



26 January 2001

## ICTY WEEKLY UPDATE – 157

### PROCEDURAL DEVELOPMENTS:

#### I. OVERVIEW OF COURT PROCEEDINGS:

##### **KRNOJELAC CASE (“KP Dom Camp”)**

*Trial Chamber II – Judges Hunt (Presiding), Mumba and Liu*

The trial of Milorad Krnojelac reconvened this week entering its sixth week of hearings with the sixth week of the prosecution case-in-chief.

On Monday 22 January, the Trial Chamber continued to hear the testimony of Ms. Racine Manas, an investigator with the Office of the Prosecutor, which commenced on Thursday 18 January.

The next witness, Mr. Ahmet Hadžimusić, a citizen from Brod, Foča municipality, testified about the attack on his village on 20 April 1992 during which 14 villagers were killed. Mr. Hadžimusić told the court that, after the attack, the Muslim men were made to lay on their stomachs and eat grass before being separated into groups, one group was killed and the other, including the witness were taken to KP Dom.

Mr. Hadžimusić told the court that upon his arrival at KP Dom he was interrogated and beaten. He described the conditions at the camp, including the pattern of maltreatment, interrogations and disappearance of detainees. Mr. Hadžimusić told the court that, on 23 October 1993, he was taken to Kula prison in Sarajevo where he remained for nine months.

After the conclusion of Mr. Hadžimusić’s testimony on Tuesday 23 January, the Trial Chamber heard the testimony of protected witness, FWS 138, a former detainee at KP Dom.

FWS 138 told the court that before the war he worked as a policeman in the KP Dom. FWS 138 testified about his arrest on 10 May 1992 and detention in KP Dom where he was held until October 1994. FWS 138 described the layout of the prison facilities and the hierarchy of the staff within the camp, including Krnojelac. FWS 138 also described the physical mistreatment, disappearance of detainees and forced labour. After the conclusion of FWS 138’s testimony on Wednesday 24 January, the Trial Chamber heard the testimony of FWS 104, a former detainee at KP Dom.

FWS 104 described the pre-war tension in Foča and told the court that, having taken shelter at a military warehouse in Filipovići, near Ustikolina, he was arrested on 26 April 1992 together with about 150 other civilians. FWS 104 testified that during the arrest, the men were separated from the women and children and were maltreated, beaten, robbed and five men were shot. FWS 104 told the court that he was then taken to KP Dom where, upon arrival, he was beaten. FWS 104 told the court that he was held at KP Dom until October 1992 and described the conditions at KP Dom including the torture, pattern of abuse and disappearances of detainees as well as the hierarchy of the staff at the camp.

After the conclusion of FWS 104’s testimony on Thursday 25 January, the Trial Chamber heard the testimony of FWS 3, a former detainee at KP Dom.

FWS 3 testified about his arrest on 24 May 1992 and being taken to KP Dom where he was held until 7 July 1992. FWS 3 told the court about the conditions at the camp, the mistreatment of detainees and described the camp hierarchy. The Trial Chamber then heard the testimony of FWS 144, a former detainee at the KP Dom. The testimony of FWS 144 will continue on Monday 29 January.

##### **KVOČKA, KOS, RADIĆ, ŽIGIĆ & PRCAČ CASE (“Omarska & Keraterm Camps”)**

*Trial Chamber I – Judges Rodrigues (Presiding), Riad and Wald*

The Trial Chamber reconvened this week to hear the commencement of Kvočka’s defence case-in-chief.

**Cont.**

On Monday 22 January, the Trial Chamber heard the opening statement of the lawyers for Kvočka followed by the testimony of Mr. Zdravko Samardžija a former employee at the Security Services Centre in Banja Luka.

Mr. Samardžija testified about the duty of the State Security Department and the Department for Public Security within the police system of Republika Srpska and the command structure within the police station. Mr. Samardžija told the court that, in 1992, he worked in the State Security Sector of the Public Security Centre in Banja Luka as an instructor for communications and encryption and later became the head of that department before being assigned as liaison officer with representatives of international humanitarian organisations.

Mr. Samardžija told the court that Mr. Simo Drljača, head of the Prijedor police, requested him to tap the telephone conversations of “unreliable Serbs” including Kvočka to gather evidence about their unreliability. Mr. Samardžija also testified about the disbanding of the Keraterm and Omarska camps and all the paramilitary formations and the establishment of a commission in the Security Services Centre (“CSB”), Banja Luka.

After the conclusion of Mr. Samardžija’s testimony on Tuesday 23 January, the Trial Chamber heard the testimony of Mr. Jadranko Mikić.

Mr. Mikić testified that he attended police training school with Kvočka and later they worked together at Prijedor police station. Mr. Mikić told the court that he has worked in the State Security Sector of the Banja Luka “CSB” since 1995.

Mr. Mikić testified about circumstances surrounding the conflict which broke out on the territory of Bosnia and Herzegovina and the reported division of the Serbian part of the police from the rest of the police of Bosnia and Herzegovina. Mr. Mikić also testified about the command structure and sub-sections at the police station.

The next witness, Mr. Lazar Basrak, told the court that he left Zagreb in September 1991, and moved to Prijedor, where he was assigned by the Defence Ministry to Police Station Number 1 in Prijedor. In 1992 he was mobilised and assigned to the reserve police station in Tukovi where, he told the court, he met Kvočka. Mr. Basrak also testified about Kvočka’s duties at the police station in Tukovi.

After the conclusion of Mr. Basrak’s testimony on Wednesday 24 January, the Trial Chamber heard the testimony of Mr. Milan Racić, a former policeman in police stations under the Banja Luka jurisdiction. Mr. Racić testified about the command structure in the police station and told the court about the situation in Prijedor during the conflict.

The next witness, Mr. Branko Bolta, worked as a policeman at the Prijedor Police Station in 1992. Mr. Bolta testified that he knew Kvočka from the Omarska Police Department and testified about Kvočka’s status and assignments within the police system.

Mr. Bolta told the court that he was assigned to transport suspects to the Omarska camp and testified about the Omarska and Keraterm camps. Mr. Bolta told the court that he was assigned to transport Mr. Nusret Sivac to Omarska in June 1992 (Mr. Sivac testified in this case on Tuesday 11 July, see Weekly Update 133) and told the court how Mr. Sivac and the other suspects were treated by Kvočka and the guards at Omarska.

After the conclusion of Mr. Bolta’s testimony on Thursday 25 January, the Trial Chamber heard the testimony of Mr. Novak Pušac.

Mr. Pušac testified that he was drafted to the 43rd Motorised Brigade, Prijedor, in 1991 and later, in 1992, he was assigned to the Territorial Defence for Omarska. Mr. Pušac told the court that, at the end of May 1992, his unit was given the task of securing the area of the Omarska camp. Mr. Pušac also testified about the lack of discipline within the unit.

The next witness, Mr. Djordje Stupar, was a reserve policeman in Banja Luka in 1992 and told the court about the reasons behind his decision to move with his family to Belgrade where they stayed for two months before going to Canada.

The Trial Chamber has now adjourned until 5 February 2001 at 9.20 a.m.

---

### **KRAJIŠNIK CASE (“Bosnia and Herzegovina”)**

*Trial Chamber III – Judges May (Presiding), Bennouna and Robinson*

On Thursday 25 January, Judge May, held the scheduled status conference partly in open session. After discussing the pre-trial preparations, Judge May noted that the next status conference should take place by 25 May 2001.

**Cont.**

**II. OVERVIEW OF COURT DOCUMENTS:**

**MILOŠEVIĆ, MILUTINOVIĆ, ŠAINOVIĆ, OJDANIĆ AND STOJILJKOVIĆ CASE (“Kosovo”)**

**WARRANTS OF ARREST RE-ISSUED TO THE FEDERAL REPUBLIC OF YUGOSLAVIA**

On Monday, 22 January 2001, Judge David Hunt re-issued warrants to the Federal Republic of Yugoslavia for the freezing of assets and surrender of Slobodan Milošević, Milan Milutinović, Nikola Šainović, Dragoljub Ojdanić and Vlajko Stojiljković (see Press Release 557).

**DELALIĆ, MUCIĆ, DELIĆ & LANDŽO CASE (“Čelebići Camp”)**

**SCHEDULING ORDER FOR JUDGEMENT**

On 24 January 2001, the Appeals Chamber (Judges Hunt (Presiding), Riad, Nieto-Navia, Bennouna and Pocar) ordered that the judgement on appeal in these proceedings will be rendered on **20 February 2001 at 2.30 p.m.**

**Blagoje SIMIĆ, Milan SIMIĆ, TADIĆ, TODOROVIĆ & ZARIĆ CASE (“Bosanski Šamac”)**

**ORDER SEPARATING PROCEEDINGS**

On 24 January 2001, Trial Chamber III (Judges Robinson (Presiding), Hunt and Bennouna) issued an order separating the proceedings against Todorović from those against his four co-accused.

Noting the confidential plea and co-operation agreement between the Prosecutor and Todorović and the subsequent finding of guilt entered by the Trial Chamber on 19 January 2001 (see Weekly Update 156), the Trial Chamber considered that it would be in the interests of justice to separate the proceedings against the accused Todorović from those against his four co-accused.

The Trial Chamber further ordered the prosecution to file a notice confirming the withdrawal of all counts, except Count 1, of the indictment against Todorović by 26 January 2001 and ordered Todorović to file a notice confirming withdrawal of all motions now pending before the Trial Chamber in which the accused sought an evidentiary hearing regarding the circumstances of his arrest and his requests for judicial assistance by 26 January 2001. In addition the Trial Chamber ordered the prosecution and Todorović to file all submissions and provide details of any witnesses they may wish to call in relation to the sentencing hearing by 1 March 2001.

A date for the sentencing hearing will be set in due course.

**COURTROOM SCHEDULE: 29 JANUARY – 2 FEBRUARY\***

**MONDAY 29 JANUARY**

Courtroom I 09:30 - 13:00, **Krnojelac**, Trial  
14:30 - 16:00, **Krnojelac**, Trial

**TUESDAY 30 JANUARY**

Courtroom I 09:30 - 13:00, **Krnojelac**, Trial  
14:30 - 16:00, **Krnojelac**, Trial  
Courtroom III 16:00, **Galic**, Pre-trial Conference

**WEDNESDAY 31 JANUARY**

Courtroom I 09:30 - 13:00, **Krnojelac**, Trial  
14:30 - 16:00, **Krnojelac**, Trial

**THURSDAY 1 FEBRUARY**

Courtroom I 09:30 - 13:00, **Krnojelac**, Trial  
14:30 - 16:00, **Krnojelac**, Trial

**FRIDAY 2 FEBRUARY**

Courtroom I 10:30, **Talic/Brdanin**, Motion Hearing

\*The courtroom schedule is provisional and you are invited to check for last minute changes with the Public Information Services. Unless otherwise indicated, all sessions are open.

Public proceedings are also broadcast with a 30 minute delay on the ICTY’s web site:

<http://www.un.org/icty/schedule/week-e.htm> (in English);

<http://www.un.org/icty/bhs/glance/week-b.htm> (na bosanskom/hrvatskom/srpskom).

**PRESS RELEASES ISSUED SINCE 11 JANUARY:**

DATE	No.	TITLE	E	F	B/C/S
23/01/2001	557	MILOŠEVIĆ AND OTHERS CASE: WARRANTS OF ARREST RE-ISSUED TO THE FEDERAL REPUBLIC OF YUGOSLAVIA	E	F	B/C/S

**Cont.**

For the latest list of all court filings, please visit the [ICTY Court Records](#)

For a selection of the latest public documents, please visit the [ICTY Website](#)