

## COURT OF BIH

### WEEKLY REVIEW OF ACTIVITIES

#### Sections I, II and III

(14-18 October 2024)

- On 23 September 2024, the Court confirmed an indictment in the case of **Siniša Plakalović et al. (S1 2 K 049258 24 Ko)** charging the accused **Siniša Plakalović, Miroslav Maksimović, Dragica Janković, Mišo Janković, Mirko Spremo, Miroslav Spremo, Nikola Maksimović and Pero Stojanović** that, by the acts described in the indictment, they committed the criminal offenses of Organizing a Group or Association for Smuggling or Distribution of Good on Which Duties Were Not Paid under Article 215(1) of the CC BiH, Smuggling under Article 214(1) and (2) of the CC BiH as read with Article 53 of the CC BiH, and Organizing a Group or Association for Smuggling or Distribution of Good on Which Duties Were Not Paid under Article 215(2) of the CC BiH.

The accused have been charged that, from mid-August 2021 to late-December 2021, the accused Siniša Plakalović organized a group for smuggling and distribution of the goods on which duties were not paid, and by avoiding the customs measures transferred the goods over the customs line, while the accused **Miroslav Maksimović, Dragica Janković, Mišo Janković, Mirko Spremo, Miroslav Spremo, Nikola Maksimović** and other persons they knew became members of the group organized in the BiH, Serbia and Montenegro territories, with the aim that members of the referenced group, by mutual connections, arrangements and agreements with other persons, plan, prepare and execute smuggling of textile goods from Serbia to BiH, across the state border in the Bijeljina territory, in the place of Balatun, which was not anticipated for state border crossing and import of goods, smuggling of cigarettes from Montenegro to BiH across the state border in the Foča and Trebinje territory, at the place where the state border crossing and import of goods was not anticipated, and distribution of textile goods and cigarettes on which customs duties were not paid at the BiH market, with the aim to obtain unlawful property gain.

- On 7 October 2024, the Court confirmed an indictment in the case of **Stefan Lukić (S1 2 K 047670 24 Ko)** charging the accused **Stevan Lukić** that, by the acts described in the indictment, he committed the criminal offense of

Smuggling under Article 214(2) of the Criminal Code of Bosnia and Herzegovina.

The accused are charged that, on 13 March 2024, at around 17:30 hrs, in the place of Brodac, Bijeljina municipality, knowing that the cattle import from abroad to BiH is prohibited without a decision of the BiH Veterinary Office, as well as that avoiding customs control is prohibited, after a prior agreement with a person known to him, with the intent to avoid customs control and cattle examination by border veterinary inspectors, transported by a motor boat eight cattle heads along with a person known to him, from Serbia to BiH across the Sava river to the place of Brodac, and thereupon tried to transport them to another location for further sale, in which intent he was prevented by members of the BiH border police.

- Ruling on a Custody Motion filed by the BiH Prosecutor's Office in the case of **Armin Ćulum et al. (S1 2 K 045779 24 Krn 8)**, on 10 October 2024 the Court issued a Decision granting the Prosecutor's Motion, and remanded the suspects **Armin Ćulum, Alen Leon Ćulum, Justin Dargel, Danilo Željko Katanić and Endrina Tankošić in custody**, which according to the Decision may last for a maximum of **one month**, i.e. until 8 November 2024, and in relation to Justin Dargel until **9 November 2024** or until the Court issues a new decision, all on the specific grounds of custody referred to in Article 132(1), Subparagraphs a), b) and c), of the CPC BiH.

The suspects are charged with the criminal offense of Organized Crime under Article 250, Paragraphs 2 and 3, of the CC BiH, as read with the criminal offenses of International Human Trafficking under Article 186 CC BiH, International Enticing Persons into Prostitution under Article 187 CC BiH, and Money Laundering under Article 209 CC BiH.

In the same case, the Court granted the Prosecution's motion and issued a decision imposing on the suspect **Amrudin Dugonjić** the restrictive measures as follows:

- **ban on leaving place of residence under Article 126(1) CPC BiH;**
- **travel ban, and**
- **an on meeting with specific individuals, all under Article 126 of the CPC BiH.**

The imposed restrictive measures will remain in effect for as long as necessary, or until the Court issues a different decision. Justifiability of the measures shall be subject to control on a bimonthly basis.

- On 11 October 2024, in the procedure of regular review of justifiability of custody in the case of **Dalibor Railić et al. (S1 2 K 044546 23 K)**, without holding a hearing, the Court issued a decision finding that there are still circumstances indicating that it is justified to further keep in custody the accused **Dalibor Railić, Aleksandar Miljatović and Igor Repajić**, on the custody grounds set forth in Article 132(1) a), b) and c) of the CPC BiH.

The next review of custody is due in two (2) months.

- In ruling on a motion of the BiH Prosecutor's Office to extend custody, the Court issued, in 11 October 2024, a decision in the case of **Jovan Jošilo et al. (S1 2 K 041177 21 Krn)** granting the Prosecution's motion, and **extended custody of Gojko Ostojić**, which can last no longer than **3 (three) months**, that is, until **11 January 2025** or a new Court's decision, due to the existing particular custody grounds set forth in Article 132(1) a) of the CPC BiH.

#### MONDAY, 14 October 2024

- Having held a hearing to deliberate on a guilty plea agreement and a sentencing hearing in the case of **Sadat Afgan et al. (S1 2 K 048204 24 K)**, the Court delivered, and on 14 October 2024 announced a judgment finding the accused **Sadat Afgan and Mohammad Karim Malang guilty** because, by the acts described in the judgment's operative part, they committed the criminal offense of Smuggling of Migrants under Article 189.a (2) of the Criminal Code of BiH (CC BiH), in connection with the criminal offense of Smuggling of Persons under Article 189(1) of the CC BiH, as read with Articles 26 and 29 of the CC BiH, and the criminal offense of Illicit Possession of Arms and Explosive Substances under Article 371 of the CC FBiH, Abduction under Article 180 of the CC FBiH, Extortion under Article 295 of the CC FBiH and Minor Bodily Injuries under Article 173 of the CC FBiH, all as read with Article 29 and 3 of the CC BiH.

The Court sentenced the accused to prison for a term of **one (1) year and ten (10) months each**, to which prison sentence the time they spent in custody, running from **18 January 2024** onwards, shall be credited.

The accused have been charged with becoming members of an organized criminal group for smuggling of persons, identified as the BWK group, which was formed for the purpose of commission of criminal offense of smuggling of persons. Migrants from Serbia to BiH, and from BiH further to Croatia and the EU countries, all with the aim of obtaining unlawful property gain by committing this criminal offense in favor of the organizers and members of the group, who had acted in the BiH and Serbia territories, by organizing the smuggling of migrants from Serbia to BiH and from BiH, acceptance, transport and unlawful transfer of smuggled migrants to Croatia. It is further alleged that, on an unspecified date in early January 2024, the accused Sadat Afghan and Muhaamad Karim Malang, along with a person known as Divane and other persons known to them, tried to smuggle a large number of migrants towards Croatia, but after this attempt failed, on 16 January 2024, in the Blažuj territory, near the Blažuj admission center, they found two nationals of Iran, who were registered and resided at the Blažuj admission center, and having using physical force and threat by firearms, they forced them to go with them, and took them to an unknown location near the Blažuj admission center, tied their hands and restricted their freedom of movement, where the accused and other persons they knew, including one Divane, mistreated them physically and mentally, by punching, kicking and hitting them with other items, including sticks and glass bottles, all over their bodies.

In the same case, the Court issued a decision **extending custody of the accused Sadat Afghan and Muhaamad Karim Malang**, which can last until the accused are committed to serve a prison sentence or a new Court's decision.

CASE	JUDGE/PANEL	HEARING
<b>Section I</b> <b>Andrija Bjelošević</b> <b>S1 1 K 042858 22 Kri</b>	<i>Darko Samardžić</i> <i>Jasmina Ćosić Dedović</i> <i>Enida Hadžimerović</i>	Presentation of the Defense's closing argument and the accused Andrija Bjelošević, continued
<b>Section II</b> <b>Željko Kukobat et al.</b> <b>S1 2 K 032170 23 K</b>	<i>Goran Radević</i> <i>Hasija Mašović</i> <i>Jasmina Ćosić Dedović</i>	Presentation of the closing argument of the Defense for the Principal and the Second Accused

<b>Section I</b> <b>Zdravko Samardžija</b> <b>S1 1 K 041909 22 Kri</b>	<i>Zoran Božić</i> <i>Dragan Vukajlović</i> <i>Lejla Konjić Dragović</i>	Examination of a witness proposed by the Prosecution
<b>Section II</b> <b>Ahmet Kulović</b> <b>S1 2 K 045863 24 K</b>	<i>Stanko Blagić</i> <i>Izo Tankić</i> <i>Biljana Ćuković</i>	Examination of a witness and a forensic expert proposed by the Prosecution
<b>Section I</b> <b>Senad Bužimkić et al.</b> <b>S1 1 K 022343 23 Kri</b>	<i>Željka Marenić</i> <i>Tanja Curović</i> <i>Minka Kreho</i>	Examination of a witness proposed by the Prosecution
<b>Section I</b> <b>Ćamil Ramić et al.</b> <b>S1 1 K 031399 19 Kri</b>	<i>Minka Kreho</i> <i>Željka Marenić</i> <i>Tanja Curović</i>	Tendering of the documentary evidence by the Defense for the Principal-Accused and examination of a witness proposed by the Defense for the Second-Accused
<b>Section II</b> <b>Sadat Afgan et al.</b> <b>S1 2 K 048204 24 K</b>	<i>Miroslav Janjić</i> <i>Sena Uzunović</i> <i>Mirza Đozo</i>	Hearing to deliberate on two guilty plea agreements
<b>Section I</b> <b>Zoran Nešković et al.</b> <b>S1 1 K 003410 22 Kri</b>	<i>Zoran Božić</i> <i>Šaban Maksumić</i> <i>Vesna Jesenković</i>	Examination of two witnesses of the Defense for the 1 <sup>st</sup> , 2 <sup>nd</sup> , 4 <sup>th</sup> and 5 <sup>th</sup> Accused
<b>Section II</b> <b>Stojadin Marković et al.</b> <b>S1 2 K 047119 24 K</b>	<i>Biljana Ćuković</i> <i>Izo Tankić</i> <i>Stanko Blagić</i>	Tendering of the Prosecution's documentary evidence
<b>Section II</b> <b>Dragan Kulina</b> <b>S1 2 K 036795 24 K</b>	<i>Miroslav Janjić</i> <i>Mirza Đozo</i> <i>Sena Uzunović</i>	Examination of two witnesses proposed by the Prosecution
<b>Section III</b> <b>Tahbuan Salah</b> <b>S1 3 K 049483 24 Eks</b>	<i>Sena Uzunović</i>	Extradition proceedings

#### TUESDAY, 15 October 2024

- On 15 October 2024, without holding a hearing in the case of **Davor Ninković (S1 2 K 041536 21 K)**, within the procedure of regular review of justifiability of custody, the Court issued a decision finding that there are still circumstances

indicating it is justified to further keep the accused **Davor Ninković** in custody on the custody grounds set forth in Article 132(1) a) of the CPC BiH.

The next review of custody is due in two (2) months.

- In the procedure related to extradition of the requested person u **Mirlan Makailov**, pursuant to an international notice of NCB Interpol Bishkek, Republic of Kyrgyzstan, namely Interpol NCB Sarajevo, issued for the purpose of criminal proceedings conduct before the relevant judicial authority of Kyrgyzstan, having held a hearing to order restrictive measures in the case of **Mirlan Makailov (S1 3 K 049307 24 Eks)** on 15 October 2024, the Court issued a decision **terminating the provisional custody of the requested person and** imposed on him the following restrictive measures: **ban on leaving the place of residence, and travel ban (prohibition from leaving the BiH territory) under Article 126(1) and (2) of the CPC BiH.**

The imposed restrictive measures can last as long as necessary, but no longer than completion of the present extradition proceedings or a new Court's decision, and the justifiability of the imposed restrictive measures will be reviewed **bimonthly**.

CASE	JUDGE/PANEL	HEARING
<b>Section II</b> <b>Igor Bušatlija</b> <b>S1 2 K 048685 24 K</b>	<i>Biljana Ćuković</i> <i>Stanko Blagić</i> <i>Šaban Maksumić</i>	Trial continued by examination of witnesses
<b>Section I</b> <b>Slavko Puhalić et al.</b> <b>S1 1 K 045982 23 Kri</b>	<i>Miroslav Popović</i> <i>Dragan Vukajlović</i> <i>Enida Hadžiomerović</i>	Examination of three witnesses proposed by the Prosecution
<b>Section II</b> <b>Saša Ratković et al.</b> <b>S1 2 K 044836 23 K</b>	<i>Miroslav Janjić</i> <i>Mirza Đozo</i> <i>Sena Uzunović</i>	Examination of two witnesses proposed by the Prosecution
<b>Section I</b> <b>Dževad Mlaćo et al.</b> <b>S1 1 K 047075 24 Kri</b>	<i>Tanja Curović</i> <i>Željka Marenić</i> <i>Minka Kreho</i>	Examination of three witnesses proposed by the Prosecution, one of them with granted protective measures
<b>Section III</b> <b>Mirlan Makailov</b> <b>S1 3 K 049307 24 Eks</b>	<i>Goran Radević</i>	Extradition proceedings

**WEDNESDAY, 16 October 2024**

CASE	JUDGE/PANEL	HEARING
<b>Section II</b> <b>Bojan Cvijetić et al.</b> <b>S1 2 K 046336 23 K</b>	<i>Izo Tankić</i> <i>Biljana Ćuković</i> <i>Stanko Blagić</i>	Examination of witnesses proposed by the Prosecution continued, presentation of the contents from the „ANOM“ application
<b>Section II</b> <b>Milorad Dodik et al.</b> <b>S1 2 K 046070 23 K</b>	<i>Sena Uzunović</i>	Presentation of evidence by the Defense for the Second-Accused by tendering documentary evidence
<b>Section II</b> <b>Ljubomir Kalaba</b> <b>S1 2 K 046825 24 K</b>	<i>Miroslav Janjić</i>	Examination of a forensic expert and witnesses proposed by the Prosecution
<b>Section II</b> <b>Jerko Tomić et al.</b> <b>S1 2 K 035474 24 K</b>	<i>Miroslav Janjić</i>	Hearing to deliberate on a guilty plea agreement
<b>Section I</b> <b>Veljko Brajić et al.</b> <b>S1 1 K 047174 24 Kri</b>	<i>Braco Stupar</i> <i>Lejla Konjić Dragović</i> <i>Davorin Jukić</i>	Examination of two witnesses proposed by the Prosecution

**THURSDAY, 17 October 2024**

- In the case of **Selima Khadisova (S1 3 K 049468 24 Eks 2)**, the procedure of extradition of the requested person **Selima Khadisova**, under an international notice issued by the NCB Interpol Moscow, Russian Federation, i.e. the NCB Interpol Sarajevo, ruling on the motion to remand the requested person in continued provisional custody, submitted by the requesting country, having heard comments from both the Defense and the Prosecution, while at the same time ruling on Defense's Motion to terminate custody and impose restrictive measures, on 16 October 2024 the Court issued a Decision remanding the requested person in **continued provisional custody** originally ordered by a previous decision of the Court, so that, according to the Decision, her custody may last until an extradition request and documents have been submitted by the requesting country, or until the Court issues a new decision, but not longer

than **40 (forty) days**, running from the day of arrest, i.e. until **7 November 2024**.

At the same time, the Court **dismissed as ill-founded** the motion filed by defense counsel for the requested person that her custody be terminated and that restrictive measures be imposed on her instead.

- Having held a guilty plea agreement consideration hearing and a sentencing hearing in the case of **Dragan Božić (S1 2 K 049188 24 Ko)** on 17 October 2024 the Court delivered and pronounced a Judgment, finding the accused **Dragan Božić guilty** of the criminal offense of Smuggling under Article 214(1) CC BiH.

The Court imposed on the accused a **suspended sentence of 1 (one) year** of imprisonment, while stipulating that the sentence shall not be carried out unless the accused commits another criminal offense within 4 (four) years of the day when the Judgment becomes final. The Court also fined the accused with **2,000.00 BAM**.

The accused was found guilty that, on 24 August 2024, he carried high-value goods (computer equipment and mobile phones) aboard a passenger motor vehicle across the international border crossing of Rača, from Serbia to Bosnia and Herzegovina, after he previously arranged with persons known to him the illegal transfer of goods across the state border, for the purpose of obtaining ill-gotten gain, but failed to declare those goods to the customs officers on entering Bosnia and Herzegovina, in which way, by evading the customs control measures, he acted in violation of the Law on Customs Policy of BiH.

- Having held a guilty plea agreement consideration hearing and a sentencing hearing in the case of **Benjamin Mujagić (S1 3 K 048219 24 K)**, on 17 October 2024 the Court delivered and pronounced a Judgment, finding the accused **Benjamin Mujagić guilty** of the criminal offense of Smuggling of People under Article 189(2) CC BiH.

The Court imposed on the accused a **suspended sentence of 10 (ten) months** of imprisonment, while stipulating that the sentence shall not be carried out unless the accused commits another criminal offense within 1 (one) year of the day when the Judgment becomes final.

CASE	JUDGE/PANEL	HEARING
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<b>Section II</b> <b>Dragan Božić</b> <b>S1 2 K 049188 24 Ko</b>	<i>Šaban Maksumić</i>	Guilty plea agreement consideration
<b>Section I</b> <b>Boro Ivanović</b> <b>S1 1 K 046714 23 Krn</b>	<i>Vesna Jesenković</i>	Consideration of Prosecutor's Motion to impose restrictive measures on the suspect
<b>Section I</b> <b>Dragomir Obradović et al.</b> <b>S1 1 K 036865 21 Kri</b>	<i>Enida Hadžiomerović</i> <i>Darko Samardžić</i> <i>Jasmina Ćosić Dedović</i>	Examination of two witnesses for the Prosecution and reading out depositions given by deceased witnesses
<b>Section II</b> <b>Ivan Antunović et al.</b> <b>S1 2 K 044723 24 Kž</b>	<i>Hilmo Vučinić</i> <i>Redžib Begić</i> <i>Darko Samardžić</i>	Session of the Appellate Division Panel
<b>Section II</b> <b>Nedim Uzunović et al.</b> <b>S1 2 K 031467 24 K</b>	<i>Izo Tankić</i> <i>Biljana Ćuković</i> <i>Stanko Blagić</i>	Presentation of documentary evidence by Prosecution
<b>Section II</b> <b>Danilo Cicović et al.</b> <b>S1 2 K 028774 18 K</b>	<i>Hasija Mašović</i> <i>Miroslav Popović</i> <i>Stanko Blagić</i>	Presentation of documentary evidence by Prosecution
<b>Section II</b> <b>Dragan Gajić et al.</b> <b>S1 2 K 046686 23 K</b>	<i>Jasmina Ćosić Dedović</i> <i>Hasija Mašović</i> <i>Goran Radević</i>	Examination of one witness for the Prosecution by way of presentation of reports based on the "sky" application
<b>Section II</b> <b>Boško Đurić</b> <b>S1 2 K 041643 24 Ko</b>	<i>Miroslav Popović</i>	Arraignment
<b>Section I</b> <b>Zdravko Čvorić</b> <b>S1 1 K 048037 24 Kri</b>	<i>Minka Kreho</i> <i>Tanja Curović</i> <i>Željka Marenić</i>	One witness for the Prosecution
<b>Section II</b> <b>Dalibor Raičić et al.</b> <b>S1 2 K 044546 23 K</b>	<i>Miroslav Janjić</i> <i>Mirza Đozo</i> <i>Sena Uzunović</i>	Examination of five witnesses for the Prosecution and Defense's comment on whether keeping restrictive measures in effect is still warranted

<b>Section I</b> <b>Lazar Ristić et al.</b> <b>S1 1 K 047173 24 Kri</b>	<i>Lejla Konjić Dragović</i> <i>Davorin Jukić</i> <i>Braco Stupar</i>	Two witnesses for the Prosecution
<b>Section I</b> <b>Mujo Muratović et al.</b> <b>S1 1 K 039396 21 Kri</b>	<i>Vesna Jesenković</i> <i>Zoran Božić</i> <i>Šaban Maksumić</i>	Two witnesses for the Prosecution
<b>Section III</b> <b>Benjamin Mujagić</b> <b>S1 3 K 048219 24 K</b>	<i>Izo Tankić</i>	Guilty plea agreement consideration

**FRIDAY, 18 October 2024**

<b>CASE</b>	<b>JUDGE/PANEL</b>	<b>HEARING</b>
<b>Section II</b> <b>Sanel Ibrahimović et al.</b> <b>S1 2 K 044830 24 K</b>	<i>Jasmina Ćosić Dedović</i>	Judgment pronouncement
<b>Section II</b> <b>Nedžad Salkanović et al.</b> <b>S1 2 K 027416 24 Kžk</b>	<i>Redžib Begić</i> <i>Hilmo Vučinić</i> <i>Darko Samardžić</i>	Appeals Judgment pronouncement
<b>Section II</b> <b>Mladenko Andrić</b> <b>S1 2 K 046958 24 K</b>	<i>Hasija Mašović</i>	Two witnesses for the Prosecution
<b>Section I</b> <b>Ratko Vujović et al.</b> <b>S1 1 K 044977 24 Kri</b>	<i>Dragan Vukajlović</i> <i>Enida Hadžiomerović</i> <i>Miroslav Popović</i>	Two witnesses for the Prosecution
<b>Section II</b> <b>Jevra Stojčinović et al.</b> <b>S1 2 K 032666 24 K</b>	<i>Stanko Blagić</i> <i>Biljana Ćuković</i> <i>Izo Tankić</i>	Six witnesses for the Prosecution
<b>Section II</b> <b>Goran Subotić Aleksandar et al.</b> <b>S1 2 K 031903 21 K</b>	<i>Stanko Blagić</i> <i>Biljana Ćuković</i> <i>Izo Tankić</i>	Reading out witness interview records; presentation of documentary evidence by Defense for second-accused and examination of second-accused as a witness
<b>Section I</b> <b>Mustafa Stovrag</b> <b>S1 1 K 033885 19 Kri</b>	<i>Minka Kreho</i> <i>Željka Marenić</i> <i>Tanja Curović</i>	Examination of the accused and two witnesses for the Defense

<b>Section I</b> <b>Boško Peulić et al.</b> <b>S1 1 K 020248 16 Kri</b>	<i>Vesna Jesenković</i> <i>Šaban Maksumić</i> <i>Zoran Božić</i>	Video-link examination of witnesses for the Prosecution
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#### NEXT WEEK SCHEDULE:

##### Monday, 21 October 2024:

- **Ilija Ageljić (S1 2 K 036198 21 Ko)** – Arraignment, 12:00 hours, Courtroom 3;

##### Wednesday, 23 October 2024:

- **Rade Grujić (S1 1 K 044237 24 Krž)** – Appellate Division Panel's session, 2 p.m., Courtroom 8;
- **Milorad Đerić et al. (S1 2 K 040176 24 K)** – Guilty plea agreement consideration, 9:30 a.m., Courtroom 9.

##### Thursday, 24 October 2024:

- **Davor Ninković (S1 2 K 041536 21 K)** – Guilty plea agreement consideration 12:00 hours, Courtroom 7;
- **Milomir Đuričić et al. (S1 1 K 034788 24 Krž)** – Appellate Division Panel's session, 10 a.m., Courtroom 5.

#### STATISTICS

WITNESS SUPPORT SECTION		
Section	Number of cases	Number of witnesses
War Crimes	<b>14</b>	<b>25</b>
Organized Crime	<b>1</b>	<b>1</b>
General Crime	<b>0</b>	<b>0</b>

<b>Number of hearings held in courtrooms 1-9</b>	<b>44</b>
<b>Number of requests for issuance of AV materials (PIOS)</b>	<b>13</b>

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