

Foca Trial - Kunarac Cross-Examined Over His 'Investigation' Into Rapes

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Kunarac, also known as Zaga, has denied raping women, but admitted in court the previous week to having had a sexual relationship with one of the women "against his will."

The defendant said he had on occasion been alone with some of the women, now prosecution witnesses, but claimed all he ever did was talk to them.

"Everything the witnesses said is an expression of their wish that I be punished for women being taken to be raped," the accused concluded.

Kunarac claimed previously he had investigated the rape allegations at the time. He said he had taken two girls to a house in Aladza to identify possible rapists. The prosecutor pointed out, however, Kunarac's efforts ended in tragedy for the two girls - one, witness DB, claimed Kunarac had sex with her, the other, witness 75, said she was gang raped in an adjoining room.

Kunarac admitted having sex with DB but said this was "against his will." He said he "did not know" what was happening to the other girl in the next room.

"You had known DB for only a few hours, you knew she had been raped before, you knew she was afraid, but, nonetheless, you confronted her with a group of soldiers and yourself had intercourse with her!" the prosecutor said.

Kunarac said he was "confused" and that "DB wanted intercourse."

As for the other girl, the prosecutor asked Kunarac to confirm he had left her "alone with soldiers whom, as you say, you suspected of raping women."

Kunarac said he "could not assume" they would rape her. The prosecutor then pointed out Kunarac's alleged investigation had borne no fruit - no report was ever lodged with the civilian police, and the accused failed to inform either the military police or the brigade commander.

"I did not have any tangible proof," Kunarac said.

According to defence witness, retired Yugoslav Peoples Army General Radovan Radinovic, Kunarac had no authority over soldiers from his unit when they returned to Foca from the field.

The prosecutor pointed out, however, Kunarac had told Tribunal investigators in an earlier statement, "I lined up all my men and said that whoever did that [rape] I will shoot him personally."

The prosecutor suggested such a statement was "consistent with the action of a commander who has authority over his men even though they are not in the field."

Radinovic claimed, however, Kunarac was "simply overstepping his authority."

Focus: International Criminal Tribunal for the former Yugoslavia

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