



Republic of Serbia
OFFICE OF THE WAR CRIMES
PROSECUTOR

Ref. KTO no. 2/16
Belgrade, 21 March 2016

HIGHER COURT IN BELGRADE
War Crimes Department

BELGRADE

In compliance with article 47 (1) of the *Act on International Legal Assistance in Criminal Matters*, I hereby **conform** a confirmed indictment (no. T 15 0 KTRZ 0005733 05 of 08 November 2013), raised by the District Prosecutor in Doboj, BH, to the laws of the Republic of Serbia as follows:

Pursuant to my authority under articles 43 (2.5), 331 (1) and (2), and 332 of the *Criminal Procedure Code*; and articles 3 and 4 (1) of the *Act on the Organization and Competence of State Authorities in War Crimes Proceedings*, I raise this

I N D I C T M E N T

Against **AA**

Personal details:

Son of ... and ... née ...

Place and date of birth: ...

Current residence: ...

ID card number ..., issued by ... Police Station

Citizen identity number: ...

Educational background: ...

Country of citizenship: ...

No previous convictions; not remanded in custody for this criminal offence

Background:

In the period between 1992 and 1995, an armed conflict existed in the territory of Bosnia-Herzegovina. Parties to the conflict were armed forces of the Serbian, Bosniak and Croatian ethnic communities. At the time relevant to this indictment, the accused, AA, was a police member assigned to the Doboj District Prison, where he discharged the duty of a guard. In his capacity as prison guard, AA repeatedly engaged in campaigns of torture against a large number of persons who had been deprived of liberty and held detained in that prison. The campaigns, which took place in the prison facilities, included bodily injuries, as well as physical and psychological torture that resulted in the victims' physical and mental suffering, harm to their bodily integrity and death.

By engaging in those acts, the accused, AA, committed serious breaches of international law, namely of the rules envisaged by article 3 (1.a) and (1.c) of the *Fourth Geneva Convention on the Protection of Civilian Persons in Time of War*, adopted on 12 August 1949 (ratified by the FPRY National Assembly, the *FPRY Official Gazette* no. 25/50).

Specifically,

1. On several occasions throughout the period from 11 May until December 1992, the accused, AA, subjected A.B. to physical torture by beating him with a police baton over various parts of the body, thereby causing grave physical and mental suffering to the victim;

2. In the period from 11 May 1992 until January 1993, aided and abetted by other unidentified prison guards, AA subjected AV to physical torture by beating him with his rubber baton, fists and elbows over various parts of the body, thereby causing grave physical and mental suffering to the victim;

3. On several occasions throughout the period from 12 June 1992 until March 1993, aided and abetted by two other prison guards, namely AG. and AD, this accused individual subjected AĐ to physical and psychological torture, by taking him into one of the prison premises, where the attackers jointly engaged in beating the victim with lengths of thick electrical cable all over the body, leaving him unconscious several times. Further during such campaigns, the accused would take AĐ out of the prison premises and severely beat the victim over various parts of the body, thereby causing him grave physical and mental suffering;

4. Throughout the period between 13 July and 10 October 1992, the accused, AA, used to bring the convicts food and water to their cells. On two such occasions, he used his rubber baton to physically torture protected witness H1. On one of such occasions, the accused delivered two blows to the victim's shoulder, and on the other he hit the victim over the head and body, thereby causing him grave physical and mental suffering;

5. On an undetermined day in late January 1993, aided and abetted by another prison guard, namely AD, the accused, AA, removed AE from his prison cell. As they were in the prison hallway, AA asked AE what he had talked about with the ICRC representatives who had visited the prison earlier that day. In subsequence, AA and AD submitted their victim to severe beating, thereby causing him serious bodily injuries that resulted in the victim's death shortly upon return to his cell;

6. On several occasions between May 1992 and March 1993, the accused, AA, used his rubber baton to hit the prisoners as they passed along the hallway on their way to toilet. Specifically, he inflicted bodily injuries on protected witness H1, AB, AŽ and AZ, thereby causing them grave physical and mental suffering;

7. In the period between May 1992 and March 1993, AA, aided and abetted by other prison guards, allowed unidentified soldiers of the Republic of Srpska's Army to enter the prison premises and use various objects to beat the prisoners. In the aftermath of such abuse, prisoners AĐ, AB, AV, AI, AJ, AK, AL, ALJ and AM sustained serious bodily injuries that caused them great physical and mental suffering;

8. On an unspecified day in July or August 1992, prisoner AP was returning from his labour duty to the prison premises. AA stopped the AP on his way and landed a heavy blow with an open hand on the victim's face. Such inhumane treatment on the part of the accused caused great physical and mental suffering to the victim; and

9. On an unspecified day in mid-May 1992, a new inmate, AM, was brought to the prison. On that same day, aided and abetted by his fellow guard AD, the accused, AA, used a wooden object to beat AM all over the body in the prison hallway. As from that day onwards, on multiple occasions until March 1993, the accused, again aided and abetted by AD, used various objects to beat AM, thereby inflicting bodily injuries on the victim and causing him great physical and mental suffering.

By engaging in the aforementioned acts, the accused, AA, committed the criminal offence under article 142 (1) (war crime against civilian population) in re article 22 of the *FRY Criminal Act*.

Milan Petrović
Deputy War Crimes
Prosecutor