

**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

**29 June 2004**

Before presenting his defense, defendant **Milan Lančuzanin**, aka **Kameni** (the commander of a volunteer unit composed of the members of the Serbian Radical Party) informed the trial chamber that he had suffered a stroke seven years ago and that his ability to move has been impaired, so the presiding judge allowed him a chair to sit on. Speaking about the charges from the indictment, Lančuzanin pointed out that "except for being at Ovčara, everything else was fabrication" and added that he would stick by the statement given in the investigation. In his words, upon his arrival to Vukovar on 18 October 1991, he became the commander of the "Leva supoderica" unit and every evening went to major Tešić from the YNA Guards brigade to report. Defendant Lančuzanin said then that all the units in Vukovar were under the authority of the YNA Guards brigade and that the immediate superior of defendant Vujović and of himself was captain Radić. The defendant then said that Vujović was in command of the group, while Vujanović headed a smaller group of fighters together with captain Bojkovski. In his words, Dušan Jakšić was the commander of the TD detachment Petrova Gora. The defendant pointed out that on 19 November 1991 he had been in Belgrade and upon his return in the evening of the same day he saw the order commanding him to go to Ovčara. In his words, he had no idea that the prisoners had been taken to Ovčara and he went there by car, a Passat, together with Mare, Ceca and Kinez and another person, as they were in charge of his security. When they arrived there, they found many inhabitants of Vukovar and soldiers, and the defendant personally took out five or six persons to return them to Velepromet and conduct an investigation, while there were some persons he wished to rescue. Replying to a question whether he had let anyone know he was there, Lančuzanin said: "If it were Miroljub, I let him know I was there". The defendant pointed out that the prisoners who were in civilian clothes and white, hospital uniforms were sitting in a semi-circle in the hangar and added that nobody was barring entry into the hangar. Defendant Lančuzanin said that a regular officer or a reservist was sitting there at the table, taking inventory. In his words, while he was speaking with Miroljub and Stanko at the entrance to the hangar, an officer with the rank of a colonel or lieutenant colonel said: "Go out, all of you" whereupon the prisoners left the hangar and climbed into a tractor trailer, while Boro Krajišnik said: "Here, everybody must go". The defendant pointed out that someone of the people who were there said: "Come, Kameni, follow the trailer" so he, together with the already mentioned four persons, started after the tractor. Lančuzanin said that he had not asked anyone where the prisoners who were in the tractor trailer were being taken and added that he had known that something bad was going to happen. When the tractor, after some 150 meters turned left, the car got stuck in the mud. After three or four minutes the defendant, with the already mentioned persons, managed to pull the car out of the mud and then they drove to Vukovar. Lančuzanin said that before his return he had reported to defendant Vujović who was left behind at Ovčara. When he was shown a part of his statement given during the investigation, the one where it was

written that one of the defendants had told him: "No, Kameni, you cannot go now", Lančuzanin pointed out that it had been Vujović who had told him so. In the opinion of the defendant, all this took place around 20:00 hours, on 19 November 1991, and not on 20 November as stated in the indictment. To corroborate his claim, Lančuzanin stated that he remembered that on the evening in question, upon the return from Ovčara, together with Mare, Kinez and Ceca, he had gone to his aunt Radojka.

In the beginning, defendant **Marko Ljuboja**, aka **Mare**, said that he had understood the indictment, that he denied that he had committed the criminal act he was charged with, that he denied any criminal responsibility in view of the fact that he had no connections whatsoever with the crime at Ovčara. In his words, on the day the crime was committed, around 17:30 hours, he had gone to look for defendant Lančuzanin. Defendant Lančuzanin told him that he should, as a member of his security, go to Ovčara, so that he, together with Kinez, Ceca and Lančuzanin, went there by car. Ljuboja pointed out that at the time of the investigation he had erroneously said that together with them, in the car, had also been Goran Valjarević, aka Mali Džo. On the way back from Ovčara, in the words of the defendant, one more person was in the car. Ljuboja then continued and pointed out that they had stayed at Ovčara some 15 minutes and that he had seen many prisoners there, among whom there were women and children and that he had been in the hangar all the time but that he had not seen that any prisoner had been abused earlier or while he was there. Then he added that many armed persons in battle fatigues were there. He went into the hangar in order to see the members of the Croatian army that they had warred against as he had heard that among the prisoners there were some members of the Croatian elite units. After that, defendant Lančuzanin had appeared and had said: "We are leaving here". Ljuboja emphasized that, when he had left the hangar, he had not seen any column, nor a tractor with a trailer. They drove the car some 100 meters forward and then got stuck in the mud. After some time, they managed to pull the car out of the mud and drove toward Vukovar. On their way back they stopped at the hangar at Ovčara where Kameni had a heated argument with somebody, but he cannot remember who it was. While they were driving back, someone in the car said something like "trouble is brewing" and Ljuboja said he was not quite sure whether anybody had said something like "they'll kill them". He pointed out that he had said then that there existed the Geneva conventions and that many will be held responsible for that. Thereafter Ljuboja said that he had heard a story about a quarrel between his commander, Kameni, and the defendants Vujović and Vujanović. Finally, he pointed out that, in the warden's office in the Novi Sad prison, a certain official had told him to solve his problem and suggest someone who would make a deal and testify for the prosecution. Besides, he added that, at the time he was questioned in the course of the investigation by the investigative judge, a certain person had told his wife that he would spend 40 years in prison if he failed to make a deal and cooperate.