

Ovčara case
Trial for the war crimes against the war prisoners
War Crimes Chamber of the District Court in Belgrade, Serbia
Number of case: K.V. br.1/2003

Trial Chamber: Vesko Krstajić (the presiding judge), Gordana Božilović-Petrović (judge) and Vinka Beraha-Nikićević (judge).

Prosecutor: Deputy War Crimes Prosecutor Dušan Knežević.

Defendants: Miroљjub Vujović, Stanko Vujanović, Jovica Perić, Ivan Atanasijević, Predrag Mađžarac and Milan Vojnović, Serbs from Croatia.

Report: Nataša Kandić and Dragoljub Todorović, victims representatives

1 July 2004

Defendant **Zlatar Vujo** said that, although there were many confusing things, he did understand the text of the indictment, but did deny the responsibility for the criminal act he was charged with. Defendant Vujo pointed out that he had been wounded in the fighting on 30 October 1991 whereupon he was transported to MMA in Belgrade where he stayed until 18 November. After that he was moved to a spa in the vicinity of Mladenovac where he remained until 18 December 1991. He said that he had never been at Ovčara, nor did he know where it was. Upon his release from MMA, he could move only with the crutches so that, while he was staying in the spa, he had visitors every day. He added that he had complete documentation about his stay at MMA and the spa. Defendant Vujo pointed out that he had heard that the first protected witness had said that he would pay him back, but he did not want to say anything else about that as he was going to ask for a confrontation with him.

Defendant **Đorđe Šošić**, aka **Žorž** or **Čiča**, pointed out that he denied that he had committed the criminal act and denied any criminal responsibility. In his words, upon his arrival to Vukovar as a volunteer, he joined the "Leva supoderica" unit and was issued arms which were not registered anywhere. Following the liberation of Vukovar, in the morning of 10 November 1991, he checked in his arms at the headquarters of the "Leva supoderica" unit and, together with Ivica Andrić, aka Đetić, left for Novi Sad where they stayed overnight at the home of a fellow combatant. After that, on 20 November, Đetić and he went to Kruševac where they spent the night carousing and celebrating the liberation of Vukovar. Šošić pointed out that he had never been at Ovčara and that, even today, he does not know where Ovčara is.

Defendant **Goran Mugoša**, aka **Kuštro**, said that he denied that he had committed the criminal act he was charged with and that he wanted to present his defense. In his words, on 15 September 1991, he joined TD headquarters at Velepromet in Vukovar when he was issued the uniform of the military police to wear, but was not under anyone's command. Defendant Mugoša pointed out that, on 18 November, when the fighting in Vukovar ended, he had been at Velepromet where he was searching the civilians in the presence of major Žigić. The following day, on 19 November 1991, Mugoša went to the town to look for his two brothers who were members of the National Guard Corps (NGC). In the hospital, where he had gone first, a military policeman told him that the big boss was major Šljivančanin and that he could enter the hospital on his own responsibility. In his own words, the defendant managed to get his wounded brother, Zoran, and another prisoner of war from the hospital and took them to Goran Savić. On the next day, on 20 November, the defendant went to the barracks where the prisoners from the hospital had been moved to look for his other brother. There he saw many soldiers and five or six buses. In one of the buses he recognized his childhood friend, Luka, who gave him a bracelet and a ring. Major

Šljivančanin started yelling then as he had issued a strict order prohibiting the taking of anything from the prisoners. Defendant said that he had then told major Šljivančanin that he had come looking for his brother. At that moment he heard that everybody was going to Ovčara so he left in a car going in front of the buses, together with the defendants Milan Bulić, aka Bulidža, and Milan Vojnović, aka Čapala. When they started, major Šljivančanin asked him if he knew where Ovčara was and the defendant answered that he did not know. In the presentation of his defense later on, Mugoša pointed out that he had searched the prisoners who were getting off the buses, together with Bulidža, and added that they had, at that time, confiscated their personal effects and placed them upon a tent canvas. Defendant remarked that the search of the prisoners was ordered by a colonel or a lieutenant colonel in battle fatigues, and not major Šljivančanin, as he had not seen him at Ovčara. Speaking about the double row of people that the prisoners had to pass through, Mugoša pointed out that the rows were made up of armed people but remarked that he had not seen anyone of them beating the prisoners, except, as he had heard, that Josip Kožul had been slapped on the face a couple of times. The bus with the prisoners was a dozen or so meters from the hangar and when one of them emptied another one would come immediately. In his words, all in all, there were five buses with prisoners and when the prisoners got off, the buses remained there. Defendant then said that in front of the hangar there were between 150 and 200 regular army soldiers in battle fatigues and, in addition, a column of civilian vehicles and armored personnel carriers. After personal effects had been taken from the prisoners, there came YNA soldiers and took them away in a Campagnola military vehicle. In his words, he was at Ovčara until the search of the prisoners was over, which took between an hour and a half and two hours, that is, until 15:30 hours when, together with defendant Bulić, he left for Vukovar. He pointed out that he had recognized a lot of people among the prisoners and said some of their names: Josip Kožul, Došen, Vulić, Aleksandar Perković, Saša Đurđev and Ružica Makrobašić. Defendant Mugoša then said that he had not attempted to rescue anyone in view of the fact that both his brothers had been members of the CNG. Before leaving Ovčara, the defendant entered the hangar to see how the prisoners were doing. Inside, there were many prisoners, asking for one another, while around the hangar there were members of the military police, with white harnesses.

Continuing with the presentation of his defense, Mugoša pointed out that, of the defendants, at Ovčara he had seen Dragović, Milojević and Vujanović, although he was not certain about Mirosljub Vujović. He said that he was not certain any more that he had seen defendant Katić at Ovčara, the way he had claimed during the questioning in the investigation, while he was absolutely certain that he had not seen Lančužanin at Ovčara, but in the barracks with Šljivančanin, Vujović and Vujanović. In his words, he had learned about the crime at Ovčara only toward the end of 1992. Explaining the difference between his present statement and what he had told the investigative judge, the defendant stressed that at the time of giving his statement to the investigative judge he had intended to shift the blame for the crime at Ovčara onto YNA. That was, in his words, the reason he had said in the investigation that he had seen major Šljivančanin at Ovčara and that he was certain that the prisoners would be shot.