



Republic of Serbia
OFFICE OF THE WAR CRIMES
PROSECUTOR

Ref. KTO no.2/13
Belgrade, 02 April 2013
VŠ/II

HIGHER COURT IN BELGRADE
- War Crimes Department -

BELGRADE

Pursuant to my authority under articles 43 (2.5), 331 (1) and 333 (1) of the *Criminal Procedure Code*; and under articles 3 and 4 (1) of the *Act on Organization and Competence of State Authorities in War Crimes Proceedings*, I raise this

INDICTMENT

Against **AA a.k.a.** ...

Personal details:

Citizen identification number: ...

Son of ... and ... née ...

Date and place of birth: ...

Place of residence: ...

Country of citizenship: ...

Occupation: ...

Background facts and general allegations:

At the time relevant to this indictment (former part of December 1992), an armed conflict existed in Bosnia-Herzegovina (BH). Parties to the conflict were the BH and Republic of Srpska's Armies. Acting as a member of the Republic of Srpska's armed force, the accused, AA, aided and abetted by another person,

killed six Croat civilians and attempted to kill one in villages Tomašica and Sasina, municipality Sanski Most. By his participation in such acts, the accused, AA, committed grave breaches of the international legal rules anticipated by the following:

- Article 3 (1.a) of the *Geneva Convention Relative to the Protection of Civilian Persons in Time of War (Convention IV)*, adopted on 12 August 1949; and
- Article 4 (1, 2.a) of the *Protocol Additional to Convention IV (Protocol II)*.

Charges:

In the afternoon of 5 December 1992, further to a previous arrangement to ... and aware that Tomašica was inhabited by the Croat population, AA came to the village along with several other members of the Republic of Srpska's Army, including BB, VV, GG and DD. Having arrived in front of the house owned by ĐĐ, which was situated by the side of the road, AA, armed with an automatic rifle, entered the house yard with BB (...), who was armed with a semiautomatic rifle. Addressing a number of civilians who were present in the yard, BB asked them their names. As one of them identified himself as EE (d.o.b. ...), BB – determined to take his life – discharged several missiles from his semiautomatic rifle in EE's direction. Having sustained perforating wounds in the right side of the neck and chest, EE died on the spot. In subsequence, BB went on to discharge several missiles into ŽŽ (the house owner, d.o.b. ...), determined to kill her as well. Fatally injured below the right armpit and in the chest, ŽŽ died on the spot. Meanwhile, the accused, AA, was standing by BB's side with his automatic rifle pointed towards ŽŽ and others present in the yard. All of the remaining civilians who were present in the yard managed to flee in different directions save for ZZ (d.o.b. ...). Having spotted ZZ standing by the side of the house and determined to deprive her of life, BB discharged a missile from his semiautomatic rifle in her direction, thereby hitting her in the head. ZZ died on the spot. Meanwhile, the accused, AA, was standing next to BB, with his automatic rifle pointed towards ZZ.

Following the massacre in Tomašica, the perpetrators moved on towards village Sasina, municipality Sanski Most, knowing that it was also inhabited exclusively by Croats. Before leaving village Tomašica, not far away from the yard where they had previously killed three persons, AA and BB saw a horse-drawn cart loaded with timber, with two adults and a child aboard. The accused and his abettor stopped the cart and asked those aboard their names. One of them identified himself as II. Determined to kill II and the other two, AA and BB fired a number of missiles in their direction. Having received penetrating wounds in the head and chest, II died on the spot, whereas the other adult aboard the cart,

namely JJ, sustained grave and potentially lethal wounds in the face and both shoulders, with multiple fractures of the upper and lower jaws, tongue and upper arms. The child fled for his life towards the woods.

Having reached village Sasina, municipality Sanski Most, AA and BB entered the house owned by KK and found the owner and his wife inside. Determined to take the lives of the two, the perpetrators shot them with a number of missiles from their rifles. KK (d.o.b. ...) received penetrating wounds in the head and chest and died on the spot. Having received a severe entrance wound in the head, KK's wife LL also died on the spot.

By his participation in the foregoing acts, the accused, AA, committed the criminal offence under article 142 (1) (war crime against civilian population) in re article 22 of the *FRY Criminal Act*.

Vojislav Šoškić
Deputy War Crimes Prosecutor