



Republic of Serbia
OFFICE OF THE WAR CRIMES
PROSECUTOR

Ref. KTO no. 9/18

Belgrade, 24 December 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: ...

Background and allegations:

In the period from February 1998 to late 1999, an internal (noninternational) armed conflict existed in the territory of the Autonomous Province of Kosovo-Metohija. Parties to the conflict were armed forces of the Federal Republic of Yugoslavia (FRY) and an organized armed group of ethnic Kosovo Albanians, the

so-called Kosovo Liberation Army (KLA). Aided and abetted by three unidentified KLA soldiers, AA inflicted bodily injuries on civilians BB and VV and held them unlawfully confined, whereby he 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)*.

On 21 June 1999, a group of four unidentified KLA members headed by AA came to BB's family home in Gornje Nerodimlje. The attackers – all of whom were under arms – forced the gate open and entered the courtyard. One of the uniformed individuals seized a motorcycle from the courtyard and left. Meanwhile, the accused, AA, slapped BB on the head, whereas another uniformed individual used a wooden tool handle to catch BB multiple blows on the back, thereby knocking him to the ground. Aided and abetted by the aforementioned FNU LNU individuals, the accused, AA, caught BB multiple blows over the head and body, causing him physical injuries in the process. In subsequence, one of the uniformed individuals approached VV and, using his rifle butt, hit her on the back of the head. VV sustained severe physical injuries and lost consciousness at one point. When she regained consciousness, AA cursed her Serbian mother saying: "You are Serbian, so you should go to Serbia". As one of the unidentified KLA members thrust his bayonet into BB's mouth, AA ordered the victims to hand over their rifle. Then they took the victims out to the courtyard and into the workshop, where they locked them up. As the group left the scene, AA threatened the victims: "If you fail to hand over your rifle when we get back, you will be killed." However, BB managed to break the workshop door open, whereupon the victims ran away towards Uroševac. Their house was burnt down shortly afterwards.

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

Mioljub Vitorović
Deputy War Crimes Prosecutor