



**Republic of Serbia**  
**OFFICE OF THE WAR CRIMES**  
**PROSECUTOR**

KTO no. 4/2012  
Belgrade, 11 May 2012

***HIGHER COURT IN BELGRADE***  
***War Crimes Department***

BELGRADE

Pursuant to my authority under articles 43 (2.5) and 331 of the *Criminal Procedure Code*, I raise this

***INDICTMENT***

Against

**AA**

Personal details:

Son of AB and AV

Place of residence: ..., Prizren

**Background and general allegations:**

At the time relevant to this indictment, an armed conflict existed in the territory of Kosovo-Metohija. Parties to the conflict were the Federal Republic of Yugoslavia (FRY) – Yugoslav Army and Republic of Serbia’s police force on one side, and the armed military organization known as the Kosovo Liberation Army (KLA) alongside the NATO coalition on the other.

On 14 June 1999, amidst the FRY and NATO armed forces’ withdrawal from the Kosovo-Metohija territory, AA – at the time a KLA soldier based in Prizren – committed grave breaches of the rules 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 (Geneva Convention IV)* of 12 August 1949; and
- Articles 4 (1, 2.a, 2.g, 2.h) and 13 of the *Protocol Additional to the Geneva Conventions, on the Protection of Victims of Noninternational Armed Conflicts (Protocol II)*, of 8 June 1977.

Determined to force the Serb population out of the Prizren area under coercion and arms threat, AA contributed to the accomplishment of a general common goal – the expulsion of the entire Serb population from the Kosovo-Metohija territory and establishment of full KLA control over the same.

Armed with personal infantry weapons, acting with premeditation and in concert with still unidentified KLA members, at all times wilfully engaging in criminal conduct as an individual and as part of a group, AA committed unlawful arrests of Serb civilians and inflicted injuries on their bodily integrity.

### **Charges:**

At around 11 a.m. on the above-specified date, the accused, AA, stopped a Zastava Jugo 55 car in Durmish Asllani Street in Prizren. Having ordered those aboard, namely ..., ... and ..., to get out of the car, AA searched them and seized their identification documents, money and other valuables. Using his rifle butt, AA hit ... in the head, and then tied the hands of the three with lengths of rope. Alongside other unidentified KLA members, AA forced the victims – under the threat of death, holding them at gunpoint and at times hitting them with his rifle butt over the head and body – some 200 metres down the street and into a house yard, where he held them confined for several hours. In subsequence, aided and abetted by another unidentified KLA soldier, AA drove the three to the part of Prizren known as Ortokol, where he stopped the car, threw the victims out and ordered them to go to Serbia if they wanted to remain alive. As he did so, AA robbed the victims of their car along with all their possessions left behind.

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

**Vladimir Vukčević**  
**War Crimes Prosecutor**

