

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 Madžarac and Milan Vojnović, Serbs from Croatia.

Report: Nataša Kandić and Dragoljub Todorović, victims representatives

26 January 2005

At the beginning of his testimony, **Aleksandar Vasiljević** said that in the fall of 1991 he held the position of the chief of the YNA Security Department and pointed out that he had held the position from 1 June 1991 to 8 April 1992. Vasiljević pointed out that he had heard about the name Ovčara and what had happened there in January 1993 from captain Zjaja Muris who, at the time, was the commander of the anti-terrorist platoon of the military police of the Guards brigade. In his words, the reason for his meeting with Muris was the fact that he had been released from detention and was awaiting trial before the Military Court in Belgrade because of the Opera affair where the witness was charged with appropriating a large sum of money from Vukovar. Muris then told him that he did not know what had happened with the money as, at that time, he had been at Ovčara. When Vasiljević asked him what Ovčara was, Muris told him: "Comrade general, you know nothing about this, when we have some time to kill, I will tell you all about it." At their next meeting, in April 1993, when the trial was over, Muris told him how, in the afternoon of 20 November 1991, major Vukašinović (assistant to major Šljivančanin), had sent him to Ovčara to implement the order because there were prisoners there and a selection should be made, whether they were civilians or members of the National Guard Corps. Muris started in four Puch vehicles and when, in the evening, he arrived in the immediate vicinity of Ovčara, he heard the sound of the shooting and informed Vukašinović thereof. Vukašinović told him to return, as "they are not our problem anymore". As the perpetrators of the crime at Ovčara Muris mentioned a member of TD, Topola, who was more than two meters tall, who sported a red beard and wore an unbuttoned military overcoat which stank of clotted blood, as well as his escort, nicknamed Kinez. The witness Vasiljević pointed out that he had, toward the end of 1993 or at the beginning of 1994, delivered these data to the Security Department. Continuing his testimony, Vasiljević pointed out that on 13 October 1994 exactly he had come in contact with Jovan Dulović, a *Vreme* newspaper correspondent, and that they had talked about the crimes in the Army of Yugoslavia. In the course of the talks Vukovar was mentioned and Dulović said that he had been there and "had seen everything". Witness Vasiljević said that during the talks, attended also by three or four other newspaper correspondents, Dulović took out his notebook and began reading parts of what he had written down while he was in Vukovar. In Vasiljević's words, Dulović first read the part referring to 14 November 1991, where he had written that around 17:30 Vojislav Šešelj (the president of the Serbian Radical Party), with his escort, had come to the house of Stanko Vujanović and that he was accompanied by Šljivančanin and Radić. Correspondent Dulović, among other things, read that, on the occasion, Šešelj had said that the army had been cleansed, that there were no traitors in it, that Vukovar was soon to be liberated and that "no ustasha should leave Vukovar alive". The next part Dulović read referred to his remarks made on the nights between 19 and 20 and 20 and 21 November. Further, Dulović read that he was once again in the house of Stanko Vujanović, that drunken members of TD were

coming to it and boasting of how they had managed, between 17:00 hours on 20 November and 1:00 hour on 21 November, to liquidate the prisoners who had been at Ovčara. Also, Dulović read his notes where it was written that he had been told about all this by a tall member of TD, originally from Montenegro. In the words of the witness, Dulović had told him that the head of the TD was the TD commander, defendant Vujanović, while the head of the chetniks was defendant Lančuzanin. In Vasiljević's words, Dulović described how defendant Vujanović had told him that he did not have enough men to shoot the prisoners so he had to take volunteers. "They are loquacious, they boast about it and we will have big problems with all this as this will be impossible to keep secret." The witness said that the second time he spoke with correspondent Dulović was on 15 November 1995 in the premises of the *Vreme* magazine and was interested to know whether any of the YNA officers had taken part in the crime. Dulović told him that they did not and that the crime was committed by "the motley army". Dulović also added that this army lacked discipline, that captain Radić had problems with the members of TD and with the volunteers, and that the officers were afraid of the men from TD and of the volunteers. On the occasion, witness Vasiljević advised Dulović to write an article about the crime at Ovčara and Dulović agreed to it. After that, the article entitled "Vukovar, a bloody story" was published, but without the names of the commanding officers and participants in the crime. Dulović then told the witness: "I do have a head, too." However, later on, in a newspaper in Croatia, he wrote that the defendants Vujanović and Vujović were responsible for those liquidations. In the course of 1995, the witness came into contact with Srećko Borisavljević who, during the fighting in Vukovar, held the position of the security administrator in the Guards brigade. Borisavljević told him that on 20 November 1991, a number of buses with the people from the Vukovar hospital arrived to the barracks where, among others, there was Miodrag Panić, the chief of staff of the Guards brigade. Members of TD who had come to the barracks wanted to take the prisoners out of the buses in order to beat them. In the words of the witness, Panić decided for the prisoners to be immediately transported to Ovčara, while later it was rumored that they had been shot. The witness then said that in 1997 he had met with major Šljivančanin in the official premises of the Army of Yugoslavia and that the meeting was attended by Tumanov as well. In Vasiljević's words, Šljivančanin then told him that he had heard, afterwards, that the prisoners had been liquidated by the members of TD and volunteers. Šljivančanin added that some members of TD wanted to kidnap the prisoners already in the hospital, which is why they had been moved to the barracks. At the end, Šljivančanin told him that 17 persons had been taken from the buses and returned to the hospital from the barracks, which enraged the members of TD who had prohibited any further separation which forced the transport of prisoners to Ovčara. After he had learned, in January 1998, that a company of the military police of the 80th motorized Kragujevac brigade was at Ovčara, the witness met with the commander of the company, Vezmarović, in the Balkan hotel. Talking with him, the witness learned that Joca had written down the names of all the prisoners from the hospital and that soon after that some 30 members of TD arrived from Vukovar. They were arrogant and started beating the prisoners in the hangar, led by certain Mirko who had a bandage on his arm and a tall person with a hat on his head. Witness Vasiljević pointed out that he had met Mrkšić at the wholesale market in the fall of 1998 and managed to ask him two questions. To the question concerning the events at Ovčara, Mrkšić answered: "I swear by my children, had I known what would happen, I would never have handed them over." To the second question, why he had kept silent about it, Mrkšić told him that they had agreed to keep silent about it. Speaking about his visits to Vukovar at the time of the fighting, Vasiljević pointed out that he had gone there three times, that the third time was on 19 November 1991, late in the evening, around 19:00 or 20:00 hours. Together with Tumanov he went to Negoslavci where he heard that a large number of civilians were sent toward Šid, that a triage was performed and that the members of the National Guard Corps were sent to the penitentiary in Sremska Mitrovica. Witness Vasiljević pointed out that he had learned from the daily *Politika* that a session of the Government was held at Velepromet and that a decision was brought there for all the prisoners to be placed under the Government's jurisdiction. Witness Vasiljević pointed out that Borisavljević had told him how, in the words of Natko Petrović, Mrkšić had issued an order for the prisoners to be handed over. The witness said that on 22 November 1991, in the Federal

Secretariat for National Defense, a reception was held by general Kadijević and attended by Života Panić, Mile Mrkšić, Veselin Šljivančanin himself and "a member of TD with a bandaged arm" who, most probably, was the chief of staff of the Vukovar TD or someone from the command personnel of TD.

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