

## **Blaskic Trial: Commander 'Overstepped Authority'**

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After Prosecutor Mark Harmon showed him documents that point to the contrary, the Defence witness accused Blaskic of "overstepping legal authority." The witness is, undoubtedly, qualified to make such assessment as he was the Justice Minister of the Federation of B-H until almost the end of last year.

By summoning the former minister as a witness, the Defence counsels Anto Nobile and Russel Hayman wanted to show that the accused cannot be held responsible for failure to punish the crimes committed by his subordinates, since he played no part in the stages of any criminal proceedings undertaken against them.

By interpreting the laws of the so-called Croatian Community of Herzeg-Bosnia, the witness claimed that Blaskic had no authority over the military or civilian police or any of their prisons. According to those laws, or according to their interpretation by the former Justice Minister, Blaskic was himself subordinate to the military police.

During the cross-examination, Prosecutor Harmon presented a pile of documents - Blaskic's orders to the military and civilian police as well as prison wardens. The witness, however, would not be drawn. A part of those orders, he pointed, concerns disciplinary misdemeanors, for the punishment of which Blaskic had authority.

With regard to the rest of the orders -those which related to graver crimes, "Blaskic overstepped his legal authority" the witness replied. Such orders could have only been issued by higher commands of the military police, investigative judges or public prosecutors and not by the commander of the Operative Zone. To this, Nobile suggested that Blaskic had overstepped his authority when faced with "huge security problems threatening the entire enclave", and he cited the attack on Ahmici as an example.

The Defence also last week summoned a ballistics expert as a witness who sought to prove that shells fired at the centre of Zenica in April 1993 for which Blaskic is also held responsible, could not have been fired from the HVO positions 16 km away. The prosecutor tried to refute this by seeking to confirm that the ballistic calculations included a 10 per cent margin of error which put the town within the range of the HVO. The witness however maintained that to reach Zenica, the shells would have needed an extra charge fitted, but that neither the Croatian Army (HV) nor the HVO possessed these at the time.

Fog at Schiphol Airport on Friday prevented the arrival of Martin Bell MP, the former BBC war correspondent, who was due to appear as a witness for the Defence. Blaskic's counsels used his non-appearance as an opportunity to present material evidence to the court about the persecution of Croats in Central Bosnia in 1993.

Documents about expelled Croats and damaged or ruined Croat houses in the municipalities of Travnik, Novi Travnik and Vitez were submitted. The Defence claims that three times more Croat than Muslim houses were burnt or destroyed in Central Bosnia, and that some 200,000 Croats and 50,000 Muslim were expelled or fled that area.

Video footage of burnt Muslim houses and desecrated Catholic churches in the municipalities Kakanj, Vares and Fojnica were shown before the court. The footage shows among other things the plunder of Croat houses by men and women dressed in traditional Muslim clothes, and by soldiers in BH Army uniforms.

The trial of General Blaskic will continue in the middle of February. Before then, the Tribunal President will have to name a new judge for Trial Chamber I, in place of Fouad Riad of Egypt, who will be absent for several months due to a recent heart operation. So as to join the final phase of the trial, the new appointee will have to read 17,000 pages of transcript and examine over 1,000 exhibits, submitted in evidence up until now.

**Location:** [Bosnia and Herzegovina](#)

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

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