



Republic of Serbia
OFFICE OF THE WAR CRIMES
PROSECUTOR

Reference: KTRZ no. 13/08
Belgrade, 14 December 2010

HIGHER COURT IN BELGRADE
War Crimes Department

BELGRADE

Pursuant to my authority under articles: 46 (2.3) and 266 of the *Code of Criminal Procedure*; 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**
Personal details:
Son of ... and ... née ...
Date/place of birth: ...
Place of residence: ...
2. **BB a.k.a. ...**
Personal details:
Son of ... and ... née ...
Date/place of birth: ...
Place of residence: ...
Occupation: ...
3. **VV née ...**
Personal details:
Daughter of ... and ... née ...
Date/place of birth: ...

Place of residence: ...
Occupation: ...

4. **GG**

Personal details:

Son of ... and ... née ...
Date/place of birth: ...
Place of residence: ...

5. **DD**

Personal details:

Son of ... and ... née ...
Date/place of birth: ...
Place of residence: ...
Occupation: ...

6. **DD**

Personal details:

Son of ... and ... née ...
Date/place of birth: ...
Place of residence: ...
Occupation: ...

Background facts and general allegations:

In the period from May 2002 to 11 June 2008, these accused were involved in providing safe harbour for EE in the areas of Novi Sad, Bački Petrovac, Subotica, Pančevo and Belgrade. At all relevant times of sound mind, the accused wilfully engaged in their acts albeit aware that such acts were prohibited.

EE was indicted for the criminal offence against humanity and other assets protected by international law (indictment ref. ..., publicly presented on ...). On 09 May 2002, the District Court in Belgrade issued a warrant for his arrest, charging him with a series of criminal acts including the following: instigation of killing, extermination and expulsion campaigns on political, racial and religious grounds; torture, cruel treatment and similar inhumane acts; deportation and forcible dislocation of civilians; wanton destruction and devastation of towns and villages; and demolition or damaging of religious buildings. None of the foregoing acts were justified by military necessity.

By engaging in the above-described conduct, EE committed the criminal offences recognized by articles 142 (1) and 144 (1) of the *SFRY Criminal Act*, which are punishable by up to 40 years' imprisonment.

Acting personally or through others, these accused individuals engaged in the hiding of EE, giving him shelter in their houses, flats or weekend cottages.

Alternatively, the accused assisted EE in his efforts to hide from the law enforcement authorities and evade capture. They provided the fugitive with personal or financial support, clothing and other essentials; assisted him in obtaining false identity documents; maintained communication with the fugitive, updating him on measures taken by themselves and on actions launched by the law enforcement authorities in the context of the ongoing search operation to locate him; worked in close liaison with other individuals involved in the hiding logistics; organized for EE secret meetings with his family and their visits to his hideouts; arranged secret appointments, celebrations and dinner parties with his old friends; introduced new contacts – men and women willing to join the support network; in order to facilitate his hiding, his supporters transferred him in their cars from one hiding place to another, thereby obstructing the ongoing search efforts.

The accused, AA:

a) Throughout the period from 09 May 2002 to late January 2005, **AA** – acting through other persons – was involved in EE's hiding in village Maglić. Having introduced the fugitive to **VV** and **BB**, he asked the two to give him shelter. In compliance with **AA**'s instructions, **VV** and **BB** did so on repeated occasions, hiding the fugitive in their family home and providing him with safe accommodation, food, drink and other essentials.

b) In accordance with a previously devised scheme, **AA** maintained communication with EE through letters, giving the fugitive advice concerning his further hiding, as well as updates on the current political situation and search operations launched by the state authorities. Furthermore, **AA** facilitated EE's regular correspondence with his family and persons who assisted in his hiding. Supported by **VV** and witness ŽŽ, who acted as go-betweens, **AA** secured smooth exchange of letters between the fugitive and his family or friends.

c) **AA** provided EE and his immediate family with financial support, periodically giving certain amounts of cash to EE's sons ZZ and II. He advised them on the running of their family business and also enabled EE to conclude a business deal with Čelarevo beer factory, which secured EE a franchise to represent the factory and distribute its products in the area of Banja Luka. The proceeds of the business went to the funding of the hiding schemes.

d) Several times on undetermined dates, **AA** drove EE from the former's flat in Novi Sad to other hiding places, where he organized the fugitive's meetings with various members of his support network. Thus, he drove EE to Maglić, where the fugitive took shelter in **BB**'s house and made occasional outings to the local ... café also owned by **BB**, where he met with his family and friends. On other occasions, **AA** would drive EE to Sremska Kamenica, where the fugitive stayed at the ... motel owned by JJ and had occasional meetings with ŽŽ. Likewise, **AA** gave EE several car rides to Futog, where the fugitive was hosted by **DD**, who also facilitated the fugitive's regular communication – through letters and otherwise – with family and friends.

The accused, BB and VV:

On repeated occasions between 09 May 2002 and December 2005, **BB** and **VV** sheltered EE in their family home in village Maglić. In the course of such one-month hiding sessions which occurred three or four times a year throughout the aforementioned period, **BB** and **VV** also hosted the fugitive's meetings with his family.

Thus, between May and November 2002, EE stayed in **BB** and **VV**'s home on three separate occasions, remaining for a month each time. Furthermore, from December 2002 to late January 2003 and again from December 2003 to late January 2004, the two harbourers provided shelter to EE and his family.

The accused, BB:

On repeated occasions between 09 May 2002 and late 2005, **BB** ensured undisturbed meetings between EE and other persons, including his sons ZZ and II, his friends **AA** and KK, as well as their mutual friends from Glamoč.

On several occasions, **BB** went in his car to **DD**'s family home in Futog in order to pick up letters which he would subsequently forward to EE, or alternatively to deliver other persons' letters to be forwarded to the fugitive.

On an undetermined day in summer 2004, **BB** arranged a two-week holiday for EE, his wife and sons in LL's weekend house at mount Goč. **BB** drove EE's son II to LJJ's flat in Kruševac, whereupon the two – travelling via Vrnjačka Banja and Trstenik – proceeded towards Goč.

In September 2006, **BB** sent one thousand Euro financial aid to EE. The accused gave the money to **DD** during their meeting in Maglić, whereupon **DD** handed it

over to EE. The fugitive used the money for further funding of his hiding arrangements.

The accused, VV and AA:

In the period from December 2004 to 04 October 2006, **VV** and **AA** engaged in a series of unlawful acts in Maglić and Bački Petrovac.

Having previously put EE in contact with **VV**, **AA** asked the latter to use her position as ... in order to provide EE with Serbian citizenship and false documents under the name of MM. In order to have the scheme realized, **AA** took EE to **VV**'s office in Maglić. On 23 and 24 December 2004, **VV** cancelled EE's residence in Subotica and registered him at NN's home address in Maglić.

On 05 July 2005 in Maglić, having completed relevant documents under the name of MM, **VV** submitted a citizenship application to the police station in Bački Petrovac. In subsequence, the application was officially forwarded to the police directorate in Novi Sad, where it was filed on ... under official number

On 20 September 2006, **VV** collected the citizenship ruling.

On 21 September 2006, acting as a ... in the Maglić local office, **VV** completed identity card application forms for EE using the late MM's personal details. In subsequence, she personally handed in the application forms – alongside fee payment slips and EE's photographs – in the police station in Bački Petrovac. On the basis of the documents submitted, the local MoI office issued an identity card (no. ..., date of issuance ...) with EE's photo and MM's personal details. EE was not present during the process.

On 4 October 2006, **VV** went to the police station in Bački Petrovac and collected the identity card for EE. Later that day, she went to **DD**'s home in Futog and gave him the card, which **DD** subsequently handed to EE.

On several occasions, **VV** drove EE in her car from Maglić to other places in order to facilitate his further hiding. One of such places was NJNJ's home in Novi Banovci, where EE remained for seven days. On a subsequent occasion, **VV** drove EE from Maglić to OO's flat in Belgrade, where the fugitive hid for seven days.

Furthermore, **VV** maintained regular communication with EE and his lover ŽŽ while the two were staying in Sremska Kamenica, and exchanged letters with EE all the while.

The accused, DD:

On three separate occasions, EE was afforded shelter in **DD**'s house in Futog, each time remaining for two days. Specifically: on 19 December 2004, when EE was a guest at the celebration of **DD**'s Patron Saint's Day; in summer 2005; and again in December 2006, when the fugitive – having evaded a manhunt in Kruševac – sought shelter at **DD**'s home.

During his stays in **DD**'s home, EE was enabled to use **DD**'s private phone for communication with his family, relatives and friends.

From early 2003 to June 2007, **DD** facilitated EE's safe correspondence with his sons II and ZZ and wife RR, with his aiders **AA**, **BB** and **VV**, as well as with other persons. He instructed the fugitive to address his letters to PP, **DD**'s brother-in-law who also had a house in Futog but rarely stayed there. Being in the possession of PP's mailbox key, **DD** would occasionally collect EE's letters from the box. The envelopes contained smaller-sized letters addressed to the actual recipients, which **DD** would then personally deliver to those for whom they were intended.

Likewise, **DD** – at all times aware of EE's whereabouts – would collect letters directly from senders and personally bring them to EE, or alternatively send them to SS, a female contact from Kruševac whose address he had got from EE.

In September 2006, **DD** received 1000 Euros from **BB** in the latter's home in Maglić, and then personally brought the money to EE in order for the fugitive to support his further hiding. The handover took place in **GG**'s home, EE's hideout at the time.

On 4 October 2006, **DD** was visited in his home by **VV**, who gave him false identity documents bearing MM's name and EE's photos. In subsequence, **DD** personally handed the documents to EE, thereby enabling the fugitive to falsely present himself and live under an assumed identity until his capture.

Throughout EE's hiding in **GG**'s home, **DD** regularly visited the fugitive, providing him with food and drinks.

The accused, GG:

On repeated occasions from autumn 2004 to late 2006, **DD** sheltered EE in his house at ... in Futog. In early September 2004, further to their previous agreement, **GG** gave EE a spare key of his garden gate, thereby ensuring the fugitive's smooth entry into the house upon his night arrivals. The fugitive would usually remain in **GG**'s house for ten days, during which time he would receive visits from his family and relatives. On several occasions in September 2004, **GG**

sheltered the fugitive for a couple of days, and again on repeated occasions throughout the ensuing years. Thus, **GG** sheltered the fugitive for several days at a time in 2005, and then for a period between six and ten days in November 2006. In January 2007, **GG** hosted EE and his son ZZ for two days and a night, whereupon the fugitive departed for Niš.

The accused, DD:

As of mid-April 2008 up to EE's capture, **DD** sheltered the fugitive in his flat ..., situated in the residential building at ... in Pančevo. Having escaped a pursuit in Niš, EE came to **DD**'s place asking for help. **DD** agreed to shelter EE, giving the fugitive a bed in his living room and meals free of charge. EE remained hidden at **DD**'s place until 11 June 2008, when he was located and arrested.