

Republic of Serbia
War Crimes Prosecutor's Office

KT No. 6/17
March 22, 2018
Belgrade

To: Humanitarian Law Center
Belgrade
12 Dečanska Street

We hereby inform you, as the legal representative of the injured parties, Muhamed Avdić and Abdurahman Malkić, that the War Crimes Prosecutor's Office, by its decision KT No. 6/17 dated March 22, 2018, has dismissed your criminal complaint dated July 13, 2017, submitted against Slavko Petrović and 14 other known individuals, as well as a larger number of unidentified individuals (except for the part of the complaint filed against five unidentified members of the 10th Sabotage Detachment and three unidentified members of the Military Police of the Drina Corps of the Army of Republika Srpska, against whom the proceedings have been separated and recorded under case KT No. 855/18), on the grounds that there are no reasonable grounds to suspect that they committed the crime of genocide by aiding and abetting under Article 141 in relation to Article 24 of the Criminal Code of the Federal Republic of Yugoslavia, nor the crime of a crime against humanity by aiding and abetting, or any other criminal offense under the jurisdiction of the War Crimes Prosecutor's Office which is prosecutable ex officio.

Namely, we did not find evidence on the part of the accused to reasonably suspect the presence of intent to completely or partially destroy (deprive of life) all Bosniak individuals from Srebrenica, a condition that represents a critical element of the crime of genocide. As for the crime against humanity, it was not prescribed as a criminal offense with a penal sanction at the time of the critical events in 1995, but only under the Criminal Code of the Republic of Serbia in 2005, which came into force on January 1, 2006, without retroactive application. We also found no grounds to suspect that any other criminal offense within the jurisdiction of the War Crimes Prosecutor's Office was committed.

If you are dissatisfied with the above-mentioned decision, in accordance with the provisions of Article 51 of the Criminal Procedure Code, you may file a complaint with the Republic Public Prosecutor within eight days from the date of receipt of this notification.

For the Prosecutor
Milan Petrović