



Republic of Serbia
OFFICE OF THE WAR
CRIMES PROSECUTION
Ref: KTRZ No. 5/05
Belgrade, 25 April 2006
B e l g r a d e
DS/JA

DISTRICT COURT IN BELGRADE
- War Crimes Department -

B E L G R A D E

With reference to Article 46 (2.3), and 265 (1) and 266 of the *Code of Criminal Procedure*, and in connection with Article 4 of the *Act on the Organization and Competences of Government Bodies in War Crimes Proceedings*, I am raising the following

INDICTMENT

Against the following:

1. AA,
2. AB,
3. AV,
4. AG,
5. AD,
6. AD,
7. AE,
8. AŽ.

BACKGROUND AND ALLEGATIONS:

On 26 March 1999, starting at 12:00, in Suva Reka, AP Kosovo and Metohija, during the armed conflict between the armed forces of the Federal Republic of Yugoslavia (Yugoslav Army, the police forces of the Republic of Serbia), on the one hand, and members of the armed military organization "Kosovo Liberation Army" (KLA; UČK) on the other hand, and at the same time, the armed conflict between the Federal Republic of Yugoslavia and the Coalition of NATO Forces, as members of the Special Police Units (PJP), active and reserve police units the Suva Reka Police Department

within the police forces of the Republic of Serbia, together with members of the then State Security Department and members of the Territorial Defense, violating the rules of international law during armed conflict contained in Article 3 (1.a.d.) of the Fourth Convention for the Protection of Civilian Persons in Time of War from 12 August 1949, Articles 51, 75, 76, and 77 of the Additional Protocol I on the Protection of Victims of International Armed Conflicts, and Articles 4 and 13 of the Additional Protocol II on the Protection of Victims of Non-International Armed Conflicts. Namely, **AA** in the capacity of the commander of the 37th Police detachment, and **AB** in the capacity of the commander of the Suva Reka Police Department and **AV** in the capacity of the Suva Reka Police Department Assistant Commander had ordered an attack on the civilian population in the part of the town near Reštanski Road called ‘Berišansko naselje’ where the houses of the **BA** family were located. The civilian population in that part of town was executed, there was a large-scale destruction of property not justified by military needs resulting in the displacement of the Albanian civilian population, and the accused, namely **AG**, **AD**, **AD**, together with the now deceased **AŠ** and **ADŽ** and other unknown members of the Suva Reka Police Department, **AŽ**, member of the Department of State Security with an unknown member of the Department of State Security, **AE**, member of the Territorial Defense, and other unknown members of the Territorial Defense, and together with other unknown members of the Niš Detachment, acting together and at the same time, acting consciously and willingly in carrying out the order, armed with personal weapons, had headed from the Suva Reka Police station towards the houses along the Reštanski Road inhabited by Albanian citizens who took no part in the hostilities, evicting them from houses which they searched, looted and burned, killing some, while others were forced by threats of murder to leave Suva Reka and cross over to the Republic of Albania.

I

A. AA, accused

in the capacity of the commander of the 37th Police Niš detachment

AA used the situation that a planned armed offensive action of joint forces took place at the same time in the immediate vicinity about 2 km from the center and in the wider area of the municipality of Suva Reka, and that he was in charge of this armed action and the members of the police force, by order of the Police HQ in Kosovo and Metohija with about forty members of his detachment. In front of the building of the Suva Reka Police Department, during the time when they trained as shooters and were moving towards Reštanski Road, accused **AB** and accused **AV** ordered the members of the Suva Reka Police to follow them, search the houses and set fire to them, to execute the persons found in the houses, and to load the bodies of the killed onto a truck and take them away from the scene, saying: *“Go, what are you waiting for, kill, drive... should I do it for you?”*

B. AB, accused

in the capacity of the police commander of the police Suva Reka Police Department

and AV, accused

in the capacity of Assistant Police Commander of the Suva Reka Police Department

Acting on orders received, **AB** and **AV** selected a group consisting of a dozen members of the active and reserve police of the Suva Reka Police Department, which included the defendants: **AG**, **AD** and **AD**, the now deceased **AŠ** and **ADŽ** and other unidentified members of this police force, who were ordered by the accused **AB** with the words: “*Go, kill, load up and drive,*” while the accused **AV** ordered the following: “*Come on, come on, go,*” and then assigned another group of members of the Suva Reka Police Department, to which the accused **AB** issued an order to load the bodies together with members of the Civil Protection of the killed civilians into a truck and take them away from the scene.

C. AG, the accused, head of the Suva Reka Police sector
AD, accused, police officer of the Suva Reka Police
AD, accused, head of the Suva Reka Police
AŽ, accused, member of the State Security for the Prizren area
and AD, accused, reserve police officer of the Suva Reka Police

1 – The accused AG, AD, together with the now deceased **AŠ**, took out the tied-up detainee **BŽ** from the Suva Reka detention unit, and **AG** took him to the house of **ANJ**, about 100 meters away. In front of the house, he fired a projectile from an automatic rifle into his chest, and when the aforementioned fell to the ground, **AG** approached and fired another bullet into his head from close range, inflicting gunshot wounds, from which he died.

2 – The accused AG, AD, AE, AD, AŽ together with the now deceased **AŠ** and **ADŽ** surrounded the houses of the families of **BP** and **BŠ**, **BDŽ** and **ANJ** and the house of **BI**, with about fifty family members, forcibly entering the houses and conducting searches, and then forcing all the family members of **BI** to leave, separating the men from the women and children. They surrounded the separated groups, and then by shooting in their direction directed a group consisting mostly of women and children to move towards the mall and pizzeria, while during that time

a.- the accused **AG**, together with the now deceased **AŠ**, lined up **BR**, **BU**, **BF** and **BH** along the wall of the house of **BD** and killed them with a burst of fire;

b.- accused **AE** loudly summoned **BŠ** to come out, shouting “*Where are your Americans-come here-there will be no Albanians left-we will eliminate them,*” and killed **BŠ** with burst fire from automatic weapons, while an unknown member of the Suva Reka Police killed **BP** with his automatic weapon during his attempt to escape;

c.- the accused **AŽ** fired three missiles at **ANJ** from his pistol in the house of **BF**, inflicting fatal injuries, transferring the bodies of the killed to the house of **BF** and **ANJ**, setting it on fire, and in which the bodies were burned. After this the aforementioned set fire to the house of **BC**, which was burned to the ground, and when surviving family members of **BA**, women, children and men started running towards the Crafts Center, they all together and at the same time burst fire their automatic rifles projectiles at them and in their direction, making sure that no one from that group escaped, and thus forcing them to enter the pizzeria called “...” during which **ANJ** and **BČ**, who was in the eighth month of pregnancy were seriously injured as gunshot wounds on their bodies and legs

were inflicted. When they took refuge in the bus station area, **AD** and the now deceased **AŠ** caught up with them, and together they fired several projectiles from their automatic rifles into them simultaneously, during which **ANJ** received a shot to the head from which he died, while **BC**, who was wounded, went to the pizzeria,

3. AG and AD, accused

AG and **AD**, after the now deceased **AŠ** threw two hand grenades that exploded in a pizzeria, entered the restaurant, killing the survivors with automatic rifles. After taking out the corpses for transportation, each from their automatic weapons, they fired projectiles in bursts into vital parts of the body of those showing any signs of life, killing them. The accused **AG** led the now deceased **BŽ** behind the truck, in which the remains of **BC** were loaded, and fired several shots from an automatic rifle at him in the chest area, as a result of which he suffered fatal injuries, and,

Accordingly, under entry I, they killed a total of 48 / forty-eight / persons, namely:

List of victims in indictment a. (1) and b.

2. While **BZ**, **BI** and **BJ**, who survived and were loaded into a truck together with the remains of those killed, jumped out of the truck that was on its way to Prizren and was transporting the remains, sustained serious bodily injuries, as follows:

BZ in the form of a shot to the right shoulder and the right thigh, a wound in the abdomen from shrapnel, multiple shots to the limbs,

BI in the form of numerous shots in the legs and abdomen,

and her son **BJ**, a minor, a gunshot wound to the left shoulder, after which:

3. The remains were taken by **VA**, the driver of the Gradac truck from Suva Reka to the military barracks in Prizren on two occasions, and the bodies of unidentified members of the Prizren police and workers of the Utility Company from Prizren were buried in a mass grave at the military shooting range near the villages of Ljubižda and Koruša. A week later, at the beginning of April 1999, at night, by the orders of General Vlastimir Đorđević against whom proceedings are being conducted at the Hague Tribunal, currently unidentified members of the police and **BK**, **VB**, workers of the Utility Company and unknown members of the police dug up this mass grave with construction machines and loaded the remains into two refrigerated trucks, which were taken over by unknown members of the Special Antiterrorist Unit (SAJ) of the Ministry of Internal Affairs of Serbia and then taken to Batajnica, where they were reburied, and the remains of **BP**, **BŠ**, **ANJ**, **BH**, **BF** were buried by the workers of the Civil Protection and the Utility company in the cemetery in Suva Reka,

II

AĐ, accused

AD is accused of executing the order received, together with an unknown member of the Suva Reka Police Department, and after the liquidation going from house to house of the surviving residents of Suva Reka and ordering them to leave the area and Kosovo and Metohija and go to Albania, otherwise they would come to pass as their fellow citizens in the pizzeria, asking for money from **VV** and his brother **VG** to save their lives. When **VG** handed him 1,000 DEM, he was warned that they were still not safe and that they should leave Suva Reka and Kosovo with their family and go to Albania as other policemen would come and killed them. They obeyed him and left the house with the family, joining the refugee convoy in the direction of Prizren and Albania.

- By which the accused **AA, AB, AV, AG, DŽ, AD, AE** and **AD** have committed **the criminal offense of War Crimes against Civilians under Article 142 (1) of the CC of Y, in co-perpetration, in conjunction with Article 22 of the CC Y.**

WAR CRIMES PROSECUTOR
Vladimir Vukčević