

Build Up To Foca Conflict - Sides disagree on how and why Foca conflict started

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Neither side disputes the existence of such a conflict between Serbs and Bosniaks in Foca, but they disagree on how and why it started.

The prosecution presented evidence on the Serbian takeover of the town and the subsequent persecution of the Bosniak population, to prove that detained women were raped as part of a "widespread and systematic attack on civilians."

If the prosecutor can prove such circumstances, then sexual abuse represents not only a violation of the laws and customs of war, but also a crime against humanity.

The defence responded by trying to lessen Serb responsibility for the conflict in the town. Defence witnesses testified that Serbs felt threatened by the arming of Bosniaks and described the suffering of the Serbian population.

"The first houses to be set on fire in Foca belonged to Serbs," said a protected witness who worked as an investigator for the defence team. The defence described a pre-election rally by the Muslim Party of Democratic Action, SDA, in Foca, which witnesses said spread fear among the Serbs that the Bosniaks wanted to create some kind of Islamic state.

The prosecution had argued that the Serb authorities sought the ethnic cleansing of Foca, which is why all mosques in the town were destroyed and Foca was renamed "Srbinje". Defence witnesses claimed that the mosques were destroyed because they were used as arms depots and "machine gun nests".

The defence witnesses - mainly Serb residents of Foca - displayed little enthusiasm for the town's new name, however, calling it Foca in their testimonies.

By claiming that the Bosniak side shared responsibility for the conflict and also committed crimes, the defence hoped to undermine the claim that Serbian forces launched a "widespread and systematic" attack on Bosniaks. However, judge David Hunt, said that the possible crimes of one side in a conflict do not reduce the responsibility of the other. "Widespread and systematic attacks can be carried out by both sides," he concluded.

Meanwhile, two witnesses were summoned to confirm the alibi of Dragoljub Kunarac, who claims that he was not in Foca when some of the rapes he is accused of took place, but "in the field."

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

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