

COURTSIDE: Keraterm Camp Trial

Prijedor camp defendant changes plea in exchange for lenient sentence.

In an unexpected development on the very eve of his own defence case, Dragan Kolundzija - one of three men standing trial for crimes in the Prijedor camp, Keraterm - admitted responsibility for some of the charges in the indictment against him. The change of plea on August 26 came after the prosecution agreed not to demand a sentence longer than five years imprisonment.

Kolundzija, 41, commander of one of the guard shifts in Keraterm, was accused of persecuting the non-Serb population in the Prijedor region on political, racial and religious grounds, and of command responsibility for the killing of 130 detainees in July 1992, while he was on duty. The prosecutor dropped the murder charges and accepted his guilty plea on the lesser count of persecution.

The defence and prosecution both agreed that sufficient evidence of the inhumane conditions in Keraterm in June and July 1992 had been presented at the trial. Kolundzija accepted responsibility for overcrowding, insufficient food, water and medical care and for the humiliation, harassment and psychological abuse of Bosniak and Bosnian Croat detainees. All contributed to a general atmosphere of terror.

They agreed that there was also evidence Kolundzija had used his authority to improve conditions, frequently preventing guards from mistreating detainees. Though aware of the crimes committed in the camp, however, he had continued as shift commander and, therefore, agreed to plead guilty to committing persecution through inhumane conditions.

"I am guilty as was explained," Kolundzija said on September 5, reassuring presiding judge Patrick Robinson that he had entered his plea freely and voluntarily. The plea agreement did not mention the prospect of his future cooperation with the prosecutor, as was agreed in another plea change that came before the tribunal in December.

Stevan Todorovic, accused of crimes in Bosanski Samac, was the first defendant before the ICTY to switch his plea from innocent on all counts, to guilty to part of the indictment.

Kolundzija's defence and the prosecution will present arguments for sentencing at a hearing set for October. The defence is expected to recommend three years in imprisonment, with the prosecutor calling for five. But the trial chamber must decide whether to accept a sentence within the range they propose. Kolundzija confirmed that, despite the agreement, he was aware that his sentence could be much longer, given that he has pleaded guilty for a crime that still qualifies as a crime against humanity.

The same trial chamber sentenced Todorovic to 10 years in prison, at the upper end of the range of five to 12 years, recommended by the defence and prosecution, respectively.

The presentation of evidence in the Keraterm trial closes with Kolundzija's admission of partial guilt. The prosecution case concluded in spring, while the other two accused presented their defence over the summer. These are Dusko Sikirica, charged with being commander at Prijedor camp, and Damir Dosen, another head of the guard shifts.

Concluding arguments in their trial are expected in early October - unless they follow the examples of Todorovic and Kolundzija and decide to admit partial guilt.

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