

The Continuation of the General Blaskic Trial

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ICTY

Tribunal Update 60: Last Week in The Hague (January 19-25, 1998)

This was in spite of the fact that most of the trial last week took place in the afternoon shift, while the Slavko Dokmanovic trial took place in the same courtroom in the mornings.

The shelling of Zenica, the big town in Central Bosnia under the control of the Army of Bosnian and Herzegovina, received most attention. According to the indictment, the attack was carried out by HVO forces under the command and control of Blaskic on April 19, 1993.

In the indictment it was qualified as an 'unlawful attack on civilians and civilian objects' and 'willful killing and causing serious injury'. The shells were fired at noon, on the centre of the city in which there were no military objects, and, according to the indictment, 15 people were killed, while 18 civilians suffered serious injury and another 38 light injuries. The director of the hospital in Zenica testified on this count, reading out to the court a list of people with heavy injuries and giving medical descriptions of the wounds they suffered.

A freelance photographer, who arrived at the site of the explosion one hour after the shelling and photographed the victims also appeared, as did two investigators who took part in the civilian and military investigation at the site of the crime. Meanwhile, one protected witness testified in a closed session.

A number of photographs and two video recordings showing the horrific consequences of the attack were also presented, following a warning to the court that the images they would see could be shocking.

The statement of witness 'W', a Bosnian Army artillery man and ballistic expert who had taken part in the investigation, provided the greatest and most relevant detail. Using photographs of the crater and artillery diagrams, 'W' showed how they had established the caliber of the shells and the position from which they were fired.

According to him, the shells were of 122mm caliber, and were fired from the hill of Pahulja, some 16 kilometers away from Zenica, where the artillery positions of the Croatian Defence Council (HVO) were located at the time. That artillery, he said, could only have been under the command of Blaskic, the highest officer of the HVO in that operative zone.

After the defence attempt to persuade the witness that the shells could have come from the Serbian positions on Mount Vlasic, Presiding Judge Claude Jorda asked 'W': 'is it possible and is it probable?' The witness explained that the Serbs could reach the town with 130 mm howitzers (which they did do occasionally), but could not reach it with the 122 mm caliber shells which caused the slaughter in the town centre that day.

Witness Mladen Veseljak, the civilian judge at the regional military court in Zenica, read out the death certificates of the 15 people who were killed, giving the time, but not the cause, of their deaths. In response to the defence objection that the death of those people may have been caused by something other than shell explosions, Veseljak pointed out: 'We didn't have Hong Kong flu that day. I even knew some of those people personally. The hospital authorities issued certificates to the families and the pathologist described each corpse. There is no doubt in my mind these people were killed by shelling.'

The prosecution also covered the ethnic cleansing of Busovaca, one of a number of towns in the valley of the river Lasva from which the HVO forces expelled all Muslims in April 1993, killing many of them in the process, destroying their houses and plundering their property.

The testimony last week of Munib Kajmovic remains disputed, however, and the judges have yet to decide whether they will accept it as material evidence. Cunningly, the prosecution introduced Kajmovic as a last minute 'expert-witness' even though he had been previously described to the defence as a 'factual witness'.

Kajmovic was the president of the Muslim Party, SDA, in Vitez during the war, so the defence researched him as such and prepared themselves for the cross-examination. But the prosecution decided to present him as an 'expert-witness', basing this on the fact that he had recently completed an academic study on the demographic changes in the municipality of Vitez 1991-1995, as his MA thesis at Sarajevo University.

Kajmovic presented statistical data, illustrated with tables and graphs, pertaining to the forceful resettlement of the population, i.e. ethnic cleansing of all towns, settlements and villages of the Vitez

municipality. He claimed that the Serbs, who were few in that part of Bosnia, left 'voluntarily' before the outbreak of the conflict; the Muslims were expelled with 'swords and fire' in the HVO offensive from April 16 to 20; while the Croats left the places where they comprised the minority population 'before that offensive' not under pressure from the Bosnian Army, but more under pressure from the HVO who were creating an ethnically clean Croat area.

During his cross-examination, Anto Nobile for the defence managed to provoke Kajmovic into giving several politically-coloured answers. Presiding Judge Jorda eventually concluded that the Trial Chamber had heard 'not only an academic, but also a political testimony, in which statistics were used to support certain political arguments'.

Jorda announced that the judges will assess the value, reliability and credibility of Kajmovic's testimony and decide whether to accept it as material evidence.

Location: Bosnia and Herzegovina

Focus: International Criminal Tribunal for the former Yugoslavia

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