under number 8 is not Pavrović, but Parović Milenko. The rest of the data is correct. According to my knowledge, Milenko Parović was a police officer in the Čapljina Public Security Station before the war. He probably knows both Sakoč and Jakiša. At the time when the Kuzman spouses and Zoran Nikolić were murdered, he was in Čapljina, but his knowledge about those events is decidedly indirect.

Jakiša case: the witnesses under 9, 10, 16 and 17 are known to me. Provided that they have direct knowledge about what Zdenko Jakiša did, the most relevant would be brothers Omer Bašić and Enes Bašić, as well as Fadil Zubović, an elderly man, around 75 years of age. On the other hand, I have heard that Luka Šutalo has deceased.

Kudra case: the witness under number 19 is not Markić, but Mrkić Jelena, daughter of Lazar, born on 11 November 1945. Jelena Mrkić was a prisoner in Dretelj camp, together with her husband – Ljubiša Mrkić. Jelena Mrkić gave a statement to an investigative judge of the District Court in Zrenjanin on 21 July 1994 and that statement is a part of the abovementioned Committee documentation, now at the disposal of this Prosecutor's Office. Comparison of Fikret Boškailo's and Jelena Mrkić's statements proves the truthfulness of Boškailo's allegation that Jelena Mrkić and Olga Draško were in one room in Dretelj camp. Reportedly Fikret Boškailo saw that when he came into the camp with Almir Kudra called "Hogar", i.e. when Almir Kudra raped Olga Draško and then Jelena Mrkić as well. In her statement, Jelena Mrkić also says that she was raped for days and by a number of persons, but she only specifies names and nicknames of the prison guards. There is a problem with Jelena Mrkić, as she has never agreed to testify, not even when she was summoned by this Prosecutor's Office, which was acting upon requests from prosecutors' offices of Norway, Sweden and Bosnia and Herzegovina. Because of the significance of her testimony, I have tried to influence her to change her position on this, i.e. to change her mind about testifying on what had happened to her in Dretelj - even through one of her elder cousins - but without success. This person informed me that Jelena was still frustrated by all that had happened to her in Dretelj, and especially by her story being published without authorization in some paper in the Republic of Srpska, after she was released from the camp.

Kudra/Sakoč case: the witness under number 20 is Olga Draško and all her personal data are correct. Her father's name, which is missing on your list, is Stevan. She was truly a victim of rape and every kind of physical abuse and psychological maltreatment in Dretelj camp. Olga Draško gave her testimony about the events before an investigative judge of the District Court in Belgrade on 25 August 1994. That statement is a part of the Committee's documentation and I am aware of its contents, i.e. I know that in this statement Olga Draško specified names and surnames, only names, nicknames or some other characteristics of 20 persons who had raped her one or more times. I have known Olga Draško since her childhood. I was her husband's friend and on one occasion when I met her after the war, I saw how damaged her health was. At the time when Norwegian investigators talked to other witnesses in Belgrade, at their request I spoke to Olga Draško on telephone and asked her to talk to them in Trebinje. She answered positively to that request, as well as to any other request for testifying, and so I know that she was a witness in the case against Mirsad Repak before the court in Oslo. I am also aware of Olga Draško's deteriorating health and of her problems arising from the lack of understanding on her husband's part. One should have those circumstances in mind when contacting her. She, most probably, has important information about some individuals you are interested in.

In relation to the case of Enes and Esad Razić/Sakoč, I know all the three witnesses: witness Boro Moro has deceased; witness Mirko Moro, who is old and seriously ill, is living in Serbia; witness Momo Bekan, who is also in poor health, is living in Čapljina, in the neighbourhood of Tasovčići, where his burnt-down house was reconstructed owing to donation funds. Neither Mirko Moro nor Momo Bekan have immediate knowledge about the conduct of brothers Enes and Esad Razić or that of Edin SAKOČ following the seizure of the left Neretva bank by the Croat/Muslim forces, since both had left Tasovčići at an earlier point. Similarly, the two could not have known what the Razić brothers and Sakoč had been doing at the time of their presence in the territory of Čapljina during April and May 1992.

In relation to the Enes and Esad Razić/Sakoč/Škudra case, you have mentioned two undoubtedly relevant witnesses. As for the testimony of Fikret Boškailo, I have already said whatever I have considered important, but the problem is that, according to your information, Fikret Boškailo has deceased. As for witness Mirza Kudra, while I can confirm the authenticity of his personal details, the problem lies in the fact that in the relevant criminal events in the Čapljina area Mirza Kudra certainly had a more significant role than any of the individuals within the scope of your interest. Mirza Kudra certainly knows what is and what is not correct in Fikret Boškailo's statement. Likewise, he must have knowledge about the conduct of Enes and Esad Razić, Edin Sakoč and Almir Kudra, as well as about that of Zdenko Jakiša and Zoran Delić. What I see as a problem is that, should the BH Prosecutor's Office investigate crimes against Serb civilians in the Čapljina area, Mirza Kudra, being a potential suspect, will primarily be concerned with his own defence, given that the aforementioned persons are also well aware of what he did.

In order for you to have a better understanding of the environment in which the individuals whom you are interested in were active, I would like to bring to your

attention certain details relating to the overall circumstances in the area of Čapljina, in the period between early April and late August 1992.

In early April 1992, when it had already become clear that the BH decision to secede from the Yugoslav Federation would receive international recognition on 06 April, the majority of Serb population inhabiting the parts of Čapljina along the right Neretva bank left their homes and sought refuge either in the parts of the Čapljina municipal territory along the left river bank, or in the neighbouring municipalities with the majority Serb population, or alternatively, in Serbia and Montenegro. Parallely, the majority of Muslim and Croat populations moved to the part of Čapljina along the opposite (right) bank of the Neretva river.

Serbs were a minority population in the Čapljina municipal territory. According to the April 1991 census, 54% of the municipal population were Croats, 28% were Muslims (who, since 1994, have declared themselves as Bosniaks), 14% were Serbs and 4% others (i.e. those who declared themselves as Yugoslavs, or who belonged to other ethnic communities in the SFRY territory). Therefore, an exceptionally small number of Serbs remained on the right Neretva bank. The majority of whole Serb families fled from that part of the Čapljina municipality leaving almost all their possessions behind. Only occasional elders remained to look after the households, and complete Serb families remaining in the area were rare exceptions – practically those of ethnically mixed marriages. The few remaining Serb civilians on the right Neretva bank were unlawfully arrested and detained, either in Dretelj camp or in one of the three prison facilities in the area, in the cellar of the Municipal Assembly building, on the premises of the local tobacco company and in the former JNA barracks 'National Hero Miro Popara', where they were subjected to physical torture. Such inhumane treatment resulted from the fact that they were Serbs who had remained on the wrong bank of the Neretva river. This can be best illustrated by the case of the aforementioned doctors of the Čapljina Outpatient Department, namely Nikola and Dušanka Kuzman, who were detained in Dretelj camp, released and finally killed. Other examples of inhumane treatment are those of Olga Draško and Srećko Marić, both of whom were subjected to sadistic treatment in Dretelj camp. The only doctor of Serb nationality who remained in the area and outside prison was Borivoje Vulić, just due to the fact that his wife – at the time dying of cancer – was an employee of the Social Welfare Centre, whose managing director was the wife of an influential HDZ (Croatian Democratic Union) official. The aforementioned married couple, Ljubiša and Jelena Mrkić, who had initially fled to Ljubiša's birthplace on the opposite bank of the Neretva river, responded the call made on the local radio by Serb Slobodan Zurovac, the vice-president of the Čapljina Municipal Assembly Executive Council, who urged all employees of Serb nationality to return to work. Having returned to their flat and to the local elementary school where they worked as teachers, the two were shortly forced out of their home and taken to Dretelj camp. Soon after his public appeal on the Serb population, Slobodan Zurovac got arrested and transferred to the territory of Croatia, to a prison facility situated in 'Lora', the former JNA war harbour outside Split. Slobodan Zurovac, son of Risto, born in 1954, is residing in the U.S.A.

Apart from being unlawfully arrested and sent to detention facilities where they were subjected to various forms of physical and psychological torture, Serb civilians present in that part of the Čapljina municipal territory were removed from their homes and subsequently killed, save for Nevenka Elezović, who was killed right inside her flat. The main criterion for the killing of Serb civilians was their ethnic background since their murderers risked no punishment. The perpetrators were additionally motivated to take the lives of the innocent since by doing so they could also plunder their victims' possessions, as described in Fikret Boškailo's statement relating to the murders of Nikola and Dušanka Kuzman. Plunder was probably an additional motive for the murders of Sreten Tripić and his son Dražen. Sreten Tripić, who was a guesthouse owner, was killed along with his son despite the fact that his wife was of Croat nationality.

Prior to the outbreak and throughout the course of the armed clashes in Bosnia-Herzegovina, that part of the Čapljina municipal territory was under the control of the so-called Herceg-Bosna armed forces, which consisted of the Croatian Defence Council (HVO) and Croatian Armed Forces (HOS). The HOS formation included a substantial number of Muslims/Bosniaks. Prior to the appearance of the Croat-Muslim conflict, the few Muslim armed formations operating in the area had been parts of the BH Patriotic League and Territorial Defence force. It should be noted that all of the aforementioned formations – HVO, HOS and Patriotic League, pursuant to the decision rendered by the Muslim-Croat BH Presidency, formed part of the armed forces of Bosnia-Herzegovina.

In the barracks 'Miro Popara', where, up to November 1991, there had been a drivers' training centre, the JNA had only two companies – a reinforced motorized company and that in charge of background support. From February 1992 onwards, the barracks was under permanent blockade. On 23 April of the same year, the majority of its staff was evacuated by helicopters, whereas the remaining 25 soldiers and an officer who did not manage to embark were subsequently captured. In subsequence, the JNA barracks was turned into a HVO military facility, part of which was used as a prison area for Serb civilians. The JNA warehouse in village Gabela, around 5 km away from the said barracks, formerly used for the storage of explosive devices which had been evacuated along with the JNA staff, was seized without resistance on 14 April 1992, and all of the 16 JNA members who were found inside were transferred to Lora, a former JNA war harbour outside Split, at the time serving as a prison facility under the control of the Croatian army.

Since the summer 1993, premises of the Gabela warehouse had served as a prison facility for male captives of Muslim/Bosniak nationality. In the JNA fuel storage area in village Dretelj – which had previously been abandoned – the Croatian Defence Forces (HOS) formed a training centre for their staff, which was named after Bruno Bušić, a notorious Ustashi terrorist who had organized a plane hijack in the U.S.A. Since early May until late August 1992, Serb civilians – men and women – captured in the areas of Čapljina, Mostar and Stolac were kept confined at that site. In the summer of 1993, males of Muslim/Bosniak nationality were imprisoned there.

Even prior to the armed conflicts in Bosnia-Herzegovina, the Croatian army had been present in the part of the Čapljina municipal territory along the right Neretva bank, as well as in the areas of Ljubuški, Čitluk and Mostar. Substantial forces of the Croatian army arrived in that territory in May 1992. On 07 June 1992, an attack on the left Neretva bank was launched from that site. The offensive was headed by Janko Bobetko, the late Croatian army general who was later indicted before the ICTY as a person responsible for war crimes committed in the Republic of Croatia. However, due to illness and old age, Janko Bobetko was not brought before the court. In the aftermath of the said offensive, launched against the weak forces of local Serbs following the JNA withdrawal from the BH territory, the Croatian forces quickly took control over the territory extending up to the borders of the former Croatian Banate (administrative district governed by a 'ban'), established in the Kingdom of Yugoslavia in 1919 under the known Cvetković-Maček Agreement (Dragiša Cvetković, the Kingdom's prime minister; Vlatko Maček, deputy prime minister and president of the Croatian Peasants' Party, at the time the strongest Croatian party). The highest political, military and police officials of Herceg-Bosna have been indicted before the ICTY for ethnic cleansing and other war crimes against the Muslim population in that territory.

Following the breakthrough by the Croatian army, Muslim and Muslim/Croatian forces into the territory of the left Neretva bank on 07 June 1992, less than 30 Serb civilians remained in that part of Čapljina, virtually only those who had not been able to run away due to old age or poor health. The vulnerability of those people, however, did not prevent their attackers from killing most of them. Thus, in the neighbourhood of Tasovčići, beside the aforementioned locals who were killed while attempting to run away, four elderly civilians (three women and a man) were ambushed on the road outside village Muminovača and killed on the spot. The victims' names were as follows: Soka Prelo, Stana Dušanović, Cvija Draško and Vojko Ijačić.

Since you are in the possession of data regarding the victims' names, I am not going to bother you with each individual case of Serbs perished in the Čapljina area. Out of all the victims listed in the report on crime commission (ref. KU 284/05 of 10 November 2005) issued by the Trebinje Public Security Centre, only six were lethally injured as a result of combat activities, whereas one (Milica Zurovac) is reasonably suspected of committing suicide. All of the remaining victims on the list were Serb civilians killed with a deliberate purpose, i.e. because of their national backgrounds, regardless of their age, sex or other circumstances. Thus, the list includes the names of three mentally disabled female victims, namely Slavojka Elezović, Divna Pudar and Neđa Golo.

The foregoing example of the suffering of Serb civilians in the area of Čapljina is a typical illustration of war developments in the former Yugoslavia. Almost as a rule, in territories controlled by the armed forces of one party to the conflict, the few remaining inhabitants belonging to the 'hostile nation' were subjected to all kinds of terror and often killed. Since – as it has been mentioned earlier – we focus on establishing the facts about crimes committed by our compatriots, I have personally dealt with a number of cases relating to the crimes committed against Croatian population in Eastern Slavonia. Consequently, I have been able to notice a large

number of similarities between crimes committed in Eastern Slavonia and those in the Čapljina area. Likewise, I am familiar with the fact that, in the period between early April and early June 1992, the part of the Čapljina municipal territory along the left Neretva bank – at the time controlled by the Serb forces – was also the scene of crimes against Croatian and Muslim civilians, destruction of Croatian and Muslim family homes and plunder of their movable and immovable possessions. Among other houses burnt down in that period was that of the Razić brothers in Tasovčići.

All of those involved in the armed clashes across the area of Čapljina since early April until early June 1992, including the individuals relevant to your case, engaged in cowardly acts of violence against defenceless civilians rather than in combat, which virtually did not exist in the area at the time. Up to 23 April 1992, there had been occasional fire exchange between the JNA staff of the 'Miro Popara' barracks and those who maintained blockade around it. Until 07 June 1992, there had been occasional artillery and infantry exchange from one Neretva bank to the other. On 07 June 1992, massive forces of the Croatian army and local Muslim/Croatian elements attacked the territory on the left bank of the Neretva river, where they were met by three incomplete companies of local Serbs who, unable to offer any resistance, withdrew without a fight together with the scarce civilian population that had remained in the area.

Milan Bekan
Investigator
War Crimes Prosecutor's Office