



Republic of Serbia
OFFICE OF THE WAR CRIMES
PROSECUTOR
No. KTO 2/20
Belgrade, 16 February 2020
VS/JZ

**HIGHER COURT IN BELGRADE
War Crimes Department**

BELGRADE

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

INDICTMENT

Against:

AA

Personal details:

Son of ... and ... née ...

Place and date of birth:

Citizenship: ...

Citizen identification number: ...

Place of residence: ...

BACKGROUND FACTS AND GENERAL ALLEGATIONS:

At the time relevant to this indictment, a noninternational armed conflict existed in the Autonomous Province of Kosovo-Metohija (KM), aimed at the creation of an ethnically clean territory and systemic destruction, i.e. expulsion of the non-Albanian population from their homes where they had remained following the withdrawal of the army of the Federal Republic of Yugoslavia (FRY) and police structures of the Republic of Serbia from the KM territory. Acting in compliance with a previously established plan, **AA**, at the time part of the armed group of Kosovo Albanians who called themselves the Kosovo Liberation Army (KLA), aided and abetted by a number of FNU LNU soldiers of the same group, engaged in a campaign of terror in village Rudica, municipal area of

Klina, which continued throughout June and July 1999. The campaign included the killing, abduction, forced displacement, expulsion and physical torture of local Roma, Egyptians and Serbs, plunder of their property and setting their homes on fire. The victims were civilian persons who did not take part in the hostilities and as such were in all circumstances entitled to humane treatment without any adverse distinction based on their ethnic or religious backgrounds.

By his involvement in the foregoing acts, AA committed serious breaches of international law as envisaged by the following documents:

- Articles 3 (1) (a), (c) and 27 (1) of the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War (*Geneva Convention IV*), adopted on 12 August 1949; and

- Articles 4 (1), (2) (a) and 13 (1), (2) of the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (*Protocol II*).

CHARGES:

On 15 June 1999, **AA** – at the time head of the uniformed armed group which called itself the Kosovo Liberation Army (KLA), accompanied by several FNU LNU members of that group, visited AB in his family home in village Rudice, area of Klina. AB was known to be in good relations with local Serbs. The accused urged AB to go to the homes of the A family and persuade them to hand over their weapons, and also assured AB that the A family would be safe. Accepting **AA**'s assurances as true, AB did as instructed – he spoke to the A family and passed **AA**'s message. As they had faith in AB, the family decided to hand over their weapons. A day or two later, **AA** and several unidentified KLA soldiers came to the home of AV. The occupants who were found inside – namely AG, AD, AV, AĐ and AE – were forcibly loaded into a van, transferred to a still unidentified location and killed in an undetermined manner. The victims' death remains have not been found up to the present day.

Having heard that **AA** was trying to find him because of his previous mediation with the A family related to the weapons handover, AB fled to Montenegro in fear for his life, but a while later returned to his home. In late June 1999, having heard that AB was back in the village, **AA** and several unidentified KLA soldiers waylaid AB on a road in village Rudice and forced him into a local shop. Inside the shop, **AA** and his accomplices interrogated and otherwise maltreated AB. The victim was cursed and accused of being a Serb spy who had betrayed the KLA positions. **AA** also told him, "You are sorry we killed the A family". Forcibly grabbing him by the arms, **AA** and another KLA soldier took AB to his family home. Shortly afterwards, all the while holding AB's arms, **AA** and another KLA soldier forced the victim into their vehicle. Before getting into the car himself, **AA** told one of AB's daughters, "This is the last time you see your father, there won't be another time". AB was then driven towards village Zalce, where he was killed in an undetermined manner. The victim's death remains have not been found up to the present day.

In late June and early July 1999, acting as head of the uniformed KLA group, aided and abetted by a number of other unidentified KLA members, **AA** forcibly removed AŽ from her home in village Rudice. Once outside, AŽ was killed in an undetermined manner and her death remains have not been found up to the present day.

On repeated occasions in late June and throughout July 1999, acting as head of the uniformed KLA group, aided and abetted by a number of other unidentified KLA soldiers, **AA** entered the homes of local Serbs, Roma and Egyptians who had previously fled under threats of **AA** and his accomplices – unidentified KLA soldiers. The group raided the houses of AZ (three family homes), AV, AI and AJ. All valuable possessions found inside were loaded onto a tractor and driven away. At night, AA and his accomplices would return to the ravaged households with bottles of flammable liquid which they would pour over the houses and set them afire. In addition to the homes of the aforementioned, several others in village Rudice were destroyed by fire including those of AK, AL, Alj and AM.

On repeated occasions in late June and throughout July 1999, acting as head of the uniformed KLA group, aided and abetted by a number of other unidentified KLA soldiers, **AA** launched campaigns of terror against any number of non-Albanians, Rudice villagers of Roma and Egyptian ethnic backgrounds. Thus on one occasion, **AA** and his accomplices removed AN, AJ and two unidentified Roma locals from their homes. The victims were kicked and beaten, then forced into a car and driven away. AN was thrown out of the car near the local cemetery, whereas AJ was beaten to unconsciousness and left on the street, and so were the two unidentified Roma villagers. All of the aforementioned had bruises on their backs, bleeding heads and were unable to walk. On another occasion, **AA** forcibly took 6 or 7 underage Roma and Egyptian boys to the yard outside his house in village Rudice and forced them to dig a pit. After the boys had been digging for an hour, **AA** fired gunshots in their direction saying, "I'll fuck your mothers, you dirty Gypsies living here, only Albanians will live in this village". Gripped by fear, the boys ran away. Two days later, they left the village and never returned again.

By his involvement in the above-described incidents, AA committed the criminal offence recognised by article 142 (1) (war crime against civilian population) re article 22 (co-perpetration) of the *FRY Criminal Act*.

Vasilije Seratlić
Deputy War Crimes Prosecutor