

ATTEMPT TO CONFIRM KUNARAC ALIBIS

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Various members of the Bosnian Serb forces, ranging from soldiers to drivers and guards have given evidence for the defence. They confirmed different parts of Kunarac's testimony, where he claimed to have been either out in the field or sometimes in the Foca itself. "At the end of July, I was with Zaga (Kunarac's nickname) for four days at Podstijena where we searched for dead Serbs and buried their bodies," one protected witness testified. The prosecution retorted that the witness could not be sure where Kunarac went at night. "Everybody knew that he was there", the witness insisted.

The prosecution argues that witnesses would need to have Kunarac within sight 24 hours a day to provide a meaningful alibi, not least since rape victims have already testified that soldiers - including Kunarac - would collect them to be raped at night, when they had returned from the field.

Victims testified that on 2nd August 1992 Kunarac arrived in Kalinovik with some soldiers and took a group of women to a house in Foca, where they were raped. The group included one woman who was pregnant and the witnesses described being transported in a refrigerated truck. Kunarac testified that he arrived at the brigade's headquarters near Foca that day, having been driven from the field in a truck carrying a captured anti-aircraft gun. Several witnesses backed his testimony. "On the evening of 2nd August, I saw a TAM truck arrive at headquarters carrying an anti-aircraft gun and Kunarac was on it," said former driver Radivoje Pavlovic.

Pavlovic then described exactly when and where he had driven Kunarac the following day, prompting the prosecution to ask if he had a "personal reason" to remember in such detail after eight years. Indeed, the prosecution expressed doubts that any of the defence witnesses could accurately remember exactly what time, where and on which days they had seen Kunarac eight years ago.

The defence testimonies were short, so the Foca trial sat for only two days last week. The hearing will continue on 11 September, when defence counsel for Kunarac and the other two accused will summon a total of 24 more witnesses.

Focus: [International Criminal Tribunal for the former Yugoslavia](#)

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