

Croats Protest Vukovar Judgment

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Relatives of Vukovar massacre victims accuse Hague tribunal of not acting in the interest of justice. More than 30 Croats gathered outside the Hague tribunal on October 11 to protest at the judgments handed down to three Serbs tried for war crimes committed in Vukovar.

Many of the protesters were relatives of victims of a 1991 massacre of Croats taken from Vukovar hospital and killed in nearby Ovcar. They gathered around a heart-shaped display of candles arranged around a sculpture to commemorate the massacre, and held up photographs of the victims.

The so-called Vukovar Three were accused of involvement in the mistreatment and execution of some 264 Croat and other non-Serbs taken from Vukovar hospital by Serb forces on November 20, 1991, and turned over to territorial defence and paramilitary troops who beat, tortured and killed the prisoners.

Last month, Serb commander Mile Mrksic was sentenced to 20 years in prison for aiding and abetting the murder, torture and cruel treatment of prisoners - though the trial chamber found no evidence that he directly ordered "cruel treatment, torture and murder" at Ovcar.

Mrksic's subordinate, Veselin Slijivancanin, was sentenced to five years in jail for aiding and abetting the cruel treatment of the prisoners, and the third accused, Miroslav Radic, was acquitted after judges found there was no evidence he was aware of the killings at Ovcar.

"These people are absolutely shocked with this improper verdict and the injustice that was done," said Dr Zvonimir Separovic, president of the Croatian Society of Victimology, told IWPR, just before he appealed to the tribunal to have the sentences reviewed.

Separovic also took chief prosecutor Carla Del Ponte to task for failing to indict top-ranking Serbian and former Yugoslav generals and officials that he claimed were responsible for war crimes in Vukovar.

In a written statement delivered to the tribunal registrar this week, Separovic added that "these pathetic and meaningless verdicts show the [tribunal's] bias and political agenda which is clearly not in the interest of any justice".

Olga Kavran, a spokeswoman for the tribunal's chief prosecutor, said that while Del Ponte "certainly rejects such claims in the strongest terms", because the protesters had not sought a meeting, she could not address their specific complaints.

The prosecution plans to appeal the sentences and has 30 days from the September 27 verdict to do so, said Kavran.

Zlatko Spejar, a Franciscan monk known as the Guardian of Vukovar, told IWPR that many Croats had looked to the tribunal for justice - adding that there has not been a single revenge-killing in Vukovar since the end of the conflict in 1998.

“With this verdict, the [tribunal] has overturned justice,” said Spejar.

Pointing out one woman who had been orphaned during the fighting in Vukovar, Spejar said that the Hague court needed to do more to address the broader conflict, which had completely destroyed the city, displaced as many as 22,000 people and resulted in more than 400 deaths from murder and neglect in Serbian prison camps.

“This scandalous verdict does not address [this],” he said.

The trial focused only on the single massacre of 194 prisoners on November 20, 1991.

In its judgment, the trial chamber found that although Mrksic ordered the transfer of prisoners from the custody of Yugoslav army, JNA, military police to Serbian territorial defense and paramilitary forces - apparently under pressure from local Serb officials - he did not order their mistreatment.

While Mrksic - who was a colonel at the time, and in charge of all Serb forces in Vukovar - did not order the torture or killing of prisoners, the trial chamber found he had been informed of “intense feelings of animosity” harboured by Serb paramilitaries and territorial defense troops against Croats, and had also been told of a number of killings the previous day.

As a result, the trial chamber found him guilty of abetting both murder and torture with his order to turn prisoners over and for failing to take additional measures to ensure their safety.

The trial chamber found no evidence to prove the charge that Slijivancanin had ordered crimes against prisoners.

Judges found him guilty of aiding and abetting torture, by failing to take more action to safeguard the prisoners, in spite of knowing about the inhumane treatment and killings of prisoners of war by the Serb irregulars.

Because it was Mrksic’s order to withdraw military police from guarding the prisoners, the trial chamber found Slijivancanin not guilty of aiding and abetting the murders.

Radic - who commanded the infantry company that supervised the initial capture of prisoners from the Vukovar hospital - was acquitted because the trial chamber found the varying accounts of his involvement meant the prosecution failed to prove that he knew or had reason to know about crimes committed by soldiers under his command.

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Focus: International Criminal Tribunal for the former Yugoslavia

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