



Republic of Serbia
OFFICE OF THE WAR
CRIMES PROSECUTOR
KTRZ no. 1/10
26 April 2010
Belgrade
MP/MS

HIGHER COURT IN BELGRADE
-War Crimes Department -

BELGRADE

Based on Article 46 (2, 3), Article 3, Article 265 (1) and Article 266 of the Criminal Procedure Code, and under the provisions of Article 3 and 4 (1) of the Law on the Organization and Jurisdiction of State Authorities in War Crimes Proceedings, I am raising an

I N D I C T M E N T

Against the following:

AA, named, son of and, born on,
U P I N, born in, citizen of the Republic of Serbia,

BACKGROUND AND ALLEGATIONS:

During the armed conflict on the territory of Bosnia and Herzegovina, the former Republic of SFRY, which was fought between armed formations on the side of the Serbian, Muslim and Croatian people in the period from the beginning of 1992 to 1995, as a member of the so-called Pivarski unit, which was part of the Territorial Defense of Zvornik and the Serbian side in the conflict, the accused had violated the rules of international law from the IV Geneva Convention on the Protection of Civilians in Time of War of 12 August 1949, ratified by the Decision of the National Assembly of the Federal Republic of Yugoslavia (Official Gazette, no. 24/50) and the rules from the Supplementary Protocol to the Geneva Conventions of 12 August 1949 on the Protection of Victims of Non-International Armed Conflicts (Protocol II), by carrying out the following:

1. Crimes in the Cultural Center of Čelopek

In the period of around 5 June until mid-June 1992, together with the now legally convicted RR named and VV named both from

named from and the late DD, named from, as members of the Yellow Axis unit, as well as with a few other unknown persons, all units and NN persons being part of the Territorial Defense of Zvornik, violated the regulations from Article 3 (1. 1. a) and the IV Geneva Convention and the regulations from Article 4 (2. a) and Protocol II, by entering without authorization, both during the day and the night in different groups and on several occasions, the Cultural Center of Čelopek, whereupon 162 civilians of Muslim nationality from the town of Divič were taken hostage and were illegally imprisoned, among which there were several fathers and sons, brothers and other close relatives, and where, agreeing with the actions taken by others, he had physically and mentally tortured the imprisoned civilians, taking them away from the Center without any explanation, thus creating serious and excessive fear among all civilians for their own lives and the lives of their close relatives imprisoned together, then killing, physically injuring and in particular carrying out degrading and humiliating acts inhumanely treated and abused the detained civilians, causing them great suffering, and thus:

a) during 10-11 June 1992, the day before Eid, the **accused AA** had entered the Center together with the now deceased DD and several other unidentified members of the Territorial Defense of Zvornik, where he and the now deceased DD, ordered fathers and sons to come onto the stage of the House, to take off their clothes, and to perform oral sex on each other, changing roles in this act, which they had to do while the other injured parties watched, and thereby the injured parties AB and his son AV, as well as AG and his son AD or nephew AD were brought to the stage and several other unidentified fathers and sons, and thus with particularly degrading and humiliating acts, acted inhumanely and insulted human dignity, and then continued to commit other illegal acts, namely:

- the now deceased DD, by firing a small-caliber rifle, killed ADj, AE and AŽ, and finally AZ put the barrel of the rifle in his mouth and by lifting the muzzle of the barrel forced AZ to stand on his toes, and when the question was addressed to AZ's father, the injured AI, whether that was his only son, received an affirmative answer, he replied that he no longer had him either and killed AZ by shooting him in the mouth, and during that time, the **accused AA**, with a knife, by cutting his neck, killed AJ, reproaching him for being married to a Serbian woman, and then with a knife in the same way deprived K, AL and AB of their lives, so that together with the now deceased DD took the life of AD as well, by repeatedly stabbing him,

- on the same occasion, the **accused AA** stabbed the injured protected witness 'AT' (the case of that court, K.V. no.) repeatedly with the tip of a knife in his thighs, thus inflicting a great number of bodily injuries,

- at the end of these events, the **accused AA** and now deceased DD, had issued an order to the injured parties located in the Center to clean the blood and take the corpses out and load them onto a truck, which the injured parties had to do. The corpses were taken out by the following: ALj, AM, AN, ANj and AO, who were ordered to go with the truck and unload the corpses and then failed to return to the Center. After the end of the war, all the injured parties were exhumed and identified in a mass secondary grave on Crni vrh, in which way they were physically and mentally abused as imprisoned civilians;

b) on an unspecified day and after 10-11 June 1992, the **accused AA** entered the Cultural Center again but now together with the convicted BB, VV and GG (case of that court K.V. no.....), where on that occasion they ordered the victims to line up in two rows and to slap each other, which they had to do, and during which time the accused persons laughed, cheered and demanded to make the fight fiercer, thus inhumanely treating and physically and mentally abusing all injured imprisoned civilians;

c) on 13 June 1992, the **accused AA** entered the Center once more with the now deceased DD and with several other unknown members of the Territorial Defense, on which occasion the **accused AA** cut off the penis of AP and the ear of AS with a knife, and then ordered them to eat the severed body parts, which they had to do, thus seriously injuring the aforementioned injured parties, as well as mentally torturing all the other imprisoned civilians in the Center, as they had to watch it.

2.

The Crime on the Ekonomija Farm

In the period between around 5-12 May 1992, when civilians of Muslim nationality were imprisoned in the barn for slaughtering cattle on the Ekonomija Farm in Zvornik, among whom were the injured parties: protected witness 'AČ,' protected witness 'AU,' protected witness 'AF,' protected witness 'AH,' protected witness 'AC,' injured party and protected witness 'AČ' (in the case of that court K.V. no.), ADŽ, AŠ, BA, BV, BG, BD, BĐ, BE, aka, BŽ, BZ. The **accused AA** together with the legally convicted BB and VV, and the accused DjDj (the case of that court K.V. no.), all as members of the Pivarski unit in the Territorial Defense of Zvornik, had violated the regulations of Article (3. 1. 1. a) of the IV of the Geneva Convention and regulations from Article 4 (2) of Protocol II, arriving at the Farm and then all together entering the premises where the civilians were imprisoned and, agreeing with the actions taken by others, beat a large number of the victims with various objects, such as batons and the like, thus injuring their bodily integrity.

3.

The Crime in the Brickyard (Ciglana)

a) In the period from 12 May to around the end of June 1992, when some 20 civilians of Muslim nationality were transferred to forced labor from the Ekonomija Farm to a place called the Brickyard - the plant of the Novi Izvor company in Zvornik, among whom were the following injured parties: protected witness 'AČ,' protected witness 'AU,' protected witness 'AČ,' protected witness 'AH,' protected witness 'AC' (case of that court K.V. no.), ADŽ, AŠ, BA, BG, BD, BĐ, BŽ and BZ. The **accused AA** together with legally convicted BB and VV and defendants EE and DjDj (case of that court K.V. no.) all members of the Pivarski unit in the Territorial Defense of Zvornik and at that time engaged in the duties of guards of the civilians doing forced labor in the brick factory, in violation of the regulations from Article 3 (1. 2. c) of IV of the Geneva Convention and regulations from Article 4 (1, 2. e) of Protocol II, had inhumanely treated a large number of injured civilians, among whom were the injured protected witnesses 'AC,' 'AH,' 'AU' and 'AČ,' in the way that, together with the convicted and the accused, the accused ordered the injured parties to leave the brick factory in different groups and to carry possessions taken from Muslim and Serbian houses in the area of Zvornik: cupboards, TV sets, refrigerators and other goods, which they then appropriated by concealing the confiscated goods with the Brickyard products and partly transferring them to the Republic of Serbia;

b) On 26 or 27 June 1992, the **accused AA** entered the Brickyard where injured civilians of Muslim nationality were carrying out forced labor, and together with the accused EE and DjDj, all members of the Pivarski unit as part of the Territorial Defense of Zvornik who were at that time engaged in guarding the civilians on forced labor, and agreeing with the actions taken by the accused and violating the regulations from Article 3 (1. 1. a) of the IV Geneva Convention and from Article 4 (2. a) of Protocol II, had severely physically injured the injured party BJ and killed the injured party BG, in such a way that after individually taking the injured parties to another room, the **accused AA** cut off the skin with a tattoo on the arm of the injured party BJ with a knife, and cut the injured party BG's neck with a knife, inflicting serious bodily injuries on them in the presence of EE and DjDj, and furthermore, with the help of the other accused, the **accused** put the injured party BG in the trunk of his vehicle and drove him from the Brickyard and killed him at an unknown place, and then returned to the Brickyard,

By his involvement in the above-described acts, the accused AA has committed the criminal offense against the civilian population from Article 142 (1) of the CC of the SFRY re Article 22 from the CC of the SFRY.

**WAR CRIMES
PROSECUTOR
Vladimir Vukčević**

