



Republic of Serbia
OFFICE OF THE WAR CRIMES
PROSECUTOR
Ref. KTRZ 6/10
Belgrade, 25 June 2010
DK/JS

HIGHER COURT IN BELGRADE
War Crimes Chamber

BELGRADE

Pursuant to my authority under article 265 (1) re article 46 (2.3) of the *Code of Criminal Procedure*, and under articles 3 and 4 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 BB and VV

Date and place of birth: ...

Citizenship: ...

Citizen identity number: ...

Place of residence: ...

2. GG

Personal details:

Son of DD and ĐĐ

Date and place of birth: ...

Citizenship: ...

Citizen identity number: ...

Place of residence: ...

3. EE

Personal details:

Son of ŽŽ and ZZ

Date and place of birth: ...

Citizenship: ...

Citizen identity number: ...

Place of residence: ...

4. II

Personal details:

Son of JJ and KK

Date and place of birth: ...

Citizenship: ...

Citizen identity number: ...

Place of residence: ...

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, the Territorial Defence (TO) and police structures operating within the Independent Autonomous Area of Krajina (SAO Krajina), as well as volunteer units on one side, and the Croat armed force consisting of the Republic of Croatia's police, National Guards Assembly and volunteer units on the other.

The events addressed by this indictment took place in the municipal area of Teslingrad (Lički Osik), Croatia in October 1991.

Acting as members of the SAO Krajina police and TO Teslingrad, these accused individuals engaged in the killing of civilian persons, thereby committing serious breaches of international law as envisaged by the following acts and provisions:

- Articles 3 (1.1.a) and 4 (1) of the 1949 *Geneva Convention relative to the Protection of Civilian Persons in Time of War (Geneva Convention IV)*, adopted on 12 August 1949 and ratified by the National Assembly of the Federal People's Republic of Yugoslavia in 1950 (*FPRY Official Gazette* no. 24/50); and
- Article 4 (1, 2.a) of the *Protocol Additional to the Geneva Convention on the Protection of Victims of Noninternational Armed Conflicts (Protocol II)*, adopted on 12 August 1949 (*SFRY Official Gazette* no. 16/78 – *International Contracts*).

Pursuant to the foregoing Convention and Protocol, civilian persons who do not take part in the hostilities, including those captured and deprived of liberty in relation to the armed conflict, shall in all circumstances be treated humanely and protected from any violence.

CHARGES:

In the former part of October 1991, four civilian persons – LL, his sons LJJ and MM and daughter NN – were arrested in their home in Teslingrad on suspicion of possessing a radio-station and collaborating with Croatian authorities. In his capacity as commander of the special unit of the SAO Krajina police force and deputy commander of the Teslingrad police station, **AA** approached his superior NJNJ (whose case has been severed), at the time head of the State Security Service (DB), for instructions as to what to do with the captured family members, as well as with LL's wife OO, who had remained at large. Having heard why the men had been arrested, NJNJ ordered **AA** to kill them, and also reconfirmed his order several days later, when **AA** approached him with the same question.

In the night between 20 and 21 October 1991, acting in line with NJNJ's order, **AA** arranged with local TO members **GG** and **EE** to jointly kill OO. Having arrived at the site of Široka Kula, the three proceeded to the Sedlari neighbourhood, where they found OO in her family's weekend cottage. While **GG** and **EE** were on guard in the garden outside the cottage, **AA** entered the cottage and fired multiple gunshots at OO, killing her on the spot. In subsequence, **AA**, **EE** and **GG** burnt down the structure with OO's body inside.

Several days later, **AA** – acting upon orders received from NJNJ – arranged with **GG**, **EE**, **PP** (another local TO member whose case has been severed) and **II** (member of the local police station) to jointly kill the captured ... family, namely LL, LJJ, MM and NN. On the police station premises, they taped up the victims' hands and mouths, and then forced them into a TAM van. With **II** behind the wheel, the victims were transferred to village Svračkovo Selo and to the Golubnjača pit, a nearby karst cave where **AA**, **GG**, **EE**, **II** and **PP** killed the victims with gunshots and threw their bodies into the pit.

By engaging in the above-described conduct, these accused committed the criminal offence under article 142 (1) (war crime against civilian population) re article 22 of the *Yugoslav Criminal Act*.

Vladimir Vukčević
War Crimes Prosecutor