

Foca Trial

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Prosecution describes Foca outrages 'crimes against humanity'

The prosecution last week opened its case against three Bosnian Serbs accused of the rape and sexual enslavement of Bosniak women in Foca in 1992. In his opening statement, prosecutor Dirk Ryneveld was at pains to stress the crimes committed constituted a 'crime against humanity' as stipulated by the Tribunal Statute.

Dragoljub Kunarac, 39, Radomir Kovac, 38, and Zoran Vukovic, 44, are accused, as members of Serb military formations in 1992, of capturing women and girls, raping and torturing them, and selling or passing them on to other soldiers as if they were slaves.

"This is a case about women and girls - some as young as 12 or 15 years old - who endured unimaginable horrors as their worlds' collapsed around them. Before their very eyes their family members were killed and their homes were destroyed. They were then brutalised, sexually assaulted and dehumanised by their captors including the three accused," Ryneveld said.

The prosecutor said that Kunarac had admitted during talks with investigators that he was a commander of the local special unit. Kunarac faces charges of personally committing rapes as well as responsibility for rapes committed by soldiers under his command. He is also charged with selecting captured women and bringing them to the house his soldiers used as a base and to other locations, where he and other soldiers raped them.

Kovac and Vukovic, described respectively by the prosecution as a sub-commander in the military police and paramilitary leader, are also accused of personally committing rapes and bringing women to locations where they were raped by other soldiers.

The prosecution contested that, as members of the army, the three accused took part in an organised campaign of rape, contributing to a diabolical policy geared to destroying everything Muslim in Foca.

Ryneveld assured the court that several victims would appear before the court to testify about what happened to them. "They will identify those three men as being among those who raped them and tortured them," he said.

Ryneveld conceded that the three accused were not especially "major players" in the "diabolical policy" but he added, "there would be no ethnic cleansing without individuals willing to turn on their neighbours."

The prosecutor said this was no ordinary rape case, but the trial of "a policy of ethnic cleansing" unleashed by the Bosnian Serb leadership against non-Serb civilians.

"It will become clear that what happened to the Muslim women of Foca and the surrounding area occurred purely because of their ethnicity or religion and because they were women," Ryneveld said.

After Serbian forces seized Foca in April 1992, most Muslim men were detained in the Penitentiary Correction Institution. Muslim women were taken to the secondary school building, the Partizan hall and,

eventually, to a building known as 'Karaman's house'. These buildings were used as rape camps. Women were taken to other locations as well.

The first prosecution witnesses took the stand last week and began describing the atmosphere and chain of events in Foca on the eve of the fighting, during the conflict and after the fall of the town.

This is the first case before the Tribunal to focus on the systematic sexual abuse of women. The trial is expected to lead to a more precise definition of rape and sexual violence in the context of an armed conflict as a war crime under international law.

Focus: International Criminal Tribunal for the former Yugoslavia

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