

Case: Branko Grujić *et al* – ‘Zvornik’
War Crimes Chamber
Belgrade District Court, Republic of Serbia
Case number: KV.5/05

Trial Chamber: Tatjana Vuković, Trial Chamber President, Vesko Krstajić, Judge, Trial Chamber Member, Olivera Anđelković, Judge, Trial Chamber Member

War Crimes Prosecutor: Milan Petrović

Accused: Branko Grujić, Branko Popović, Dragan Slavković a.k.a. Toro, Ivan Korać a.k.a. Zoks, Siniša Filipović a.k.a. Lopov, and Dragutin Dragičević a.k.a. Bosanac

Report: Nataša Kandić, Executive Director of the Humanitarian Law Centre (HLC), and Dragoljub Todorović, Attorney, victims representatives

28 November 2005

‘1The Trial Chamber has decided to discontinue the proceedings against the accused Dušan Vučković, who was found dead in the lavatory of the Belgrade District Court Detention Unit on 20 November 2005.

Branko Grujić’s defence

Branko Grujić was elected president of the Zvornik Municipal Board of the Serb Democratic Party (SDS) on 1 September 1990. At the end of September 1991 the SDS received a Directive for Action by Serb People’s Organs in Emergency Conditions providing for options designated A and B. According to A option, the SDS was to set up a Municipal Crisis Headquarters under the SDS Municipal Board president comprising all Serb municipal officials, the people’s deputies from Zvornik, and the members of the municipal Executive Council. According to B option, in case of a conflict, a Serb municipality of Zvornik would be established to include the entire Serb population and all Serb villages, with the Muslim population and villages remaining under a Muslim assembly and administration, this being necessitated by the fact that the ratio between Muslims and others was 60:40 per cent in the municipality and 64:36 per cent in the town itself.

The Serb authorities move to Karakaj

After Alija Izetbegović, the then president of the Presidency of Bosnia-Herzegovina, ordered a mobilization and the chief of the Zvornik Secretariat of the Interior (SUP), a Muslim, began distributing rifles only to Muslims during the night of 3 and 4 April 1992, the entire Serb Crisis Headquarters moved to the Alhos factory in Karakaj in Serb territory. As a result of this, only the Muslim municipal officials remained in Zvornik. They and their Serb opposite numbers arranged by telephone to meet in the Hotel Jezero in Mali Zvornik and to do something to prevent a conflict and re-establish cooperation. Four Muslims, Jovo Mijatović, a people’s deputy and president of the Serb Municipality of Zvornik, and Jovo Ivanović, president of the Executive

Council of the Municipality of Zvornik, turned up for the meeting. Also present in the room where the meeting was to be held were Željko Ražnatović a.k.a. Arkan, his deputy Major Peja [Pejić] and Ljubiša Mauzer from Bijeljina. Arkan yelled at the Serb representatives asking them who had given them authority to dish out Serb land and then beat both Mijatović and Ivanović. He left the Muslims alone. Grujić learned of this from Mijatović and Ivanović whom he met in Zvornik after the meeting. They had been beaten black and blue.

Arkan's units occupy Zvornik

The accused said that on 6 April 1992 Arkan dismissed him as president of the Crisis Headquarters and installed witness K in his place.

Asked by the Trial Chamber President who was in possession of Zvornik on 6 April, the accused replied, 'At that time the [Muslim] Green Berets were manning barricades on all the approaches to Zvornik: from about 4 to 9 April no one was able to enter or leave Zvornik, because they manned the barricades...physically, we were in Karakaj.'

Arkan's troops entered and occupied Zvornik on 9 April. According to Grujić, the decision to capture Zvornik was taken by Arkan and his deputy Peja. In this connection, the accused said, '[...] I hadn't really been let in on those preparations to, how shall I put it, capture the town because occupying places under Muslim control, that is, those where Muslims were in the majority never figured in our plans, neither in those of the Crisis Headquarters nor in our official policy, since our sole aim was to keep and preserve the territories where Serbs were.'

The taking of crucial decisions in Zvornik Municipality

According to the accused, the Crisis Headquarters and the Provisional Government were responsible for the important decisions taken in Zvornik following its fall. These included a general mobilization order, the declaration of a state of war, and giving powers to the public security stations in Mali Zvornik and Loznica to detain civilians fleeing the territory of Zvornik for Serbia to avoid the mobilization. Although the accused was in charge of the Crisis Headquarters and of the Provisional Government, he insisted that these decisions were taken in his absence.

On 16 June 1992, in his capacity as president of the Provisional Government, the accused signed a document appointing Branko Popović (who at the time introduced himself as Marko Pavlović) as head of the Military Territory Command (VTK). Popović had also been appointed by the same Provisional Government as head of the Territorial Defence Staff (TO Staff) as early as 28 April 1992.

Immediately after Popović was given charge of the TO Staff, the Provisional Government decided that a unit referred to as 'Žuća's unit' must be placed under to command of the TO Staff. The SUP chief and the police station commander were appointed by the Ministry of Internal Affairs (MUP) on the recommendation of the Provisional Government. Because of the state of war, the MUP was subordinated to the TO Staff.

Count one: the deportation of 1,822 Bosniak civilians from Kozluk

At the beginning of May the residents of Kozluk made their first decision to move out in the direction of Tuzla. A meeting was held on this occasion in Kozluk in the presence of the Imam from Tuzla, Bishop Kačavenda, and Branko Grujić, with the Muslims saying that they felt insecure owing to the proximity of the battlefield. They also requested a doctor and an ambulance car as well as aid in food, clothing, and toilet articles. The accused claimed that all these requests were met including multi-ethnic policing. In the meantime, all the Muslims and Serbs had handed over their weapons. A month and a half later, Fadil Banjanović, the local commune secretary, informed Branko Grujić as head of the Provisional Government that he was having problems. Grujić and Mayor Jovo Mijatović went to Kozluk and were asked by Banjanović for protection because shots had been fired above the houses at night making children afraid and women cry. Grujić replied that he could not give any guarantees and suggested that they call on Peja [Arkan's major]. They went to the Alhos factory together but Peja received only Banjanović. Afterwards Peja informed the Government by telephone that he and Banjanović had agreed that the Kozluk Muslims should emigrate abroad via Serbia rather than head for Tuzla.

In Grujić's words, the Government permitted the Kozluk Muslims to move out and instructed the police and the TO Staff to see to it that they were not harassed as they did so. He said that Fadil Banjanović worked out the details jointly with Peja, Branko Popović, and the police commander.

The accused claimed that on the day the residents of Kozluk moved out, 26 June 1992, he was not present there, that he had not given them an hour to move out, and that all of them moved out voluntarily.