



Republic of Serbia
OFFICE OF THE WAR CRIMES
PROSECUTOR

Ref. KTO no. 2/18

Ustanička 29, Belgrade

01 February 2018

MV/MG/AR

HIGHER COURT IN BELGRADE

War Crimes Department

BELGRADE

Pursuant to my authority under articles 43 (2.5), 331 (1.5) and 332 of the *Code of Criminal Procedure*; articles 3 and 4 (1) of the *Act on the Organization and Competence of Government Authorities in War Crimes Proceedings*; and in line with article 47 (1) of the *Act on International Legal Assistance in Criminal Matters*, I raise this

INDICTMENT

Against AA,

Personal details:

Son of and ... née ...

Citizen identity number: ...

ID card number: ..., issued on ... by the local police authority in ...

Placer of residence: ..., ..., Republic of ...

Country of citizenship: ...

Educational background / occupation: ...

Hereby accused of engagement in the acts as described below.

Background and allegations:

In the period from April 1992 to December 1995, an armed conflict existed in the territory of Bosnia-Herzegovina (BH). Parties to the conflict were the

forces of the Republic of Srpska's Army and Ministry of the Interior on one side, and of the BH Army and Police on the other.

At the time a civilian person affiliated with the Republic of Srpska's Army, the accused, AA, committed grave breaches of international law, specifically of the following acts and provisions:

(a) Article 3 (1), *Geneva Convention on the Protection of Civilian Persons in Time of War* of 12 August 1949 (*Geneva Convention IV*); and

(b) Article 4 (1) and (2.a), *Protocol Additional to the Geneva Conventions of 12 August 1949, Relative to the Protection of Victims of Noninternational Armed Conflicts (Protocol II)*.

Aided and abetted by AB a.k.a. ... (finally convicted of the same criminal offence and sentenced to 13 years in prison before the Cantonal Court in Bihać, case no. 01 0 K 008800 14 K) and AV (finally convicted of the same criminal offence and sentenced to 10 years in prison before the Cantonal Court in Bihać, case no. 01 0 K 007438 13 K), the accused, AA, engaged in the criminal acts as follows:

a) Inhumane treatment and injury to bodily integrity

On 21 November 1992, AA, AB and AV were present in village Rejzovići, municipal area of Ključ, BH. AA was in civilian clothes, and his two accomplices in military uniforms. Armed with automatic rifles, a so-called 'pump action' rifle, a handgun and a knife, the three – having previously broken a glass panel at the front staircase – forcibly entered the family home of BB, who was inside together with his wife VV and his mother-in-law GG. All the while cursing the occupants, the intruders submitted BB to physical torture. The victim was severely beaten and kicked, and also stabbed and slashed with the knife, thereby sustaining multiple cuts on his head, as well as injuries to his left lower arm and left thigh. Ordered by the offenders to give them money, BB presented 800 German Marks which he had with him, but the offenders were dissatisfied with the sum. The victim told them that there was more money buried in the garden next to his house. AA and AB took BB out of the house, whereas AV remained inside with VV and GG. Once in the garden, BB dug out 5,500 German Marks, which he then handed to AB. As AA and AB stepped away in order to count the money under the front-door light, BB took the opportunity to escape. As he ran, BB heard several shots discharged after him from automatic weapons. AB and AA remained in the garden while AV was with VV and GG inside the house.

b) Participation in killings

In subsequence, one of the accomplices took the life of VV by a gunshot to the head. As a result of grave injuries to her face and skull, VV died on the spot. The

perpetrator then turned to GG and used his knife to slash her throat, oesophagus and large blood vessels. The injuries resulted in the victim's immediate death.

By his engagement 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*.

**Mioljub Vitorović
Deputy War Crimes Prosecutor**