

**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

**24 and 25 November 2004**

Witness **Milorad Vojinović** said that in the fall of 1991 he was the commanding officer of the 80<sup>th</sup> motorized brigade that had come to Vukovar between 7 and 11 November 1991. In his words, the brigade consisted of reservists and did not take part in the fighting and its command headquarters was in Negoslavci. Speaking about the events of 20 and 21 November 1991, witness Vojinović pointed out that, on the 20 November he had gone to visit Jan Marček and see what the situation was like, whereupon he was expected to attend a meeting with Mrkšić. When he had come to Ovčara, he saw two or three buses parked near the hangar and saw the people getting off the buses. He said that in front of the hangar there were two lines of people unknown to him. In his words, he saw that those unidentified people behaved improperly toward the people who were getting off the buses, taking their documents, kicking them. The witness Vojinović pointed out that he had tried to stop them, but they pushed him away. In all this he was assisted by Marček. He pointed out that he did not know that a new group of prisoners would be brought to Ovčara that day. There he saw Dragi Vukosavljević and suggested to him to do something about all this and stop the abuse of those people. In the words of the witness, it was suggested for the military police to intervene and very soon there came the commander of a military police company Vezmarović who had heard, in the command headquarters of the brigade, that something was happening. The witness then said that he had gone into the hangar where he saw that the prisoners were separated from the others by a rope and that a list of names was being made. Major Vukašinović, the deputy of major Šljivančanin, was also in the hangar and the situation was slowly going back to normal. After that, he went to Negoslavci and then, together with Vukosavljević, to a meeting with Mrkšić. Vojinović pointed out that he had informed Mrkšić on what was happening at Ovčara and on the improper behavior toward the prisoners, to which Mrkšić had said: "Don't speak to me about that!" Soon after that, Vojinović pointed out, he returned to Negoslavci and added that the following day he heard what had happened at Ovčara. In the hangar, he had seen the defendants Stanko Vujanović and Miroљjub Vujović, but he did not see defendant Lančuzanin. The witness pointed out that there were no members of YNA at Ovčara when the rows of people were formed and added that he did not see any members of the military police in the buses. In his words, he remained at Ovčara between 30 and 40 minutes. He said that he stood with Vukašinović some five to six meters from the rope, that there was a green table and that the table was used to make a list of prisoners. In his opinion, the people who stood around Vukašinović were YNA soldiers and officers. Vojinović then said that about 20 or 30 members of TD were in the hangar who, he later learned, had beaten the prisoners. He remarked that he had seen a woman among the prisoners who complained about her husband being ill so he drove her and her husband to a hospital. After he was told that in his statement given before the Military Court he had said that he had seen the defendants Vujović and Vojinović inside the hangar, that Vujović was the commanding officer and that he had

warned him that the prisoners should not be treated like that, witness Vojinović confirmed that he had seen them, that he had asked the people not to beat the prisoners and added that he had a feeling that the defendants were "the most important people in the group". The witness Vojinović also confirmed the part of the statement where he spoke about a member of TD telling him that the prisoners were theirs and that he, Vojinović, did not have anything to do with them. He remarked that, in front of the hangar, when he wanted to protect the prisoners, a member of TD had told him: "Mind your own business, uncle!" He did not write a report about the events at Ovčara because they were not there. Speaking about the already mentioned meeting with Mrkšić that day, the witness pointed out that the meeting was attended by the commanders of the battalion and added that he himself had arrived toward the end of the meeting when everybody had already stood up so that he only informed Mrkšić about the situation at Ovčara. The witness pointed out that he had been aware of the complexity of the situation, but that nobody, at that time, could have believed something like this might happen. Once again he insisted that he had gone to Mrkšić together with Vukosavljević and that he was the first one to tell Mrkšić about the situation at Ovčara and that Vukosavljević had only repeated the words about the complexity of the situation, about improper behavior of the members of TD and that the situation might become dangerous. The witness pointed out that he thought that Ovčara was inside the area of responsibility of his brigade, but that he could not confirm this. He did not report the events at Ovčara to the legal authorities of the Army because his brigade was not involved in them. Asked whether he knew who the proceedings were directed at, he answered: "At Mrkšić, Šljivančanin and Radić." He pointed out that, a couple of days later, he had learned that the crime had been committed at Grabovo, but he was not sure whether he had informed Mrkšić about that or not.

Humanitarian Law