

COURTSIDE: Bosanski Samac Trial

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Accused changes plea to guilty and offers "sincere regret".

Milan Simic, who had originally denied being responsible for crimes against the Muslim population of Bosanski Samac, pleaded guilty last Monday. This is the seventh admission of guilt before The Hague tribunal in the past seven years.

Originally accused of persecution of non-Serbs in Bosanski Samac together with Simo Zaric, Miroslav Tadic, Blagoje Simic and Stevan Todorovic, his case was separated in May this year. Todorovic pleaded guilty in December 2000.

Simic, head of the municipality's executive board and a member of the local Serb Crisis Staff in 1992, said he wished to "express his sincere regret and repentance for his deeds against fellow citizens and friends in the [Samac] elementary school".

He confessed to using weapons and his feet to beat Hasan and Muhamed Bicic, Perica Mistic and Ibrahim Salkic, and to having fired shots above their heads. He also confirmed beating Safet Hadzialijagic, putting a gun in his mouth and shooting above his head. Simic said he was aware that the fact that his best friend was killed that day and that he was drunk cannot justify his actions.

The court then heard arguments of possible aggravating and mitigating circumstances for the crimes. In mitigation, the defence claims both beatings occurred on one night in the summer of 1992 when Simic was drunk and bitter about the death of his best friend. The prosecution insists his two visits to the school to abuse inmates represented clear signs of his intent to commit crimes and should be considered an aggravating circumstance.

Both sides agree on a jail sentence ranging from three to five years, with the defence insisting on the minimum and the prosecution on the maximum. His plea was arranged with the prosecution but, unlike that of Todorovic, does not involve a deal to testify against his former co-accused. Simic has now filed a request for release before his sentence is announced.

His plea was followed by the testimony of Ediba and Kemal Bobic, a wealthy Muslim couple from Bosanski Samac, who were tortured and whose property was looted by local Serb authorities. The prosecution intends their story to demonstrate how Muslims were persecuted in the area under the control of Blagoje Simic, Miroslav Tadic and Simo Zaric.

The Bobics were put under house arrest as soon as Serb forces took power in Bosanski Samac on April 14, 1992, and their son was forced to dig trenches on the front lines.

Kemal was arrested the following month and was beaten daily in the local police station. Todorovic and his gang used to visit and torture the prisoners while they were drunk. On pronouncing his 10-year sentence in 2000, the tribunal told Todorovic it would have been twice that long had he not admitted his guilt.

As a result of his beatings, both Kemal's arms and one leg were broken and his forehead was cut to the bone. He claims that policemen banged nails into his knees, stubbed out cigarettes in his mouth and took out four of his healthy teeth. Throughout this period his wife remained in their home next door to the police station, from where she said she could hear his screams. In court, she cried throughout her testimony.

Kemal was later taken to a camp in nearby Batkovici, where he said conditions were awful but the beatings were less frequent. Throughout his imprisonment, Ediba attempted to buy his release, claiming she gave 12,000 DM to Tadic in an unsuccessful attempt to free her husband.

She told the court that Cviko Stefanovic, an official in charge of Batkovici camp prisoner exchange, demanded the transfer of all their property to him before she and her family could be exchanged. "During the next four days they took everything out of the house," she claimed.

Ediba was exchanged in December 1993 but Kemal remained in Batkovici until the following autumn.

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