

Kupreskic & Others Trial: Defence Denies Persecution

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One month into the Defense's case (see Tribunal Update No. 108), the lawyers for Zoran, Mirjan and Vlatko Kupreskic, Drago Josipovic, Dragan Papic and Vladimir Santic, continue to deny Count 1 of the indictment. Count 1, in a 19-count indictment, charges the six men with the persecution on political, religious and racial grounds of Bosnian Muslims from Ahmici, a village in the Lasva Valley in central Bosnia.

The Defense reject the claim that there was persecution of Bosnian Muslims in that part of Bosnia, and intend to deny that any of their clients had ever taken part in any persecution.

Last week's hearings again focused on crimes committed in that part of Bosnia against Bosnian Croat civilians by various Muslim military formations and their foreign allies, the 'mujahedeen'. The witnesses alleged that some of the crimes were committed by Muslims dressed up as Croats, ie. wearing the Croatian Defence Council (HVO) military fatigues.

The Defence disputed the Prosecutor's charge that the HVO planned, organized and co-ordinated the attacks on predominantly Muslim villages of the Lasva River Valley - which started on 16 April 1993 with a massacre in Ahmici. With the help of their witnesses they tried to make a point that just days before the massacre the number of Bosnian Muslim forces in the region had increased significantly.

The Defence alleged this caused great anxiety amongst the local Croat population. The witnesses went on to claim that Croats had not known what was in store, and were genuinely surprised by the shootings and explosions that had woken them up on 16 April 1993.

Last week, much had also been said about the village guards that were set up in the wake of Serb aggression, and at first consisted of joint Croat and Muslim patrols. Towards the end of 1992 and beginning of 1993, the guards were reorganised into discreet, 'ethnically pure' sentry patrol. The prosecution insisted during its presentation that Croatian village guards were in fact part of HVO forces - a charge denied by the Defense.

The Defense contended that village guards were self-organized groups, poorly armed and inadequately equipped peasants, who were only protecting their own villages from the onslaught of roaming criminals of all ethnic backgrounds. They were therefore never part of any regular military structure, they concluded.

The Defense last week also disputed the prosecution's thesis of the special religious importance of the village of Ahmici for Bosnian Muslims. The symbolic significance was, according to the prosecutor, the key reason why it had been so thoroughly destroyed by Bosnian Croat forces. Over one hundred people were killed in Ahmici; all Muslim-owned houses and other property were scorched; and both mosques were destroyed.

The Prosecutor supported his thesis *inter alia* with the contention that, proportionally speaking, the village of Ahmici had produced the largest number of religious leaders and teachers in the whole of Bosnia.

The Prosecutor further alleged that out of the two mosques in the village, the one most important to Bosnian Muslims was the mosque in Donji ('Lower') Ahmici. Defense witnesses tried to dispute the prosecutor's latter contention by saying that the mosque did not even have a special meaning for all of the Muslims of Ahmici, except for those inhabitants of Donji Ahmici, who had helped pay for its construction.

All of last week's witnesses from Vitez, the largest town in the valley, said they had no knowledge of the April, 1993, mass arrests and detention of Bosnian Muslims in the cellar of the Vitez Cinema or at the Kaonik prison-camp. One male witness said he heard about the prison. The year after the events, a female witness from Gacice, a small village in the Lasva Valley, said on 20 April 1993, she saw 250 Muslims being taken from the village by HVO, but she did not know why, nor where to.

When the Prosecutor told her they were being held in rows forming a human shield in front of the Hotel Vitez, which served as HVO headquarters at the time, she said she knew nothing about it. But, she added that all of the detainees returned to the village on the same day, although she acknowledged that they were not allowed back into their own homes.

Instead, all 250 of them were packed into seven houses. When asked by the prosecutor why she thought they were being herded into the houses, she replied, "presumably for their own protection." She confirmed that several days later, the same group of Muslims were loaded onto lorries and taken away. Where to, she did not know.

She denied any knowledge of allegations that they were taken to the edge of the no-man's-land, which separated the two sides, and were forced to cross minefields as they headed towards territory under the control of the Army of Bosnia and Herzegovina.

The trial of "Kupreskic & Others" will continue next week with a new batch of witnesses. Defense lawyers said next week they will prove that their clients took no part in persecution of the Muslims in that part of Bosnia.

Location: Bosnia and
Herzegovina

Focus: International Criminal Tribunal for the former
Yugoslavia

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