



23 March 2001

## ICTY WEEKLY UPDATE – 165

### PROCEDURAL DEVELOPMENTS:

#### I. OVERVIEW OF COURT PROCEEDINGS:

##### **KRSTIĆ CASE (“Srebrenica”)**

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

The Trial Chamber reconvened this week to hear the prosecution rebuttal evidence.

On Monday 19 March, the prosecution called Dr. Peter French to review the so-called 2 August 1995 “kill them all” tape containing a recording of an alleged conversation between Krstić, Lieutenant Colonel Obrenović and Lieutenant Colonel Jevdjević.

Dr. French, a forensic consultant specialising in the analysis of tape recordings, speech and language samples, reviewed the tape, in consultation with Witness EE, for a “voice comparison matching analysis” and a “voice tamper analysis”. The testimony of Witness EE followed.

On Tuesday 20 March, the Trial Chamber heard the testimony of Witness BB who testified previously in this trial on 23 and 26 June 2000 (see Weekly Update 131). Witness BB, an operator monitoring frequencies and intercepting Bosnian Serb army communications, was recalled by the prosecution to testify about the “kill them all” tape. Witness BB testified that he recorded this conversation and also gave details of a conversation he recorded between Krstić and a person identified as Borovcanin in mid-July 1995.

The next witness, Z, a member of the Electronic Reconnaissance and Anti-Electronic forces of the Bosnian Army in 1995 who previously gave evidence in this case on 22 June 2000 (see Weekly Update 130) testified about the two taped conversations discussed in Witness BB’s testimony.

The next witness, W, (previously gave evidence in this case on 20 and 26 June 2000 (see Weekly Updates 130 and 131)) the head of an electronic surveillance department gathering information for the State Security Service in 1995, testified about the recording and logging of the 2 August 1995 “kill them all” conversation.

On Wednesday 21 March, the Trial Chamber heard the testimony of Witness FF, a former member of the 2nd Corps Interception Unit of the Bosnian Army. Witness FF, platoon leader on Mount Konjuh in July 1995, testified about conversations he recorded between a person identified as Mandžuka and Krstić and later between Krstić and a person identified as Popović on 2 August 1995. After the conclusion of Witness FF’s testimony, the Trial Chamber concluded the hearing in closed session.

On Thursday 22 March, the Trial Chamber heard the testimony of Ms. Stefanie Frease, a former employee with the Office of the Prosecutor assigned to work on the Intercept Project within the Srebrenica investigation. Ms. Frease told the court that the Intercept Project involved collecting and analysing intercepted radio communication material with the objective of determining whether the material was reliable and genuine. After the conclusion of Ms. Frease’s testimony the Trial Chamber concluded the hearing in closed session.

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

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

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

On Monday 12 March, the Trial Chamber heard the testimony of protected prosecution witness, FWS-69. This witness, a former resident in the village of Jeleč, Foča Municipality, testified about the political developments leading up to the war, the Serb pre-war preparations and gave details of the attack

on Jeleč on 1 May 1992. FWS-69 told the court that he was arrested by Serb soldiers on 4 May 1992 and transferred to the camp of the KP Dom where he was held until 8 December 1992.

FWS-69 testified about the brutal living conditions at KP Dom and the atrocities which, according to FWS-69, reached a peak in June and July 1992. FWS-69 described the beating, killing and interrogation of detainees as well as the working groups of detainees and their tasks they were assigned to.

After the conclusion of FWS-69's testimony on Tuesday 21 March, the Trial Chamber heard the testimony of Mr. Amor Mašović, President of the State Commission for Tracing of Missing Persons in Bosnia, formerly the State Commission for the Exchange of Prisoners of War.

Mr. Mašović testified that during the war the Commission had the task of tracing persons who were in enemy prisons, wounded and killed, or missing and to negotiate for the release of detainees. In the post-war period the Commission conducts or co-ordinates exhumations in Bosnia to locate missing people. Mr. Mašović told the court that about 10,500 Bosnian Muslims have been exhumed in Bosnia (about 6,500 were exhumed by the State Commission For Tracing Missing Persons and about 4,000 were exhumed by representatives of the Tribunal); 1,200 to 1,500 Bosnian Serb victims have been exhumed; and about 500 Bosnian Croats have been exhumed.

Mr. Mašović testified that from 1996 to 2000, 436 victims were exhumed from 156 different locations in the Foča municipality, 375 of which have been identified, two of those, Mr. Murat Crneta and Mr. Halid Konjo, have been identified as former detainees of the KP Dom. The Prosecution submitted during Mr. Mašović testimony that it has presented evidence in the case to show that these two detainees left KP Dom in work groups for "plum-picking" in September 1992. Mr. Mašović's testimony continued on Wednesday 21 March. After the conclusion of Mr. Mašović's testimony on Thursday 22 March, the prosecution called protected witness, FWS-249, a former detainee at the KP Dom.

FWS-249 testified about the organisation of the Jeleč village guards and his arrest on 25 May 1992 and told the court that about 40 days after arriving at the KP Dom he was forced to work in the metalwork shop and gave details of the vehicles he worked on including that belonging to Krnojelac. According to FWS-249, other detainees were assigned to work in the mine, worked on a farm or went to cut grass.

The Trial Chamber then adjourned until Monday 26 March.

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

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*Trial Chamber III - Judges Robinson (Presiding), May and Fassi Fihri*

The joint trial of Duško Sikirica, Damir Došen and Dragan Kolundžija commenced this week.

On Monday 19 March, the prosecution made its opening statement which was followed by an opening statement by Counsel for Kolundžija. The prosecution and then called its first witness in the trial, protected Witness A.

Witness A testified that he was arrested along with others in Prijedor on 31 May 1992 and taken to Keraterm where he was held until 2 August 1992. Witness A testified that there were three shifts of guards, two of which were headed by Došen and Kolundžija respectively and gave details of events and differences between conditions for the detainees during the three shifts. Witness A told the court about the beatings, disappearances, interrogations and the killing of detainees, particularly "Car", Dževdo Karabegović and Professor Besim.

Witness A testified that he was designated as "chief of prisoners" for "Room 1" in the camp with the responsibility of logging the number of prisoners in the room. Witness A gave details of the so-called 26 July 1992 "Room 3 massacre" when soldiers opened fire on the building known as Room 3 killing about 200 of the detainees and wounding about 17. Witness A's testimony continued on Tuesday 20 March. After the conclusion of Witness A's testimony on Wednesday 21 March, the Trial Chamber heard the testimony of Witness B.

Witness B testified about events surrounding the conflict in the municipality of Prijedor in May 1992 and his arrest on 31 May 1992 when he was taken to Keraterm. Witness B testified about shifts of guards headed by Došen and Kolundžija and told the court that Sikirica was the superior in command of the shift commanders from about 15 June 1992 onwards. Witness B described the conditions in the camp with respect to food, water and sanitary conditions and told the court that he was assigned as "chief" of "Room 4" with the responsibility of keeping a list of the detainees held in that room. Witness A also testified about the beating and killing of detainees, particularly, "Car", Drago Tokmadžić, Eso Islamović and Ismet Kljajić and the so-called "Room 3 massacre" of 26 July 1992. Witness B told the court that he was transferred to Trnopolje on 5 August 1992, where he was held until 13 August 1992. Witness B told the

court that he was released on the condition that he signed all his property over to “Republika Srpska” and left “Republika Srpska” immediately

After the conclusion of Witness B’s testimony on Thursday 22 March, the Trial Chamber heard the testimony of Witness C. Witness C testified about events surrounding the Serb take-over of Prijedor on 30 April 1992 and the arrest of his brother on 31 May 1992. Witness C testified that he himself was subsequently arrested on 12 June 1992 and taken to the Prijedor municipality MUP building before being driven to the Keraterm camp where he was detained until August 1992. Witness C testified that Sikirica was the camp commander at Keraterm and described the conditions in the camp including the food and the “Room 3 Massacre”.

The Trial Chamber has now adjourned until 26 March when Witness C will continue his testimony.

## COURTROOM SCHEDULE: 26 MARCH – 30 MARCH\*

### MONDAY 26 MARCH

Courtroom I 09:30 - 13:00, **Sikirica/Došen/Kolundžija**, Trial  
14:30 - 16:00, **Sikirica/Došen/Kolundžija**, Trial  
Courtroom II 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 27 MARCH

Courtroom I 09:30 - 13:00, **Sikirica/Došen/Kolundžija**, Trial  
14:30 - 16:00, **Sikirica/Došen/Kolundžija**, Trial  
Courtroom II 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 28 MARCH

Courtroom I 09:30 - 13:00, **Sikirica/Došen/Kolundžija**, Trial  
14:30 - 16:00, **Sikirica/Došen/Kolundžija**, Trial  
Courtroom II 10:00 - 11:30, **Krnojelac**, Trial  
12:00 - 13:30, **Krnojelac**, Trial  
15:00 - 16:30, **Krnojelac**, Trial  
Courtroom III 09:20 - 12:50, **Kvočka et al.**, Trial  
13:50 - 15:00, **Kvočka et al.**, Trial

### THURSDAY 29 MARCH

Courtroom I 09:30 - 13:00, **Sikirica/Došen/Kolundžija**, Trial  
14:30 - 16:00, **Sikirica/Došen/Kolundžija**, Trial  
Courtroom II 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 30 MARCH

Courtroom I 09:30 - 13:00, **Sikirica/Došen/Kolundžija**, Trial  
Courtroom II 09:00, **Nikolić**, Status Conference  
Courtroom III 09:20 - 12:50, **Kvočka et al.**, Trial  
13:50 - 15:00, **Kvočka et al.**, Trial

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

## PRESS RELEASES ISSUED SINCE 16 MARCH:

DATE	NO	TITLE	E	F	B/C/S
21/03/2001	578	STATEMENT BY THE PROSECUTOR, CARLA DEL PONTE	E		B/C/S
23/03/2001	579	SUPPORT FROM THE UNITED KINGDOM FOREIGN AND COMMONWEALTH OFFICE TO THE ICTY OUTREACH PROGRAMME	E		B/C/S

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