



Republic of Serbia
OFFICE OF THE WAR CRIMES
PROSECUTOR
KTO No. 3/2018
Belgrade, 13 July 2018
DK/AR

**HIGHER COURT IN BELGRADE
War Crimes Department**

BELGRADE

Pursuant to my authority under article 333 (2) in re articles 331 (1) and 43 (2.5) of the *Code of Criminal Procedure (CCP)*; and under article 4 of the *Act on the Organization and Competence of Government Authorities in War Crimes Proceedings*, I hereby raise the

INDICTMENT

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

Personal details:

Son of BB and VV

Place / date of birth: ...

Citizen identity number: ...

Country of citizenship: ...

Educational background / occupation: ...

Current residence: ...

Background facts and charges

At the time relevant to this indictment, a non-international armed conflict existed in the territory of Bosnia-Herzegovina (BH). Parties to the conflict were armed forces of the local Serb, Croat and Muslim populations.

As a member of a volunteer unit operating within the Serbian armed force, the accused, AA, was present in village Kožuhe, area of Doboј, BH in the evening of an unidentified date in early May 1992, when he took the life of a prisoner of war,

whereby he committed serious breaches of international law, recognized by the following acts and provisions:

- Articles 3 (1.a) and 4A (1) of the *Geneva Convention on the Treatment of Prisoners of War (Geneva Convention IV)*, adopted on 12 August 1949 and ratified by the FPRY National Assembly in 1950 (*FPRY Official Gazette*, no. 24/50); and
- Article 4 (1, 2.a) of the *Protocol Additional to the Geneva Conventions on the Protection of Victims of Non-International Armed Conflicts (Protocol II)*, (*SFRY Official Gazette, International Treaties* no. 16/78).

Several days prior to the incident, GG, a member of a hostile armed formation – namely of the 102nd Odžaci brigade operating as part of the Croatian Defence Council (CDC), had been captured by the Serb armed force and subsequently detained inside the *Energoinvest* factory compound in the village. On the critical day, the accused removed the captive from the compound and took him to the site of Đelovačke Bare by the river Bosna. There, in a previously prepared gravehole, the accused fired several gunshots into the victim, who was fatally injured in the process. Due to the grave bodily injuries, specifically two perforating wounds to the head, GG died on the spot.

By his engagement in the foregoing act, the accused, AA, committed the criminal offence under article 144 (war crime against prisoners of war) of the *FRY Criminal Act*.

Dušan Knežavić
Deputy War Crimes Prosecutor