

**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

**16 December 2004**

At the beginning of his testimony, witness **Srećko Borisavljević**, a superannuated officer of the Army of Yugoslavia, said that at the time of the fighting in Vukovar he had been an administrator of the security organ of the 2<sup>nd</sup> storm troopers detachment of the Guards brigade and Operations Group Jug. The witness Borisavljević then said that he thought that the fighting in Vukovar had definitely ended on 18 November 1991. After the blockade was lifted, he was stationed in the barracks. On 18 November there was a flood of civilians, women and children, and his task was "operative monitoring" so as to make sure that among them there were no "extremes". He was also charged with the security of the bus transport of these civilians to Serbia or Croatia. "These tasks were carried out at Velepromet, where the assembly point was. It was there that the buses had come and it was from there that later on transport was organized, and he saw to it that everything was all right. Asked whether he knew Željko Ražnatović, Borisavljević answered that he had met him when he came into the courtyard of Velepromet. "He appeared with a number of his soldiers. I saw him then for the first and the last time." In Borisavljević's words, his conversation with Ražnatović did not present a big problem. Namely, Ražnatović asked for the prisoners to be handed over to him, while the witness, in his own words, answered: "Who do you think you are, that I should give you the prisoners." Ražnatović then said that the people should judge them and added: "You will give them." The witness pointed out that the reason for his refusal to hand over the prisoners was the fact that 99% of those people were civilians and added that all this had been happening, as far as he remembered, on 19 November. The witness Borisavljević said that on the day the Government of Eastern Slavonija, Baranja and Western Srem had a meeting Goran Hadžić had come to Velepromet, with his escort, and that they had insisted for the Government to hold a session there. The witness said that he had been surprised when he learned about this and Natko Petrović told him that permission had been procured for the session of the Government to be held there. In his words, Bogdan Vujić had informed him that they, too, had been invited to attend the session, but the witness refused to attend it. He pointed out that, once the meeting was over, between 14:00 and 15:00 hours, Vujić had come and told him: "It is good you were not there. They said a lot of bad things. They degraded us." The witness pointed out that he had known it would happen as he had heard Hadžić's opinion about YNA officers and YNA itself several times. Vujić then told him that it had been decided for the prisoners to be handed over to the members of TD. As this was inconceivable to the witness, he asked Vujić who had made the decision and Vujić told him: "It was decided up there." The witness Borisavljević added that two colonels and three lieutenant colonels from the security department were also present at the talks. The witness said that, after the talks, he had gone to the barracks so he could perform his usual activities. The next day, 20 November, in the words of the witness, the buses had arrived to the barracks. He pointed out that he had been at Velepromet at the time and that a member of TD had told him "that they will kill

them, there at the barracks”, so he himself went there immediately. In his words, there he found three buses full of people with bandages and stitches, while around the buses there were many members of TD and the inhabitants of Vukovar who wanted to get on the buses. Borisavljević pointed out that he heard the shouting of the members of TD and the inhabitants of Vukovar, such as "I'll kill you" and "I'll pay you back for it". In the words of the witness, a reservist told him that the chief of staff of the Guards brigade, Miodrag Panić, was in the barracks. The witness knew Panić, who was together with major Lukić, and told him "to quiet those people", whereupon he returned to Velepromet. Witness Borisavljević pointed out that there were around 50 members of TD near the buses and that he did not know anyone by their names, but only by sight. Toward the end of October, Miroljub Vujanović was appointed commander of TD. Continuing his testimony, the witness said that, at Velepromet, he had big problems with Topola, a member of "Leva supoderica", who was drunk and wanted to abuse the people who were at the assembly point. The witness Borisavljević pointed out that Topola had asked the guard to let him in so he could kill somebody, so they had to throw him, drunk as he was, out of Velepromet. The witness pointed out that he knew a person nicknamed Kinez, who was a member of "Leva supoderica" and who was tall, swarthy and was about 27 years old. A number of days before the end of the fighting, Peđa, a member of TD and a guard at Velepromet, informed the witness that Kinez had arrived with a group of people, at midnight, and that they had led out 13 persons from the hangar. The witness pointed out that he could not verify the truth of the information, but, because of the security of some 200 persons who were at Velepromet at that time, he organized their transport to the barracks. In his words, these people were returned to Velepromet the next day, when the military police came, headed by Nenad Bajić, and the information about all these events was sent to major Šljivančanin. The witness said that, upon his return to Belgrade, he had heard that a mass murder had been committed at Ovčara. In an answer to the question posed to him by the presiding judge, whether he knew Lazar Savić, the witness said that he knew an inhabitant of Vukovar who was a member of TD and knew many people and who had helped him a lot during the fighting. The witness Borisavljević stressed that, as far as he remembered, in the evening of 20 November, after the already mentioned meeting, this man said, with resignation: "I believe these madmen will murder those people." In an answer to the question what people would be murdered by what madmen, witness Borisavljević pointed out that it was his understanding that "those people" referred to the prisoners, while "these madmen" referred to the drunken members of TD. In Borisavljević's words, this conversation took place at two o'clock in the morning and he, upon his return to Belgrade, asked Šljivančanin and Vukašinić whether they knew what had happened. They could not tell him anything as they did not possess the knowledge of the events. The witness then said that he had been in constant conflict with the members of TD as some of the members of TD lacked discipline, they drank and went where they wanted so he insisted that they be disciplined. Witness Borisavljević then added that many members of TD wore cockades and that he had told Mrkšić that that was unacceptable. In his words, Mrkšić told him: "Let them wear whatever they want as long as they fight." The witness said that he had no arguments with the defendants Vujović and Vujanović. He then identified Vujović, Vujanović and Milojević who he could recognize although he did not know his name.

Witness **Ljubiša Vukašinić**, an active officer of the Army of Serbia and Montenegro, at the beginning of his testimony, said that the YNA Guards brigade, where he was an assistant to the chief of security, major Veselin Šljivančanin, had come to Vukovar on 28 or 29 September 1991. The command headquarters of the brigade were in Negoslavci. In Vukašinić's words, later on an Operations Group Jug was formed. As far as he remembered, Vukovar was liberated on 17 November and the Guards brigade left Vukovar on 23 November. The witness then remarked that, at the beginning of November, he had become the commander at the command headquarters in Negoslavci and that his function was to provide security of the command headquarters. Speaking about the events after the fall of Vukovar, witness Vukašinić pointed out that he intended to stick to his statement given earlier in the investigation changing only the date of the evacuation of the hospital which did not take place on 19, but on 20 November, which fact he had arrived at after talking with some of his colleagues and after consulting the documents. To

corroborate this claim, the witness said that on 19 November Sirus Vance paid a visit to the hospital. Vukašinović then pointed out that on 19 November, around 20:00 hours, he was invited to present a report by the chief of security in the command headquarters of the Operations Group Jug and was ordered to organize, the next morning, a transport of the people from the hangar to the barracks whence they were supposed to be transported to Sremska Mitrovica. "Ovčara was not mentioned anywhere." The next day, at 6 o'clock in the morning, the witness had come to the hospital where, in his words, there were quite a number of the members of TD, citizens and people taken from the hospital. Vukašinović pointed out that major Šljivančanin had been coming in and out of the hospital where he had conducted negotiations with the hospital personnel whereupon the people from the hospital entered the three buses waiting for them. In Vukašinović's words, those people were in civilian clothes, some of them had bandaged arms or heads, but all of them were ambulatory. After they had been placed in the buses, each of which had two military policemen inside, they were transported to the barracks where there already were members of TD and the local inhabitants who, earlier, had been in front of the hospital. Vukašinović said that he had seen that the members of TD and the local inhabitants were angry and wanted to enter the buses, but he told them they were not allowed to do so. After that, the situation quieted down. In the meantime, a military policeman brought a list of some 20 names of the people who, following the request of major Šljivančanin, he was supposed to return to the hospital. Although it was very difficult, because of the protests of the members of TD and the local inhabitants, the witness did manage to return those people to the hospital. The witness Vukašinović pointed out that, on the occasion, he had told major Šljivančanin not to do that any more as it was not safe to do so, and added that he had, after that, returned to the barracks with the three buses, while major Šljivančanin had remained at the hospital. When he returned, there were no buses, and Mladen Predojević informed him that an order had come from the command headquarters for the prisoners to be transported to Ovčara and that he, too, should go there. In his own words, the witness arrived at Ovčara around 13:00 hours and found there the chief of staff Panić who, soon after that, left. The witness said that he had seen many members of TD, empty buses and the people in the hangar. In his words, the hangar was open and, after he had entered it, he saw disorder, traces of blood, people who had been beaten up and members of TD with arms and wooden sticks in their hands. He saw Vujović, Vujanović and Kameni there and he "insisted with Mirosljub to have some order restored", but that he got no support from them. Vukašinović then added that he had succeeded, together with the military policemen, to remove the member of TD from the hangar, whereupon he brought into the hangar the people from the remaining three buses. In the words of the witness, after the situation had quieted down, he left Ovčara and around 17:00 or 17:30 went to the command headquarters to find out "who had ordered it" and to tell major Šljivančanin what had been happening at Ovčara. As major Šljivančanin was not at the command, witness Vukašinović told Mile Mrkšić "that the situation had improved, that there had been a lot of problems with the members of TD, that it could happen again and that security should be strengthened". In Vukašinović's words, Mrkšić listened to him, and he told Šljivančanin about what had been happening at Ovčara only at around 21:00 hours, when he saw him at the command headquarters. Witness Vukašinović pointed out that major Šljivančanin, after having listened to him, told him: "Vukašin, I knew you would solve it." Asked who he had charged with the security of the prisoners from the hangar, Vukašinović answered that he had left them to a platoon of military police of the 80th motorized brigade from Kragujevac and added that at Ovčara, after his departure, there remained the commanding officer of the platoon, Vezmarović. Witness Vukašinović pointed out that during his stay at Ovčara there also were some military policemen from the Guards brigade who had returned to the barracks in the six buses. Asked about the role of the defendants Vujović, Vujanović and Lančuzanin, the witness said that they had been the commanding officers of the units integrated into the composition of the 1st storm troopers detachment of the YNA Guards brigade and pointed out that Vujović and Vujanović had at first spelled one another at the position of the commander of TD Petrova Gora, while Lančuzanin had been the commander of "Leva supoderica". In the buses there were approximately 250 persons. The triage in the hospital was carried out by major Šljivančanin and near the hospital he saw Mirosljub and Stanko, whom he later saw at Ovčara too.

Explaining the behavior of the defendants Vujović and Vujanović at Ovčara, the witness said that they had been standing, that they had not been involved and that they had not beaten anyone. Witness Vukašinović then confirmed that it was possible that Vujović had answered him in front of the hangar with "This is not yours", as claimed by a protected witness. All the prisoners were alive while he was at Ovčara, and as for the murder of the people at Ovčara, the witness said that the next day, when he was preparing to leave the command headquarters he heard rumors those people had disappeared and had been murdered.

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