



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

Ref. No. **KTRZ- 1/09**
Belgrade, 05 March 2013
ID

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

BELGRADE

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

I N D I C T M E N T

Against AA a.k.a. ..., a.k.a. ...

Personal details:

Son of ... and ... née
Date and place of birth: ...
Educational background: ...
Released pending trial

Background facts and general allegations

At the time relevant to this indictment, an internal (noninternational) armed conflict existed in the Republic of Croatia – then part of the former Socialist Federal Republic of Yugoslavia (SFRY). Parties to the conflict were armed forces of the Yugoslav People's Army (JNA), Territorial Defence structure (TO) operating as part of the JNA and police of the Independent Autonomous Area of Krajina (SAO Krajina) on one side, and on the other, the reserve force of the National Guards Assembly (ZNG) and Croat Army (HV).

The accused, AA, had served as a member of the local TO force until the fall of Vukovar on 19 November 1991. Following that date, he joined the SAO Krajina police and subsequently the police of the newly formed Republic of Srpska Krajina (RSK).

Acting in his official capacity, specifically as a guard assigned to the correctional institution in Sremska Mitrovica, AA committed serious breaches of international law, as envisaged by the following acts and provisions:

- Articles 3 (1.a), 13 (1.a) and 17 (4) of the 1949 *Geneva Convention relative to the Treatment of Prisoners of War (Geneva Convention III)*, ratified by the National Assembly of the Federal People's Republic of Yugoslavia in 1950 (*FPRY Official Gazette* no. 24/50); and
- Articles 2 (1) and 5 (1) in re article 4 (2.a) of the *Protocol Additional to the Geneva Convention on the Protection of Victims of Noninternational Armed Conflicts (Protocol II)*, adopted on 08 June 1977 (*SFRY Official Gazette* no. 16/18 – *International Contracts*).

Charges

On 27 February 1992, the accused, AA, was present in the reception centre of the correctional institution in Sremska Mitrovica. Alongside AB (subject to separate proceedings before a competent court in the Republic of Croatia) and a number of unidentified JNA and RSK police officers in camouflage uniforms, AA was involved in the interrogations of prisoners of war. In the course of such interrogations, AA subjected the prisoners to torture, inflicting serious bodily injuries as he forced them to admit charges against them and to provide information of military significance.

Specifically:

AA hit inmate AV with a metal object in the spine area and slapped him hard across the face, causing the victim to fall to the ground. AA then proceeded to punch AV on the back and head, forcing him to get up on his feet and counting "like in a boxing match". As AV was so heavily beaten and unable to get up on his feet, AA proceeded to kick the victim, causing him extensive injuries with multiple contusions all over the body including of the lumbar spine.

During the interrogation of inmate AG, AA asked him the whereabouts of his (AA's) sister Nada and if it was true that AG had slaughtered her. Furthermore, he gave AG a punch in the head, thereby sending him to the ground. As he proceeded to kick the victim all over the body, AA was soon joined by three unidentified individuals in camouflage uniforms.

By engaging in the above-described conduct, the accused, AA, committed the criminal offence recognized by article 144 (war crime against prisoners of war) of the *FRY Criminal Code*.

Veselin Mrdak
Deputy War Crimes Prosecutor

