

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

9 March 2004

The presiding judge warned the defendants to listen carefully to what was being said in the courtroom and informed them of their right to comment. After that, he informed those present that he had been informed, by telephone, that one of the defendants, Mirko Vojinović, had passed away in the Novi Sad Medical Center. The war crimes prosecutor suggested that the proceedings against Vojinović be separated, which his defense attorney, Perković, agreed with. After that, the Trial Chamber brought a decision on the separation of the proceedings against Vojinović from the proceedings against other defendants.

The prosecutor read the indictment, stating the names of 192 victims, exhumed and identified in the area of the Grabovo mass grave near the Ovčara agricultural farm and the defense attorneys presented their defense.

The prime defendant **Miroljub Vujović** said that the charges against him were pure fabrications. He suggested to the court that the investigative judge, Miroslav Alimpić, be invited as a witness in connection with their conversation at the time of questioning in the investigation. In his words, Alimpić had told him then that he, Alimpić, had known then that defendant Vujović had not been the commander of the Territorial Defense (TD) and that that particular formation did not exist, but that that fact had not been entered in the minutes of the questioning. The defendant, Vujović, called the attention of the Trial Chamber to the map of Vukovar, pointing out that Petrova Gora was just an ordinary street in Vukovar of which somebody would now like to make a TD unit Petrova Gora. The defendant stressed that in October 1991, a Guards brigade of the Yugoslav National Army (YNA) had come to Vukovar, with its four companies which automatically included the members of TD. In his words, he was sent to the company of the YNA captain Milan Radić, which was deployed in Petrova Gora street, while the second defendant, Vujanović, was in the company of the YNA captain Bojkovski. Defendant Vujović said that he had been wounded in the battles near Bogdanovci, whereupon he was transported to the Military Medical Academy (MMA) where he stayed until 14 November 1991, and had to report for a medical check-up on 19 November.

In connection with the circumstances relating to the end of the armed conflict in Vukovar, defendant Vujović pointed out that, on 18 November, somebody told him that Vukovar had been "liberated" and that everybody had surrendered and that he, too, together with the others, had started toward the hospital. Defendant Vujović said that the crime at Ovčara (an agricultural farm near Vukovar) had been committed on 19 November, not on 20 November 1991 as stated in the indictment. The defendant said that he had visited Ovčara only once and said that he could not remember whether that day he first went to the barracks or to Velepromet assembly point, but he

was certain that the prisoners were in the barracks and that he had remained in each of those places no more than 15 minutes or half an hour. Defendant Vujović said that he had seen two, three or four buses near the barracks, with soldiers standing in front of them, and that he had gone home from there only to come back to the barracks again. In his words, there were no more buses there, no soldiers, no inhabitants of the place and volunteers, and Milan Vojnović (not the defendant) told him that the prisoners of war had been moved to Ovčara. After having the stitches from his wounds removed at the hospital, he had gone to Ovčara with an intention of seeing who it was who had been warring against them. Once he got to Ovčara, around 16:30 hours, he saw several empty buses and some people in the hangar where it was impossible to enter because of the soldiers who stood there. He was armed with an automatic rifle, but he could not fire. He remained at Ovčara about half an hour when he saw, in the center of the hangar, a table with a soldier in a grey-olive uniform sitting at it and making an inventory. In front of the hangar there were many people, the inhabitants of the place and volunteers, but he saw no women among the prisoners of war. Defendant Vujović pointed out that he had heard about the crime in Vukovar only after some ten days had passed. He said that some people, who had remained longer, had said that the locals and the volunteers had gone into the hangar to identify the prisoners and that they had seen a tractor or a truck. In his words, on 21 November, together with Mrkšić, he had attended a reception organized by Veljko Kadijević (the Chief of the General Staff of YNA) in Belgrade. He thought that he had been invited to the reception because he had suggested an efficient approach to the liberation of Vukovar. A couple of days after his return from Belgrade, Radovan Stojčić Badža, the Chief of the Public Security Department of the Republic of Serbia) came to Vukovar and it was then that he had been suggested for the position of the commander of TD.

Observers' remarks

The initial stages of the trial of Miroljub Vujović and associates for the war crime against the prisoners of war committed at Ovčara farm received great attention of both the general public and the professional circles.