



Sud Bosne i Hercegovine
Суд Босне и Херцеговине

Number: S1 1 K 003336 10 Krl
Sarajevo, 29 August 2011

IN THE NAME OF BOSNIA AND HERZEGOVINA!

The Court of Bosnia and Herzegovina, sitting on the Panel composed of Judge Darko Samardžić, as the Presiding Judge, and Judge Davorin Jukić and Judge Jasmina Kosović, as members of the Panel, with the participation of Court Officer Azra Bijedić, as the record-taker, in the criminal case against the Accused Velibor Bogdanović for the criminal offense of War Crimes against Civilians in violation of Article 173(1)(e), as read with Article 180(1) of the Criminal Code of Bosnia and Herzegovina (CC of BiH), all as read with Article 29 of the CC of BiH, following the Indictment by the Prosecutor's Office of Bosnia and Herzegovina No. T20 0 KTRZ 000003 08, dated 8 November 2010, confirmed on 10 November 2010, amended on 7 July 2011, following the main trial held without the presence of the Accused Velibor Bogdanović and his Defense Counsel, Attorney Nada Dalipagić, and Remzija Smailagić, Prosecutor of the Prosecutor's Office of Bosnia and Herzegovina, on 29 August 2011 rendered and publicly announced the following:

VERDICT

THE ACCUSED

VELIBOR BOGDANOVIĆ a.k.a. Veka and Veki, son of Vasilije and Mila née Klemo, born on 31 December 1970 in Mostar, where he lives at Jesenica bb [no number], Mostar Municipality, an ethnic Croat, citizen of Bosnia and Herzegovina, car mechanic, secondary school education, married with three underage children, served the army in Bela Crkva and Belgrade, registered in the military records in Mostar, unemployed, indigent, no prior conviction, no other criminal proceedings pending.

Pursuant to Article 285(1) of the Criminal Procedure Code of Bosnia and Herzegovina (CPC of BiH),

HAS BEEN FOUND GUILTY

Of the following:

During the war in Bosnia and Herzegovina and the armed conflict in Mostar Municipality between the Army of BiH and the HVO, as a member of the HVO in Mostar he acted in contravention of the rules of international humanitarian law and in violation of Article 3(1)(a) and (c), Article 27(2) and Article 147 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, because he:

At around 02.00 hrs on the night of 25/26 May 1993, in Mostar, at 4 Brune Bušića Street, together with five unidentified HVO soldiers armed with automatic rifles and a pistol and dressed in military camouflage uniforms, with hand grenades attached to the uniforms, he entered the apartment owned by Salko and Mina Zerem and ordered Salko Zerem to get ready in two minutes, which Salko did, whereupon two unidentified soldiers took him in front of the building to a *Golf* passenger motor vehicle in which there were two other unidentified soldiers dressed in military camouflage uniforms, whereupon Velibor Bogdanović asked Salko Zerem's wife Mina Zerem for money and together with unidentified soldiers ransacked the apartment from which they stole appliances and valuables, whereupon Velibor Bogdanović told Mina Zerem: "We will see now if you have money". He then ordered her to go to the upper level of the split-level apartment and in the bedroom, by force and by threats, coerced her to sexual intercourse by ordering her to kneel and undress while he was holding a pistol in his hand, and when she kneeled without getting undressed he tore her clothes off, pressed the pistol at her forehead, pulled out a pornographic magazine and told her: "We will try this out now". He then pulled her head between his legs, put his sexual organ into her mouth and ordered her to perform oral sex on him threatening her "be careful with the teeth, the pistol is on your forehead", whereupon he pushed her to the twin bed and raped her. After that he went downstairs and left the apartment together with the unidentified soldiers. They unlawfully took Salko Zerem, who was in the passenger motor vehicle in front of the building during that time, to the prison known as "the Heliodrom camp", from where he was transferred and detained at other locations in which he was detained for around 30 days.

Therefore,

during the war in Bosnia and Herzegovina and the armed conflict between the HVO and the Army of BiH in the region of Mostar, in violation of the provisions of the Geneva Convention that prohibit outrages upon personal dignity, in particular humiliating and degrading treatment, the provisions that protect women from rape, and the provisions on unlawful detention of civilians, he coerced a woman to sexual intercourse (raped her) by threat and an immediate attack upon her limb and unlawfully detained a civilian,

whereby he committed the criminal offense of

War Crimes against Civilians in violation of Article 173(1)(e) as read with Article 180(1) and Article 29 of the CC of BiH,

therefore, pursuant to Article 285(1) of the CPC of BiH, in application of Articles 39, 40, 42 and 49 of the CC of BiH, the Panel of the Court of Bosnia and Herzegovina

SENTENCES HIM

TO IMPRISONMENT FOR A TERM OF 6 (SIX) YEARS

Pursuant to Article 188(2) and (4) of the CPC of BiH, the Accused shall be relieved of the duty to reimburse the costs of the criminal proceedings, which shall be borne by the Court.

Pursuant to Article 198(2) of the CPC of BiH, all injured parties are instructed to pursue their potential claims under property law in a civil action.

Record-taker
Azra Bijedić

PRESIDING JUDGE
JUDGE
Darko Samardžić

I hereby confirm that this document is a true translation of the original written in Bosnian/Croatian/Serbian.

Sarajevo, 8 September 2011
Edina Neretljak
Certified Court Interpreter for the English Language