



Republic of Serbia  
OFFICE OF THE WAR CRIMES  
PROSECUTOR  
Ref. **KTO no.4/2018**  
Belgrade, 12 September 2018  
SR/IP

**HIGHER COURT IN BELGRADE**  
**-War Crimes Department-**

BELGRADE

In compliance with article 47 (1) of the *Act on International Legal Assistance in Criminal Matters*, I hereby **conform** the confirmed indictment (no. T 18 0 KTRZ 00 11999 18) of 24 January 2018, raised by the District Prosecutor in Brčko, BH, to the laws of the Republic of Serbia as follows:

Pursuant to my authority under articles 331 (1) and (2), and 332 in re article 43 (2.5) of the *Criminal Procedure Code*; and articles 3 and 4 of the *Act on the Organization and Competence of Government Authorities in War Crimes Proceedings*, I raise this

**I N D I C T M E N T**

Against the accused:

**AA**, with personal details as follows:

Son of ... and ... née ...

Place and date of birth: ...

Name at birth: AB, subsequently changed into AA (Public Registry Ruling ref. ..., dated ...)

Country of citizenship: ...

Registered address: ..., ..., BH

Current address: ...

Citizen identity number: ...

Educational background / occupation: ...

Criminal record: no previous convictions or reference to his name in proceedings currently conducted for another criminal offence before the Higher Court in Belgrade

**Background and charges:**

In the period between 1992 and 1995, a noninternational armed conflict existed in the territory of Bosnia-Herzegovina. Parties to the conflict were armed forces of the local

Serb, Croat and Bosnian populations. At the time relevant to this indictment, acting as a member of the so-called *Red Berets* unit – part of the Serbian armed force, the accused, AA, engaged in the rape of a civilian person of Bosniak nationality, whereby he committed serious breaches of international law, as envisaged by the following:

- Article 3 of the *Fourth Geneva Convention on the Protection of Civilian Persons in Time of War*, adopted on 12 August 1949 (ratified by the FPRY National Assembly, the *FPRY Official Gazette* no. 24/50); and
- Articles 4 (1, 2.e), and 13 of the *Second Protocol Additional* to the said Convention.

Specifically,

On 20 June 1992, accompanied by two unknown uniformed soldiers, the accused, AA, dressed in a military camouflage uniform and armed with a gun, entered the family home of AV in the then ... Street in Brčko. There, in front of AV, he pulled out his gun, charged it with bullets and put it back into his pocket, which caused AV to feel fear for her life. The accused ordered AV to hand him her gold and money, which she duly did. Determined to subject AV to a forcible sexual intercourse, he approached the victim with his gun pointed at her, took her by the hand and ordered to come with him. Having forced AV into the bathroom, the accused locked the door and took the victim by the head, pushed her down on her knees and forced her to oral intercourse. The accused went on to pull down AV's tracksuit trousers and submitted her to vaginal intercourse, fully aware of his victim's state of despair and shock. At one point, as AV leaned over the sink to wash her face, the accused tried to perform anal sex on her, but was stopped by her screams of terror. Then he forced AV out of the bathroom and into the bedroom, holding her at gunpoint all the while. Once inside the bedroom, the accused lay down on the bed and ordered AV to take off her tracksuit trousers and lie on top of him, whereupon once again he submitted her to vaginal intercourse. As AV begged him to kill her, the accused said that he was not tasked to do so. Meanwhile, the other two soldiers raided the house and demolished its contents. Having finished his acts of sexual abuse against AV, the accused and his two accessories went out of the house and departed in an unknown direction. In the aftermath of the incident, AV suffered severe emotional pain that ultimately resulted in posttraumatic stress disorder (PTSD) and years of medical treatment.

**By engaging in the aforementioned acts, the accused, AA, committed the criminal offence under article 142 (1) (war crime against civilian population) of the *FRY Criminal Act*.**

**Svetislav Rabrenović**  
**Deputy War Crimes Prosecutor**

