



Republic of Serbia
OFFICE OF THE WAR CRIMES
PROSECUTOR

KTO no. 1/19
Belgrade, 10 May 2019
OĐ/TD

HIGHER COURT IN BELGRADE
War Crimes Department

BELGRADE

In line with article 47 (1) of the *Act on International Legal Assistance in Criminal Matters*, Indictment no. ..., confirmed before ... on ..., is hereby conformed to the laws of the Republic of Serbia and now reads as follows:

Pursuant to my authority under articles 43 (2.5) and 331 of the *Code of Criminal Procedure*; and articles 3 and 4 (1) of the *Act on the Organisation and Competence of Government Authorities in War Crimes Proceedings*, I raise this

INDICTMENT

Against:

AA a.k.a. ...

Personal details:

Son of ... and ... née ...

Place of birth: ...

Place of residence: ...

Citizen identity number: ...

Country of citizenship: ...

Occupation: ...

BACKGROUND FACTS AND GENERAL ALLEGATIONS

In the period between 1992 and 1995, a noninternational armed conflict between armed forces of local Serbs, Bosniaks and Croats existed in the territory of Bosnia-Herzegovina (BH).

At the time relevant to this indictment, the accused, **AA**, was a soldier of the unit based at military post 7296 in village Milići, which operated as part of the local Territorial

Defence force (TO).

The incident charged by this indictment occurred in the afternoon of 18 April 1992, in the building of the then *Standard* company (now seat of the Faculty of Technology) in Karakaj, area of Zvornik. Premises on the first floor were used by the Zvornik Public Security Service – part of the BH Serbian Republic’s Ministry of the Interior (MUP), whereas the ground floor area was occupied by various military units serving within the Zvornik TO structure, including **AA**’s unit known as the *Milíci* company.

As the person directly responsible for the the incident which claimed the lives of four civilian persons, **AA** committed grave breaches of international law, as envisaged by the following acts and provisions:

- Article 3 (1.a) of the *Geneva Convention on the Protection of Civilian Persons in Time of War* of 12 August 1949 (*Geneva Convention IV*); and
- Article 4 (1 and 2.a) of the *Protocol Additional to the Geneva Conventions of 12 August 1949, on the Protection of Victims of Noninternational Armed Conflicts (Protocol II)*.

CHARGES

Having learnt that BB a.k.a. ... had been killed in Zvornik earlier that day, **AA** was determined to revenge his fellow soldier’s death. Dressed in a camouflage uniform and equipped with an automatic rifle, he was present in the ground floor area when a group of handcuffed Bosniak civilians – namely brothers VV, GG, DD and ĐĐ, as well as a FNU LNU civilian – were removed from the police premises on the upper floor and under police escort taken down the stairs. At one point, as the captives passed with their backs towards him, **AA** – positioned at the bottom of the staircase and leaning against the railing – opened fire in the captives’ direction. Fatally wounded in the process, VV, DD and ĐĐ died on the spot. Meanwhile, the FNU LNU captive managed to flee to the upper floor, whereupon he jumped out of a window and left the scene heading towards the Drina river. In subsequence, **AA** and another unidentified soldier approached GG, who was still giving signs of life, and savagely kicked him all over the body until the victim was dead.

In July 2003, during the exhumation at the site of Kazanbašča, the bodies of the four were recovered from a mass grave and positively identified.

By his involvement in the acts which resulted in the loss of four civilian lives, AA committed the criminal offence under article 142 (1) (war crime against civilian population) of the *FRY Criminal Act*.

Ognjen Đukić
Deputy War Crimes Prosecutor