



Republic of Serbia
OFFICE OF THE WAR CRIMES
PROSECUTOR
Ref. KTO no. 7/18
Belgrade, 26 October 2018
NA

HIGHER COURT IN BELGRADE
War Crimes Department

BELGRADE

Pursuant to my authority under article 331 (1) and (2), in re article 43 (2.5) of the *Code of Criminal Procedure*, all in re 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,

Personal details:

Son of ... and ... née ...
Citizen identity number: ...
Date/place of birth: ...
Current residence: ...
Country of citizenship: ...
Educational background: ...
Occupation: ...
Previous convictions: none.

Background and allegations:

In the period from 1992 to 1995, an internal (noninternational) armed conflict existed in the territory of Bosnia-Herzegovina (BH). Parties to the conflict were the Republic of Srpska's Army (VRS) and BH Army (ABH). As a member of the

intervention squad of the Brčko reserve police force operating as part of the VRS, AA committed grave breaches of international law, specifically of the following acts and provisions:

- Article 3 (1.1a) and (1.1c), *Geneva Convention on the Protection of Civilian Persons in Time of War* of 12 August 1949 (*Geneva Convention IV*); and
- Article 4 (1) and (2.a), *Protocol Additional to the Geneva Conventions of 12 August 1949, Relative to the Protection of Victims of Noninternational Armed Conflicts* (*Protocol II*).

1. Involvement in acts of intimidation and terror

On 27 May 1992, AA removed wounded inmate BB from the Luka camp and drove him to VV's flat in Brčko. Beside VV, several others were held confined in the flat, namely GG, DD, ĐĐ, EE, ŽŽ, ZZ, II (minor), JJ (minor) and KK (now deceased). The accused, AA, lined up and counted all of the aforementioned, and then asked ŽŽ his name. When he heard the answer, AA wondered why ŽŽ had a Serbian name, threatened to kill him and slapped him on the head. Holding a rifle in his hands, AA then informed those present that he would come back the following morning to count them again, and that he would kill them all in case anyone was missing. Such conduct on the part of the accused aroused terror in everybody, and especially in the children. In the days that followed, AA returned to the flat on several occasions, each time shouting at the captives and intimidating them.

2. Inhumane treatment

On an unidentified day between 10 and 12 May 1992, AA was present in the Luka camp in Brčko. Alongside other uniformed individuals – soldiers and police officers serving as camp security guards, AA conducted interrogations of camp inmates. He ordered inmate LL to strike his brother MM – a camp inmate himself – with an open hand. Unsatisfied with the intensity of blows exchanged, AA delivered a heavy blow to MM's face. He went on to spill some juice over the carpet and force LL to lick it off. As LL did so, AA hurled a stapler at his victim, thereby hitting him in the head. All the while insulting and threatening to slaughter LL, AA approached his victim with a knife and slashed at his neck. Finally, he forced LL and MM to perform *fellatio* (oral sex) on each other.

3. Involvement in sexual violence

On an unidentified day in May or June 1992, AA went to a flat in Eš neighbourhood in Brčko, where NN was living with her brother. On the pretext

that his unit needed her help, AA took NN – whom he had known from before the war – to the house of Faruk Režović, where the intervention squad was based at the time. For more than twenty days of captivity, NN was forced to do the cleaning and carry out orders issued by the occupants. Almost on a daily basis, she was subjected to forcible sexual intercourse with those present in the house, including the accused, AA.

By engaging in the conduct described above, the accused, AA, committed the criminal offence under article 142 (1) (war crime against civilian population) of the FRY Criminal Act.

Milorad Vitorović
Deputy War Crimes Prosecutor