

## **Witness Says SRS Killed Civilians**

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He says even local Serb community was afraid of SRS volunteers, but could do nothing about them. A Croatian Serb testified this week in The Hague that volunteers loyal to Vojislav Seselj's political party killed more than 40 civilians when expelled from the village of Vocin in 1991.

Mladen Kulic, formerly a captain in the Territorial Defence in Croatia's Western Slavonia region, which consisted of local Serbs who fought against Croat forces, said the volunteers from the Serbian Radical Party, SRS, committed "murders and other crimes" in the winter of 1991.

The indictment against SRS leader Seselj states that he took part in a criminal conspiracy to force non-Serbs out of Croatia and Bosnia.

While specific allegations relating to Western Slavonia have been deleted from the indictment to save time in the trial, prosecutors called Kulic to attempt to show a pattern of behaviour from SRS volunteers during the war.

"In December 1991, when the Serbs were forced to leave Vocin by Croatian forces, the SRS volunteers killed more than 40 Croatian and Hungarian local civilians in their houses," said Kulic.

The witness stated that he had visited the war-time headquarters of the SRS party and told commander Ljubisa Petkovic "all about the crimes that I saw from volunteers", although he was unable to describe the appearance of the headquarters when challenged by Seselj.

Kulic testified that even the local Serb community was afraid of the SRS volunteers, but could do nothing about them "because they had their own accommodation and command".

According to the prosecution, Seselj encouraged "the creation of a homogenous 'Greater Serbia'... by violence, propaganda and incitement of hatred towards non-Serb people".

Kulic said the nationalist rhetoric from both sides created a state of fear.

"In the new constitution of Croatia from 1990, the Serbs went from being a constitutional people to being a national minority. This scared people," said Kulic.

He added that such uncertainties were the trigger for the creation of the Serbian Democratic Party, SDS, which was aimed at protecting the Serbs in Croatia.

"The SDS soon found itself in a conflict, because there were two currents inside the party - one advocating political dialogue with Zagreb and the other advocating armed resistance by the Serbs," Kulic told the

court.

Asked by the judges if the SDS worked on plans for creating a Greater Serbia, the witness replied that he only heard the term “from Croatian nationalists trying to cover up their crimes”.

According to the witness, although he could not be sure of any contacts between the SDS and Seselj, he “assumed they existed”.

The witness recalled seeing Seselj, dressed in army uniform, visiting the Territorial Guard centre in Vocin, Western Slavonia in November 1991.

However, Seselj contested the witness’s account of events, claiming that local Serbs from Croatia committed the murders and then “found a scapegoat in the SRS volunteers”.

To support his allegations, the defendant presented a written statement from the Territorial Guard Commander of Western Slavonia Jovan Trbojevic which states that “the SRS volunteers were disciplined soldiers”.

He also seized upon Kulic’s admission that he had been charged by the Croatian court in Bjelovar for crimes committed in Vocin, although he had been found not guilty.

During cross examination, Seselj told judges, “The fact that crimes weren’t proven doesn’t mean they weren’t committed, he [Kulic] might still be guilty.”

Seselj was then warned by Judge Jean-Claude Antonetti for “incriminating the witness without any allegations”.

This frustrated Seselj, who continued to ask the witness about the alleged crimes and said that there were “obviously, murderers and butchers” among the local Serb population in Croatia.

He also objected to the fact that much of the witness’s knowledge came from secondhand sources, and as such was not credible.

Seselj also took time this week to accuse the prosecution of forging statements from witnesses, and asked the trial chamber not to allow written testimonies taken from witnesses prior to the hearing to be admitted as evidence.

The defendant maintained that such a practice violates the “viva voce and direct principles of testimony, and enables the prosecution to coach the witnesses about what to say”.

He also refused to take part in any hearing where statements will be admitted before they are found to be correct in an open session.

Prosecutor Mathias Marcussen protested against such allegations, and stated that the statements were only “used in order to save time”.

Judge Antonetti ruled against the objection, explaining to Seselj that “the trial chamber takes into account the direct and cross examination when reviewing the statement, and so any testimony not considered authentic will not be considered relevant”.

The hearing will continue on March 9.

Denis Dzidic is an IWPR journalist in Sarajevo.

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