

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

30 November 2005

Branko Popović’s defence

Branko Popović, who used the alias of Marko Pavlović, was in charge of the Zvornik TO Staff. He was born and lived in Sombor in Serbia. Besides working for the socially-owned company Sunce, he had a firm of his own and helped Serb refugees from Croatia through the ‘Krajina’ association. The first person from Zvornik he met, through Rade Kostić, the deputy minister of Internal Affairs of the Republic of Serb Krajina, was witness K.

The meetings in Mali Zvornik in Serbia

Shortly before the war, that is, at the end of March 1992, the SDS president in Zvornik invited Popović to a meeting at the Hotel Jezero in Mali Zvornik with volunteers from Serbia who wanted to help and to give an ‘inspiration to the Serb people should it come to war.’ The accused said that it was there that he met Vojin Vučković a.k.a. Žuća, a man named Rankić, a man named Bogdanović, and Žuća’s brother Dušan Vučković a.k.a. Repić.

A second meeting attended by Popović was also held at the Hotel Jezero Hotel in Mali Zvornik on 6 April 1992. Arkan, his deputy Pejić, the Serb officials from Zvornik Ivanović and Mijatović, and four Zvornik Municipality officials of Muslim nationality were also there. Ivanović and Mijatović were beaten by Pejić and the Muslims were asked to state in writing the quantity of weapons in possession of their fellow nationals, the names of outside formations stationed in Zvornik, and some other information the accused said he could not recall. The meeting over, the accused drove the four Muslims back to Zvornik in his car.

The attack on Zvornik

On the evening of 6 or 7 April, Arkan organized a meeting at the Alhos factory in Karakaj which was attended by the accused, Branko Grujić, and witness K. According to the accused, Arkan

wanted support from the residents of Zvornik so that a 'combat action' could be launched. Arkan slapped Grujić across the face, relieved him of his post of SDS and Crisis Headquarters president and appointed witness K in his place.

Arkan launched the attack on Zvornik on the morning of 8 April and his forces entered the town about 9 or 10 a.m.

The appointment of Branko Popović as Zvornik TO Staff commander

At the end of April 1992 Branko Grujić, who had resumed the duties of Crisis Headquarters president and been elected president of the Provisional Government which had been established in the interim, and witness K tried to talk Popović into accepting the post of TO commander. Popović said that he resisted on the grounds that he had been exempted from military service; but witness K, who considered other qualities as more important, said, 'You're going to be made a major too, here, we're going to call you Marko Pavlović.' 'So, I became Marko Pavlović, Major Marko Pavlović,' the accused added. Asked by the Trial Chamber President why he accepted the appointment although he had not served in the army and had no experience of military matters, the accused replied that he did not have the right answer, that he had reckoned that the appointment was a stopgap to preserve the front lines and territory pending the constitution of an Army of Republika Srpska.

Count one: The deportation of the Kozluk Muslims

According to the accused, about 10 April 1992 he was dispatched by witness K, the then commander of the police station in Zvornik, to Kozluk following reports that the local Muslims wanted to move out. He arrived in Kozluk in the company of a Lieutenant-Colonel Tačić, who was in charge of the Yugoslav People's Army (JNA) formation in the area, and of a certain Jovanović, a JNA reserve officer, also in uniform. They talked to the residents and persuaded them to stay. The lieutenant-colonel asked them to hand over their weapons and they agreed. The next morning, however, the column which had formed the day before was still there. That morning Branko Grujić, Islamic and Orthodox Christian religious leaders, and Arkan's deputy Pejić arrived and held talks with the residents, as a result of which they decided to stay. Later the local commune president, Fadil Banjanović, helped collect the weapons, which consisted mostly of hunting equipment.

The Trial Chamber President asked the accused to answer the charge in the indictment that, following a prior arrangement, he in his capacity as TO Staff commander and member of the War Staff and Branko Grujić on 26 June 1992 issued oral orders for the expulsion of 1,822 civilians from Kozluk and carried it out by force, the accused replied that when he arrived in Kozluk early that day he saw that the situation was tense, which he attributed to the proximity of the front.

The accused further said that the Serb authorities had been under pressure to provide much-needed food and accommodation for some 30,000 Serb refugees. Having found out that the Muslims still lived in their houses in Kozluk, they protested and brought pressure to bear on the authorities to drive them out.

Popović also said that on the morning in question the Kozluk Muslims were in their homes and were not ready to move out.

In the end, Popović said that lists were made of the Muslims who were moving out, including a note stating that they were doing that voluntarily. He also said that he added in his own hand that they were leaving their entire property to the municipal Assembly.

Observer's notes:

Branko Popović's evidence is a clear indication that the Kozluk Muslims did not move out voluntarily.

Popović's and Grujić's awareness of the disappearances and secret camps

Popović said that he discussed the disappearance of Muslims in Zvornik with other officials: 'In the discussions we had among ourselves, including Brano, the then chief of SUP, Marinko Vasilčić, and others, it was said that there were still cases of people going missing.'

The accused said that on learning of the secret camp at the 'Ekonomija' agricultural estate he dispatched a JNA captain, the late Miloje Jović, to find out what went on there and to take the prisoners out. Having established that the camp was run by Žuća's unit, Captain Jović, feigning hostility towards the prisoners, got them quickly into a lorry and drove them to the SUP building.

In connection with 'Ekonomija', the accused said that he discussed the matter with Grujić: '[...] after that we took action, there was an understanding between the chief of SUP, Mr Grujić and myself, an exchange of opinions, on learning that they'd been beaten there, that they'd been beaten and killed there [...] I relayed this piece of information to them, with Marinko already in possession of information of his own [...] We talked about what we were to do.'

Issuing certificates to Yellow Wasps members that they committed no war crimes

Popović said that the Yellow Wasps [Žute ose] unit was evacuated from Zvornik by an Army of Yugoslavia formation from Serbia in its lorries. In return for this, the Zvornik authorities issued each member of the unit with a certificate stating that he had committed no war crimes. The accused could not recall whether he alone or 'all three' (Branko Grujić, Branko Popović, and Marinko Vasilčić) signed the certificates.

Popović said that the unit returned to Zvornik a few days later.

Financing the volunteers from Serbia

Popović was adamant that after their return to Zvornik the Yellow Wasps were in no way connected with the Zvornik TO. As to who paid them, the accused said, 'Unfortunately, they received pay, you had to approve it by your signature in order to save your neck. But up there, as you can see, it's clearly written in my own hand, "Let Stevo Radić [the financial secretary of Zvornik Municipality] pay them".'

Other than that, wages were paid to all armed formations in Zvornik by Zvornik Municipality on the basis of lists supplied by the TO Staff. Popović said that the role of the TO Staff in this consisted in making sure that no wages were paid to persons who had deserted, gone somewhere else or were no longer members of the army.

‘The municipal woman cashier carried [the money] to the units and handed it over to the commanders. We had nothing to do with that, we didn’t have our own cashier...’

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