

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

10 March 2004

Defendant **Vujanović Stanko** denied in their totality the charges from the indictment and stated that he had been charged with being the deputy commander of TD, although TD had not existed prior to 1992. He stressed that he had not killed ten persons in front of the hangar at Ovčara, nor had he seen any pits, and that it was only after the end of the war in 1992 that he had become the deputy commander of TD. Defendant Vujanović said that at the beginning of the armed conflict in Vukovar, Dušan Jakšić was coordinating the activities of the members of TD and the YNA. In the words of Vujanović himself, captain Radić's headquarters were situated in his house and members of TD, volunteers and soldiers, used to come there. He himself spent the least time in the house as he was a guide to the members of YNA. Speaking about defendant Vujović, Vujanović pointed out that at that time he seldom met him, maybe two or three times, at the meetings with Tešić, and added that Vujović had been wounded twice, once in combat and the second time after the cease fire. Defendant Vujanović pointed out that he had been to Ovčara farm only once, on 19 November 1991, around 2 or 3 o'clock in the afternoon and, on the basis of this, he drew the conclusion that the crime had been committed on that day. In his words, he went there with Steva Zorić, aka Čevo, and Željko Petrović. Čevo asked him to give him a lift to Ovčara to search for his relatives and friends and rescue them from going to Sremska Mitrovica. Vujanović emphasized that he had remained at Ovčara an hour or two and added that he had been wearing battle fatigues given to him by a YNA major, Šljivančanin, and had a hat on his head which he took off from time to time, and that he had been armed with a scorpion. Defendant Vujanović said that at Ovčara he had seen members of YNA, civilians, members of TD, prisoners of war in the hangar, as well as three or four empty buses. The door to the hangar was open and the prisoners were on the left and right hand side. Defendant Vujanović pointed out that in the middle of the hangar there was a table with an officer and a soldier sitting at the table and taking an inventory. In his words, most prisoners wore civilian clothes, although some of them were in military uniforms. Contrary to his statement given to the investigative judge, defendant Vujanović now stated that he did not go into the hangar because members of YNA did not allow him to do so. In his words, among the prisoners of war he recognized Bora Janjić, who had been beaten up and to whom he threw a pack of cigarettes, and a certain Siniša, who used to work for Radić Vukovar. Defendant Vujanović pointed out that he had then returned to Vukovar together with Željko Petrović, while Čevo remained at Ovčara. At the end the defendant said that he had not seen any of the defendants at Ovčara, and that someone had told him that defendant Vujović had been there.

Defendant **Jovica Perić** denied the charges from the indictment and said that he had nothing to do with the crime at Ovčara. The defendant then went on to say that he was not going to change his statement given during the investigation with a note that it was not true that he had seen

defendant Vujović and defendant Vujanović arguing with someone, as stated in a paragraph of his statement, because he had never seen them together. Defendant Perić said that he had returned to Vukovar on 18 November and not on 16 or 17 November 1991, as he had stated in the investigation. In his words, on 14 September 1991 his brother was wounded and he went with him, by a helicopter, to Belgrade. The defendant pointed out that by 14 September, when he had left Vukovar, TD had not existed. Speaking about his visit to Ovčara, defendant Perić said that he had gone there in search of his sister-in-law's parents, Ante and Boja Rajić, and added that he did not remember whether that had happened on 19 or 20 November, but that he was certain it had been around 5 or 6 o'clock in the afternoon and that he had remained there between 30 and 40 minutes. In his words, he had no problems entering the hangar and seeing the prisoners there, standing on the left and the right hand side, fenced in with a rope. Defendant Perić pointed out that he had recognized some of them and had spoken with his ex-colleague, Zlatko Blažević. The defendant said that the majority of the prisoners had yellow boots and civilian or semi-civilian clothes and that nobody was in uniform. In his words, in the hangar he saw a table and an officer sitting at it and making a list of prisoners. He pointed out that he had seen the defendants Vujović and Vujanović in front of the hangar at the time of his arrival to Ovčara, but he had not noticed them issuing any orders. In front of the hangar there were many soldiers in battle fatigues and regular grey-olive uniforms. There also were some military policemen, with white harnesses, and a tractor parked on the apron in front of the hangar.

Defendant **Ivan Atanasijević** denied that he had committed the criminal act he was charged with and pointed out that he was going to present his defense up to a certain point only. Then he said that everything that had been happening was a conspiracy against him and that his statement given to the investigative judge was false as he had given it while under the influence of medication and added that his mail had been blocked for almost eight months. In his words, the court appointed defense attorney had shown him a paper stating that he had already been sentenced to a 40 year prison term. Defendant Atanasijević pointed out that following his arrival at Vukovar he had gone to Petrova Gora and had, on 14 November, joined the volunteer unit commanded by Milan Lančuzanin, aka Kameni. In his words, the unit was made up of a number of groups and he was assigned to the one commanded by Milojević, nicknamed Kinez. Speaking about the events following the liberation of Vukovar, the defendant pointed out that on 19 November, at Velepromet, somebody had told him that his brother was in the hospital among the prisoners and that he had agreed with Goran Mugoša, whose brother was also in the hospital, for the two of them to go there and try to rescue them. The following day, in the morning of 20 November, he and Mugoša started for the hospital. Since the road was blocked, he started on foot and, on the way, saw a column of buses (5-6 or 7-8), two of them military. His brother was in the second bus and he followed the buses which were on their way toward the barracks. With the help of Steva Zorić he managed to rescue his brother and take him home. When he learned, from his brother, that his friend, Stanoje Čaplina, was also among the prisoners, defendant Atanasijević went to Velepromet where he learned that the buses had gone to Ovčara. Following that, in the evening hours, with three unidentified men, he went to Ovčara. When they arrived there, he went into the hangar without a problem where he saw between 200 and 300 prisoners and volunteers. Since he failed to locate Čaplina, after half an hour, he returned to Vukovar. Defendant Atanasijević pointed out that he had not seen anyone making a list of prisoners in the hangar and added that among the prisoners there were quite a number of civilians and wounded persons with bandaged wounds and casts. Also, among the prisoners, he saw Ružica Makrobašić who was pregnant. The defendant pointed out that he had not seen any of the defendants at Ovčara, except the late Mirko Vojinović, and added that he had noticed a group of some 30 prisoners being taken from the hangar.