



Republic of Serbia
OFFICE OF THE WAR CRIMES
PROSECUTOR
Ref. KTRZ 10/07
Belgrade, 06 October 2009
NM/MS

DISTRICT COURT IN BELGRADE
War Crimes Chamber

BELGRADE

Pursuant to my authority under articles 46 (2.3), 265 (1) and 266 of the *Code of Criminal Procedure*; and under articles 3 and 4 (2) of the *Act on the Organization and Competence of Government Authorities in War Crimes Proceedings*, I raise this

INDICTMENT

Against:

1. **AA** from ...;
2. **AB** from ...;
3. **AV** from ...;
4. **AG** from ...; and
5. **AD** from ...

BACKGROUND AND ALLEGATIONS:

At the time relevant to this indictment, an internal (noninternational) armed conflict existed in the Republic of Croatia (RH), then part of the Socialist Federal Republic of Yugoslavia. Parties to the conflict were armed forces of the Yugoslav People's Army (JNA) alongside the Territorial Defence (TO) and police structures operating within the Independent Autonomous Area of Krajina (SAO Krajina) on

one side, and on the other, the police and paramilitary units of the Republic of Croatia.

The events relevant to this indictment took place in the municipal area of ... from 3 to 8 September 1991, in the context of the ongoing hostilities involving the SAO Krajina police, TO and reserve police structures on one side and RH police units on the other.

Acting as members of the TO and reserve police units, these accused individuals committed serious breaches of international law, as envisaged by the following acts and provisions:

- Article 3 (1.a) of the 1949 *Geneva Convention relative to the Treatment of Prisoners of War (Geneva Convention III)*, ratified by the National Assembly of the Federal People's Republic of Yugoslavia in 1950; and
- Article 4 (2.a) of the *Protocol Additional to the Geneva Convention on the Protection of Victims of Noninternational Armed Conflicts (Protocol II)*, adopted on 08 June 1977 (*SFRJ Official Gazette* no. 16/18 – *International Contracts*).

CHARGES:

On ..., AĐ – a RH police member who had previously laid down his arms following clashes with the SAO Krajina police force – was captured on his way to ... and brought to a makeshift police station based on the premises of the ... guesthouse.

As a prisoner of war, AĐ was subjected to inhumane and cruel treatment which caused him great suffering and bodily injuries.

Aided and abetted by other FNU LNU TO and reserve police members, these accused took turns interrogating the victim day and night all the while until As they did so, they subjected AĐ to severe beating, using their hands and feet, police batons and wooden clubs, as well as their knives to stab and slash the victim. As a result of extreme suffering, AĐ repeatedly lapsed into unconsciousness.

Specifically:

- On repeated occasions, **AA** hit and kicked AĐ in the head and over the body. He used a huge kitchen knife to tear apart the victim's uniform until he was left naked. Using the same knife, **AA** slashed the victim over the face and body, and

also stabbed him in the left hip and thigh. AĐ received minor bodily injuries in the process, including: cuts over the right portion of the face and before the left ear lobe; numerous slash wounds (over 20) to both shoulders and the back; and a stab wound to the left thigh.

- Using their batons, **AB** and **AV** hit AĐ on the soles of his feet and all over the body.

- Using his baton, **AG** hit AĐ over the body, causing him minor bodily injuries including soft tissue contusions in the loin area.

- Using a wooden club, **AD** hit AĐ over the body, kicked the victim under the chin with his boots and also struck him on the head with a beer bottle. As he did so, **AD** caused the victim grave bodily injuries, specifically the fracture of the upper jawbone alongside the loss of two upper teeth.

By engaging in the above-described conduct, these accused committed the criminal offence recognized by article 144 (war crime against prisoners of war) of the *FRY Criminal Act*.

Vladimir Vukčević
War Crimes Prosecutor