

Witness Statement

1. My name is Mile Sovilj. I was born in the village of Kijani, municipality of Gračac, Croatia. During the operation Storm I lived in the town of Gračac because I worked at Radio Television Knin from 1991; I covered events from the Lika region and so, by living in Gračac, I could travel distances much easier to get to my workplace. I remember that I was in Gračac also on the night of 3 to 4 August 1995 when Operation Storm began and that a shell fell in the town centre, near my place, around 5 AM.
2. I remember being in town until around 4 PM on 4 August and that up till then various parts of the town came under shell fire. I think that at least 15 shells were lobbed in the part of the town where I used to live. During Operation Storm there were no military installations or military personnel stationed in Gračac. So, there was no one to fire back. The local population began forming a convoy around 2 PM or 3 PM. The convoy was made up of tractors and vehicles and people headed towards Bosnia. There was no organisation and people thought at first that they would reach Donji Lapac and would then be able to get back to their homes, when the shelling stopped.
3. A few days earlier, I sent my wife and child to Kijane because my mother and father lived there. I set off to join them around 4 PM on the same day and, from what I heard later on, the shelling of Gračac went on even after I left. In my opinion, the purpose of pounding the town was obviously to upset the residents and force them to leave Gračac. As far as I know, all the residents of Gračac at the time were Serbs. I heard that some people were killed in the shelling. I heard this later; I did not see it with my own eyes.
4. Around 80 families or some 150 people lived in the village of Kijani, and the village itself included about 10 smaller hamlets. My father's house was in the hamlet of Surla. There were no Serb forces in Kijani or other hamlets, nor had the military retreated there because Kijane was deep inside the territory and there was no reason for the military to withdraw through there.
5. On that occasion, I talked to my father who was 65 years old at the time. I told him that he needed to get ready so that we could leave. He replied that he had heard Tudjman on the radio calling upon all Serbs, who had not bloodied their hands, to stay. Since the Croatian army shelled the repeater on Čelovac (Mt. Velebit), only Radio Zagreb could be listened to at that time, not even the local radio stations could go on air. I tried to persuade my father to come with us for his own safety but he told me that Kijane survived even the Second World War, that Tudjman said that Serbs who had done nothing wrong may stay and that he would stay in his own house.
6. Somewhere around 1 AM, on 5 August, I gathered about a dozen people from two or three Sovilj families and loaded them into the truck we were using to leave Kijane. We went along the road via Bruvno, Mazin and reached Dobro Selo, Vrtoče where we replaced the truck. I wanted to take the road via Sanski Most because I saw that the road in Bosanski Petrovac was blocked by a large number of vehicles. From there we travelled on until we reached Novi Sad. It turned out that we came to Serbia much faster this way, on the evening of 6 August, while people who took the road via Bosanski Petrovac travelled for more than a week due to road congestion

and shelling of convoys. I learned of the shelling of convoys near Bosanski Petrovac later on in the media, when I arrived in Novi Sad.

7. Once I arrived to Serbia it hadn't even crossed my mind to go back for safety reasons, because I had by then heard of some of the crimes committed by the Croatian army. I also found out from some of the acquaintances of mine from Gračac who also came to Novi Sad that Croats mentioned my name saying I would be sorry if I came back to Croatia. I tried for over a year to hear from my father through all international organizations and the Croatian Helsinki Committee and I waited for him to show up because Krajina Serbs would occasionally crop up in Serbia. Telephone lines were down so I had no one to call. About a year later, after all attempts at tracing my father failed, I realized that he was probably dead. My mother, whom I brought with me, died in Serbia in 1999 from stressful and dire conditions she lived in as a refugee, and a month earlier, my wife also died.

8. Later on, I found out that my father was killed by the Croatian forces on 8 August 1995. Actually, I saw a photo of my father's body when they called me in from the Veritas organization because they had received photos from the Republic of Croatia of corpses of people killed in the territory of Gračac. I think it was the year 2002. At that time, on a photo next to one of the bodies that was in the decomposing stage and it seemed to me that it was previously torched, I saw a cigarette-case that I bought for my father two years before operation Storm and that's why it seemed to me that it was the body of my father on the photograph. My father was not identified until 2004, when DNA analysis in Zagreb confirmed that the body I saw on the photo was that of my father, and the date of his death was indicated as 8 August 1995. I was told his body was found in Gračac cemetery and I didn't take over his mortal remains before 2006 and buried them at the cemetery in Petrovaradin. The residents of Kijane who I know were killed because they did not flee with the others are: Mara Sovilj (around 70 years of age), Mira Sovilj (around 45 years of age), Radomir Sovilj (around 42 years of age), Danica Sovilj (around 60 years of age), Marija Jelača (around 75 years of age), Mileva Kolundžić (around 60 years of age), Dane Bolta (around 75 years of age), Smiljana Bolta (around 80 years of age), Dušan Kesić (around 60 years of age), Milica Jelača and Branko Jelača (both around 65 years of age), Ana Ivanić, sister of Milica Jelača (deaf-mute). The victims were mostly elderly people and civilians and that is why they stayed behind in the village. I heard of their deaths primarily from their relatives with whom I was in contact by phone and in person, now and then. I think that some of them were also identified through DNA analysis. From Dane Bolta's son I heard that his body was found decapitated, i.e. that his head was severed when he was killed. From Marija Jelača's sons I heard that their mother's body was never found, that her sons saw her house which was burnt down and that they think that she was torched in the house, but they never succeeded in tracing any human remains of hers. From the families of those killed I heard that probably all people in Kijani were killed the same day, and as I said, I received information that the date of my father's death was 8 August 1995.

9. I now have information that criminal proceedings are being conducted in Croatia against one person for the murder of my father. Allegedly, it is a person of Serbian origin but who came to Kijane as a member of the Croatian army, i.e. Lovinački odred (detachment). Although these proceedings have not completed to this day, I have no doubt that the Croatian army entered the village of Kijane after we fled and that they torched houses when they entered, killing all the

people they found there. A single soldier was unable to kill all the Serbs who remained behind unless others enabled him to do so.

10. Although there was no army in it, the village where my father was killed is almost totally destroyed. I saw photos taken by my neighbours, where you could see that out of 80 houses that existed in the village almost 90% were destroyed. I applied with the Croatian Government for reconstruction of my family house in Kijani and received a reply that, since my mother died and I had residence in Gračac, I was not entitled to anything. My father used to have an old and a new house where he lived, a stable and livestock. Both houses and auxiliary buildings were torched and looted. In the hamlet of Surla where my father used to live, I think that at present only one person still lives there and that another family has submitted a request for house reconstruction.

11. I appeared in court as a witness during the trial of Croatian generals before the ICTY. On that occasion, I spoke of what I knew about the murder of my father, but since I didn't know anything about the circumstances surrounding his death, the Trial Chamber did not even consider the murder of my father in the verdict. Relatives of others who were killed in Kijani haven't even been summoned to give evidence. No one has yet been held accountable for the massacre in Kijani. I believe it is a great injustice.

I give this statement voluntarily to the Serbian Legal Team before the International Court of Justice and I agree to appear before the Court as a witness during the proceedings. I have read through the text of the statement and fully agree with it.

In Novi Sad, 20 March 2013

Signed by Mile Sovilj