

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: Miroljub Vujović, Stanko Vujanović, Jovica Perić, Ivan Atanasijević, Predrag Madžarac and Milan Vojnović, Serbs from Croatia.

Report: Nataša Kandić and Dragoljub Todorović, victims representatives

19 April 2005

The interview of the witnesses Milovan Miladinović and Milivoje Vukić. The presiding judge informed the witnesses about their rights and obligations.

At the beginning of his testimony, witness **Milovan Miladinović** said that in the fall of 1991 he had been a member of the Light Artillery Division of Anti-Aircraft Defense and that his unit, in November 1991, had come to Negoslavci. The witness pointed out that he did not know exactly when the hostilities in Vukovar had ended and added that a unit, that is, a battery, was moved to Ovčara. In his words, he had visited Ovčara together with Jan Marček, the commanding officer of the division. There, they had been billeted in a brick house, on the left hand side, toward Svinjarevci. Asked if he had seen anything peculiar those days, the witness said that he had seen a number of people who had surrendered. In his words, he had seen those people brought in buses, cars and trucks. Miladinović said that he had seen, on a nearby plateau, members of Territorial Defense, or somebody else, he did not know exactly who, questioning those people about who would go where and that some of them had expressed their desire to go to other parts of the Republic of Croatia, while some of them said they would go to Serbia. After two or three days the witness saw a couple of buses, full of people who wanted to go to other parts of the Republic of Croatia, who the Croatian party had refused to take and who had been, because of that, returned to the nearby plateau at Ovčara. He said he remembered a woman who had asked for a doctor as her child was allergic to penicillin. Those people, the witness said, spent the night in the buses and the next morning they were given breakfast and, around seven or eight o'clock in the morning, they had gone toward the territory of Croatia. Further on in his testimony, Miladinović pointed out that he remembered two buses, full of people, which came in the afternoon. In his words, those people were put in a hangar across the road, between 100 and 200 meters from their position. The witness could not remember whether the buses had been military or civilian. He said that, in addition to the people getting off the buses, there were some other persons in non-regulation uniforms who directed them into the hangar. The witness said that he had not gone into the hangar, that he had gone no further than some 30 to 40 meters from the hangar, and that he had not seen much. He said that he had seen identification papers taken from the people entering the hangar, that he had seen them taking their personal effects from their pockets. The persons accompanying the prisoners had been armed. He said that of the group of prisoners brought to Ovčara, three or four were put with them; they were told to wait a bit and

that somebody would come for them. A youth said that he was an ambulance driver, a woman said she was a teacher; there was a man from the hospital who said that his son was a soldier in YNA. The witness said that he had noticed that three of those persons were unwilling to communicate with the youth and stood slightly apart from him. He said it could be seen that those three persons were sick. He said that they had been brought to them after lunch, that he remembered that. A member of TD, shorter than the witness, wearing a beard, came for them and drove them to Vukovar. The witness said that Marček had returned them when he saw the people around the hangar. Asked if he knew commander Vojinović, the witness said that he knew him, that he did not see whether he had prevented anybody beating the prisoners. He said that he had seen him for a short period of time, maybe for five to ten minutes, when the prisoners were leaving the buses. The witness said he remembered being told by somebody that a clerk of theirs, a soldier of theirs, was making a list of prisoners in the hangar. He said that he had seen that list the next morning, on a table in their command headquarters. When, a month or two later, he took part in a military exercise in Kragujevac, he tried to discover the list in their unit's archives, without success. The witness said he remembered a scene, inscribed in his memory: a woman standing in a group of civilians who had suddenly appeared there. He had heard a sentence, spoken by the woman to a person who, in his opinion, had come off the bus: "Boža, think of your soul!" The witness said that he had heard about the shooting the following morning, that he had immediately gone to see Vojinović at the headquarters and asked him to remove his people from Ovčara. When he returned, Jan Marček had already had the army ready to withdraw. The witness said that Jan Marček used to overdo the discipline and that the most important things for the reservists was "to save their own skins".

Witness **Milivoj Vukić**, aka "najstor Mile", said that neither in the fall of 1991, nor later, had he been at Ovčara or Vukovar.