

**Civic Committee for Human Rights  
Documenta – Centre for Dealing with the Past  
Centre for Peace, Nonviolence and Human Rights-Osijek**

## **MONITORING WAR CRIME TRIALS**

### **REPORT FOR JANUARY AND FEBRUARY 2012**

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## OVERVIEW OF MONITORED TRIALS

### (a) Main hearings monitored at county courts in the Republic of Croatia

In January and February 2012, monitors of the monitoring team of the Centre for Peace, Nonviolence and Human Rights-Osijek, *Documenta* and the Civic Committee for Human Rights monitored main hearings in a total of 10 war crime trials at county courts in the Republic of Croatia.

Main hearings were held at the following **county courts**:

- **in Osijek** (trial against defendant Petar Mamula for the crime in Baranja; defendant Milan Marinković for the crime in Borovo Selo);
- **in Vukovar** (trial against defendant Ilija Vorkapić for the crime in Lovas; defendant Milorad Momić for the crime in Berak; defendant Miloš Stanimirović *et al.* for the crime in Tovarnik);
- **in Zagreb** (trials against: defendant Željko Gojak for the crime in the Karlovac settlement of Sajevac; defendant Frano Drljo *et al.* for the crime in Grubori; defendant Tomislav Merčep for the crime in Pakračka Poljana and at the Zagrebački Velesajam; defendant Tihomir Šavorić *et al.* for the crime nearby Mrkonjić Grad);
- **in Rijeka** (trial against defendant Željko Šuput *et al.* for the crime in Korenica).

The mentioned trials include **6 trials were conducted against members of Serbian formations and 4 trials against members of Croatian formations.**

**Out of 10 trials mentioned above, the hearings of which were held during January and/or February 2012, the first instance verdicts were rendered in four cases:**

**1. On 1 February 2012, the Osijek County Court pronounced a verdict in which defendant Milan Marinković (crime in Borovo Selo) was found guilty and sentenced to 3 years and 6 months in prison.**

*In this case, the Osijek ŽDO laid the indictment on 10 May 2011 against five members of Serb paramilitary formations. Indicted were Milan Marinković, Jovan Jakovljević, Dragan Rakanović and Milenko Mihajlović for the war crime against wounded and sick persons and for the war crime against prisoners of war, and Jovica Vučenović for the war crime against prisoners of war.*

*An investigation against five mentioned accused person began in November 2010 in Vukovar. On 15 April 2011, based on the VSRH's decision the case was transferred to Osijek County Court.*

*On 13 November 2010 the Police arrested Milan Marinković and took him to the Investigation Centre of the Vukovar County Court. Arrest warrants were issued against four persons unavailable to Croatian judiciary.*

*On the basis of the decision issued by the Osijek County Court's Extra-trial chamber dated 2 December 2011, the proceedings against Milan Marinković was separated from the proceedings against other defendants.*

The main hearing began on 19 January 2012. The hearing was also held on 30 January 2012. On 1 February 2012 the verdict was pronounced in which the defendant was found guilty because he was beating imprisoned wounded Croatian policemen Dalibor Križanović and Zvonimir Meković on 2 May 1991 in Borovo Selo.

After the verdict pronouncement, detention against the defendant was vacated. Previously, he was in custody from November 2010.

**2. On 2 February 2012, the Vukovar County Court pronounced the verdict in which defendant Ilija Vorkapić (crime in Lovas) was acquitted of the charge.**

*Initial indictment for the crime in Lovas was laid against 18 defendants, including Ilija Vorkapić. In 2003 and 2005, proceedings were discontinued in respect of two defendants. Until 2007, defendant Ilija Vorkapić was the only defendant who attended the hearings. In April 2007, defendant Milan Tepavac was arrested (and from the day of arrest kept in detention). In December 2007 the main hearing started anew. Defendant Milan Tepavac had a stroke while in detention. On 29 April 2009 proceedings were separated in respect of those two defendants. In December 2010, the Tepavac case was separated from the Vorkapić case due to Tepavac's incapability to stand trial.*

*The indictment was amended several times. The amended indictment of 4 November 2011 charges defendant Ilija Vorkapić that at the beginning of October 1991 he was aware that commander Ljuban Devetak had issued an order to bring all men of Croatian ethnicity to the agribusiness yard and that the following day about 80 persons were to be taken to a minefield. In the night of 17/18 October 1991 he was on guard armed with a rifle and had to watch that some of the detained persons do not attempt to escape, while members of the "Dušan Silni" chetnik squad were beating, kicking and stabbing detainees with knives. On 18 October 1991 detainees were taken to a minefield where 24 of them were killed and 15 were wounded due to mine explosions.*

Defendant Ilija Vorkapić attends the trial undetained.

**3. On 10 February 2012, after the fifth (fourth repeated) main hearing, the Osijek County Court found defendant Petar Mamula (for the crime in Baranja) guilty and sentenced him to 3 years and 6 months in prison.**

He was found guilty that in his capacity as member of Serb formations when interrogating unlawfully detained Catholic priest he was beating and physically maltreating that priest and thus he committed a war crime against civilians.

The main hearing in the fifth (fourth repeated) trial began on 12 January 2012. The hearing was scheduled also for 9 February 2012 and the verdict was pronounced the day after.

*Previously in this case the VSRH quashed already four times the first-instance convictions rendered by the Osijek County Court and remanded the case back to the mentioned court for retrial. The defendant received the following sentences: in the first trial - 5 years and 6 months; in the second and third trial -, 4 years and 10 months; in the fourth trial 3 years and 6 months.*

The indictment in this case was laid in 2001. The defendant attends the trial undetained. Previously, he was kept in custody from 6 October 2000 until 7 May 2003.

**4. On 28 February 2012, the Zagreb County Court found defendant Željko Gojak guilty (for the crime in the Karlovac Settlement of Sajevec) that in his capacity as the Karlovac Police Administration's employee, he committed a war crime against civilians – by killing a minor Danijela Roknić and injured party Dragica Ninković. He was sentenced to 9 years in prison.**

Defendant Željko Gojak is kept in custody. During the reporting period, two hearings were held (on 10 January and on 28 February 2012).

**During the reporting period, main hearing began in two trials:**

**1. On 10 February 2012, the main hearing began at the Zagreb County Court in the trial against defendant Tomislav Merčep.**

*Defendant Tomislav Merčep is charged that, as commander of the MUP reserve unit stationed in Pakračka Poljana and at the Zagrebački Velesajam [the Zagreb Fair] and as adviser to the Croatian MUP, he personally issued orders to have civilians unlawfully confined, tortured and killed in the period from October to December 1991. Although he knew that his subordinates were carrying out unauthorised confining of civilians, plundering them, mistreating, torturing and killing them, he failed to prevent such unlawful actions. Hence in the area of Kutina, Pakrac and Zagreb, his subordinates unlawfully confined 52 persons, out of which number 43 persons were killed, three went missing whereas the remaining persons survived the torture and abuse inflicted upon them.*

Defendant Merčep is kept in custody as of 10 December 2010.

At the hearing held on 10 February 2012, the court panel was deciding on evidence proposals by the parties in the trial.

There is a great interest of the public for this trial. In the court room audience, there were 40 persons, media representatives and representatives from associations stemming from the Homeland War.

The next hearing is scheduled for 16 March 2012.

**2. On 28 February 2012, trial against Tihomir Šavorić, Ivica Krklec and Alen Toplak began at the Zagreb County Court – Office in Zlatar.**

*Indictment charges the defendants that in their capacity as members of the 7<sup>th</sup> HV Guard Brigade they killed unidentified civilians in the area of Dabrac and Boćac (between Mrkonjić Grad and Banja Luka, BiH) during a military action named "Južni potez". Defendant Šavorić is charged because his several unidentified subordinated soldiers killed an unidentified man and a woman aged about 40 on 10 October 1995. At the same time, the defendants are charged that, on 11 October 1995 early in the morning, when one unidentified woman aged about 60 approached them, defendant Toplak opened burst fire from automatic rifle and immediately killed that woman; later on the same they, they came across an unidentified man aged about 50 and, upon receiving the order issued by defendant Šavorić, defendant Krklec killed that man with shots from the automatic rifle.*

*Defendant Šavorić was already convicted with a first-instance verdict (non-final) for a war crime against prisoners of war committed on 9 and 10 October 1995 by killing six detained members of the Republika Srpska Army. On 24 October 2011, the Zagreb County Court's War Crimes Council rendered a first-instance verdict whereby it found defendant Šavorić guilty and sentenced him to six years in prison.*

*In addition to Šavorić, six more persons were indicted. With the first-instance verdict, five of them were convicted and two defendants were acquitted.*

**In remaining 4 trials, the courts resumed main hearings which commenced before this reporting period:**

**1.** In the trial conducted at the Zagreb County Court against **defendant Frano Drljo, Božo Krajina and Igor Beneta (crime in Grubori)**, the main hearing of which began on 24 November 2011, two hearings were held during January and February 2012 and four witnesses were heard. The next hearing is scheduled for 1 March 2012.

*The defendants are charged that in their capacity as members of Anti-terrorist unit (ATJ) Lučko, on 25 August 1995 during the field search action named "Oluja obruč", following an entry in Grubori by the groups under Drljo's and Krajina's command, Drljo and Beneta-subordinated to him were shooting civilians and setting houses on fire, and Drljo, having seen it, took no action to prevent his subordinated soldiers from doing that, while Krajina, having seen that members of the group also subordinated to him together with the mentioned persons were killing civilians and burning houses, took no due action to prevent members of his group, and thus gunshot wounds were inflicted on that occasion to Milica Grubor, Marija Grubor, Jovo Grubor, Jovan Grubor of late Damjan, Miloš Grubor and Đuro Karanović causing their deaths, and majority of buildings and farm facilities were set on fire in the hamlet of Grubori.*

Defendants Drljo and Krajina are kept in custody.

At the hearing held on 1 March 2012, it was announced that the trial against Igor Beneta was discontinued. Namely, in November 2011, only a few days after the begin of the main hearing, it was announced that Beneta committed suicide by hanging himself. This trial was formally held also against him (in his absence), but after the Gračac Registry Office submitted Beneta's death certificate to the court, the formal-legal conditions were met for discontinuing the proceedings against him.

**2.** The Vukovar County Court's resumed the main hearing in the trial against **defendant Milorad Momić (crime in Berak)**. The Vukovar ŽDO's indictment issued on 5 April 2006, specified on 12 October 2011 in respect of defendant Momić, charges him that he committed a war crime against civilians under Article 120, paragraph 1 of the OKZRH.

*The defendant is charged that in his capacity as TO member, together with other TO members, in the period between 2 September 1991 and the end of autumn in 1991, in Berak, with the purpose of forcing the remaining civilian population of non-Serb ethnicity out of the village and to create a village with the majority Croatian population, they detained one part of non-Serb population – some 120 civilians who remained in the village – in the barns of the agribusiness VUPIK which was situated in the village. Then they took the civilians to the detention camp established only for this purpose in the houses of Maria and Petar Penavić and Mate Mitrović. The defendant participated in all activities by which*

*entire civilian population was subjected to a systematic mental and physical abuse until some of them were killed, some of them were threatened to be killed, where the mentioned civilians were mentally abused by frequent shots over their head, prisoners were taken to the detention camp and were beaten there, they were taken for questioning in the basement of Mate Mitrović's house where they were beaten.*

*With the purpose of establishing the aforesaid, the defendant was charged that:*

*- on not-precisely determined date in the autumn in 1991, he beat with his fists Anđa Rušnov, Danica Rušnov and Mara Kujundžić in the detention camp in Berak,  
- on 5 September 1991 in Berak, together with Ilija Čučković and in agreement with him, he killed Kata Garvanović with one burst fire fired from the weapon from the military transporter vehicle.*

During the reporting period, two main hearings sessions were held. The next is scheduled for 16 March 2012.

The defendant is kept in custody as of 2 September 2011. On that date he was extradited from France.

**3. The Vukovar County Court resumed the main hearing which commenced on 13 April 2010 in the trial against defendant Miloš Stanimirović and thirteen other defendants (crime in Tovarnik).**

All defendants are tried in their absence.

*The defendants are charged that, after 20 September 1991 in Tovarnik, they were forcibly displacing, killing and physically torturing Croat and other non-Serb civilian population and were seizing or destroying their property; thus they committed genocide under Article 119 of the OKZRH and a war crime against civilians under Article 120 of the OKZRH by applying Article 43 of the same Act.*

During the reporting period, two trial hearings were held (3 January and 24 February 2012).

**4. The Rijeka County Court resumed the main hearing in the repeated trial against defendants Željko Šuput and Milan Panić (crime in Korenica) for a war crime against prisoners of war.**

*The defendants are charged that, as members of a special militia unit within the armed forces of the so-called SAO Krajina, in the period between 15 October 1991 and end of April 1992 in Korenica, they repeatedly abused both mentally and physically three detained members of Croatian formations (Nikola Nikolić, Mile Lukač and Perica Bičanić) who were detained together with other prisoners in the premises of the militia building without basic hygiene and existential conditions. Because of this repeated abuse in the prison, the mentioned injured persons sustained multiple physical injuries.*

In the repeated trial, the defendants attend the trial undetained. During the reporting period, one main hearing was held (23 January 2012). The next hearing is scheduled for 22 March 2012.

**In several trials against present defendants which we monitored at county courts during previous months, no trial hearings were held in January and February 2012 and thus the hearings in those cases because of the recess exceeding two months will have to start anew:**

**1. the third (second repeated) trial against defendant Enes Viteškić (crime in Paulin Dvor) conducted at the Osijek County Court.**

*The Osijek ŽDO's indictment dated 12 March 2003, partially amended at the hearing held on 5 April 2004, charges Nikola Ivanković and Enes Viteškić that in their capacity as HV members together with several more unidentified perpetrators, on 11 December 1991, having learned that their wounded co-fighter had died, they agreed to go to Paulin Dvor in order to retaliate and kill local Serb-ethnicity population. When they reached Andrija Bukvić's house in Paulin Dvor and checked that civilians which they were looking for were in that house, they opened a burst fire from automatic rifles and threw activated hand grenades in the premises with civilians killing 18 civilians.*

*After the first-instance trial held in April 2004, Nikola Ivanković was found guilty and sentenced to 12 years in prison whereas Enes Viteškić was acquitted. On 10 May 2005, the VSRH modified the first-instance verdict in respect of defendant Ivanković and sentenced him to 15 years in prison whereas in respect of defendant Viteškić, it quashed the first-instance verdict and remanded the case for retrial.*

*After the repeated first-instance trial, defendant Viteškić was acquitted again on 29 January 2007. However in 2010, the VSRH quashed this verdict again and remanded the case for retrial before completely changed panel's composition.*

The main hearing in the third (second repeated) trial began on 19 September 2011. The hearings were held on 21 and 21 September and also on 10 October 2011. During the main hearing, the War Crimes Council decided to separate certain evidence from the file. For that reason the case is back again before the VSRH because of the lodged appeal against the mentioned decision. After the VSRH decides on the mentioned appeal, the next hearing will be scheduled in writing.

Defendant Viteškić attends the trial undetained. He spent time in detention during the initial first-instance trial until the pronouncement of his first acquittal.

**2. In the trial against defendant Marko Bolić (crime in Podvožić) conducted at the Karlovac County Court, the last hearing was held on 24 November 2011. According to the memo of the Karlovac County Court, the hearing has not been scheduled lately because the Karlovac County Court is awaiting the requested records on questioning witnesses.**

*The Karlovac ŽDO's indictment No. K-DO-33/10 dated 18 April 2011 charges the defendant that, in his capacity as member of "Skrad Company" armed formation of the so-called SAO Krajina, on 4 November 1991, following the order issued by Boro Ercegovac, commander of the units in the Logorište military barracks, to carry out a breakthrough from the military barracks, he killed Croatian Army members Marijan Jakšić and Darko Tuškan when he met them in the village of Podvožić. Having spotted the enemy's army, Marijan Jakšić and Darko Tuškan pulled over and got out of their personal vehicle, laid down a carbineer and a hand grenade on the hood and raised their hands up as a sign of*

*surrender. Although their lives were not directly endangered, the defendant, together with Rado Bolić, opened fire from personal firearms and shot Marijan Jakšić and Darko Tuškan who died from sustained injuries at the crime scene.*

**3.** In the reopened trial against **defendant Renato Petrov (crime in Škabrnja)** conducted at the Zadar County Court, the main hearing began on 21 September 2011. In 1995, Renato Petrov was sentenced in his absence to 20 years in prison. On the basis of Interpol's arrest warrant, Renato Petrov was arrested in Dusseldorf at the beginning of April 2011 and Germany extradited him to Croatia at the beginning of July 2011.

*The indictment issued on 22 August 1994 charges Renato Petrov that, together with several other persons, he committed a war crime against civilians referred to in Article 120, paragraph 1 of the OKZRH. Since there is a separate trial in respect of Petrov, the Zadar ŽDO amended the indictment on 20 September 2011. The amended indictment charges him that he killed one elderly male person by firing one shot from a handgun.*

**4.** In the third (second repeated) trial conducted before the Sisak County Court against **defendant Rade Miljević (crime on the Pogledić Hill near Glina)**, the last hearing was held in April 2011.

*In this case, the defendant is charged that in his capacity as member of the so-called SAO Krajina forces, on 20 September 1991, based on his previous agreement with the members of reconnaissance group of Joso Kovačević, he took detained civilians Janko Kaurić, Milan Litrić, Borislav Litrić and Ante Žužić out of the prison in Glina and surrendered them to the members of the mentioned group to execute them.*

Trial hearings have not been held since April 2011. The defendant attends the trial and is not kept in custody. He was in detention from 10 March 2006. However, in December 2010 his detention was vacated because of the expiry of maximum detention period.

In this case, the VSRH quashed two times the convictions rendered by the Sisak County Court due to incorrect and incomplete establishment of facts. In the quashed verdicts, the defendant was sentenced to 14 i.e. 12 years in prison.

## **b) Monitored sessions at the Supreme Courts of the Republic of Croatia (VSRH)**

**During the reporting period, we monitored one hearing and two sessions held by the VSRH's Appeals Chamber:**

**1. In the trial against defendant Mihajlo Hrastov (crime on the Korana Bridge)**, the VSRH held a hearing on 30 January 2012. The hearing was resumed a day after. Then it was postponed and the next hearing is scheduled for 27 March 2012.

*Hrastov is charged that, as a member of Croatian special police, he killed 13 and wounded 2 members of detained JNA reservists on the Korana Bridge in Karlovac whereby he committed a criminal offence against humanity and international law by unlawful killing and wounding the enemy.*

This trial has been conducted since 1992 and it is the most glaring example of inefficiency of Croatian courts. The VSRH two times quashed the acquitting verdicts of the Karlovac

County Court and then, after the third acquitting first-instance verdict, decided to conduct hearing itself. After the conducted hearing, the VSRH Chamber sentenced Hrastov to 8 years in prison, but in 2009 the sentence was reduced to 7 years. The trial then became a case before the Supreme and the Constitutional Court, respectively, because the Constitutional Court in 2010 quashed the convicting verdict rendered by the Supreme Court of the RC and remanded the case to the Supreme Court for retrial. The VSRH decided to conduct hearing again. As aforementioned, it began on 30 January 2012. The next hearing is scheduled for the following dates: 27 March, 21 and 22 May 2012.

**2. In the trial against defendant Čedo Jović (crime in Dalj IV), the VSRH's Appeal Chamber held its session on 22 February 2012. The VSRH accepted the defendant's appeal** due to essential violation of the criminal procedure provisions, committed by the first-instance court since it failed to ask the defendant how did he plea in respect of the amended indictment. **Therefore, the VSRH quashed the first-instance verdict** in which the defendant was found guilty – after the third (second repeated) trial – and sentenced to 5 years in prison. The case was remanded back to the first-instance court for retrial.

*The defendant is charged that in his capacity as commander of one military police formation of the so-called RSK Army, in the period from the end of December 1993 until June 1995, although he knew that his subordinate military policemen were torturing non-Serb members of the manual labour platoon, he failed to take any action to punish the perpetrators and thus he accepted the continuation of their impermissible actions (beating one injured person who died because of sustained injuries, and beating five more injured persons).*

**3. In the trial against defendants Željko Belina, Dejan Milić, Ivan Grgić and Zdravko Plesec**, former members of the Croatian Army charged with committing a war crime against civilians by killing Goranka and Vera Mileusnić and Blaženka Slabak and wounding Petar Mileusnić in Novska in December 1991, the VSRH's Appeals Chamber held its session on 21 February 2012.

It concerns one of the crimes in respect of which the Amnesty Act was unfoundedly applied. Namely, the trial was conducted in 1992 against the mentioned defendants. Back, then, the committed offence was qualified as a murder. After the investigation, the Military Prosecution in Zagreb dropped charges against Grgić and Plesec, whereas the Military Court in Zagreb continued the trial against Belina and Milić (as well as against presently deceased Dubravko Leskovar). However, on 2 November 1992, this trial was concluded by issuance of the decision on dismissal of the criminal procedure by applying the Amnesty Act. Later on, injured parties filed a criminal report against the mentioned persons for the same event but this time commission of a war crime against civilians under Article 120, paragraph 1 of the OKZRH.

In July 2010, the Sisak ŽDO laid the indictment. However, after the main hearing, on 19 November 2010, the Sisak County Court's War Crimes Council rendered a judgement rejecting the charge pursuant to Article 353, item 5 of the Criminal Procedure Act because it was of the opinion that this was a *res iudicata* case i.e. that the matter was already judged and that the defendant cannot be tried again. Detention against defendants was vacated and they were released.

We are not familiar with the VSRH's decision.

## INDICTMENTS

According to data available to us, one indictment for war crimes was laid during the reporting period. It concerns the **indictment issued by the Split ŽDO** against **two Croatian citizens** for the commission of a war crime against civilians.

*According to Split ŽDO's information, defendant D.B. is charged that in his capacity as commander of Kuline Military Prison from 21 May until 17 July 1993 in Šibenik, he kept four civilians in the mentioned Military Prison aware that prison guards were beating and torturing them on a daily basis; therefore by failing to take any action to prevent this he participated in crime commission too. Detained civilians were physically and mentally tortured on a daily basis. Female injured person was repeatedly raped and forced to have sexual intercourse with one of the injured persons. Defendant M.P. is charged that in his capacity as prison guard, he was physically and mentally torturing detained civilians and forcing the female injured person to have sexual intercourse with one of the injured parties.*

Against the two defendants, an indictment was laid in March 2011 for the commission of a war crime against prisoners of war in Kuline prison. This indictment was laid against 4 persons, in total.

For criminal offences of war crimes committed in the area of the Republic of Croatia, one indictment was laid in the Republic of Serbia during the reporting period. Namely, **Office of the War Crimes Prosecutor of the Republic of Serbia laid the indictment against two former members of Territorial Defence (TO) Tenja - Božo Vidaković, a.k.a „Ustaša“ and „Trafikant“,** former commander of the TO Tenja Fourth Squad **and Žarko Čubrilo,** former TO member of the TO Tenja Headquarters for war crimes against one prisoner of war and 18 civilians, committed in the period from 7 July until the end of August 1991 in the area of Tenja in the Republic of Croatia.

*The indictment charges Vidaković with a murder of war prisoner – member of the Ministry of the Interior of the Republic of Croatia Đuro Kiš – whom the defendant took out of the TO Headquarters by pulling him with arms tied up with a barbed wire, and then opened fire from an automatic weapon at him aiming his head and body in the hall of “Partizan” cinema. Vidaković unlawfully detained, according to the indictment, seven Croatian civilians – Marija and Marko Knežević, Manda Banović, Franjo Fuček, Nedeljko, Elizabeta and Franjo Gotovac, surrendered them to unidentified persons who killed the mentioned civilians in the field behind the s Branko Radičević street in Tenja. Their bodies were found at Betin Dvor and were exhumed in February 1998.*

*The indictment charges Čubrilo with unlawful detention and murder of 11 civilians near the livestock cemetery in the vicinity of Bobota by killing them one by one, aided by two more TO Tenja members, on their stepping out of truck's loading part in which they had been previously boarded in. He shot at their heads from automatic weapon. The bodies of Ivan Valentić, Marija Cerenko, Ana Horvat, Katica Kiš, Pero Mamić, Josip Medved, Stipa and Evica Penić, Josip Prodanović, Vladimir Valentić and Franjo Burča have still not been recovered because they were moved from the site where they had been killed.*

Defendants Vidaković and Čubrilo spend time in detention from 10 August 2011.

The „Tenja“ case was forwarded to the Office of the War Crimes Prosecutor of the Republic of Serbia pursuant to the Agreement on the Cooperation in the Prosecution of Perpetrators of War

Crimes, Crimes against Humanity, and Crimes of Genocide between the Serbian and Croatian prosecution offices.

### **Božo Bačelić – arrested**

In the middle of February 2012 Božo Bačelić was arrested in Germany. He is charged in the Republic of Croatia with a war crime against civilians.

*Defendant Bačelić as well as Ante Mamić, Luka Vuka and Jurica Ravlić are charged with execution of two elderly Serb-ethnicity persons in Prokljan at the end of Military-Police operation “Oluja” (Storm). The proceedings, which began in 2001, is in recess because defendant Bačelić is unavailable to the court.*

*Previously, the Šibenik County Court rendered the verdict in 2002 wherein the defendants had been acquitted. However, the VSRH quashed this verdict in 2007 and ordered detention of the defendants. Since then Bačelić is a fugitive from justice and the other defendants were detained. After expiry of a maximum detention period, detention in their case was vacated.*