



9 February 2001

## ICTY WEEKLY UPDATE – 159

### LAST MINUTE NEWS:

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#### **SIKIRICA, DOŠEN & KOLUNDŽIJA CASE (“Keraterm Camp”)**

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

During the scheduled status conference held on Thursday 8 February, the Trial Chamber ordered that the trial will commence on **19 March 2001 at 10.a.m.**

### PROCEDURAL DEVELOPMENTS:

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#### **I. OVERVIEW OF COURT PROCEEDINGS:**

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

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

Having adjourned on Thursday 25 January, the Trial Chamber reconvened this week to hear the second week of Kvočka’s defence case-in-chief.

On Monday 5 February, the Trial Chamber heard the testimony of Mr. Pero Rendić.

Mr. Rendić told the court that he was mobilised by the Omarska Territorial Defence in May 1992 and assigned as leader of the Quatermaster's Unit operating the kitchen in the “Separacija ‘administrative’ building” at the Omarska mine.

Mr. Rendić testified about the command structure of the Territorial Defence and the Quatermaster Unit. Mr. Rendić also told the court about the composition of the personnel involved in food preparation for the army and the availability of food.

According to Mr. Rendić’s testimony, from 28 May 1992 the kitchen staff were ordered to prepare the meals for the detainees in the Omarska camp in addition to the meals they already prepared for members of the army. Mr. Rendić gave an example of the food they prepared and told the court that, although supplies became more scarce, the meals were the same for members of the army and for the detainees in the Omarska camp. Mr. Rendić also testified about Kvočka and his family.

The next witness, Mr. Miro Bijelec described the political situation in the area at the relevant time. Mr. Bijelec told the court that he joined the Alliance of Reform Forces of Ante Marković, the then Prime Minister of Yugoslavia, in 1990 and testified about the establishment of a Banja Luka steering committee in September 1990. Mr. Bijelec also testified about visiting Sarajevo on 15 September 1990 to attend a political conference and being approached by Kvočka in September 1990 who wanted advice on becoming a member of the Reformist Alliance and wanted to set up a branch of the party in Omarska.

On Tuesday 6 February, the Trial Chamber heard the testimony of Mr. Čedo Vuleta, a former employee at the Omarska mine.

Mr. Vuleta told the court that in 1992 he was assigned to work on the maintenance of the electrical system in the Omarska mine as his compulsory military service. According to Mr. Vuleta his duties involved maintaining the electrical installations in the mine, checking the pumps supplying the mine with drinking water and doing shifts in the kitchen where the food was being prepared.

Mr. Vuleta particularly testified about a breakdown in the drinking water well which left the mine without any potable water and told the court that whilst he was working at the mine he saw interrogators who came from Banja Luka to question the detainees and also saw several dead bodies at the camp. Mr. Vuleta also testified about the differences in uniforms and responsibilities between reserve policemen and Omarska policemen and told the court that he saw Kvočka several times at the camp. Mr. Vuleta also

testified about the quality of the food at the camp for the workers and the detainees and the organisation of the camp.

The next witness, Mr. Branko Rosić, told the court that he was given a military assignment in the Omarska mine from May to July 1992 and worked with the previous witness, Mr. Vuleta.

Mr. Branko Rosić testified about an incident on 30 May 1992 when detainees were brought on buses to the mine. Mr. Branko Rosić told the court that whilst the detainees were being taken off the buses he and his son, Mr. Milenko Rosić, who was visiting the mine, saw a soldier open fire on the detainees. According to Mr. Branko Rosić, Kvočka stood in front of the soldier's gun to prevent more people being shot.

The next witness, Mr. Milenko Rosić, son of Mr. Branko Rosić, testified about the above events which took place on 30 May 1992 when he visited his father at the Omarska mine.

On Wednesday 7 February, the defence called Mr. Ljuban Andžić.

Mr. Andžić told the court that he was deployed by the Prijedor Territorial Defence in May 1992 to the medical centre in Omarska in order to take care of the health of the local population, the soldiers, the police, and the detainees at the Omarska mine.

Mr. Andžić described the injuries he observed on the detainees and told the court that he saw Kvočka on four or five occasions during the times he visited the Omarska camp. In particular, Mr. Andžić testified about the incident on 30 May 1992, also witnessed by Mr. Branko Rosić, when he was called to provide medical assistance. Further, Mr. Andžić told the court that his father, Mr. Milan Andžić, was the deputy commander for logistics in 1992 and responsible for providing the local population and the detainees at the camp with food.

The defence then called Mr. Zoran Kvočka, Miroslav Kvočka's brother.

Mr. Zoran Kvočka testified about visiting the Omarska camp along with Mr. Milan Andžić and Momčilo Radanović at 1.30 a.m. on the morning of 28 May 1992 when detainees were arriving in buses and told the court that the security was later taken over by Omarska Police Department officers.

According to the testimony of Mr. Zoran Kvočka, in the spring of 1993 Duća Knežević told him that he had the accused, Miroslav Kvočka, on a list of people to be shot because he was thought to be a traitor as he helped Muslims. After the conclusion of Mr. Zoran Kvočka's testimony the Trial Chamber held a status conference in open session.

During the status conference, the Trial Chamber first set the provisional schedule for the remainder of the trial as follows: **19 to 23 February 2001** Kos' defence case-in-chief; **6 to 16 March 2001** Radić's defence case-in-chief; **19 or 26 March** for the commencement of Žigić's defence case-in-chief; **7 May 2001** for the beginning of Preač's defence case-in-chief. Prosecution rebuttal: **28 May to 1 June 2001**; defence rejoinder from **11 to 22 June 2001**. Closing arguments are scheduled to take place from **9 to 13 July 2001**.

Then the Trial Chamber scheduled four days for the cross-examination of Kvočka and one day for the cross-examination of Radić. This cross-examination will take place after the close of their respective defence case-in-chief.

The Trial Chamber additionally discussed prosecution and defence exhibits and noted that the status conference will be resumed at a later date in order for the Trial Chamber to discuss affidavits, expert testimonies and any other business.

On Thursday 8 February, the Trial Chamber heard the testimony of Mr. Dragan Popović.

Mr. Popović told the court that he was mobilised in 1992 and assigned as a reserve policeman to the Omarska Police Station. Mr. Popović testified that, along with other policemen, he was given the task of providing security for the Omarska camp from 29 May to August 1992 and told the court that he saw Kvočka at the camp during that time.

Mr. Popović described the organisation of his work and testified about an incident in June 1992 when he shot and killed a detainee in the restaurant at the camp. Mr. Popović told the court that he was investigated by inspectors from Prijedor but returned to his guard post in Omarska 10 days later after his version of events was confirmed by two detainees, Dedo Crnalić and one of those injured.

When cross-examined by lawyers for Milojica Kos, Mr. Popović testified that he and Kos worked together as reserve police officers in the investigation centre in Omarska.

The next witness, "DA/2", a Muslim, told the court that her brother and his son lived in Kvočka's house in 1993 and 1994. According to "DA/2" her nephew stayed with Kvočka for about a year and her brother lived there for six months.

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The next witness, Ms. Nada Markovska, a former typist working in the crime police department of the Prijedor public security station, testified that she was assigned to the Omarska camp from June to August 1992.

Ms. Markovska told the court that the room where she worked was located in the administration building of the Omarska camp and gave details of the organisation and hierarchy within the police. Ms. Markovska testified that she saw Kvočka at the camp and described the interrogations she heard taking place and the people she saw who had been interrogated.

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**SIMIĆ, TADIĆ & ZARIĆ CASE (“BOSANSKI ŠAMAC”)**

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*Trial Chamber III – Judge Robinson (Pre-trial Judge)*

On Thursday 8 February, Judge Robinson, the pre-trial Judge held the scheduled status conference. The Trial Chamber ordered the prosecution and defence to file new pre-trial briefs by 26 March 2001 and 23 April 2001 respectively in light of the fact that the prosecution’s brief was filed on 31 March 1999, the defence briefs have not yet been filed, the changes to the Tribunal’s Rules of Procedure and Evidence, and the change in the number of accused before the Trial Chamber.

The Trial Chamber scheduled the pre-trial conference to take place on 16 May 2001.

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**COURTROOM SCHEDULE: 12 FEBRUARY – 16 FEBRUARY\***

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**MONDAY 12 FEBRUARY**

Courtroom I 09:30 - 13:00, **Krnojelac**, Trial  
14:30 - 16:00, **Krnojelac**, Trial  
Courtroom III 09:20 - 12:50, **Kvočka et al.**, Trial  
13:50 - 15:00, **Kvočka et al.**, Trial

**TUESDAY 13 FEBRUARY**

Courtroom I 09:30 - 13:00, **Krnojelac**, Trial  
14:30 - 16:00, **Krnojelac**, Trial  
Courtroom III 09:20 - 12:50, **Kvočka et al.**, Trial  
13:50 - 15:00, **Kvočka et al.**, Trial

**WEDNESDAY 14 FEBRUARY**

Courtroom I 09:30 - 13:00, **Krnojelac**, Trial  
14:30 - 16:00, **Krnojelac**, Trial  
Courtroom III 09:20 - 12:50, **Kvočka et al.**, Trial  
13:50 - 15:00, **Kvočka et al.**, Trial

**THURSDAY 15 FEBRUARY**

Courtroom I 09:30 - 13:00, **Krnojelac**, Trial  
14:30 - 16:00, **Krnojelac**, Trial  
Courtroom III 09:20 - 12:50, **Kvočka et al.**, Trial  
13:50 - 15:00, **Kvočka et al.**, Trial

**FRIDAY 16 FEBRUARY**

Courtroom III 09:20 - 12:50, **Kvočka et al.**, Trial  
13:50 - 15:00, **Kvočka et al.**, Trial

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/week-b.htm> (na bosanskom/hrvatskom/srpskom).

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