

Two 'Not Guilty' Pleas

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It marked the first time two initial appearances were held on the same day and followed their arrest in separate incidents in Bosnia before Christmas. The former, as a commanding officer of the Sarajevo-Romania Corps of the Army of Republika Srpska (VRS), is charged with a campaign of terror (shelling and sniping) against the civilian population of Sarajevo. The latter is accused of enslaving, torturing and raping Muslim women in Foca in 1992. (For a detailed information about the indictments see Tribunal Update No. 157).

General Galic's declaration of innocence, given through a frown, was nevertheless not as defiant in tone as that shown by the other VRS generals, Talic and Krstic when they made their first appearances at the Hague. General Galic registered his pleas on for counts of crimes against humanity and three counts of violations of the laws or customs of war, by saying "not guilty" seven times.

Galic's American defence counsel, Nikola Kostic, told journalists that he would refute charges that the Commander of the Sarajevo-Romania Corps besieged and shelled Sarajevo for 44 months by proving that those attacks were carried out in "a complicated military situation."

On the same occasion, Kostic said that he found "somewhat inappropriate that Galic, who lived openly, was arrested in the way he was." Kostic maintained that Galic had his head and back hurt in the arrest, adding that "he would have surrendered" if he knew the charges against him existed.

During his initial appearance, the prosecutors did not say whether there were names other than Galic's on the "sealed indictment" for the campaign of terror against Sarajevo. The siege and shelling of Sarajevo are encompassed in the first - "general indictment" - that was publicly issued against the former political and military leaders of the Bosnian Serbs, Radovan Karadzic and General Ratko Mladic, in July 1995.

"They [the Tribunal] are never going to get Mladic", Galic's lawyer told reporters. He claimed that he had met the general but refused to give any information about where or when.

On the basis of their conversation, he said that "Mladic is not somebody who is going to allow himself to be tried in The Hague." Nevertheless, Kostic estimated that such possibility exists with regard to Karadzic.

Vukovic, the second accused who appeared for the first time last week before Judge Florence Mumba, also pleaded not guilty on all eight counts of the "Foca indictment" that refer to his participation in enslaving, torturing, and raping Muslim women in the town.

That indictment was publicly issued on 26 June 1996 against eight persons, three of whom are now in the Tribunal's custody (alongside Vukovic, rest Dragoljub Kunarac and Radomir Kovac.) Co-accused Dragan Gagovic was killed during the attempt to arrest him in January last year. While there was some uncertainty over the identity of Zoran Vukovic at the time of his arrest (see Tribunal Update No. 157), it was not raised during last week's appearance.

As it turned out, the uncertainty was caused by the fact that some wrong personal data on Zoran Vukovic ("son of Milenko, born in 1965 in Prijedel village") were cited in the original indictment of June 1996.

The prosecution spotted the mistake a long time ago and corrected it in the amended indictment ("son of Milojica, born on 6 September 1955 in Brusna village") which was sealed until his arrest.

The beginning of the trial of Dragoljub Kunarac and Radomir Kovac is scheduled for 20 March, and the prosecution last week informally announced it hopes to include Vukovic in the proceedings.

However, it is questionable whether this will be allowed since it might mean a new trial postponement for Kunarac and Kovac, who have already been in custody for a long time: Kunarac surrendered on 4 March 1998 and Kovac was arrested by SFOR on 2 August 1998.

Vukovic's temporary defence counsel Nikola Kostic, did not state an opinion on the joint trial option for his client, leaving it up to Vukovic's permanent defence counsel, which will probably be Belgrade's Goran Jovanovic. Apart from Vukovic, the amended and now unsealed Foca indictment lists four other men who remain at large: Gojko Jankovic, Janko Janjic, Dragan Zelenovic and Radovan Stankovic.

In the original indictment from 1996, they were charged with crimes against humanity, grave breaches of the Geneva Conventions and violations of the laws or customs of war. Grave breaches charges were dropped from the amended indictment, which releases the prosecutor from the need to prove that the sexual crimes in Foca had taken place in the context of an international armed conflict.

It is interesting that Zoran Vukovic was accused, together with three members of the special unit "Dragan Nikolic" of the Army of Republika Srpska, of war crime back in February 1993 in Podgorica (Montenegro): namely, the murder of Hasan Klopuch, his wife Ferida and daughter Sena. Apart from Vukovic, the two co-accused from the Foca indictment, Kovac and Janjic, are also charged with that crime.

According to the indictment from Podgorica, the accused promised the Klopuchs to transport them safely from Foca to Podgorica. When they reached the bridge on the River Piva, Janjic shot Hasan in the head, Kovac killed Ferida and Vukovic killed Sena Klopuch. The three bodies were then thrown into the river. At their trial in absentia in Podgorica, all three were sentenced to 20 years imprisonment respectively.

Location: Bosnia and Herzegovina

Focus: International Criminal Tribunal for the former Yugoslavia

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