



Republic of Serbia  
OFFICE OF THE WAR CRIMES PROSECUTOR  
Ref. KTRZ 4/07  
Belgrade, 21 May 2008

**War Crimes Chamber  
DISTRICT COURT IN BELGRADE**

Pursuant to my authority under Articles 46 (2.3) and 265 (1) of the *Criminal Procedure Code*, and articles 3 and 4 (2) of the *Act on the Organization and Competence of Government Authorities in War Crimes Proceedings*, I raise this

**INDICTMENT**

Against

**AA**

Personal details:

Place and date of birth: ...

Place of residence: ...

Civil status: ...

Country of citizenship: ...

Educational background: ...

Occupation: ...

BACKGROUND FACTS AND GENERAL ALLEGATIONS

At all times relevant to this indictment, which covers the period between 13 August and 31 October 1991, an armed conflict existed in the territory of the Republic of Croatia, then a constituent part of the Socialist Federal Republic of Yugoslavia (SFRY). Parties to the conflict were the Yugoslav People's Army (JNA) and Croat paramilitary units. The hostilities included the area of Grubišno Polje, where two ethnic communities – Serbs and Croats – organised themselves in self-proclaimed armed units fighting against each other. As a member of a self-organised Serb formation, **AA** engaged in attack operations against the local

civilian population, which included the seizure, confinement and brutalization of hostages, as well as in the inhumane treatment and killing of civilians.

By his participation in such acts, AA committed grave breaches of the rules of international law which govern the conduct of war, as set forth in the following acts and provisions:

- Article 3 (1.a, 1.b) of the Geneva Convention on Protection of Civilians in Time of War (*Geneva Convention IV*), adopted on 12 August 1949 and ratified by the National Assembly of the Socialist Federal Republic of Yugoslavia in 1950;
- Article 4 (2.a, 2.b) of the Protocol Additional to the Geneva Convention of 12 August 1949, on Protection of Victims of Noninternational Armed Conflicts (*Protocol II*), adopted on 8 June 1977 (*SFRY Official Gazette*, No. 16/78 – International Contracts).

## CHARGES

- a. **On 13 August 1991**, acting as a member of a self-organised Serb unit known as *Bilogorski Odred*, **AA** participated in a joint operation on motorway No. 16, close to the junction of the roads leading to Gornja Rašenica and Velika Peratovica. The operation resulted in a number of Croat civilians being captured and taken hostage. Among the captives were AB and AV, who were later exchanged as hostages.
- b. **On 20 August 1991**, acting in concert with other soldiers of his unit, **AA** took part in the siege of village Topolovica, in the seizure of hostages and inhumane treatment of civilians. In AG's house yard, where a number of civilians were kept confined, **AA** separated female captives AD, AĐ, AE and AŽ from men, kicked AŽ and then locked all the four inside a stable. In subsequence, **AA** personally engaged in the forcible removal of AG, AZ and AI away from their homes. AG's body was later recovered from a mass gravesite, whereas AZ was killed in a makeshift prison in Velika Peratovica. Furthermore, in the course of an attack on another group of civilians, **AA** threw a bomb into the attic of AJ's house – adjacent to that of AG – where a group of civilians had sought shelter. The explosion left AK and AJ severely injured, with the latter succumbing to injuries soon afterwards.
- c. **In the period between an undetermined day in mid-August and 31 October 1991**, as a member of the aforementioned unit, **AA** was performing a guard's duty in the Velika Peratovica school building, at the time operating as a prison for civilian hostages. Among those detained were AL, ALj, AM, AN, ANj, AO, AP, AR, AS, AT, AĆ and AU, all of whom

were later released or exchanged. In his capacity as guard, **AA** participated in the torturing of those inside, and personally engaged in the beating of any number of inmates including AB, AP, AR and AO.

- d. At around 21:00h on the same day, AA** was on guard on the prison premises inside the basement of the schoolhouse. Shortly ahead of his unit's withdrawal from the area, **AA**, aided and abetted by (now deceased) AF and another FNU LNU soldier, discharged several bursts from his 7.62-mm automatic rifle with the intention to kill civilians AL, ALj, AM, AN, ANj and AO, all of whom had been seized as hostages. AZ, ALj, AM, AN and ANj were lethally wounded in the process, whereas AO remained sheltered behind a wall and escaped unhurt.

**By his participation in the above described acts, AA committed the criminal offence recognised by article 142 (1) (war crime against civilian population) of the *Yugoslav Criminal Act*.**

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