



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

Ref. No. **KTRZ-6/11**
Belgrade, 18 June 2012
DK/II

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

BELGRADE

Pursuant to my authority under article 331 (1) re articles 333 (2) and 43 (2.5) 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

INDICTMENT

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

Personal details:

Son of BB and VV

Date and place of birth: ...

Country of citizenship: ...

Personal identification number: ...

Background facts and general allegations

At the time relevant to this indictment, an internal (non-international) armed conflict existed in the Republic of Croatia – then part of the former Socialist Federal Republic of Yugoslavia (SFRY).

As a member of the Vukovar Territorial Defence force (TO) operating within the then Yugoslav Peoples Army (JNA), this accused committed serious breaches of international law, as envisaged by the following acts and provisions:

- Articles 3 (1.a) and 4 (1, 2 and 3) of the 1949 *Geneva Convention relative to the Treatment of Prisoners of War (Geneva Convention III)*, ratified by the National Assembly of the Federal Peoples Republic of Yugoslavia (FPRY) in 1950; and
- Article 4 (1) and (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

In the period between the afternoon of 20 November and early morning of 21 November 1991, the accused, AA, was present at the Ovčara farm outside Vukovar, Croatia.

Alongside other members of his unit including GG, DD, ĐĐ, EE, ŽŽ, ZZ, II and JJ; members of the voluntary unit *Leva Supoderica*, namely KK, LL, LJLJ, MM (named ... at the time), NN, NJNJ, OO (against whom proceedings have been finally completed); and a number of unidentified individuals, the accused, AA, engaged in the killing and physical injuring of war prisoners from the Vukovar Hospital, who had laid down their weapons and surrendered to the JNA troops. Subsequently handed over to the Vukovar TO force, the captives were transported to the Ovčara farm. Among them were members of the Croatian armed force, militias and voluntary units, as well as persons escorting – albeit not directly belonging to – those armed forces.

Upon arrival at the farm and on their way to a hangar where they were going to be confined, the captives were forced to run between two lines of soldiers. Alongside others present in the lines, AA beat and kicked the captives as they passed. A while later, when a list with their identification details had been completed, the prisoners were divided into groups which were then loaded on a tractor and transported in several tours to Grabovo, a site 1km away from Ovčara. As part of a firing squad formed at the site of Grabovo, AA engaged in the shooting and killing of the captives. On his return from Grabovo to Ovčara, the accused also engaged in the execution of the last remaining group of around ten prisoners, which took place in front of the hangar.

The above-described massacre resulted in the killing of **two hundred (200) persons**, of whom one hundred and ninety-three (193) have been positively identified. The names, father names and surnames of those identified, as well as the dates of their birth, are set forth below:

1.
...
193.*

By his involvement in the above-described acts, the accused, AA, committed the criminal offence recognized by article 144 (war crime against prisoners of war), in re article 22 (co-perpetration) of the *FRY Criminal Code*.

**Dušan Knežević
Deputy War Crimes Prosecutor**

* Personal details of the victims (1 – 193) have been removed in line with the *Rules of Personal Data Anonymization in OWCP Indictments*.